Honolulu, Hawaii

RE: S.B. No. 140 H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 140, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS,"

begs leave to report as follows:

The purpose of this measure is to require all state and county agencies to exercise reasonable care in the maintenance of agency records that are subject to public disclosure under Hawaii's Uniform Information Practices Act (Modified) by requiring the agencies to:

- (1) Issue instructions and guidelines for the reasonable care of records under the control of the agency; and
- (2) Ensure that all pertinent officers and employees are informed of the requirements.

The measure also creates a rebuttable presumption that the government agency exercised reasonable care in its maintenance of government records if it adheres to a duly adopted records retention and destruction plan.

Aina Haina Community Association supported this measure. The Office of the Corporation Counsel County of Hawaii opposed this measure. The Department of the Attorney General, Department of Accounting and General Services, and Office of Information Practices provided comments on this measure.

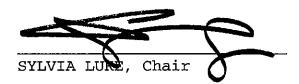
SB140 HD2 HSCR FIN HMS 2015-3167

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 140, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 140, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Finance,



State of Hawaii House of Representatives The Twenty-eighth Legislature

HSCR 1587

Record of Votes of the Committee on Finance

Bill/Resolution No.: SB 140, HD1	Committee Referral: JUD, FIN			
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)				
2. NISHIMOTO, Scott Y. (VC)				
3. CACHOLA, Romy M.				
4. CULLEN, Ty J.K.				
5. DeCOITE, Lynn				
6. JOHANSON, Aaron Ling				
7. JORDAN, Jo				
8. KEOHOKALOLE, Jarrett				
9. KOBAYASHI, Bertrand				
10. LOWEN, Nicole E.				
11. ONISHI, Richard H.K.				
12. TOKIOKA, James Kunane				
13. YAMASHITA, Kyle T.				
14. POUHA, Feki				
15. WARD, Gene	100			
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TOTAL (15)	- (9			
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) = Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				