

STAND. COM. REP. NO.

395

Honolulu, Hawaii

, 2021

FEB 18

RE: H.B. No. 884

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 884 entitled:

"A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES,"

begs leave to report as follows:

The purpose of this measure is to require the Director of the Office of Information Practices to:

- (1) Rule or provide guidance on an agency denial of access to, or granting of access to, information or records; and
- (2) Receive and resolve complaints under Hawaii's Sunshine Law either by determining whether a violation occurred or providing guidance.

Your Committee received testimony in support of this measure from the Office of Information Practices and one individual. Your Committee received testimony in opposition to this measure from the Civil Beat Law Center for the Public Interest and Society of Professional Journalists Hawaii Chapter. Your Committee received comments on this measure from the League of Women Voters of Hawaii.

2021-1548 HB884 HD1 HSCR HMSO



Your Committee finds that in many appeals, informal guidance would be more suitable, less time-consuming, and more efficient than providing a full legal opinion as required under existing law. This measure will provide the Office of Information Practices with the flexibility to handle its overwhelming caseload and improve its efficiency within the constraints of its limited resources.

Your Committee has amended this measure by:

- (1) Clarifying that the guidance must be written; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 884, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 884, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature **HSCR 395**

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 884	Committee Referral: JHA, FIN	Date: 2-9-21		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TODD, Chris				✓
11. TOKIOKA, James Kunane	✓			
12. WARD, Gene	✓			
TOTAL (12)	11	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				