

Honolulu, Hawaii

FEB 28, 2008

RE: H.B. No. 2217
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2217 entitled:

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

begs leave to report as follows:

The purpose of this bill is to provide for openness in government while expediting governmental functions by requiring the Office of Information Practices (OIP) to respond within 60 days from the date of a written OIP request from:

- (1) Any state or county board or board member for a written advisory opinion regarding meetings; and
- (2) Any state or county agency for an advisory opinion concerning the agency's functions and responsibilities.

The Maui County Council, Hawaii State Association of Counties, several members of the Kauai County Council, and a member of the Maui County Council testified in supported of this bill. OIP opposed this measure.

Your Committee notes that failure to receive a timely written opinion from OIP can significantly affect the ability of a governmental body to carry out its duties to the public. Accordingly, your Committee has amended this bill by limiting its scope to written requests from county councils and their members



only, and by extending to 90 days from the date of receipt of the requests, the time period within which OIP must provide a written opinion.

Your Committee has further amended this bill by:

- (1) Changing its effective date to January 1, 2112, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2217, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2217, H.D. 1, and be placed on the calendar for Third Reading.

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



TOMMY WATERS, Chair



