

Honolulu, Hawaii

April 10, 2015

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

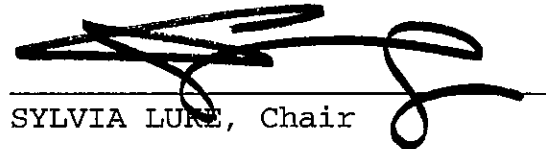


Your Committee has amended this measure by:

- (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,



SYLVIA LUKE, Chair



