

Honolulu, Hawaii

March 31, 2010

RE: S.B. No. 2937
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2937, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES,"

begs leave to report as follows:

The purpose of this bill is to establish a process whereby a state agency may request the Office of Information Practices (OIP) to declare a person a vexatious requester when that person has established a pattern of conduct demonstrating an abuse of the information practices law.

The Department of Taxation, OIP, and Department of Health testified in support of this bill. Several concerned individuals opposed this measure. Common Cause Hawaii and several concerned individuals provided comments.

Your Committee has amended this bill by:

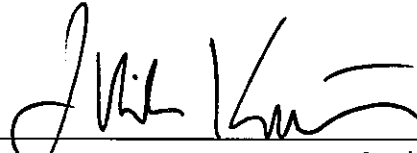
- (1) Replacing provisions that allow OIP to declare a person a vexatious requester with provisions that exempt disclosure of government records in response to duplicate requests from a single requestor; provided that the agency to which the request was made satisfies specified requirements;



- (2) Adding a sunset date of July 1, 2013;
- (3) Making the bill effective upon its approval; and
- (4) 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 S.B. No. 2937, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2937, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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



JON RIKI KARAMATSU, Chair



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 2937, SD1	Committee Referral: JUD	Date: 3/25/10
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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)

JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)	✓			
2. ITO, Ken (VC)	✓			
3. BELATTI, Della Au	✓			
4. CABANILLA, Rida				✓
5. CARROLL, Mele				✓
6. HERKES, Robert N.				✓
7. LUKE, Sylvia				✓
8. McKELVEY, Angus L.K.				✓
9. MIZUNO, John M.				✓
10. MORITA, Hermina M.				✓
11. OSHIRO, Blake K.	✓			
12. SOUKI, Joseph M.	✓			
13. TSUJI, Cliff	✓			
14. WAKAI, Glenn	✓			
15. MARUMOTO, Barbara C.	✓			
16. THIELEN, Cynthia	✓			
TOTAL (16)	9			7

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
_____ committee acronym(s)

Vice Chair's or designee's signature: *[Signature]*