

Honolulu, Hawaii

MAR 3, 1989

Honorable Richard S. H. Wong
President of the Senate
Fifteenth State Legislature
Regular Session of 1989
State of Hawaii

Sir:

RE: S.B. 1799

Your Committee on Government Operations, to which was referred S.B. No. 1799 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED),"

begs leave to report as follows:

The purpose of this bill is to modify the Uniform Information Practices Act (Modified) (UIPA) to ensure its smooth implementation when it takes effect on July 1, 1989.

The bill was drafted by the Office of Information Practices (OIP), which was created under the UIPA to help implement the public's rights of access to information, help protect the individual's privacy rights, and assist government agencies in achieving compliance with the new law.

Your Committee amended the bill to limit its scope to the following amendments to the UIPA:

- (1) An amendment to Section 92F-18 to extend the deadline by which agencies are required to compile a public report describing the records it routinely uses or maintains. The extension is granted until July 1, 1991.
- (2) A new requirement that each agency supplement or amend its public report biennially, in even numbered years, to ensure that the information is accurate and complete.

- (3) An amendment to authorize the OIP to propose model rules which each agency shall adopt, insofar as practicable, to ensure uniformity among agencies.
- (4) A clarification that the OIP is within the Department of the Attorney General only for administrative purposes.
- (5) A clarification that the review by OIP is an informal dispute resolution procedure and is exempt from the contested case requirements of Chapter 91, Hawaii Revised Statutes (HRS).
- (6) Several amendments to expand and clarify the rulemaking powers and responsibilities of the OIP.


Your Committee also amended the effective date of this bill so that it will take effect upon July 1, 1989, the same date that the UIPA takes effect.


Your Committee on Government Operations is in accord with the intent and purpose of S.B. No. 1799, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1799, S.D. 1, and be placed on the calendar for Third Reading.

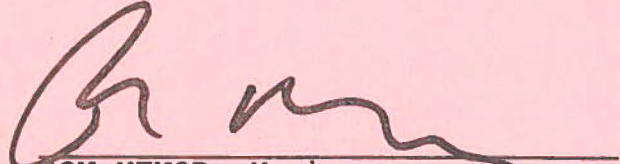
Respectfully submitted,


RUSSELL BLAIR, Chairman


MARY-JANE MCMURDO,
Vice Chairman


JAMES AKI, Member


STEVE COBB, Member



RON MENOR, Member



MAMORU YAMASHITA, Member



MARY GEORGE, Member