

Honolulu, Hawaii

May 1, 2012

RE: H.B. No. 2404
H.D. 1
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2404, H.D. 1, S.D. 2, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to ensure public access to government while reducing government spending by authorizing State and county government agencies to post required public notices electronically or online, and requiring State and county boards to post public notices and related material for public agency meetings online. Among other things, this measure also does as follows:

- (1) Eliminates the requirement for boards to post hard-copy notices of public meetings with the Office of the Lieutenant Governor;



- (2) Requires boards in situations involving technical difficulties to post hard-copy notices with the Office of the Lieutenant Governor or the appropriate county clerk's office;
- (3) Allows boards to notify by mail or electronic mail those who specifically request notice of meetings; and
- (4) Appropriates unspecified amounts of monies for both the Office of Information Management and Technology to create and maintain a centralized website for the State and the Hawaii State Public Library System to provide public access to and print public information from the centralized website.

Your Committee on Conference has amended this measure by among other things:

- (1) Providing a two-year window before requiring government agencies to post public notices only through electronic or online publication;
- (2) Requiring the State and counties to make reasonable efforts within the resources available to them to make their websites accessible to the disabled, elderly, and other individuals who require assistance;
- (3) Clarifying that meetings do not need to be canceled if the electronic notice that had been rejected by the electronic calendar was posted with the Office of the Lieutenant Governor or the respective county clerk;
- (4) Clarifying that where written materials were distributed in a state board meeting that requires disclosure under the State's freedom of information laws, those materials must be posted on the website of the board or, if none, on the website of the department within which the board is established;
- (5) Deleting language appropriating an unspecified amount to the Office of Information Management and Technology;
- (6) Appropriating \$284,200 for the Hawaii State Public Library System, and appropriating \$60,000 for fiscal year 2012-2013 to be expended by the Office of Information Practices to assist boards and commissions in meeting the new



electronic posting requirements established under this measure;


- (7) Removing language establishing January 1, 2014, as the date the electronic or online publication of notices will be implemented and fully operational; and
- (8) Making technical, nonsubstantive amendments for clarity, consistency, and style.

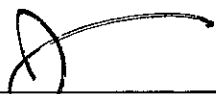
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2404, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2404, H.D. 1, S.D. 2, C.D. 1.

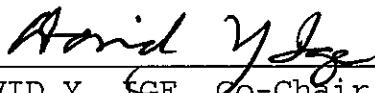
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE


ON THE PART OF THE HOUSE


CAROL FUKUNAGA, Chair


CLAYTON HEE, Co-Chair


DAVID Y. LEE, Co-Chair


ROSALYN H. BAKER, Co-Chair


GILBERT KEITH-AGARAN, Co-Chair


JAMES KUNANE TOKIOKA, Co-Chair



Hawaii State Legislature

CCR 152-12

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: HB 2404, HD 1, SD 2	Date/Time: 4/30/12 9:47 am
-----------------------------------------------------------------	--------------------------------------

The recommendation of the House and Senate managers is to pass with amendments (CD).



The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
-------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
FUKUNAGA, Carol, Chr.	✓				KEITH-AGARAN, Gilbert S.C., Co-Chr.	✓			
HEE, Clayton, Co-Chr.	✓				TOKIOKA, James Kunane, Co-Chr.	✓			
IGE, David Y., Co-Chr.				✓	ITO, Ken	✓			
BAKER, Rosalyn H., Co-Chr.	✓				THIELEN, Cynthia				✓
ENGLISH, J. Kalani	✓								
SLOM, Sam	✓								
TOTAL	5	0	0	1	TOTAL	3	0	1	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
---------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------

Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
-------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------

Distribution:

Original File with Conference Committee Report	Yellow House Clerk's Office	Pink Senate Clerk's Office	Goldenrod Drafting Agency
---------------------------------------------------	--------------------------------	-------------------------------	------------------------------