

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 2404

H.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2404 entitled:

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

begs leave to report as follows:

The purpose of this measure is to require any board as defined under Chapter 92, Hawaii Revised Statutes, to post its minutes on its board website, or if it does not have a website, on the state Internet portal or the website of the appropriate county.

The City and County of Honolulu Department of Planning and Permitting, Office of Information Practices, Common Cause Hawaii, and Associated Builders and Contractors, Hawaii Chapter testified in support of this measure. The High Technology Development Corporation testified in support of the intent of this measure. An individual testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Highlighting in the purpose section that "authorities" are included among the covered entities in the measure, since they are included in the definition of "board" under Chapter 92, Hawaii Revised Statutes;
- (2) Specifying that board minutes must be available in hard copy form;



- (3) Clarifying that board minutes must be available by electronic posting on the board website, or if the board does not have a website, then the minutes shall be posted on the official website of the State of Hawaii or the official website of the appropriate county;
- (4) Changing its effective date to January 7, 2059, to facilitate further discussion; and
- (5) 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. 2404, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2404, H.D. 1, and be referred to the Committee on Finance.

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

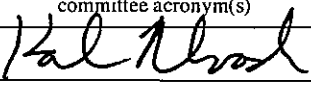
  
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GILBERT KEITH-AGARAN, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

HSCA 537-12

**Record of Votes of the Committee on Judiciary**

Bill/Resolution No.: <b>HB 2404</b>	Committee Referral: <b>JUD, FIN</b>	Date: <b>2/13/12</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>JUD Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. KEITH-AGARAN, Gilbert S.C. (C)	✓			
2. RHOADS, Karl (VC)	✓			
3. BROWER, Tom	✓			
4. CABANILLA, Rida T.R.				✓
5. CARROLL, Mele				✓
6. COFFMAN, Denny				✓
7. HERKES, Robert N.	✓			
8. ITO, Ken				✓
9. LUKE, Sylvia	✓			
10. McKELVEY, Angus L.K.				✓
11. SOUKI, Joseph M.	✓			
12. TSUJI, Clift	✓			
13. FONTAINE, George R.	✓			
14. MARUMOTO, Barbara C.	✓			
15. THIELEN, Cynthia	✓			
<b>TOTAL (15)</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>5</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">_____ committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ <div style="text-align: center; font-size: 1.2em; font-family: cursive;">  </div>				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				