

Honolulu, Hawaii

FEB 13 2015

RE: S.B. No. 472  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 472 entitled:

"A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION  
PRACTICES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Transfer the Office of Information Practices as an administratively attached agency of the Office of the Lieutenant Governor to the Department of Accounting and General Services;
- (2) Exempt the Office of Information Practices from certain laws requiring oversight by the Comptroller over the office, as an administratively attached agency, and authorize the Office of Information Practices to make direct communications with the Governor and Legislature and make all decisions regarding employment and purchase all supplies, equipment, and furniture without the approval of the Comptroller;
- (3) Clarify the employment status of attorneys employed by the Office of Information Practices and the civil service exemption for Office of Information Practices personnel; and



- (4) Appropriate an unspecified sum to the Department of Accounting and General Services for two additional positions to provide administrative support for the Office of Information Practices and other agencies administratively attached to the Department.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor, Office of Information Practices, Common Cause Hawaii, Animal Rights Hawaii, and two individuals. Your Committee received comments on this measure from the Department of Accounting and General Services and Department of Human Resources Development.

Your Committee finds that existing law administratively attaches the Office of Information Practices to the Office of the Lieutenant Governor as a temporary office for a special purpose. This measure recognizes the Office of Information Practices as a permanent office by administratively attaching the Office to the Department of Accounting and General Services, thereby better complying with the constitutional requirement for permanent offices to be housed in one of the principal executive branch departments.

Your Committee notes and concurs with the supplemental oral testimony from the Office of Information Practices that in the event that this measure becomes law, the Comptroller should also not have the power to supervise or control the Office of Information Practices in the exercise of its functions, duties, and powers pursuant to section 26-35(a)(8), Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Deleting the exemptions that would allow the Office of Information Practices to make all decisions regarding employment and purchase all supplies, equipment, and furniture without the approval of the Comptroller;
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 472, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 472, S.D. 1, and be referred to the Committee on Ways and Means.

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



GILBERT S.C. KEITH-AGARAN, Chair



