

Honolulu, Hawaii

MAR 02 2018

RE: S.B. No. 2735  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2735, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to enhance the independence and stability of the Office of Information Practices.

More specifically, this measure:

- (1) Establishes the Director of the Office of Information Practices' term for six years and thereafter until a successor is appointed;
- (2) Sets the Director's salary to an amount equivalent to the salary of a tier-one deputy department director;
- (3) Requires that the Director be appointed pursuant to a nomination by the Governor and the advice and consent of the Senate, rather than be appointed directly by the Governor; and
- (4) Makes an appropriation to the Office of Information Practices for implementation of this measure.



Your Committee received written comments in support of this measure from the Office of Information Practices and the Hawaii State Ethics Commission.

Your Committee received written comments in opposition to this measure from the Civil Beat Law Center for the Public Interest and the Hawaii Chapter of the Society of Professional Journalists.

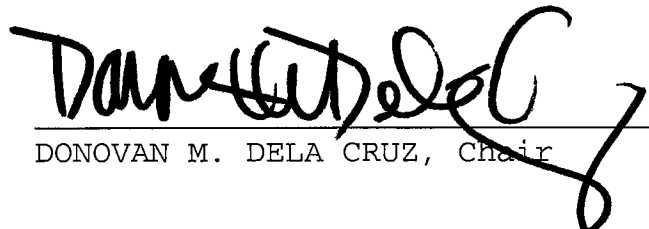
Your Committee finds that making the Office of Information Practices' Director's appointment subject to the advice and consent of the Senate would ensure independence from undue political influence. Additionally, your Committee believes that setting the Director's term and salary equal to that of the heads of other governmental agencies would achieve parity.

Your Committee has amended this measure by:

- (1) Changing the Director of the Office of Information Practices' salary to make it the same as the salary of the Director of Health;
- (2) Changing the effective date to July 1, 2018; 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 Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2735, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2735, S.D. 2.

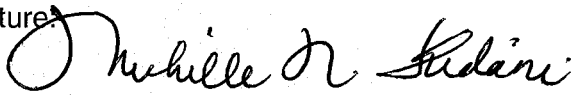
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB2735, SDI	JDC, WAM	2-14-18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	✓			
KEITH-AGARAN, Gilbert S.C. (VC)				✓
ENGLISH, J. Kalani				✓
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUYE, Lorraine R.	✓			
KAHELE, Kaiali'i				✓
KIDANI, Michelle N.	✓			
RIVIERE, Gil	✓			
SHIMABUKURO, Maile S.L.	✓			
WAKAI, Glenn				✓
<b>TOTAL</b>	<b>7</b>			<b>4</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes