

Honolulu, Hawaii

MAR 22 2013

RE: H.B. No. 632
H.D. 2
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Technology and the Arts and Judiciary and Labor, to which was referred H.B. No. 632, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO OPEN DATA,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require Executive branch departments to make electronic data sets available to the public;
- (2) Require the Chief Information Officer to develop policies and procedures to implement the open data initiative; and
- (3) Appropriate funds to provide staff and other open data coordinators to implement this measure.

Your Committees received testimony in support of this measure from the Office of Information Management and Technology; Office of Information Practices; Hawaii Open Data; Common Cause Hawaii; Internet Society, Hawaii Chapter; Hyperspective Studios, Inc.; League of Women Voters; and fifteen individuals. Your Committees received testimony in opposition to this measure from the Hawaii Bankers Association.

Your Committees find that open data is a top initiative of the Chief Information Officer, as identified in the State of



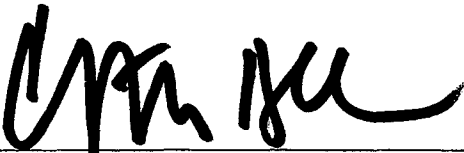
Hawaii Business and Information Technology/Information Resource Management Transformation Plan. Your Committees further find that open data increases public awareness and access to data created by and available from state departments and agencies, while enhancing government transparency and accountability. This measure also stimulates innovation with the development of new analyses or applications based on the unique data provided by the State.

Your Committees have amended this measure by:

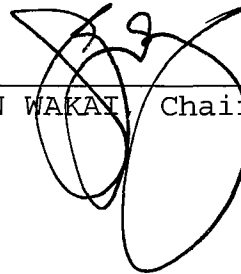
- (1) Requiring the Chief Information Officer's determination of whether information should not be disclosed to be based on whether that information is protected from disclosure by law or contract or whether that information is proprietary, rather than on a balance test of the benefits of publicly available data against the need to protect certain types of information;
- (2) Inserting an appropriation amount of \$100,000 to provide open data coordinators to implement this measure and chapter 92F, Hawaii Revised Statutes; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Technology and the Arts and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 632, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 632, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Technology and
the Arts and Judiciary and
Labor,



CLAYTON HEE, Chair

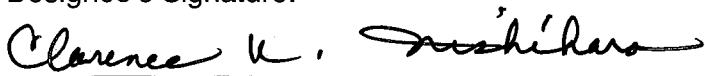


GLENN WAKAI, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i


Record of Votes
Committee on Technology and the Arts
TEC

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 632, HD 2	TEC/JDL, WAM	3-21-13		
<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
WAKAI, Glenn (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
GABBARD, Mike	✓			
TOKUDA, Jill N.				✓
SLOM, Sam	✓			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 632, HD 2	TEC/JDL, WAM	03-21-2013		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
SLOM, Sam				✓
TOTAL	3			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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