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GOVERNOR

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LIEUTENANT GOVERNOR

STATE OF HAWAII  
OFFICE OF THE LIEUTENANT GOVERNOR  
**OFFICE OF INFORMATION PRACTICES**

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CATHY L. TAKASE  
ACTING DIRECTOR

August 30, 2010

VIA EMAIL

The Honorable Colleen Hanabusa  
Senate President  
Hawaii State Legislature

Re: Request for Assistance to Access Records (U RFA-P 11-6)

Dear Senate President Hanabusa:

The Office of Information Practices (OIP) has received a request for assistance from Mr. Larry Geller with respect to his request made under part II of the Uniform Information Practices Act (Modified), chapter 92F, Hawaii Revised Statutes (HRS) (the UIPA), for access to the resignation letters from Senators Gary Hooser, and Robert Bunda. Mr. Geller has indicated that he made a written request via facsimile to your office dated August 4, 2010, and that he has not yet received a response from you. Copies of Mr. Geller's request to OIP and his record request to you are enclosed for your information.

Under OIP's administrative rules, an agency must respond to a written UIPA request for access to government records within a reasonable time, not to exceed ten business days. HAR § 2-71-13. Given the length of time since Mr. Geller's request, please provide the requested records to Mr. Geller within five business days from the date of this letter or, if you intend to deny all or part of Mr. Geller's request, please provide the required response to Mr. Geller within that same timeframe. *Id.*; HAR §§ 2-71-14, 2-71-15. Specifically, if denying access, you should (1) specify the record, or parts, that will not be disclosed; and (2) cite the agency's specific legal authorities under which access is denied under HRS § 92F-13,<sup>1</sup> and other laws. HAR § 2-71-14. Please also provide OIP with notice of the action taken by the agency.

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<sup>1</sup> The UIPA also provides generally that where compliance with any provision of the UIPA would cause an agency to lose or be denied funding or other assistance from the federal government, compliance with that provisions shall be waived but only to the extent necessary to protect eligibility for such federal assistance. HRS § 92F-4.

The Honorable Colleen Hanabusa  
August 30, 2010  
Page 2

Thank you in advance for your cooperation and assistance in this matter.  
Please do not hesitate to contact the undersigned attorney if you have any questions  
or require assistance.

Very truly yours,



Lorna L. Aratani  
Staff Attorney

LLA:dms  
Enclosure  
cc: Mr. Larry Geller(without enclosure)