

Honolulu, Hawaii

APRIL 27, 2006

RE: S.B. No. 2158
S.D. 2
H.D. 1
C.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2158, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO IDENTITY THEFT,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to establish a task force to review the possible redaction of all or a portion of each social security number contained in family court records, judgments affecting title to land, and any other documents maintained by the judiciary and available for public inspection.

In 2005, the Hawaii anti-phishing task force was established for the purpose of developing state policy on how best to prevent further occurrences of phishing and other forms of electronic commerce-based crimes in the State. One of the areas that the task force found particularly vulnerable to an unauthorized disclosure and use of an individual's social security number was in family



court records and judgments affecting title to land because these records are available for public inspection. Your Committee on Conference finds that the problem of unauthorized access and use of an individual's social security number in records that are available for public inspection extends to all government agencies of the State and counties.

Your Committee on Conference has amended this measure by deleting the language in S.B. No. 2158 S.D. 2, H.D. 1 concerning the establishment of a task force and replacing it with language that adds a new section to chapter 92, Hawaii Revised Statutes. The new provision will allow government agencies of the State and its political subdivisions to continue to collect, create, or maintain records or documents containing an individual's social security number in the course of carrying out the agency's legitimate government functions. However, beginning July 1, 2007, these agencies may not display the social security in any public record or document that is available for public inspection. Furthermore, your Committee on Conference has amended this measure by changing the effective date from July 1, 2050 to July 1, 2006.

Your Committee on Conference recognizes that the redaction of social security numbers can be a burdensome task for agencies to implement especially with regards to records and documents that are already on file or archived. Thus, your Committee on Conference encourages that the identity task force established in H.B. No. 3244, in its final amended form, establish a timetable for the removal of personal identifying information from public records by reviewing the current practices associated with the public inspection of records, the current volume of these records, and its likely future volume increase or decrease.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2158, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2158, S.D. 2, H.D. 1, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



ROBERT N. HERKES, Co-Chair



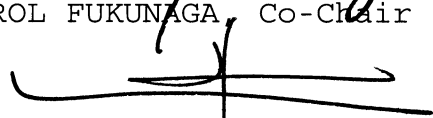
RON MENOR, Chair



SYLVIA LUKE, Co-Chair



CAROL FUKUNAGA, Co-Chair



COLLEEN HANABUSA, Co-Chair



Hawaii State Legislature
Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 2158, SD 2, HD 1	Date/Time: 4/27/06 12:22 pm
---	------------------------------------

The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
---	---

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
MENOR, Ron, Chr.	✓				HERKES, Robert N., Co-Chr.	✓			
FUKUNAGA, Carol, Co-Chr.	✓				LUKE, Sylvia, Co-Chr.	✓			
HANABUSA, Colleen, Co-Chr.	✓				MARUMOTO, Barbara C.	✓			
BAKER, Rosalyn H.				✓					
HOGUE, Bob				✓					
TOTAL	3			2	TOTAL	3			

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
---	--

Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
--	---

Distribution: Original Yellow Pink Goldenrod
 File with Conference Committee Report House Clerk's Office Senate Clerk's Office Drafting Agency