

STAND. COM. REP. NO. 673

Honolulu, Hawaii

March 5, 2009

RE: H.B. No. 1212
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1212 entitled:

"A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES,"

begs leave to report as follows:

The purpose of this bill is to clarify what types of government records, if disclosed, would not be a clearly unwarranted invasion of privacy because the public interest in disclosure outweighs the privacy interest of the individual. Currently, information relating to an individual's fitness for a professional license is statutorily deemed to be of significant privacy interest to the individual, except, among other things, a record of complaints. This bill deletes the exception for the record of complaints that allows the record to be disclosed publicly.

The Hawaii Association of REALTORS, Hawaii Dental Association, and several concerned individuals supported this bill. The Office of Information Practices opposed this measure. The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs submitted comments.

Your Committee has amended this bill by:

- (1) Changing the effective date to January 1, 2046, to encourage further discussion; and

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- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1212, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1212, H.D. 1, and be placed on the calendar for Third Reading.

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


JUN RIKI KARAMATSU, Chair



