

STAND. COM. REP. NO.

1168

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 1009  
H.D. 2  
S.D. 2

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 1009, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FINGERPRINT RETENTION BY HAWAII CRIMINAL JUSTICE DATA CENTER,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Hawaii Criminal Justice Data Center to indefinitely retain fingerprints and records relating to fingerprints of employment and licensing applicants for whom criminal history record checks are required by law.

Your Committee received written comments in support of this measure from the Department of the Attorney General; Patricia McManaman, Director, Department of Human Services; and Noel T. Ono, Director, Department of Human Services, City and County of Honolulu.

Your Committee finds that requiring the Hawaii Criminal Justice Data Center to indefinitely retain fingerprints will allow the State to implement a statewide Rap Back program, which is a new Federal Bureau of Investigation program that would allow employers to request notification if applicants are arrested in the future.

Your Committee has amended this measure by:

HB1009 SD2 SSCR LRB 11-3032.doc



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- (1) Changing the effective date to July 1, 2011; and
- (2) Making a technical, nonsubstantive amendment 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 H.B. No. 1009, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1009, H.D. 2, S.D. 2.

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

  
\_\_\_\_\_  
DAVID Y. IGE, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1009, HD2, SD1	JDL, WAM	4-1-11		
<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
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.				/
ENGLISH, J. Kalani				/
ESPERO, Will	✓			
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
RYAN, Pohai	✓			
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam		/		
<b>TOTAL</b>	11	1	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes