

STAND. COM. REP. NO. 201-12

Honolulu, Hawaii

Feb 8, 2012

RE: H.B. No. 2298  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Economic Revitalization & Business, to which was referred H.B. No. 2298 entitled:

"A BILL FOR AN ACT RELATING TO PRIVACY RIGHTS,"

begs leave to report as follows:

The purpose of this measure is to specify that for purposes of the Uniform Information Practices Act, an individual does not have a significant privacy interest in information regarding complaints made against a professional or vocational licensee if the complaint was referred for legal action and the person was given the opportunity to respond to the complaint.

The Hawaii Association of REALTORS, Roofing Contractors Association of Hawaii, Hawaii Dental Association, Honolulu Board of REALTORS, and Building Industry Association of Hawaii offered testimony in support of this measure. The Hawaii Automobile Dealers Association offered testimony in support of the intent of this measure. Common Cause Hawaii and an individual offered testimony in opposition to this measure. The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs and the Office of Information Practices provided comments on this measure.

HB2298 HD1 HSCR ERB HMS 2012-1607



Your Committee has amended this measure by:

- (1) Removing language that required the referral of a complaint for legal action as a condition for exemption from otherwise applicable privacy protections; and
- (2) Changing the effective date to July 1, 2112, to facilitate further discussion.

Your Committee respectfully requests that the Committees on Judiciary and Consumer Protection & Commerce further examine the removal of the language concerning the requirement that a complaint be referred for legal action as a condition of exemption from otherwise applicable privacy protections.

As affirmed by the record of votes of the members of your Committee on Economic Revitalization & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2298, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2298, H.D. 1, and be referred to the Committees on Judiciary and Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Economic  
Revitalization & Business,



---

ANGUS L.K. MCKELVEY, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

Record of Votes of the Committee on Economic Revitalization & Business

Bill/Resolution No.: <b>HB 2298</b>	Committee Referral: <b>ERB, JUD/CPC</b>	Date: <b>1/31/12</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
ERB Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	X			
2. CHOY, Isaac W. (VC)	X			
3. AWANA, Karen L.	X			
4. BROWER, Tom	X			
5. EVANS, Cindy	X			
6. HASHEM, Mark J.	X			
7. NISHIMOTO, Scott Y.	X			
8. TOKIOKA, James Kunane	X			
9. TSUJI, Clift	X			
10. MARUMOTO, Barbara C.	X			
11. PINE, Kymberly Marcos				X
TOTAL (11)	10	-	-	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) _____ did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution:    Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				