STAND. COM. REP. NO. 770

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1005 S.D. 2

Honorable Colleen Hanabusa President of the Senate Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 1005, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish a property right in the commercial use of a person's name, voice, signature, photograph, or likeness.

Your Committee finds that protecting an individual or personality's publicity rights is imperative for writers, composers, and recording artists in Hawaii. These persons deserve to have confidence that the laws of Hawaii protect the commercial value of their name, voice, signature, photograph, or likeness.

Your Committee also finds that this measure tempers the exploitation of the names, signatures, voices, and photographs of a deceased individual or personality without any compensation to their heirs.

Your Committee has amended this measure by making the application of the chapter prospective to August 1, 2009, in the interests of avoiding ambiguity over the time of accrual of any property right.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and

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purpose of S.B. No. 1005, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1005, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Government Operations,

BRIAN T. TANIGUCHI, Chai

The Senate Twenty-Fifth Legislature State of Hawaii

Record of Votes Committee on Judiciary and Government Operations JGO

Bill / Resolution No.:*	Committee Referral:		D	Date:	
SB1005, 8D1	EDT, Jho) .	3/2/09	
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Ауе⁄	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)					
TAKAMINE, Dwight Y. (VC)		V	11211		
BUNDA, Robert			-		
GABBARD, Mike		V /	redigi		
NISHIHARA, Clarence K.		V / -			
SLOM, Sam					
TOTAL		5	0	D	l
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Only one measure per Record of Votes