STAND. COM. REP. NO. 232 Honolulu, Hawaii **Feb N**, 2011 RE: H.B. No. 1141 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1141 entitled:

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

begs leave to report as follows:

The purpose of this bill is to provide limits on the disclosure of complaints under certain circumstances and allows departments and agencies to adopt rules about complaint disclosures.

The Hawaii Dental Association, The Hawaii Lumber Products Association, the Building Industry Association of Hawaii, the Hawaii Association of REALTORS, and numerous concerned individuals supported this bill. The Department of Commerce and Consumer Protection and its Regulated Industries Complaints Office, the Office of Information Practices, Kokua Council, and Common Cause Hawaii opposed this measure. The Judiciary provided comments.

This measure addresses conflicting interests in providing public access to complaints filed with state or county agencies. The Legislature supports public access to as many government records as possible while at the same time remains cognizant of the need to protect the reputations and abilities of businesses who might have unfounded complaints lodged against them.

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Your Committee amended this bill by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1141, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1141, H.D. 1, and be referred to the Committee on Judiciary.

> Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

ROBERT N. HERKES, Chair



State of Hawaii House of Representatives The Twenty-sixth Legislature

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## Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB [  H Committee Referral: CPC, JUD Date: 7/2011				
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <ul> <li>Pass, unamended (as is)</li> <li>Pass, with amendments (HD)</li> <li>Hold</li> <li>Pass short form bill with HD to recommit for future public hearing (recommit)</li> </ul>				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	/			
2. YAMANE, Ryan I. (VC)	/			
3. BROWER, Tom				
4. CABANILLA, Rida T.R.				
5. CARROLL, Mele				
6. ITO, Ken				
7. KEITH-AGARAN, Gilbert S.C.				
8. LUKE, Sylvia				
9. McKELVEY, Angus L.K.				
10. MORITA, Hermina M.				/
11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.				
13. TSUJI, Clift				
14. CHING, Corinne W.L.				
15. MARUMOTO, Barbara C.				
16. THIELEN, Cynthia				
				-
				-
				-
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TOTAL (16)	13			3
The recommendation is:       Image: Adopted image: Adopt				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				