



Information Privacy and Security Council

Meeting Agenda

June 19, 2019

1:00 p.m.

Videoconference Centers (VCC)

Kalanimoku Bldg., 1151 Punchbowl St., Basement B-10, Honolulu, HI 96813

Hilo State Office Bldg., 75 Aupuni St., Basement, Hilo, HI 96720

Wailuku State Office Bldg., 54 S. High St., 3rd Flr., Wailuku, HI 96793

Lihue State Office Bldg., 3060 Eiwa St., Basement, Lihue, HI 96766

- I. Call to Order
- II. Review and Approval of the April 11, 2019 Meeting Minutes
- III. Public Testimony on Agenda Items
Interested persons may submit testimony on any agenda item 1) in writing submitted in advance to Information Privacy and Security Council (IPSC), 1151 Punchbowl St., Room B-10, Honolulu, HI 96813; or 2) in person at any of the sites listed on this notice. Each individual or representative of an organization is allotted three minutes for testimony.
- IV. Permitted Interaction Group Report on the Privacy Impact Assessment Form
- V. House Concurrent Resolution 225: Convening a Task Force to Examine and Recommend Laws and Regulations to Update Privacy Law; Discussion and Appropriate Action
- VI. Relating to Found Electronic Devices Legislation, Memo and Guideline; Discussion and Appropriate Action
- VII. Good of the Order
 - a. Announcements
 - b. Next meeting: July 17, 2019
- VIII. Adjournment

Individuals who require special needs accommodation are invited to call (808) 586-6000 at least three working days in advance of the meeting.



Information Privacy and Security Council (IPSC)
Meeting Minutes - DRAFT
April 11, 2019

Videoconference Centers (VCC)

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Members Present

Vince Hoang, Acting Chair	Office of Enterprise Technology Services (ETS)
Lisa Tong (Designee)	Department of Commerce and Consumer Affairs (DCCA)
Jonathan Chee	Department of Education (DOE)
Gino Merez	Department of Health (DOH)
David Keane	Department of Human Resources Development (DHRD)
Lim Yong	Department of Human Services (DHS)
Kevin Thornton	Judiciary
Jodi Ito (Designee)	University of Hawaii (UH)
Jules Ung	County of Hawaii (via VCC)
Nyree Norman	County of Kauai (via VCC)

Members Absent

Carol Taniguchi	Legislature
Mark Wong	City & County of Honolulu
Karen Sherman	County of Maui

Other Attendees

Kandis McIntosh	DOH-HIPAA
William Monahan	DHS
Valri Kunimoto	Department of the Attorney General (ATG)
Susan Bannister	ETS

I. Call to Order

Acting Chair Hoang called the meeting to order at 1:44 p.m. at which time quorum was established.

II. Review and Approval of the February 20, 2019 Meeting Minutes

Member Keane made a motion to approve the February 20, 2019 meeting minutes, which was seconded by Member Designee Tong. A vote was taken and the motion passed unanimously.

III. Public Testimony on Agenda Items

None.

IV. Geographic Information System Data and Title Records

At the last IPSC meeting, members discussed the potential problem of having personal information available on public record documents and if the IPSC should consider having a risk assessment policy. Member Ung stated that the Counties of Maui and Hawaii have chosen EnerGov for their building permits system. She noted that Member Sherman had concerns about this issue and how they currently don't have a solution to deal with it. Ung mentioned that the information that are readily available on these records are not considered personal information. She and Sherman will create a local-level policy regarding how their GIS analyst should manage departmental data. William Monahan, DHS, will send Hoang a copy of the DHS' risk assessment. Members asked if a risk assessment template or guidelines are available that agencies can follow. Hoang stated that ETS will take the lead and work with agencies who have a risk assessment template.

V. Privacy Impact Assessment

Hoang would like the IPSC to review the Privacy Impact Assessment (PIA) form that government agencies complete and submit to the IPSC each year. He suggested forming a Permitted Interaction Group (PIG) to examine the current form then make recommendations for revisions at the IPSC June meeting. Member Thornton stated departments were asked to develop plans years ago to which Member Keane mentioned was around 2008. Departments developed plans but there was no follow up. Hoang added that the PIG could also examine the type of records that have PII and follow up with Departments as to what their plans are for mitigation. The goal is to reduce and protect PII. Members were asked to look for their department's plans and send a copy to Hoang. Susan Bannister will email the plans to the committee via blind copy.

Hoang asked for a motion to form a PIG to review the PIA form to better address identification, plan on how to reduce or protect personal information and revise the PIA form in time for the next PIA assessment and report. Member Lim so moved, which was seconded by Member Thornton. A vote was taken and the motion passed unanimously. Members of the PIG are Hoang, Keane, and Thornton.

VI. Good of the Order

a. Announcements

Hoang made a few announcements on behalf of ETS. Windows 7's end of life is January 2020, which Microsoft will no longer support. ETS is working with agencies who are using Windows 7 on an appropriate plan to migrate off of it.

CIS controls version 7.1 was published last week. ETS will work on integrating it with the Executive Branch. Lastly, ETS is just about done enabling multifactor authentication (MFA) for email.

b. Next meeting

The May meeting is cancelled. The next meeting is on June 19, 2019, 1:00 p.m.

VII. Adjournment

At 2:11 p.m., Member Designee Tong made a motion to adjourn, which was seconded by Member Designee Ito. A vote was taken and the motion passed unanimously.

Recorded by: _____
Susan Bannister, ETS

DRAFT

HOUSE CONCURRENT RESOLUTION

CONVENING A TASK FORCE TO EXAMINE AND RECOMMEND LAWS AND
REGULATIONS TO UPDATE PRIVACY LAW.

1 WHEREAS, Hawaii law and culture has a high bar for privacy
2 when compared to other states; and
3

4 WHEREAS, strong privacy laws are in the public interest;
5 and
6

7 WHEREAS, implications for and interests relating to privacy
8 have changed in recent decades and laws must now catch up; and
9

10 WHEREAS, the creation of the Internet has significantly
11 impacted the course of human history; and
12

13 WHEREAS, in the short span of twenty-three years, public
14 internet usage has increased from less than one percent to about
15 fifty-five percent of the world's population; and
16

17 WHEREAS, today, approximately seventy-five percent of
18 Americans have access to the Internet; and
19

20 WHEREAS, as internet access has expanded, so has the
21 function, capability, and public use of the Internet; and
22

23 WHEREAS, a major function and use of the Internet is the
24 collection and sharing of personal data and information, often
25 over jurisdictional boundaries; and
26

27 WHEREAS, given the rapid and constant development of
28 internet function, capability, and public use, governments have
29 struggled to adopt law and regulations that are relevant to the
30 most current internet trends; and
31



1 WHEREAS, one particular area in which internet use has
2 expanded and governments have struggled to comprehensively
3 regulate is the collection, transmission, processing,
4 protection, and storing of personal data and information; and
5

6 WHEREAS, because of this struggle, the privacy of
7 individuals across the world has been compromised; and
8

9 WHEREAS, some jurisdictions have attempted to regulate the
10 collection, transmission, processing, protection, and storing of
11 personal data and information in an effort to protect privacy of
12 internet users; and
13

14 WHEREAS, in 2018, the General Data Protection Regulation
15 went into effect across the European Union, and placed
16 significant restrictions on companies that collect, transmit,
17 process, protect, and store personal data collected over the
18 internet; and
19

20 WHEREAS, additionally, the General Data Protection
21 Regulation established significant penalties for those that do
22 not comply with the Regulation; and
23

24 WHEREAS, in 2018, the California Consumer Privacy Act was
25 signed into law and will go into effect in 2020; and
26

27 WHEREAS, similar to the General Data Protection Regulation,
28 the California Consumer Privacy Act gives consumers rights, such
29 as the right to opt out of the sale of any personal information;
30 have personal data erased; and require companies to disclose
31 certain uses of personal data; and
32

33 WHEREAS, the State should examine existing internet privacy
34 laws and regulations to determine how to best protect the
35 privacy interests of the people of Hawaii; now, therefore,
36

37 BE IT RESOLVED by the House of Representatives of the
38 Thirtieth Legislature of the State of Hawaii, Regular Session of
39 2019, the Senate concurring, that a twenty-first century privacy
40 law task force be convened to examine and recommend laws and
41 regulations relating to internet privacy; the collection,
42 transmission, processing, protection, storage, and sale of
43 personal data; hacking; data breaches; and other similar
44 subjects; and



1
2 BE IT FURTHER RESOLVED that any twenty-first century
3 privacy law task force recommendations relating to internet
4 privacy laws are requested to match or exceed the intent of
5 Hawaii's existing privacy protections established in the State
6 Constitution and Hawaii Revised Statutes; and

7
8 BE IT FURTHER RESOLVED that the twenty-first century
9 privacy law task force comprise the following members or their
10 designees:

- 11
- 12 (1) One member of the Senate designated by the President
- 13 of the Senate, who shall serve as co-chair of the Task
- 14 Force;
- 15
- 16 (2) Chair of the House Committee on Judiciary, who shall
- 17 serve as co-chair of the Task Force;
- 18
- 19 (3) Attorney General;
- 20
- 21 (4) Director of Commerce and Consumer Affairs;
- 22
- 23 (5) Chief Information Officer; and
- 24
- 25 (6) Prosecuting Attorney of the City and County of
- 26 Honolulu; and
- 27

28 BE IT FURTHER RESOLVED that the co-chairs of the twenty-
29 first century privacy law task force may invite other interested
30 parties to join the Task Force; and

31
32 BE IT FURTHER RESOLVED that members of the twenty-first
33 century privacy law task force serve without compensation; and

34
35 BE IT FURTHER RESOLVED that the twenty-first century
36 privacy law task force is requested to submit a report of its
37 findings and recommendations, including any proposed
38 legislation, to the Legislature no later than December 1, 2019;
39 and

40
41 BE IT FURTHER RESOLVED that certified copies of this
42 Concurrent Resolution be transmitted to the Governor; Attorney
43 General; Director of Commerce and Consumer Affairs; Director of
44 Business, Economic Development, and Tourism; Chief Information



1 Officer; and Prosecuting Attorney for the City and County of
2 Honolulu.
3

