

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 1609
S.D. 1

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

Madam:

Your Committee on Economic Development and Technology, to which was referred S.B. No. 1609 entitled:

"A BILL FOR AN ACT RELATING TO COMMUNICATIONS FRAUD,"

begs leave to report as follows:

The purpose of this measure is to establish the criminal offense of communication service fraud in the first and second degrees.

This measure also provides the aggrieved communication service provider with civil remedies, including but not limited to the offender forfeiting any unlawful communication or access device or materials to the aggrieved communication service provider.

Testimony in support of this measure was submitted by Hawaiian Telcom and Time Warner Cable. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that the laws regarding communication service fraud have not kept pace with the changing technology in the field. Your Committee finds that establishing the offenses of communication service fraud in the first and second degrees will provide the authorities with statutes that will adequately protect the property rights of communication service providers.



Your Committee has amended this measure by making technical, nonsubstantive amendments for the purpose of clarity.

As affirmed by the record of votes of the members of your Committee on Economic Development and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1609, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1609, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Economic
Development and Technology,

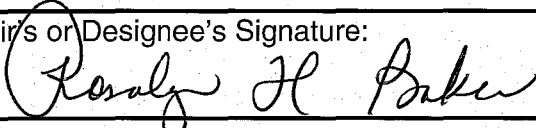


CAROL FUKUNAGA, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Economic Development and Technology
EDT

Bill / Resolution No.:* SB 1609	Committee Referral: EDT, JED	Date: 2-13-09		
<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
FUKUNAGA, Carol (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
HEE, Clayton				✓
IGE, David Y.	✓			
SLOM, Sam	✓			
TOTAL	4	—	—	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> 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