

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2247

S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 2247, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to require commercial mobile radio service providers to provide call location information to public safety agencies and public safety answering points in response to emergencies.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney, City and County of Honolulu; Oceanic Time Warner Cable; and two individuals.

Your Committee finds that this measure enables commercial mobile radio service providers to make call location information available to public safety agencies and public safety answering points upon request. The public benefits by the improved capability of public safety agencies and public safety answering points to obtain vital information quickly when time is a factor in responding to an emergency or preventing death or serious bodily injury.

However, your Committee finds that providers currently utilize a federal exigency provision to disclose relevant information to federal law enforcement agencies. It is your Committee's understanding that providers would provide the same

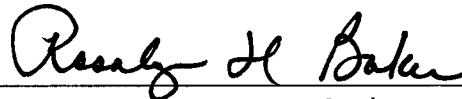


information to state law enforcement, public safety agencies, and public safety answering points if afforded the same safeguards.

Accordingly, your Committee has amended this measure by deleting its contents and replacing it with language that amends section 803-42(b), Hawaii Revised Statutes, to insert a state exigency provision that explicitly allows providers to disclose communication information to law enforcement agencies, public safety agencies, and public safety answering points in emergency situations.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2247, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2247, S.D. 2.

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



ROSALYN H. BAKER, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB 2247 SD1	Committee Referral: PGM, CPN	Date: 2/29/12		
<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
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)				✓
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh				✓
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			✓ ✓
SLOM, Sam				✓
TOTAL	4			3
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**