Honolulu, Hawaii

RE: H.B. No. 1663 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1663 entitled:

"A BILL FOR AN ACT RELATING TO PEN REGISTERS,"

begs leave to report as follows:

The purpose of this measure is to update the definition of a pen register in the electronic eavesdropping law to include devices that do not use a telephone land line to make phone calls, such as cellular telephones and electronic devices and services.

The Department of the Prosecuting Attorney of the City and County of Honolulu and Honolulu Police Department testified in support of this measure.

Your Committee has amended this measure by changing the effective date to July 1, 2112, to encourage further discussion.

Your Committee is concerned that no testimony was received from the telecommunications industry as they may not have had adequate opportunity to present testimony. Amending this measure to have a defective effective date should give interested parties more time to present testimony to your Committee on Judiciary. 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. 1663, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1663, H.D. 1, and be referred to your Committee on Judiciary.

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

ANGUS L.K. McKELVEY, Chair

State of Hawaii House of Representatives The Twenty-eighth Legislature H3CR 424-16

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: Committee	e Referral:	Date:	Eb 10, :	2016
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)				
2. WOODSON, Justin H. (VC)				
3. BELATTI, Della Au				
4. BROWER, Tom				
5. CREAGAN, Richard P.			1992	
6. HAR, Sharon E.				
7. HASHEM, Mark J.				_
8. KAWAKAMI, Derek S.K.				
9. LEE, Chris				1 /200
10. NAKASHIMA, Mark M.				
11. OSHIRO, Marcus R.				
12. SAN BUENAVENTURA, Joy A.				
13. TAKAYAMA, Gregg				
14. YAMANE, Ryan I.				
15. FUKUMOTO CHANG, Beth				
16. McDERMOTT, Bob				
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TOTAL (16)	13	O	0	3
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				