Honolulu, Hawaii

March 24 , 2016

RE: S.B. No. 2607

S.D. 2 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 S.B. No. 2607, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO STUDENT DATA MANAGEMENT,"

begs leave to report as follows:

The purpose of this measure is to limit the ways in which the operator of a website, online service, online application, or mobile application working with the Department of Education can use student data.

Your Committee received testimony in support of this measure from Microsoft Corporation and the Hawaii State Teachers Association. Testimony in support of the intent of the measure was received from the Department of Education. Testimony in opposition to the measure was received from ACT, Inc.

Your Committee finds that arguments against this measure were well-articulated, but ultimately unpersuasive, because they were based upon the premise of perpetuating the sale of student data for private commercial marketing purposes. Your Committee further finds that this measure will protect school children from data mining and help ensure that student data is kept private and used only for the purposes for which the data is collected.

Your Committee has amended this measure by changing the effective date from January 7, 2059, to upon approval.

SB2607 HD1 HSCR LRB 16-1850-1.doc

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 S.B. No. 2607, S.D. 2, as amended herein, and recommends that it be referred to your Committee on Judiciary in the form attached hereto as S.B. No. 2607, S.D. 2, H.D. 1.

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

HSCR 1311-16

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.:	Committee Referral:	Date:	2 02 11
SB 2607 SD2	EDN, CPC, JU	NO .	<u> </u>
☐ 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.	<i>M</i>		
6. HAR, Sharon E.	. 1		
7. HASHEM, Mark J.			
8. KAWAKAMI, Derek S.K.			
9. LEE, Chris	/		
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	1		_
			_
TOTAL (16)	14.	0	0 2
The recommendation is: Adopted Not Adopted			
If joint referral, did not support recommendation.			
communication ym(s)			
Vice Chair's or designee's signature:			
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO			