

Honolulu, Hawaii 2016

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:

HB1663 HD1 HSCR CPC HMS 2016-1858

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.

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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.

HB1663 HD1 HSCR CPC HMS 2016-1858

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 424-16

## Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.; HB 1663	Committee Referral:	Date:	Feb 10,	2016
$\hfill\square$ The committee is reconsidering its prev	ious decision on the measure.		•	
	unamended (as is) Pa short form bill with HD to reco	ss, with amendments ( mmit for future public		
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.				
6. HAR, Sharon E.				
7. HASHEM, Mark J.				
8. KAWAKAMI, Derek S.K.				
9. LEE, Chris				Kon
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				
				-
TOTAL (16)	13	Ð	0	3
The recommendation is: Ado If joint is	ppted	did not suppo	rt recommendatic	on.
Vice Chair's or designee's signature:				
Distribution: Original (White) - Commi	ttee 🖌 Durlicate (Yellow)	<ul> <li>Chief Clerk's Office</li> </ul>	Duplicate (	Pink) – HMSO