STAND. COM. REP. NO. **582**-06

Honolulu, Hawaii

EU17, 2006

RE: H.B. No. 2278 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2278 entitled:

"A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE DEPARTMENT OF THE ATTORNEY GENERAL,"

begs leave to report as follows:

The purpose of this bill is to support victims of sexual violence crimes by making an emergency appropriation to:

- (2) Make an appropriation out of the Special Fund to pay for costs associated with the implementation of Act 112, which requires the collection and analysis of buccal swab samples in certain cases; and
- (3) Make an appropriation to pay for costs associated with the implementation of Act 133, which allows the Department of the Attorney General (AG) to administer programs for the prevention of sexual violence and the protection and treatment of victims of sexual violence.

The Judiciary, AG, Department of the Prosecuting Attorney of the City and County of Honolulu, and The Sex Abuse Treatment Center testified in support of this bill. Your Committee supports the intent and purpose of the DNA registry. However, emergency measures are reserved for extraordinary and immediate needs to the exclusion of other needs. The AG, which is responsible for the registry, has not justified the need for an emergency appropriation to the exclusion of other necessary appropriations. Consequently, your Committee believes that it is appropriate to leave the appropriation amount blank and respectfully requests the Committee on Finance to further discuss this matter.

Your Committee has amended this bill by:

- (1) Blanking out the amounts of all appropriations to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2278, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2278, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on behalf of the members of the Committee on Judiciary,



State of Hawaii House of Representatives The Twenty-third Legislature

145CR 582

Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Date:	2114106		
HB2278 Committee Referral: JUD, FIN	The committee is reconsidering its previous decision on the measure. Pass, with amendments			
The recommendation is to: Pass, unamended				
☐ Hold	□ F	Recommit		
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)	1			
2. OSHIRO, Blake K. (VC)	1			
3. CALDWELL, Kirk				
4. KANOHO, Ezra R.	/	-		
5. KARAMATSU, Jon Riki	✓			
6. MORITA, Hermina M.	1			
7. SONSON, Alex M.	1			
8. SOUKI, Joseph M.	✓			
9. MARUMOTO, Barbara C.	1			
10. THIELEN, Cynthia				
TOTAL	9			1
The recommendation is: Adopted Not Adopted If joint referral,	mittee acronyo		rt recommendation.	
Vice Chair's or designee's signature:	Tun	>		
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