

Honolulu, Hawaii

March 24, 2006

RE: S.B. No. 2246  
S.D. 1  
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 S.B. No. 2246, S.D. 1, entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO SEXUAL ASSAULT,"

begs leave to report as follows:

The purpose of this bill is to propose an amendment to Article I of the Constitution of the State of Hawaii to provide that the Legislature may define what behavior constitutes a continuing course of conduct in sexual assault crimes against minors and what constitutes the jury unanimity that is required for a conviction.

The Department of the Attorney General, Crime Victim Compensation Commission, City and County of Honolulu's Department of the Prosecuting Attorney, County of Maui's Prosecuting Attorney, Honolulu Police Department, State of Hawaii Organization of Police Officers, Hawaii Family Forum, Hawaii Catholic Conference, Sex Abuse Treatment Center, and a concerned individual supported this bill. The Office of the Public Defender and Japanese American Citizens League of Hawaii opposed this measure.



Your Committee has amended this bill by:

- (1) Clarifying that the constitutional amendment applies to minors under 14 years of age; and
- (2) Making technical, nonsubstantive changes 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 S.B. No. 2246, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2246, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

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

for:   
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SYLVIA LUKE, Chair



