Honolulu, Hawaii

Menh 17, 2006

RE: S.B. No. 2949

S.D. 2

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

Sir:

Your Committees on Public Safety & Military Affairs and Legislative Management, to which was referred S.B. No. 2949, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SAFETY,"

beg leave to report as follows:

The purpose of this measure is to ensure the rights and safety of inmates who are housed at contracted correctional facilities.

Specifically, the measure provides the Office of the Ombudsman the authority to investigate out-of-state, private, or federal correctional facilities that have contracts with the Department of Public Safety to house Hawaii's inmates.

The American Civil Liberties Union of Hawaii provided testimony in support. The State of Hawaii Office of the Ombudsman offered comments on this measure.

Your Committees note that the Office of the Ombudsman has suggested a number of amendments and concerns regarding this measure and the role of the Ombudsman, several of which involve legal issues. Your Committees believe that many of these suggestions merit further discussion and requests the Committee on Judiciary to give them due consideration.

As affirmed by the records of votes of the members of your Committees on Public Safety & Military Affairs and Legislative Management that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2949, S.D. 2, and recommend that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on Public Safety & Military Affairs and Legislative Management,

KEN ITO. CI

State of Hawaii House of Representatives The Twenty-third Legislature

HSOR 998-06

Record of Votes of the Committee on Public Safety & Military Affairs

Bill/Resolution No.: SB 2949 SD 2	Date:	arch 16, 2006	5				
Committee Referral: PSM/LMG, JUD, FIN	☐ The committee is reconsidering its previous decision on the measure.						
The recommendation is to: A Pass, unamended	☐ Pass, with amendments						
☐ Hold	☐ Recommit						
PSM Members	Ayes	Ayes (WR)	Nays	Excused			
1. ITO, Ken (C)							
2. CHONG, Pono (VC)							
3. LEE, Marilyn B.							
4. NAKASONE, Bob	~						
5. SHIMABUKURO, Maile S. L.							
6. SOUKI, Joseph M. 7. TANAKA, Kameo							
7. TANAKA, Kameo 8. YAMANE, Ryan I.							
9. MOSES, Mark S.							
10. STONEBRAKER, Bud							
TOTAL	5	1		4			
The recommendation is: Adopted Not Adopted							
If joint referral, did not support recommendation.							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office							

State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Legislative Management

Bill/Resolution No.:	Date:	Date: 3/16/2006					
SB 2949 SD 2 Committee Referral:	☐ The committee is reconsidering its						
PSM/LMG, JUD, FIN	previous decision on the measure.						
The recommendation is to: Pass, unamended	☐ Pass, with amendments						
☐ Hold	☐ Recommit						
LMG Members	Ayes	Ayes (WR)	Nays	Excused			
1. MAGAOAY, Michael Y. (C)	/						
2. YAMANE, Ryan I. (VC)							
3. OSHIRO, Blake K.							
4. TAKAI, K. Mark							
5. HALFORD, Chris				<u> </u>			
				·			
TOTAL	3			2			
The recommendation is:							
□ Not Adopted							
If joint referral, did not support recommendation.							
15 - 2 Jan							
Vice Chair's or designee's signature:							
Distribution: Original (White) - Committee Duplicate (Yellow) - Clerk's Office							