STAND. COM. REP. NO. **3215**

Honolulu, Hawaii

APR - 3 2006

RE: H.B. No. 3256

H.D. 1 S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred H.B. No. 3256, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose of this measure is to make technical and substantive changes to Hawaii Penal Code chapters 704, 706, 707, 708, 709, 710, 711, and 712.

Your Committee finds that all parties testifying on this measure indicated that the recommendations originally submitted to the Legislature were a collaborative effort. Everyone submitting testimony complimented the work of the Committee to Conduct a Comprehensive Review of the Hawaii Penal Code and Judge Steve Alm's leadership as the chair of the Committee.

Your Committee received testimony in support of this measure from the Attorney General, the Crime Victim Compensation Commission, the Disability and Communication Access Board, the Department of the Prosecuting Attorney for the City and County of Honolulu, the Office of the Prosecuting Attorney for the County of Kauai, the Office of the Prosecuting Attorney for the County of Maui, the Honolulu Police Department, the Hawaii Disability Rights Center, the Sex Abuse Treatment Center, and the Hawaii State Coalition Against Domestic Violence. The Office of the Public Defender submitted comments on this measure.

Your Committee has amended this measure to restore it to the original version to reflect the recommendations of the Committee to Conduct a Comprehensive Review of the Hawaii Penal Code, and to make technical changes for conformance and stylistic purposes.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3256, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3256, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Hawaiian Affairs,

COLLEEN HANABUSA, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Judiciary and Hawaiian Affairs (Bills and Resolutions)

Measure:* HB 3256 HD1	Committee Referral: JHW		Date: 3 / 17 / 0 6			
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The committee is reconsidering its previous decision on this measure.						
If so, then the previous decision was to:						
The Recommendation is to:						
Pass, unamended (2312)				Hold Recommit (2310) (2313)		
Members		Ayes	Ayes(WR)	Nays	Excused	
HANABUSA, Colleen (C)		//				
HEE, Clayton (VC)						
CHUN OAKLAND, Suzanne		//			a " n skill symmetrykani (film film film skill skil	
ENGLISH, J. Kalani		//				
IHARA, Jr., Les		//				
WHALEN, Paul						
				2007		
No. of the Control						
		AT DESCRIPTION OF THE PROPERTY				
TOTAL		6	0	0	0	
Recommendation:						
Adopted Adopted			Not Adopted			
Chair's or Designee's Signature:						
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Distribution: Original Yellow Pink Goldenrod						
File with Committee Report Clerk's Office Drafting Agency Committee File Copy						

^{*}Do <u>not</u> list more than one measure per Record of Votes.