STAND. COM. REP. NO. 582 -08

Honolulu, Hawaii

Fe 715, 2008

RE: H.B. No. 3362 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir:

Your Committee on Human Services & Housing, to which was referred H.B. No. 3362 entitled:

"A BILL FOR AN ACT RELATING TO CRIME,"

begs leave to report as follows:

The purpose of this bill is to require that minors at least 15 years-of-age be tried as an adult for committing the offenses of murder in the first and second degree and sexual assault in the first and third degrees.

Many individuals testified in support of this bill. The Office of the Public Defender and several concerned individuals opposed this measure. The Judiciary provided comments.

Your Committee respectfully requests the Committee on Judiciary to examine constitutional due process and other legal issues raised by this measure.

Your Committee has amended this bill by:

- (1) Limiting the measure only to the murder offenses; and
- (2) Clarifying that minors subject to these provisions should be held in a youth correctional facility.

Other technical, nonsubstantive amendments were made for clarity, consistency, and style.

HB3362 HD1 HSCR HSH HMS 2008-2089



As affirmed by the record of votes of the members of your Committee on Human Services & Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3362, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3362, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Human Services & Housing,

MAILE SHIMABUKURO, Chair

State of Hawaii House of Representatives The Twenty-fourth Legislature

HSCR 582-08

Record of Votes of the Committee on Human Services & Housing

Bill/Resolution No.: HB 3362			tebruary 12, 2008	
☐ The committee is reconsidering its prev	vious decision on the measure.			
1	unamended (as is) A Passhort form bill with HD to reco	ss, with amendments		
HSH Members	Ayes	Ayes (WR)	Nays	Excused
1. SHIMABUKURO, Maile S. L. (C) X			
2. RHOADS, Karl (VC)		X		
2 ANNANA Vana Lainari		V		
3. AWANA, Karen Leinani		X		
4. BELATTI, Della Au		X		
5. BERTRAM, Joe, III			X	
6. CABANILLA, Rida T.R.	X			
7. GREEN, Josh, M.D.		X		
8. MIZUNO, John				
8. WIZUNO, Juni				
9. TOKIOKA, James Kunane		X		
10. WARD, Gene, Ph.D.	X			
TOTAL (10)	3	6		0
If joint	opted Not Adopt referral, committee acronyme	did not supp	ort recommendation	on.
Vice Chair's or designee's signature:	Las Inson	L		
Distribution: Original (White) – Cor	mmittee Duplicate (Yelle	ow) – Chief Clerk's	Office	