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Honolulu, Hawaii

APR 0 5 2007

RE: H.B. No. 1406

H.D. 1 S.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 1406, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR,"

begs leave to report as follows:

The purpose of this measure is to expand the offenses of endangering the welfare of a minor in the first and second degree to include all controlled substances not prescribed by a physician. The measure also makes unlawful the acts of permitting a minor to injest a controlled substance, the acts of permitting a minor to inject or inhale a controlled substance that has not been prescribed by a physician for the minor.

Currently, with regard to illicit drug use, the law only recognizes the act of an individual who causes or permits a minor to injest methamphetamine as an offense under endangering the welfare of a child. This bill expanded to prohibit all controlled substances.

Your Committee received testimony in support of the bill from the Attorney General's Office and from the Department of Public Safety. The Public Defender opposed the bill.

Your Committee amended the bill to clarify that it is unlawful if the controlled substance taken was not prescribed for

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the minor. Your Committee also amended the bill to make the effective date July 1, 2007.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1406, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1406, 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 Labor,

CLAYTON HEE. Chair

The Senate Twenty-Fourth Legislature State of Hawaii

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:* HB1406, HD1	Committee Committee		Da	te: 4-3- 1	07
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)		/			
KOKUBUN, Russell S. (VC)					· /
INOUYE, Lorraine R.					
NISHIHARA, Clarence K.					
GABBARD, Mike					
TOTAL		4			1
Recommendation: Adopted		Not Adopted			
Chair's or Designee's Signature: Cluence & Wishilam					
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency					