STAND. COM. REP. NO.

1592

Honolulu, Hawaii APR 0 5 2007

RE:

H.B. No. 1440

H.D. 3

S.D. 1

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

Madam:

Your Committees on Judiciary and Labor and Ways and Means, to which was referred H.B. No. 1440, H.D. 3, entitled:

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

beg leave to report as follows:

The purpose of this measure is to clarify the jurisdictional authority of the Office of the Ombudsman when investigating the contractual acts of any correctional facility with which the Department of Public Safety has contracted to hold individuals committed to its custody.

Your Committees find that the clarification is necessary to assure that the scope of the Ombudsman's jurisdiction includes mainland correctional facilities. Your Committees also find that it is vital that inmates from Hawaii held in mainland correctional facilities have access to an independent body to investigate claims affecting their health, safety, and legal rights.

Your Committees received testimony in support of the bill from the American Civil Liberties Union of Hawaii, the Community Alliance on Prisons, and seven individuals. The Office of the Ombudsman commented on the bill.

Your Committees amended the bill by changing the effective date from July 1, 2020, to July 1, 2007, and by deleting language following the effective date.



As affirmed by the records of votes of the members of your Committees on Judiciary and Labor and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1440, H.D. 3, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1440, H.D. 3, S.D. 1.

Respectfully submitted on behalf of the members of the Committees on Judiciary and Labor and Ways and Means,

ROSALYN H. BAKER, Chair

CLAYTON MEE, Chair

The Senate Twenty-Fourth Legislature State of Hawaii

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:* Committee Referral: Date: HB1440, HD3 PBS, SDL/WAM 4-3-07							
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)		ASSESSED ASSESSED		/			
INOUYE, Lorraine R.							
NISHIHARA, Clarence K.	-						
GABBARD, Mike							
			<u> </u>				
TOTAL	3			2			
Recommendation: Adopted	Not Adopted						
Chair's or Designee's Signature: Clume & Duklihan							
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency							

The Senate Twenty-Fourth Legislature State of Hawaii

Record of Votes Committee on Ways and Means WAM

Bill / Resolution No.:* HB I440 HD3	Committee Referral: PBS, JDL/ WAM			Date: 4/3/07-				
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			
BAKER, Rosalyn H. (C)								
TSUTSUI, Shan S. (VC)		/						
CHUN OAKLAND, Suzanne								
ENGLISH, J. Kalani								
FUKUNAGA, Carol		/						
HOOSER, Gary L.		/						
KIM, Donna Mercado								
MENOR, Ron								
TOKUDA, Jill N.	***************************************							
HEMMINGS, Fred								
WHALEN, Paul	wife a like a limit of a like							
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				22 4 1 4 2 2 4 4 4 2 5 4 4 4 4 4 4 4 4 4 4 4 4				
TOTAL		10						
Recommendation:	Adopted	lopted Not Adopted						
Chair's or Designee's Signature:								
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency								

*Only one measure per Record of Votes