

STAND. COM. REP. NO.

2741

Honolulu, Hawaii

FEB 29 2008

RE: S.B. No. 3071

S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 3071, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE,"

begs leave to report as follows:

The purpose of this measure is to allow the Director of
Health to apply to the court for any committed persons to be
discharged from, or for the modification of any order granting
conditional release.

Your Committee received testimony in support of this measure
from the Department of Health.

Your Committee finds that enabling the Director of Health to
petition the courts for discharges, where appropriate, will help
to ease the overcrowding problem at the Hawaii State Hospital and
protect the health and safety of the patients and staff at the
hospital. Furthermore, the changing mental condition of the
person is always relevant at any point in time to the person's
legal custodial status. Your Committee notes that a person on
conditional release is required to receive community-based mental
health services until no longer affected by the mental condition,
disorder, or defect and is no longer a danger to themselves or to
others.

Your Committee has amended this measure by making technical
changes on the recommendation of the Department of Health.



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 S.B. No. 3071, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3071, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 3071 SD1	Committee Referral: HTH, JDL	Date: 2-26-08
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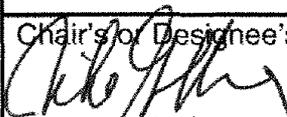
The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)	✓			
HEE, Clayton (VC)				✓
GABBARD, Mike	✓			
KOKUBUN, Russell S.	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5			1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes