STAND. COM. REP. NO. **983** 

Honolulu, Hawaii

MAR 2 7 2009

RE: H.B. No. 1101

H.D. 1 S.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

## Madam:

Your Committee on Human Services, to which was referred H.B. No. 1101, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES,"

begs leave to report as follows:

The purpose of this measure is to ensure that investigators appointed by the Director of Human Services under section 346-4.5, Hawaii Revised Statutes, to investigate incidents at the Hawaii Youth Correctional Facilities have access to the information and records needed to conduct such investigations.

Testimony in support of this measure was provided by the State Attorney General and one individual. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that the State is required through a Memorandum of Agreement with the United States Department of Justice to investigate certain incidents involving youth and violence or abuse. Your Committee further finds that some investigations require access to the records of providers of services to youth at the Hawaii Youth Correctional Facilities, which access is currently prohibited or hindered by certain state confidentiality laws. Your Committee therefore finds that this measure is necessary to authorize investigators appointed by the Director of Human Services to obtain necessary information for

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investigations in satisfaction of the Memorandum of Agreement requirements.

Your Committee has amended this measure as follows:

- (1) By amending the effective date from January 1, 2050, to July 1, 2009; and
- (2) By making technical, nonsubstantive changes for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1101, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1101, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

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

SUZANNE CHUN OAKLAND, Chair

## The Senate Twenty-Fifth Legislature State of Hawaii

## Record of Votes Committee on Human Services HMS

Bill / Resolution No.:*	Committee Referral:		[	Date:	
HB 1101 HD1	HMS, J60			3/20/09	
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
CHUN OAKLAND, Suzanne (C	C)	V			
IHARA, Jr., Les (VC)		V			
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TOTAL	·	3	0	0	
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature That was a signature of the signature of t					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

\*Only one measure per Record of Votes