STAND. COM. REP. NO. 378

Honolulu, Hawaii **F. 518**, 2009 RE: H.B. No. 1025 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1025 entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING,"

begs leave to report as follows:

The purpose of this bill is to restore a statutory provision allowing for presentence mental or medical examination of a defendant as part of the judiciary's presentence investigation process.

Your Committee received testimony in support of this bill from the Judiciary, the Attorney General, the Department of the Prosecuting Attorney for the City and County of Honolulu, and the Department of the Prosecuting Attorney for the County of Maui.

Your Committee amended the bill by:

- 1. Inserting a savings clause;
- 2. Changing the effective date to January 1, 2046; and
- 3. Making technical, nonsubstantive changes for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your



STAND. COM. REP. NO. 318 Page 2

Committee is in accord with the intent and purpose of H.B. No. 1025, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1025, H.D. 1.

HB1025 HD1 HSCR JUD HMS 2009-2190

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

JON RIKI KARAMATSU, Chair

HSGR 378

State of Hawaii House of Representatives The Twenty-fifth Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: Commit	ttee Referral: , JUD, FII	Date		
	•	V	2/10/09	
□ The committee is reconsidering its previous decision	ion on the measure.	4		
The recommendation is to:□Pass, unamende□Pass short form		ss, with amendments mmit for future publi		
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)				
2. ITO, Ken (VC)				
3. BELATTI, Della Au				
4. CABANILLA, Rida				
5. CARROLL, Mele				
6. HERKES, Robert N.				
7. LUKE, Sylvia				
8. McKELVEY, Angus L.K.		-		
9. MIZUNO, John M.				
10. MORITA, Hermina M.		/		
11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.				
13. TSUJI, Clift				
14. WAKAI, Glenn				
15. MARUMOTO, Barbara C.				
16. THIELEN, Cynthia				
TOTAL (16)	·H			2
The recommendation is: Adopted If joint referral,	Not Adopt committee acronyme	did not suppo	ort recommendation	۱.
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee	Duplicate (Yellow) -	- Chief Clerk's Office	Duplicate (F	Pink) – HMSO