STAND. COM. REP. NO. 223

Honolulu, Hawaii

FEB 2 0 2009

RE: S.B. No. 843 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 Health, to which was referred S.B. No. 843 entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING,"

begs leave to report as follows:

The purpose of this measure is to allow a court to order a mental or medical examination as needed in order to obtain sufficient information to render an appropriate sentencing provision for a defendant.

Your Committee received testimony in support of this measure from the Attorney General, the State Judiciary, the City and County of Honolulu Department of the Prosecuting Attorney, the County of Maui Department of the Prosecuting Attorney, and The Mestizo Association.

Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that this measure restores a necessary statutory provision allowing for pre-sentence mental or medical examinations of defendants. Your Committee further finds that this measure will help to ensure that defendants are sentenced appropriately.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and style.



STAND. COM. REP. NO. 7 Page 2

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 843, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 843, 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 Health,

Anid Yle DAVID Y. LGP, Chair



## The Senate Twenty-Fifth Legislature State of Hawaii

## Record of Votes Committee on Health HTH

Bill / Resolution No.:*	Committee Referral:			Date:		
SB 843	HTH, JGO			2-18-9		
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	
IGE, David Y. (C)						
GREEN, M.D., Josh (VC)		11				
BAKER, Rosalyn H.						
ESPERO, Will		-1/				
NISHIHARA, Clarence K.						
HEMMINGS, Fred						
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Recommendation:						
Chair's or Designee's Signatur	re:	Z				
<b>Distribution:</b> Original File with Committee Re		ellow 's Office D	Pink rafting Agend		lenrod e File Copy	

\*Only <u>one</u> measure per Record of Votes