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Honolulu, Hawaii

April 28, 2011

RE:

H.B. No. 1071

H.D. 2

S.D. 1

C.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1071, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH RELEASE ON CONDITIONS OF A PERSON FOUND UNFIT TO STAND TRIAL,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to require the Department of Health to:

- (1) Establish and monitor a fitness restoration program consistent with the conditions set by a court order of release when a defendant is released on conditions after a finding of unfitness to proceed; and
- (2) Inform the prosecuting attorney of the county that charged the defendant of the program and report the defendant's compliance therewith.

HB1071 CD1 HCCR HMS 2011-3946

Your Committee on Conference has amended this measure by changing its effective date to July 1, 2011, and making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1071, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1071, H.D. 2, S.D. 1, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

JOSH GREEN, M.D., Chair

WILL ESPERO, Co-Chair

CLAYTON HEE, Co-Chair

GILBERT KEITH-AGARAN, Co-Chair

RYAN I. YAMANE, Co-Chair

DEE MORIKAWA, Co-Chair

Hawaii State Legislature

CCR 79

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 1071, HD 2, SD 1					Date/Time: 4/26/11 2:30 pm				
The recommendation of the House and Senate managers is to pass with amendments (CD).									
The Committee is reconsidering its previous decision.									
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure				The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.					
Senate Managers	A	WR	N	E	House Managers	Α	WR	N	Е
GREEN, Josh, M.D., Chr.	V				KEITH-AGARAN, Gilbert S.C., Co-Chr.	V			
ESPERO, Will, Co-Chr.	V				YAMANE, Ryan I., Co-Chr.				V
HEE, Clayton, Co-Chr.	1				MORIKAWA, Dee, Co-Chr.	V			
SLOM, Sam				V	ITO, Ken		\ \		V
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A = Aye $WR = Aye$ with Reservations $N = Nay$ $E = Excused$ Senate Recommendation is: House Recommendation is:									
Adopted Not Adopted					Adopted Not Adopted				
Senate Lead Chair's or Designee's Signature:				House Lead Chair's or Designee's Signature:					
July				auth ag					
Distribution: Original File with Conference Co	Yellow Pink Goldenrod use Clerk's Office Senate Clerk's Office Drafting Agency								
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