STAND. COM. REP. NO. 861

Honolulu, Hawaii

March 8 , 2011

RE: H.B. No. 1071

H.D. 2

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

Sir:

Your Committee on Finance, to which was referred H.B. No. 1071, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to protect the community by requiring the Department of Health (DOH) to:

- (1) Establish and monitor a Fitness Restoration Program (Program) for those defendants released on conditions after being found unfit to stand trial; and
- (2) Inform the prosecuting attorney of the county that charged the defendant of the Program plan and any non-compliance therewith on the part of the defendant.

DOH, Department of the Prosecuting Attorney of the City and County of Honolulu, and Hawaii Disability Rights Center testified in support of this bill. Helping Hands Hawaii provided comments.

Your Committee has amended this bill by making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No.

HB1071 HD2 HSCR FIN HMS 2011-2821

1071, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1071, H.D. 2.

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

MARCUS R. OSHIRO, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature



Record of Votes of the Committee on Finance

HB 1071 , HD1	JUD, FIN	Date:	3/2/1	1
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)	V			
2. LEE, Marilyn B. (VC)				
3. CHONG, Pono	L			
4. CHOY, Isaac W.	V			
5. COFFMAN, Denny	V			
6. CULLEN, Ty	_ V			
7. HAR, Sharon E.	V		· i ·	
8. HASHEM, Mark J.	V			
9. ICHIYAMA, Linda	V			, , , u
10. JORDAN, Jo				
11. LEE, Chris	· V			
12. MORIKAWA, Dee				
13. TOKIOKA, James Kunane	. · · · · · · · ·			
14. YAMASHITA, Kyle T.	V			
15. MARUMOTO, Barbara C.				
16. RIVIERE, Gil	<u></u>			
17. WARD, Gene		-		
TOTAL (17)	17			0
The recommendation is:	tad D Not Adams			
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: Marily 3. Jee				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				