STAND. COM. REP. NO.

Honolulu, Hawaii

S.B. No. 310

S.D. 2 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committees on Health and Public Safety, to which was referred S.B. No. 310, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH TREATMENT,"

beg leave to report as follows:

The purpose of this measure is to address the high rate of incarceration and hospitalization of persons with severe mental illness by establishing an assisted community treatment program to enable these individuals to obtain assisted community treatment that will be beneficial to the person as the least restrictive alternative.

The State Council on Mental Health; Governor's Coordinator on Homelessness; Chair of the Hawaii Interagency Council on Homelessness; City and County of Honolulu Department of Community Services; City and County of Honolulu Council Member, District 6; National Alliance on Mental Illness, Hawaii State Chapter; Hawaii Catholic Conference; Diamond Head Club House; Catholic Charities Hawaii; Hawaii Substance Abuse Coalition; PHOCUSED; The Institute for Human Services, Inc.; Mental Health Kokua; and numerous individuals supported this measure. The Department of Health, Honolulu Police Department, Hawaii Disability Rights Center, and American Civil Liberties Union of Hawaii opposed this measure. The Department of the Attorney General, Community Alliance for Mental Health, and United Self Help submitted comments.

Your Committees note that numerous concerns were raised by the Attorney General and that a number of these concerns were legal in nature. Therefore, your Committees respectfully request the Committee on Judiciary to review the concerns of the Attorney General should the Committee on Judiciary choose to hear this measure.

Your Committees have amended this measure by:

- (1) Adding a savings clause;
- (2) Changing its effective date to July 1, 2050, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Public Safety that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 310, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 310, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on Health and Public Safety,

HENRY J.C. AQUINO, Chair

DELLA AU BELATTI, Chair

State of Hawaii House of Representatives The Twenty-seventh Legislature

Record of Votes of the Committee on Health

Bill/Resolution No.: SB310 SD2	Committee Referral: HLT (PB), JUD						
☐ 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)							
HLT Members	Ayes	Ayes (WR)	Nays	Excused			
1. BELATTI, Della Au (C)							
2. MORIKAWA, Dee (VC)							
3. CABANILLA, Rida T.R.				V			
4. CARROLL, Mele							
5. JORDAN, Jo				1			
6. KOBAYASHI, Bertrand			•				
7. WOODSON, Justin H.							
8. CHEAPE, Lauren Kealohilani							
TOTAL (8)	5	0	0	3			
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO							



State of Hawaii House of Representatives The Twenty-seventh Legislature

Record of Votes of the Committee on Public Safety

Bill/Resolution No.: 58 316, 502	Committee Referral:	S, JUD Date	Yerch 20	,2013			
☐ 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)							
PBS Members	Ayes	Ayes (WR)	Nays	Excused			
1. AQUINO, Henry J.C. (C)	$\sqrt{}$						
2. ING, Kaniela (VC)							
3. HASHEM, Mark J.							
4. ICHIYAMA, Linda							
5. NAKASHIMA, Mark M.							
6. TAKUMI, Roy M.							
7. YAMANE, Ryan I.							
8. YAMASHITA, Kyle T.							
9. MCDERMOTT, Bob							
TOTAL (9)	7			2			
The recommendation is: Adopted If joint referral, committee acronym(s) Not Adopted did not support recommendation.							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO							