Honolulu, Hawaii

MAR 0 5 2015

RE: S.B. No. 1116 S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 1116 entitled:

"A BILL FOR AN ACT RELATING TO RECORDS OF FORENSIC EXAMINATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to create consistency within the Hawaii Revised Statutes to ensure that the Hawaii State Hospital receives copies of court ordered examination reports upon commitment to the hospital.

Your Committee received testimony in support of this measure from the Department of Health.

Your Committee finds that court ordered examination reports provide treatment teams at the Hawaii State Hospital with specific information for treatment focus, planning, and assessment, and management of risk. Under the existing unfit to proceed law, the Department of Health is required to receive the order of commitment accompanied by copies of the court ordered examination papers regarding the physical and mental condition of the defendant. However, under the existing acquit and commitment law, the Department is required to receive only the court order, but not copies of the court examination papers. This measure creates consistency between the laws pertaining to unfit to proceed and acquit and commitment so that the Hawaii State Hospital receives the court order examination reports.

2015-1735 SSCR SMA.doc

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

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1116, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1116, S.D. 1, and be placed on the calendar for Third Reading.

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

GILBERT S.C. KEITH-AGARAN, Chair

The Senate Twenty-Eighth Legislature State of Hawai'i

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral:		Da	Date: / /	
5B 1116	JDL			2/19/15	
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
KEITH-AGARAN, Gilbert S.C. (C)		V			
SHIMABUKURO, Maile S.L. (VC)		V			
ESPERO, Will		/			
GABBARD, Mike					L
IHARA, Jr., Les					~
THIELEN, Laura H.					V
SLOM, Sam		V			
	· "·				
·					
		/			
					3
TOTAL		17			
Recommendation: Adopted			Not Adopted		
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Only one measure per Record of Votes