STAND. COM. REP. NO. 1972 -16

Honolulu, Hawaii , 2016 March 7

RE: S.B. No. 612 S.D. 1 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 612, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROBATION,"

begs leave to report as follows:

The purpose of this measure is to increase public safety on Hawaii's roadways. Specifically, this measure:

- Authorizes a court to include a period of probation in sentencing any person convicted of the offense of operating a vehicle under the influence of an intoxicant (OVUII);
- (2) Provides for a period of probation for any person convicted of operating a vehicle after a license and privilege to operate a motor vehicle have been suspended or revoked for OVUII conviction; and
- (3) Makes defendants charged with offenses relating to OVUII or operating a vehicle after license and privilege have been suspended or revoked ineligible for deferred acceptance of guilty or nolo contendere pleas.

The County of Kauai Office of the Prosecuting Attorney, County of Hawaii Office of the Prosecuting Attorney, Honolulu Police Department, Hawaii Chapter of Mothers Against Drunk Driving



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and one individual testified in support. The Judiciary and Office of the Public Defender provided comments.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 612, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

SB612 HD1 HSCR JUD HMS 2016-2932

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

KARL RHOADS, Chair

State of Hawaii House of Representatives HSCR 1232-16 The Twenty-eighth Legislature

Record of Votes of the Committee on Judiciary

	ee Referral: JUD, FII	Date	03/2	2/16
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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)				
2. SAN BUENAVENTURA, Joy A. (VC)	V			
3. BELATTI, Della Au	-			
4. BROWER, Tom	1			
5. CREAGAN, Richard P.	~			
6. HASHEM, Mark J.	~		-	
7. KAWAKAMI, Derek S.K.				
8. LEE, Chris				
9. MORIKAWA, Dee				
10. NAKASHIMA, Mark M.	V			
11. TAKAYAMA, Gregg	~			
12. WOODSON, Justin H.				
13. McDERMOTT, Bob	~			
14. THIELEN, Cynthia	~			
TOTAL (14)		0	0	3
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				