Honolulu, Hawaii February 10, 2017

RE: H.B. No. 796 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 796 entitled:

"A BILL FOR AN ACT RELATING TO THE ASSAULT OF A UTILITY WORKER,"

begs leave to report as follows:

The purpose of this measure is to establish a class B felony for an assault against a utility worker that causes serious or substantial bodily injury or an assault against a utility worker with a dangerous instrument that causes bodily injury.

The Honolulu Police Department, Hawaii State AFL-CIO, Hawaiian Telcom, International Brotherhood of Electrical Workers (IBEW) Local Union 1186, IBEW Local Union 1260, IBEW Local Union 1357, Hawaii Ports Maritime Council, and three individuals testified in support of this measure. The Office of the Public Defender and Pana'ewa Hawaiian Home Lands Community Association testified in opposition. Life of the Land provided comments.

Your Committee has amended this measure by:

- (1) Making the offense a class C felony; and
- (2) Changing its effective date to July 1, 2050 to encourage further discussion.

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 H.B. No. 796, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 796, H.D. 1, and be placed on the calendar for Third Reading.

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

SCOTT Y. NISHIMOTO, Chair

## State of Hawaii House of Representatives The Twenty-ninth Legislature

## **Record of Votes of the Committee on Judiciary**

Bill/Resolution No.: HB796	Committee Referral: Da		ate: 2/1/17	
θ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: $\theta$ Pass, unamended (as is) Pass, with amendments (HD) $\theta$ Hold $\theta$ Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. NISHIMOTO, Scott Y. (C)	WELL WILL ST			
2. SAN BUENAVENTURA, Joy A	. (VC)			
3. BELATTI, Della Au				
4. BROWER, Tom				
5. JOHANSON, Aaron Ling				
6. LEE, Chris				
7. MORIKAWA, Dee				
8. NAKASHIMA, Mark M.				
9. OSHIRO, Marcus R.				
10. McDERMOTT, Bob	MANAGEMENT CONTRACTOR			
11. THIELEN, Cynthia	- 1			
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			,	
TOTAL (11)	7	1		3
The recommendation is:  Adopted  B Not Adopted  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				