

STAND. COM. REP. NO.

1478

Honolulu, Hawaii

, 2019

MAR 20

RE: S.B. No. 1464
S.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1464, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO JUDICIAL PROCEEDINGS,"

begs leave to report as follows:

The purpose of this measure is to support the public in preparing, filing, defending, and adjudicating assisted community treatment petitions, related guardianship petitions, and other legal filings. Specifically, this measure appropriates funds for:

- (1) Two Deputy Attorney General positions;
- (2) A family court judge in the First Circuit; and
- (3) A social worker in the Office of the Public Guardian.

The Judiciary, Councilmember representing District 9 of the City and County of Honolulu, Partners in Care, The Institute for Human Services, HOPE Services Hawai'i, Chinatown Business & Community Association, and an individual testified in support of S.B. No. 1464, S.D. 2, as received by your Committee.

For the purposes of a public hearing on this bill, your Committee circulated a Proposed S.B. No. 1464, H.D. 1 (Proposed

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Draft), and notified the public that it would be accepting testimony on the Proposed Draft, which:

- (1) Requires a felony offense conviction before any civil asset forfeiture proceeding; and
- (2) Redistributes the proceeds of the sale of forfeited property to the Hawaii Law Enforcement Assisted Diversion program and the State's general fund.

The Drug Policy Forum of Hawai'i testified in support of the Proposed Draft. The Department of Land and Natural Resources, City and County of Honolulu Department of the Prosecuting Attorney, and Hawai'i Police Department testified in opposition to the Proposed Draft. The Department of the Attorney General provided comments.

Your Committee considered the merits of both S.B. No. 1464, S.D. 2, as received by your Committee, and the Proposed Draft, and upon careful consideration, decided not to adopt the Proposed Draft.

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. 1464, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Finance.

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



CHRIS LEE, Chair



State of Hawaii
 House of Representatives
 The THIRTIETH Legislature

JSOR 1478

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: <i>SB 1464 SD2</i>		Committee Referral: <i>JUD, FIN</i>		Date: <i>3/15/19</i>	
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)					
	JUD Members	Ayes	Ayes (WR)	Nays	Excused
1.	LEE, Chris (C)	/			
2.	SAN BUENAVENTURA, Joy A. (VC)	/			
3.	BROWER, Tom	/			
4.	CREAGAN, Richard P.	/			
5.	LOWEN, Nicole E.	/			
6.	McKELVEY, Angus L.K.	/			
7.	MORIKAWA, Dee	/			
8.	SAY, Calvin K.Y.	/			
9.	TAKAYAMA, Gregg	/			
10.	YAMANE, Ryan I.	/			
11.	THIELEN, Cynthia	/			
	TOTAL (11)	<i>10</i>			<i>1</i>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>					
Vice Chair's or designee's signature: <i>[Signature]</i>					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					