STAND. COM. REP. NO. 215 -20

Honolulu, Hawaii

FEB 0 7 ' 2020

RE: H.B. No. 2679 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2679 entitled:

"A BILL FOR AN ACT RELATING TO PENALTIES,"

begs leave to report as follows:

The purpose of this measure is to establish, within the Traffic Violations Bureau of the District Court of the First Circuit, a three-year pilot project that requires the court to adjust court-imposed monetary assessments resulting from motor vehicle moving violations and establishes income-based adjustments for related fines.

Your Committee received testimony in support of this measure from the American Civil Liberties of Hawaii, Community Alliance on Prisons, Hawaii Health & Harm Reduction Center, and four individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that a "one-size fits all" fine system that applies the same fine amount to persons of different economic means does not result in the same deterrent and retribution effects on violators, nor does such a system have meaningful consequences. Your Committee believes that scaling fines to income will improve the effectiveness of fines as a sanction and

address the unequal burden imposed on individuals with few financial means.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

Should this measure be heard by the Committee on Judiciary, your Committee respectfully requests that it consider the impact of this proposed fine system on habitual offenders who do not pay their fines and/or incur multiple violations, with the potential of compromising public safety.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2679, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2679, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Labor & Public Employment,

AARON LING JOHANSON, Chair

State of Hawaii House of Representatives The THIRTIETH Legislature

HSCR 215-20

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HBQC79	Committee Referral:	F/h Date	2-4-	20
☐ 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)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)				
2. ELI, Stacelynn K.M. (VC)			1915 A. J. C.	
3. ICHIYAMA, Linda	東端 美国社会 1860年	· 人物社会 () () () () () () () () () (
3. ICHIYAMA, Linda				
4. KITAGAWA, Lisa		2.2		
5. McKELVEY, Angus L.K.		and the multiple of the second		
6. QUINLAN, Sean		207.00		
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7. YAMASHITA, Kyle T.		TOTAL TOTAL CONTRACTOR OF THE SECOND		
8. MATSUMOTO, Lauren				
6. MAISOMOTO, Lauren				
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TOTAL (8)	8	,		
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				