

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2235  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committees on Ways and Means and Judiciary, to which was referred S.B. No. 2235, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE USE OF INTOXICANTS WHILE OPERATING A VEHICLE,"

beg leave to report as follows:

The purpose and intent of this measure is to establish a funding source to support a state drug and alcohol toxicology testing laboratory.

More specifically, this measure:

- (1) Establishes a state drug and alcohol toxicology testing laboratory special fund, to be administered by the Department of Health; and
- (2) Deposits into the special fund fines paid by repeat and habitual offenders who have operated vehicles under the influence of an intoxicant and offenders who have operated vehicles after their license and privilege to do so was suspended or revoked for operating a vehicle under the influence of an intoxicant.

Your Committees received written comments in support of this measure from the Department of Public Safety, Department of Transportation, County of Hawaii Office of the Prosecuting



Attorney, City and County of Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, Mothers Against Drunk Driving Hawaii, and one individual.

The Department of the Attorney General and Department of Budget and Finance submitted written comments on this measure.

Your Committees find that the state drug and alcohol toxicology testing laboratory special fund established by this measure will help to support the future establishment of a local, state-run laboratory capable of conducting necessary testing of blood and urine samples for use in criminal cases and thereby eliminate the need to send samples to a private out-of-state testing laboratory.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2235, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2235, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committees on Ways and Means  
and Judiciary,



KARL RHOADS, Chair



DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:
<i>SB 2235, SD1</i>	<i>TRS/PSM, WAM/JDC</i>	<i>2/26/20</i>
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
Nay	Excused	
DELA CRUZ, Donovan M. (C)	X	
KEITH-AGARAN, Gilbert S.C. (VC)	X	
ENGLISH, J. Kalani	X	
HARIMOTO, Breene		X
INOUYE, Lorraine R.		X
KAHELE, Kaiali'i		X
KANUHA, Dru Mamo	X	
KIDANI, Michelle N.	X	
MORIWAKI, Sharon Y.	X	
RIVIERE, Gil	X	
SHIMABUKURO, Maile S.L.	X	
TANIGUCHI, Brian T.		X
FEVELLA, Kurt	X	
<b>TOTAL</b>	<b>9</b>	<b>4</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
<i>[Signature]</i>		
Distribution:             Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy		

\*Only one measure per Record of Votes

The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes  
Committee on Judiciary  
JDC**

Bill / Resolution No.:* <b>SB 2235 SD1</b>	Committee Referral: <b>TTS/PSM, WAM/JDC</b>	Date: <b>2/20/2020</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike				/
KIM, Donna Mercado	/			
FEVELLA, Kurt	/			
<b>TOTAL</b>	<b>4</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

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