

STAND. COM. REP. NO.

2612

Honolulu, Hawaii

FEB 13 2020

RE: S.B. No. 3123  
S.D. 1

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

Sir:

Your Committee on Human Services, to which was referred S.B. No. 3123 entitled:

"A BILL FOR AN ACT RELATING TO MISSING PERSONS,"

begs leave to report as follows:

The purpose and intent of this measure is to develop and implement a statewide silver alert program to be activated on behalf of missing older adults with conditions such as Alzheimer's or dementia, to be integrated with the MAILE/AMBER alert program.

Your Committee received testimony in support of this measure from the Executive Office on Aging; Stolen Stuff Hawaii; AARP Hawaii; Alzheimer's Association, Aloha Chapter; and sixty-nine individuals. Your Committee received testimony in opposition to this measure from the Attorney General's Office and City and County of Honolulu Police Department.

Your Committee finds that there are senior citizens who are very vulnerable when they become disoriented and wander from their surroundings due to dementia, Alzheimer's disease, traumatic brain injury, or some other medical condition. The MAILE/AMBER Alert program has been effective in alerting the public of a missing child, and a Silver Alert program will similarly provide an operative means of alerting the public of a missing senior citizen.



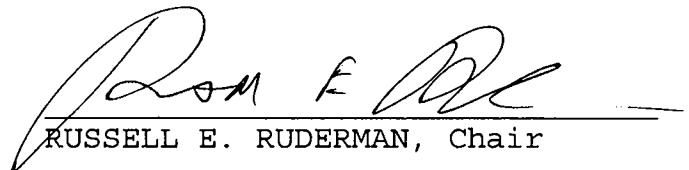
However, your Committee has heard the concerns of the Department of the Attorney General that the measure was vague because there were no definitions for the terms "family" and "impaired mental condition".

Accordingly, your Committee has amended this measure by:

- (1) Specifying that notification of a missing senior does not have to be reported by a family member or a legal guardian to be considered credible by law enforcement;
- (2) Eliminating the provision to establish that the senior citizen has impaired mental condition;
- (3) Replacing the term "impaired mental condition" with "dementia";
- (4) Adding a definition for "dementia"; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3123, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3123, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,

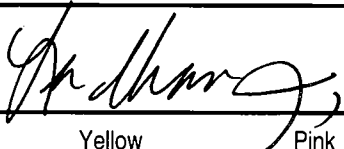


RUSSELL E. RUDERMAN, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Human Services**  
**HMS**

Bill / Resolution No.:* <b>SB 3123</b>	Committee Referral: <b>HMS, JDC</b>	Date: <b>2.10.2020</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
RUDERMAN, Russell E. (C)	✓			
RHOADS, Karl (VC)				✓
IHARA, Jr., Les	✓			
RIVIERE, Gil	✓			
FEVELLA, Kurt				✓
<b>TOTAL</b>	<b>3</b>			<b>2</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				

\*Only one measure per Record of Votes