
SENATE CONCURRENT
RESOLUTION

CONVENING A TASK FORCE TO EXAMINE THE ISSUE OF CHANGES TO THE
HAWAII PENAL CODE FOR THE SENTENCING OF REPEAT OFFENDERS.

1 WHEREAS, during the 2006 Regular Session, the Attorney
2 General requested the introduction of, as part of the Department
3 of the Attorney General's 2006 legislative package, a measure
4 which, in part, sought to expand the types of offenses subject
5 to higher maximum terms for repeat offenders; and
6

7 WHEREAS, the measure also sought to change the method of
8 calculating the period of eligibility of repeat offender
9 sentencing; and
10

11 WHEREAS, the measure additionally sought to add twenty
12 class B and class C felonies to the list of offenses for which
13 deferred acceptance of plea (DAG or DANC) is not permitted; and
14

15 WHEREAS, the Senate Committee on Judiciary and Hawaiian
16 Affairs determined that these proposed changes to the Hawaii
17 Penal Code may have serious implications and that such
18 significant changes required further in-depth review and
19 examination; now, therefore,
20

21 BE IT RESOLVED by the Senate of the Twenty-third
22 Legislature of the State of Hawaii, Regular Session of 2006, the
23 House of Representatives concurring, that a task force be
24 convened to study and determine whether changes should be made
25 to the sentencing requirements for repeat criminal offenders;
26 and
27

28 BE IT FURTHER RESOLVED that the task force shall be
29 comprised of the following members:
30

31 (1) The Attorney General, or the Attorney General's
32 designee;
33



- 1 (2) The Director of Public Safety, or the Director's
- 2 designee;
- 3
- 4 (3) The Director of the Hawaii Paroling Authority, or the
- 5 Director's designee;
- 6
- 7 (4) One member from each county's prosecuting attorneys'
- 8 office;
- 9
- 10 (5) An attorney from the Office of the Public Defender;
- 11
- 12 (6) A commissioner from each county's police department or
- 13 their designee;
- 14
- 15 (7) One member from the Hawaii State Bar Association;
- 16
- 17 (8) One member from the Criminal Defense Bar;
- 18
- 19 (9) One member from the Hawaii State Judiciary;
- 20
- 21 (10) One member from the faculty of the University of
- 22 Hawaii, Williams S. Richardson School of Law; and
- 23
- 24 (11) One member from the public appointed by the Governor;

25
26 and

27
28 BE IT FURTHER RESOLVED that the faculty member from the
29 William S. Richardson School of Law shall serve as the
30 chairperson and facilitator of the task force for organizational
31 purposes; and

32
33 BE IT FURTHER RESOLVED that the task force's missions shall
34 be to:

- 35
- 36 (1) Determine the initial question of whether section
- 37 706-606.5, Hawaii Revised Statutes, dealing with
- 38 sentencing for repeat offenders, should be expanded to
- 39 include additional offenses and if so, to determine
- 40 which offenses should be included;
- 41
- 42 (2) Determine whether the calculation of time for
- 43 determining the period of eligibility for repeat



1 offender sentencing should be modified, and if so, how
2 it should be modified;

3
4 (3) Determine whether additional types of class B and
5 class C felonies should be added to the list of
6 offenses for which a deferred acceptance of plea (DAG
7 or DANC) is not permitted, and if so which offenses
8 should be added; and
9

10 (4) Prepare proposed legislation;

11
12 and

13
14 BE IT FURTHER RESOLVED that this resolution does not
15 require the task force to examine S.B. 2260, Hawaii's "three
16 strike law"; and
17

18 BE IT FURTHER RESOLVED that the task force shall provide
19 the Legislature with its report, including proposed legislation,
20 at least twenty days prior to the convening of the Regular
21 Session of 2007; and
22

23 BE IT FURTHER RESOLVED that certified copies of this
24 Concurrent Resolution be transmitted to the Attorney General,
25 the Director of Public Safety, the Director of the Hawaii
26 Paroling Authority, each county's prosecuting attorneys' office,
27 the Office of the Public Defender, the Commissioner of each
28 county's police department, the President of the Hawaii State
29 Bar Association, the Chief Justice of the Hawaii Supreme Court,
30 the Dean of the William S. Richardson School of Law, and the
31 Governor.
32



PROPOSED

THE SENATE
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

S.C.R. NO. 91
S.D. 1

SENATE CONCURRENT RESOLUTION

ESTABLISHING A TASK FORCE TO EXAMINE THE BACKLOG IN UNSERVED
ARREST WARRANTS.

1 WHEREAS, the State has an estimated backlog of 76,881
2 arrest warrants that remain unserved; and

3
4 WHEREAS, this backlog includes traffic, felony, and
5 misdemeanor warrants; and

6
7 WHEREAS, the unserved arrest warrants are costing the State
8 a potential of \$20,000,000 in unpaid fines and fees; and

9
10 WHEREAS, the considerable number of unserved warrants also
11 creates a public safety concern; and

12
13 WHEREAS, the Legislature acknowledges that there are many
14 factors that contribute to the backlog in unserved arrest
15 warrants; and

16
17 WHEREAS, the Legislature seeks to find a permanent solution
18 to this problem and to clear up the current backlog and ensure
19 that in the future, arrest warrants are served in a timely
20 manner; now, therefore,

21
22 BE IT RESOLVED by the Senate of the Twenty-third
23 Legislature of the State of Hawaii, Regular Session of 2006, the
24 House of Representatives concurring, that a task force be
25 convened to conduct a comprehensive review of the entire backlog
26 of unserved arrest warrants and recommend to the Legislature
27 action necessary to permanently alleviate the backlog; and

28
29 BE IT FURTHER RESOLVED that the task force shall be
30 comprised of the following members:

31
32 (1) The Attorney General, or the Attorney General's
33 designee;

34



1 (2) The Administrative Director of the Courts, or the
2 Director's designee;

3
4 (3) A member from the Department of Public Safety's
5 Sheriff Division;

6
7 (4) The Director of Public Safety, or the Director's
8 designee;

9
10 (5) A member from each county's prosecuting attorney's
11 office;

12
13 (6) An attorney from the Office of the Public Defender;
14 and

15
16 (7) The chief of police from each county's police
17 department or the chief's designee;

18
19 and

20
21 BE IT FURTHER RESOLVED that the Attorney General or the
22 Attorney General's designee shall serve as the chairperson and
23 facilitator for organizational purposes; and

24
25 BE IT FURTHER RESOLVED that the task force shall:

26
27 (1) Determine the number of outstanding traffic warrants;

28
29 (2) Determine the number of outstanding felony and
30 misdemeanor warrants;

31
32 (3) Determine a comprehensive plan to permanently
33 alleviate the problem of a backlog in unserved arrest
34 warrants, with a comprehensive plan to go beyond only
35 fiscal and budgetary discussions or solutions;

36
37 (4) Prepare proposed legislation; and

38
39 (5) Engage in any other activities necessary to carry out
40 the intent of this Concurrent Resolution;

41
42 and

43



PROPOSED S.C.R. NO. 91 S.D. 1

1 BE IT FURTHER RESOLVED that the task force is requested to
2 report its findings and recommendations to the Legislature no
3 later than twenty days prior to the convening of the Regular
4 Session of 2007; and

5
6 BE IT FURTHER RESOLVED that certified copies of this
7 Concurrent Resolution be transmitted to the Attorney General,
8 the Administrative Director of the Courts, the State Sheriff
9 Division, the Director of Public Safety, each County's
10 prosecuting attorney's office, the Office of the Public
11 Defender, and each County's police department.



SENATE CONCURRENT
RESOLUTION

REQUESTING THAT THE DEPARTMENT OF HAWAIIAN HOME LANDS ENTER INTO
A LEASE/PURCHASE AGREEMENT FOR THE CONSTRUCTION OF A NEW
OFFICE FACILITY ON HAWAIIAN HOME LANDS IN EAST KAPOLEI TO
BE FUNDED BY THE ISSUANCE OF CERTIFICATES OF PARTICIPATION.

1 WHEREAS, the mission of the Department of Hawaiian Home
2 Lands is to develop and deliver lands to native Hawaiians and to
3 effectively manage the Hawaiian home lands trust; and
4

5 WHEREAS, the Department currently leases private commercial
6 office space in downtown Honolulu from which it carries out its
7 day-to-day administrative and program activities; and
8

9 WHEREAS, these office leases will terminate in January
10 2008; and
11

12 WHEREAS, the Department has acquired approximately 500
13 acres of new land in East Kapolei on which it plans to develop
14 more than 1,000 new residential homesteads along with areas for
15 recreational and community use, and commercial activities; and
16

17 WHEREAS, the Department's East Kapolei lands provide an
18 ideal location for a Department office building; and
19

20 WHEREAS, the Department office building in East Kapolei
21 would serve as the central headquarters for the Department's
22 operations, provide meeting space for Hawaiian homes commission
23 meetings, and serve as a gathering place for other beneficiary
24 organizations; and
25

26 WHEREAS, the East Kapolei office site would enable the
27 Department to better serve its large beneficiary population in
28 the Kapolei, Nanakuli, Lualualei, and Waianae areas; and
29

30 WHEREAS, a lease/purchase agreement is required to permit
31 the Department to construct this new office facility with the
32 assistance of the private sector; and



PROPOSED S.C.R. NO. 128 S.D. 1

1 WHEREAS, a lease/purchase agreement funded by the issuance
2 of certificates of participation is an efficient and expeditious
3 alternative mechanism through which public facilities can be
4 financed; now, therefore,

5
6 BE IT RESOLVED by the Senate of the Twenty-third
7 Legislature of the State of Hawaii, Regular Session of 2006, the
8 House of Representatives concurring, that the Department of
9 Hawaiian Home Lands is requested to enter into a lease/purchase
10 agreement for the construction of a new office facility in East
11 Kapolei to be financed by certificates of participation; and

12
13 BE IT FURTHER RESOLVED that the debt service for the
14 certificates of participation shall come from the Hawaiian home
15 administration account; and

16
17 BE IT FURTHER RESOLVED that certified copies of this
18 Concurrent Resolution be transmitted to the Office of the
19 Governor, the Comptroller, and the Chairperson of the Department
20 of Hawaiian Home Lands.



PROPOSED

SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO CONVENE A
HAWAIIAN LANGUAGE TASK FORCE.

1 WHEREAS, the Constitution of the State of Hawai`i provides
2 for the preservation and promotion of native Hawaiian culture,
3 history, and language; and
4

5 WHEREAS, Article X, Section 4, of the Constitution of the
6 State of Hawai`i, provides that "The State shall promote the
7 study of Hawaiian culture, history, and language"; and
8

9 WHEREAS, Article XIII, Section 7, of the Constitution of
10 the State of Hawai`i, provides that "The State reaffirms and
11 shall protect all rights, customarily and traditionally
12 exercised for subsistence, cultural and religious purposes" of
13 native Hawaiians; and
14

15 WHEREAS, Article XV, Section 4, of the Constitution of the
16 State of Hawai`i, affirms that "English and Hawaiian shall be
17 the official languages of Hawai`i"; and
18

19 WHEREAS, maintaining a living language is an integral
20 component of preserving a culture; and
21

22 WHEREAS, the Legislature has made an effort to preserve and
23 promote native Hawaiian language by incorporating the language
24 into official state writings, emblems, and signs; and
25

26 WHEREAS, in furtherance of this, the Legislature should
27 ensure that all state and county documents and letterheads,
28 whenever newly created or reprinted, contain the accurate,
29 appropriate, and authentic Hawaiian names and language printed
30 above the English translation; and
31

32 WHEREAS, by ensuring the use of proper Hawaiian kahakō
33 (macrons) and `okina (glottal stops), as well as by ensuring
34 that the public inscriptions are accurate, the Legislature will



PROPOSED

S.C.R. NO. 133 S.D. 1

1 indicate its respect for the native language of these islands
2 and further the intent of the state constitution; now,
3 therefore,
4

5 BE IT RESOLVED by the Senate of the Twenty-third
6 Legislature of the State of Hawai'i, Regular Session of 2006,
7 the House of Representatives concurring, that the Department of
8 Budget and Finance is requested to convene a Hawaiian language
9 task force to:

10

11 (1) Conduct a feasibility study to examine the scope and
12 cost of implementing a plan to ensure that all state
13 and county documents and letterheads, whenever newly
14 created or reprinted, contain the accurate,
15 appropriate, and authentic Hawaiian names and language
16 printed above the English translation;

17

18 (2) Develop a plan to ensure that all state and county
19 documents and letterheads, whenever newly created or
20 reprinted, contain the accurate, appropriate, and
21 authentic Hawaiian names and language printed above
22 the English translation;

23

24 (3) Identify an official Hawaiian language authority or
25 authorities that can be considered the official
26 reference and that can be used by state and county
27 agencies for the purpose of ensuring that all state
28 and county documents and letterheads, whenever newly
29 created or reprinted, contain the accurate,
30 appropriate, and authentic Hawaiian names and language
31 printed above the English translation; and

32

33 (4) Identify the resources necessary to effectuate this
34 purpose, such as information technology software, and
35 the cost of the software;

36

37 and

38

39 BE IT FURTHER RESOLVED that the Hawaiian language task
40 force be comprised of members that represent the diversity of
41 the Hawaiian language as it is spoken throughout the State and
42 include:
43



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- 1 (1) A representative from the University of Hawai`i at
- 2 Mānoa Hawaiian Language Department;
- 3
- 4 (2) A representative from the University of Hawai`i at
- 5 Hilo College of Hawaiian Language;
- 6
- 7 (3) A member chosen by the Department of Accounting and
- 8 General Services with the appropriate information
- 9 technology background;
- 10
- 11 (4) A representative from the Hawaii Board on Geographic
- 12 Names with the Office of Planning under the Department
- 13 of Business, Economic Development and Tourism as the
- 14 authority for Hawaiian place names;
- 15
- 16 (5) A representative from Hale Kuamo`o;
- 17
- 18 (6) A representative from `Ahahui `Ōlelo Hawai`i;
- 19
- 20 (7) A representative from the Department of Accounting and
- 21 General Services;
- 22
- 23 (8) A representative from the Department of Budget and
- 24 Finance;
- 25
- 26 (9) A representative from the Hawai`i State Association of
- 27 Counties;
- 28
- 29 (10) A representative from the Bishop Museum; and
- 30
- 31 (11) Two manaleo, native Hawaiian speakers;
- 32

33 and

34
35 BE IT FURTHER RESOLVED that the Hawaiian language task
36 force is requested to report its findings, including any
37 recommended legislation, to the Legislature no later than twenty
38 days prior to the convening of the 2007 Regular Session; and
39

40 BE IT FURTHER RESOLVED that certified copies of this
41 Concurrent Resolution be transmitted to the Director of Finance,
42 the Comptroller, the President of the University of Hawai`i, the
43 President of the Hawai`i State Association of Counties, the



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S.D. 1

1 Director of the Bishop Museum, the Director of Hale Kuamo`o, and
3 the Director of `Ahahui `Ōlelo Hawai`i.



SENATE RESOLUTION

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2 for the preservation and promotion of native Hawaiian culture,
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5 WHEREAS, Article X, Section 4, of the Constitution of the
6 State of Hawai`i, provides that "The State shall promote the
7 study of Hawaiian culture, history, and language"; and
8

9 WHEREAS, Article XIII, Section 7, of the Constitution of
10 the State of Hawai`i, provides that "The State reaffirms and
11 shall protect all rights, customarily and traditionally
12 exercised for subsistence, cultural and religious purposes" of
13 native Hawaiians; and
14

15 WHEREAS, Article XV, Section 4, of the Constitution of the
16 State of Hawai`i, affirms that "English and Hawaiian shall be
17 the official languages of Hawai`i"; and
18

19 WHEREAS, maintaining a living language is an integral
20 component of preserving a culture; and
21

22 WHEREAS, the Legislature has made an effort to preserve and
23 promote native Hawaiian language by incorporating the language
24 into official state writings, emblems, and signs; and
25

26 WHEREAS, in furtherance of this, the Legislature should
27 ensure that all state and county documents and letterheads,
28 whenever newly created or reprinted, contain the accurate,
29 appropriate, and authentic Hawaiian names and language printed
30 above the English translation; and
31

32 WHEREAS, by ensuring the use of proper Hawaiian kahakō
33 (macrons) and `okina (glottal stops), as well as by ensuring
34 that the public inscriptions are accurate, the Legislature will
35 indicate its respect for the native language of these islands



PROPOSED

1 and further the intent of the state constitution; now,
2 therefore,

3
4 BE IT RESOLVED by the Senate of the Twenty-third
5 Legislature of the State of Hawai`i, Regular Session of 2006,
6 that the Department of Budget and Finance is requested to
7 convene a Hawaiian language task force to:

- 8
- 9 (1) Conduct a feasibility study to examine the scope and
- 10 cost of implementing a plan to ensure that all state
- 11 and county documents and letterheads, whenever newly
- 12 created or reprinted, contain the accurate,
- 13 appropriate, and authentic Hawaiian names and language
- 14 printed above the English translation;
- 15
- 16 (2) Develop a plan to ensure that all state and county
- 17 documents and letterheads, whenever newly created or
- 18 reprinted, contain the accurate, appropriate, and
- 19 authentic Hawaiian names and language printed above
- 20 the English translation;
- 21
- 22 (3) Identify an official Hawaiian language authority or
- 23 authorities that can be considered the official
- 24 reference and that can be used by state and county
- 25 agencies for the purpose of ensuring that all state
- 26 and county documents and letterheads, whenever newly
- 27 created or reprinted, contain the accurate,
- 28 appropriate, and authentic Hawaiian names and language
- 29 printed above the English translation; and
- 30
- 31 (4) Identify the resources necessary to effectuate this
- 32 purpose, such as information technology software, and
- 33 the cost of the software;
- 34

35 and

36
37 BE IT FURTHER RESOLVED that the Hawaiian language task
38 force be comprised of members that represent the diversity of
39 the Hawaiian language as it is spoken throughout the State and
40 include:

- 41
- 42 (1) A representative from the University of Hawai`i at
- 43 Mānoa Hawaiian Language Department;
- 44



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S.R. NO. 81 S.D. 1

- 1 (2) A representative from the University of Hawai`i at
- 2 Hilo College of Hawaiian Language;
- 3
- 4 (3) A member chosen by the Department of Accounting and
- 5 General Services with the appropriate information
- 6 technology background;
- 7
- 8 (4) A representative from the Hawaii Board on Geographic
- 9 Names with the Office of Planning under the Department
- 10 of Business, Economic Development and Tourism as the
- 11 authority for Hawaiian place names;
- 12
- 13 (5) A representative from Hale Kuamo`o;
- 14
- 15 (6) A representative from `Ahahui `Olelo Hawai`i;
- 16
- 17 (7) A representative from the Department of Accounting and
- 18 General Services;
- 19
- 20 (8) A representative from the Department of Budget and
- 21 Finance;
- 22
- 23 (9) A representative from the Hawai`i State Association of
- 24 Counties;
- 25
- 26 (10) A representative from the Bishop Museum; and
- 27
- 28 (11) Two manaleo, native Hawaiian speakers;
- 29

30 and

31
32 BE IT FURTHER RESOLVED that the Hawaiian language task
33 force is requested to report its findings, including any
34 recommended legislation, to the Legislature no later than twenty
35 days prior to the convening of the 2007 Regular Session; and
36

37 BE IT FURTHER RESOLVED that certified copies of this
38 Resolution be transmitted to the Director of Finance, the
39 Comptroller, the President of the University of Hawai`i, the
40 President of the Hawai`i State Association of Counties, the
41 Director of the Bishop Museum, the Director of Hale Kuamo`o, and
42 the Director of `Ahahui `Olelo Hawai`i.
43

