

STAND. COM. REP. NO. 582-06

Honolulu, Hawaii

FEB 17, 2006

RE: H.B. No. 2278
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2278 entitled:

"A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR THE DEPARTMENT OF THE ATTORNEY GENERAL,"

begs leave to report as follows:

The purpose of this bill is to support victims of sexual violence crimes by making an emergency appropriation to:

- (1) Deposit funds into the DNA Registry Special Fund (Special Fund);
- (2) Make an appropriation out of the Special Fund to pay for costs associated with the implementation of Act 112, which requires the collection and analysis of buccal swab samples in certain cases; and
- (3) Make an appropriation to pay for costs associated with the implementation of Act 133, which allows the Department of the Attorney General (AG) to administer programs for the prevention of sexual violence and the protection and treatment of victims of sexual violence.

The Judiciary, AG, Department of the Prosecuting Attorney of the City and County of Honolulu, and The Sex Abuse Treatment Center testified in support of this bill.

HB2278 HD1 HSCR JUD HMS 2006-2158



Your Committee supports the intent and purpose of the DNA registry. However, emergency measures are reserved for extraordinary and immediate needs to the exclusion of other needs. The AG, which is responsible for the registry, has not justified the need for an emergency appropriation to the exclusion of other necessary appropriations. Consequently, your Committee believes that it is appropriate to leave the appropriation amount blank and respectfully requests the Committee on Finance to further discuss this matter.

Your Committee has amended this bill by:

- (1) Blanking out the amounts of all appropriations to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 2278, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2278, H.D. 1, and be referred to the Committee on Finance.

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


SYLVIA LUKE, Chair



