

Honolulu, Hawaii

MAR 24 2006

RE: H.B. No. 1787
H.D. 1
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 1787, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD ENDANGERMENT,"

begs leave to report as follows:

The purpose of this measure is to establish the offense of leaving a child unsupervised in a motor vehicle.

Your Committee received testimony in support of the measure from the Prosecuting Attorney, City and County of Honolulu; the Hawaii Family Forum; the Hawaii Catholic Conference; and the Healthy Mothers, Healthy Babies Coalition of Hawaii. One individual submitted testimony in opposition to this measure.

Your Committee finds that this measure will protect children whose physical safety or health is endangered by being left unattended, or inadequately supervised, in a motor vehicle. Your Committee further finds that this measure is intended to clarify that law enforcement officers, firefighters, or rescue team personnel have discretion to determine what means are reasonably necessary to protect a child and others from physical danger, up to and including removing the child from the vehicle and delivering the child to the custody of the Child Protective Services division of the Department of Human Services.

Your Committee has amended this measure by replacing its contents with the provisions of Senate Bill No. 2079 S.D. 1.,



which also establishes the offense and requires all driver's license applicants to be tested on their knowledge of the provision.

Your Committee heard testimony explaining that the police frequently receive calls regarding children left unattended in parking lots. In addition to the well-publicized incidents of vehicles being stolen with an unattended child inside, children left unsupervised are at risk for injury or death due to extreme heat exposure, among other dangers.

Your Committee notes the difference of opinion expressed during its discussion of the provisions of Senate Bill No. 2079 S.D. 1 with respect to the ages of children included in the measure's definition of "unsupervised". Your Committee urges the Committee on Judiciary and Hawaiian Affairs to consider which ages of children should be governed by this measure.

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 H.B. No. 1787, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1787, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

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

Suzanne Chun Oakland
SUZANNE CHUN OAKLAND, Chair



