

STAND. COM. REP. NO.

3062

Honolulu, Hawaii

MAR 24 2006

RE: H.B. No. 1995
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. 1995, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR,"

begs leave to report as follows:

The purpose of this measure is to protect children by expanding the crimes of endangering the welfare of a minor in the first and second degrees to include situations in which an individual causes or permits a minor to endure unjustifiable physical pain or mental suffering, to be injured, or to be placed in a dangerous situation.

Your Committee finds this measure will protect children from dangers associated with being exposed to the illegal use of controlled substances.

Your Committee received testimony in support of the measure from the Department of Public Safety. The Department of the Prosecuting Attorney, City and County of Honolulu submitted comments regarding this measure.

In response to the Department of Public Safety's concern that this measure was overbroad, your Committee has adopted the Department's recommendations regarding children being exposed to the use of controlled substances. Specifically, your Committee amended this measure by replacing its provisions regarding the

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offenses of endangering the welfare a child in the first and second degrees with language prohibiting the use of a controlled substance in the presence of, or as witnessed by, a minor under a person's care or custody or knowingly exposing a minor under a person's care or custody to individuals unlawfully using a controlled substance.

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. 1995, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1995, 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



