

Honolulu, Hawaii

MAR 22 2006

RE: H.B. No. 2278
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 Judiciary and Hawaiian Affairs, to which was referred H.B. No. 2278, H.D. 1, 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 measure is to make an appropriation out of the general fund to be deposited into the DNA registry special fund.

This measure also makes an appropriation out of the DNA registry special fund to pay for costs associated with the implementation of Act 112, Session Laws of Hawaii 2005. In addition, this measure appropriates funds out of the general fund to pay for costs associated with the implementation of Act 133, Session Laws of Hawaii 2005.

Your Committee received testimony in support of this measure from the Judiciary, the Attorney General, the Department of the Prosecuting Attorney for the City and County of Honolulu, Child and Family Services Maui Office, the Sex Abuse Treatment Center, and the YWCA of Kauai.

Your Committee finds that the purpose of this measure is to provide two emergency appropriations:



- (1) To pay for DNA testing of persons convicted of felony offenses as mandated by Act 112, Session Laws of Hawaii 2005 (Act 112); and
- (2) To pay for programs for the prevention of sexual violence and the protection and treatment of victims of sexual violence as provided in Act 133, Session Laws of Hawaii 2005 (Act 133).

Your Committee further finds that neither Act 112 nor Act 133 appropriated any funds. This measure would remedy this by providing the funding necessary to accomplish each act's important objective.

Your Committee has amended this measure to:

- (1) Include \$97,992 for the Judiciary's costs for the collection of buccal swab samples in accordance with testimony received from the Judiciary; and
- (2) Include the following sums for the emergency appropriation for DNA testing as requested by the Attorney General:
 - (a) \$186,620 for the purchase of buccal swab collection kits and for mailing costs;
 - (b) \$191,500 for costs related to collecting buccal swab samples (with the Judiciary's costs, this totals \$289,492); and
 - (c) \$836,247 for costs related to analyzing samples collected.

These amounts equal a total appropriation of \$1,312,359 for the DNA registry special fund and an appropriation of \$1,076,217 for sexual assault services.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2278, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2278, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Hawaiian Affairs,



COLLEEN HANABUSA, Chair



