

STAND. COM. REP. NO. 773

Honolulu, Hawaii

March 1, 2007

RE: H.B. No. 1158

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1158 entitled:

"A BILL FOR AN ACT RELATING TO ARSON,"

begs leave to report as follows:

The purpose of this bill is to amend sentencing provisions under Hawaii's arson law by:

- (1) Clarifying that special sentencing provisions for arson shall also be applicable to persons convicted of arson resulting in damage to more than 10,000 square feet of property; and
- (2) Allowing recklessness to be used as a state of mind requirement for arson in the fourth degree.

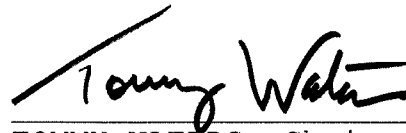
The Department of the Prosecuting Attorney of the City and County of Honolulu testified in support of this bill. The Office of the Public Defender testified in opposition to this measure.

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. 1158 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

HB1158 HSCR JUD HMS 2007-2109



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

A handwritten signature in black ink that reads "Tommy Waters". The signature is written in a cursive style with a long horizontal stroke at the end.

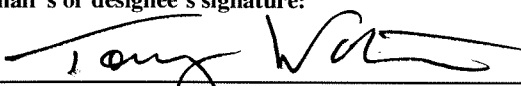
---

TOMMY WATERS, Chair



State of Hawaii  
House of Representatives  
The Twenty-fourth Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1158		Date: 2/9/07		
Committee Referral: JUD		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended <input type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments, for recommittal for further consideration				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. WATERS, Tommy (C)	/			
2. OSHIRO, Blake K. (VC)	/			
3. CALDWELL, Kirk	/			
4. EVANS, Cindy	/			
5. GREEN, Josh, M.D.	/			
6. ITO, Ken	.			/
7. LUKE, Sylvia	/			
8. McKELVEY, Angus L.K.				/
9. MORITA, Hermina M.	/			
10. SONSON, Alex M.	/			
11. SOUKI, Joseph M.	/			
12. TSUJI, Clift	/			
13. YAMANE, Ryan I.	/			
14. YAMASHITA, Kyle T.	/			
15. MARUMOTO, Barbara C.	/			
16. PINE, Kymberly Marcos				/
17. THIELEN, Cynthia	/			
TOTAL	14			3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				