

STAND. COM. REP. NO. 1346

Honolulu, Hawaii

March 22, 2007

RE: S.B. No. 1346

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

Sir:

Your Committee on Health, to which was referred S.B. No. 1346
entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING,"

begs leave to report as follows:

The purpose of this bill is to restore the court's authority
to order a mental or medical examination of a defendant pending
sentencing.

The Department of the Attorney General and the Prosecuting
Attorney for the City and County of Honolulu testified in support
of this bill.

Your Committee notes that the authority for presentence
mental or medical examinations, originally established in 1972,
was inadvertently repealed when section 706-603, Hawaii Revised
Statutes, was amended in 2005 as part of legislation that enacted
a comprehensive forensic DNA identification statute. This measure
will allow the courts to better evaluate certain defendants to
determine the most appropriate sentence.

As affirmed by the record of votes of the members of your
Committee on Health that is attached to this report, your
Committee is in accord with the intent and purpose of S.B. No.
1346 and recommends that it pass Second Reading and be referred to
the Committee on Judiciary.

SB1346 HSCR HLT HMS 2007-3201



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



JOSHUA B. GREEN, M.D., Chair



