

Honolulu, Hawaii

Fc45 , 2008

RE: H.B. No. 3363
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Human Services & Housing, to which was referred H.B. No. 3363 entitled:

"A BILL FOR AN ACT RELATING TO JUVENILE COURT RECORDS,"

begs leave to report as follows:

The purpose of this bill is to protect the safety and well-being of students, teachers, and staff of public and private schools by:

- (1) Requiring the Family Court to notify a school official that a minor has been adjudicated to have committed a serious act of violence;
- (2) Establishing guidelines under which a school official may receive court records, including requiring these records to remain protected and confidential; and
- (3) Exempting school officials, principals, or designated teachers or counselors possessing the confidential information from liability.

The Department of Education and many concerned individuals testified in support of this bill. The Department of the Prosecuting Attorney supported the intent of this measure. The Judiciary and a concerned individual provided comments.



Your Committee has amended this bill by:

- (1) Increasing the period of time the Family Court has to notify school officials of proceedings involving the minor from seven days to several weeks;
- (2) Requiring a school official to attend all hearings pertaining to the minor;
- (3) Holding school officials or personnel liable for release of confidential information through gross negligence or intentional acts; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3363, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3363, H.D. 1, and be referred to the Committee on Education.

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



MAILE SHIMABUKURO, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSC2119

Record of Votes of the Committee on Human Services & Housing

Bill/Resolution No.: HB 3363	Committee Referral: HSH, EDN, JUD	Date: 1/31/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HSH Members	Ayes	Ayes (WR)	Nays	Excused
1. SHIMABUKURO, Maile S. L. (C)	X			
2. RHOADS, Karl (VC)	X			
3. AWANA, Karen Leinani	X			
4. BELATTI, Della Au	X			
5. BERTRAM, Joe, III				X
6. CABANILLA, Rida T.R.	X			
7. GREEN, Josh, M.D.	X			
8. MIZUNO, John	X			
9. TOKIOKA, James Kunane	X			X
10. WARD, Gene, Ph.D.				X
TOTAL (10)	8	0	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Paul Abroad</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				