

Honolulu, Hawaii

APR 05 2007

RE: H.B. No. 1260  
H.D. 1  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
H.B. No. 1260, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING,"

begs leave to report as follows:

The purpose of this measure is to restore the statutory  
provision allowing pre-sentence mental and medical examinations of  
defendants for the purposes of sentencing.

Your Committee received testimony in support of the bill from  
the Attorney General's Office and from the Honolulu Prosecutor's  
Office.

In 2005, the statutory provision was inadvertently repealed  
as part of the revisions to section 706-603 of the Hawaii Revised  
Statutes. This bill restores that provision and allows for the  
pre-sentence mental or medical examination of defendants as part  
of the Judiciary pre-sentence investigation process.

As affirmed by the record of votes of the members of your  
Committee on Judiciary and Labor that is attached to this report,



your Committee is in accord with the intent and purpose of H.B. No. 1260, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

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



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CLAYTON HEE, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

Record of Votes  
Committee on Judiciary and Labor  
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1260 HD1, SD1	HTH, SDL	3-30-07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
KOKUBUN, Russell S. (VC)				✓
INOUE, Lorraine R.				✓
NISHIHARA, Clarence K.	✓			
GABBARD, Mike	✓			
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
<i>Clarence K. Nishihara</i>				
Distribution:				
Original	Yellow	Pink		
File with Committee Report	Clerk's Office	Drafting Agency		

\*Only one measure per Record of Votes