

STAND. COM. REP. NO.

3085

Honolulu, Hawaii

MAR 20 2008

RE: H.B. No. 2998  
H.D. 1  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
H.B. No. 2998, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION,"

begs leave to report as follows:

The purpose of this measure is to establish the Adam Walsh  
Act Compliance Working Group, in conformance with the mandates of  
the federal Adam Walsh Child Protection and Public Safety Act of  
2006 (Public Law No. 248-109, the "Adam Walsh Act").

Your Committee received testimony in support of this measure  
from the Department of Public Safety and State Public Defender.  
Comments were received from the State Attorney General and  
American Civil Liberties Union of Hawai'i. Testimony in opposition  
was received from the Honolulu Police Department.

The Adam Walsh Act requires the fifty states, the District of  
Columbia, the five principal United States territories, and  
federally recognized Indian tribes that function as sex offender  
registration jurisdictions to conform their laws to guidelines for  
sex offender registration adopted by the Department of Justice by  
July 29, 2009. Failing substantial compliance with the  
guidelines, a jurisdiction faces the loss of ten per cent of any  
federal funds it may receive pursuant to the Edward Byrne Memorial  
Justice Assistance Grant program.



The Adam Walsh Act Compliance Working Group will report to the 2009 Legislature on draft legislation, among other things, to bring the State into compliance with the Adam Walsh Act and implementation guidelines.

Your Committee has amended this measure by:

- (1) Adding a representative of the American Civil Liberties Union and the Hawaii Criminal Defense Attorneys Association to the membership of the Adam Walsh Compliance Working Group; and
- (2) Requiring the Working Group to review the provisions of H.B. No. 3040 and H.B. No. 3040, H.D.1, as it relates to the sex offender registry laws.

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. 2998, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2998, 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  
Labor,




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BRIAN T. TANIGUCHI, 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 2998 HD1	JDL, WAM	3-17-08		
<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 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
TANIGUCHI, BRIAN T. (C)	✓			
HEE, Clayton (VC)				✓
GABBARD, Mike	✓			
KOKUBUN, Russell S.				✓
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	4	—	—	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes