

STAND. COM. REP. NO.

970

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 1346

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
S.B. No. 1346 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.

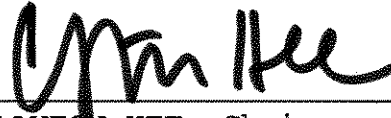
Your Committee received testimony in support of the bill from
the Attorney General's Office and from the Honolulu Prosecutor's
Office. The Public Defender's Office opposed the bill.

In 2005, the statutory provision was inadvertently repealed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 S.B.
No. 1346 and recommends that it pass Third Reading.



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

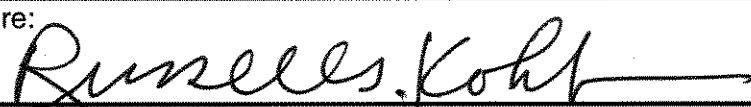


CLAYTON HEE, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1346	HTH, JDL	2/28/07		
<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 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	/			
TOTAL	4			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency		

*Only one measure per Record of Votes