

STAND. COM. REP. NO.

2568

Honolulu, Hawaii

FEB 28 2008

RE: S.B. No. 2400
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
S.B. No. 2400 entitled:

"A BILL FOR AN ACT RELATING TO DECRIMINALIZATION OF MINOR
OFFENSES PURSUANT TO ACT 124, SESSION LAWS OF HAWAII 2005,"

begs leave to report as follows:

The purpose of this measure is to make the resolution of
minor criminal offenses, including traffic violations, as simple
as possible for the average citizen and to ensure that police,
prosecutorial, and judicial resources are focused on the most
serious criminal offenses.

Specifically, this measure represents the effort of the
Judiciary, various state departments, and the Legislative
Reference Bureau to fulfill the mandate of Act 124, Session Laws
of Hawaii 2005, to identify minor criminal offenses for which
typically only a fine is imposed and which may be decriminalized
without undermining the ability of government to enforce laws
within its jurisdiction.

Testimony in support of this measure was submitted by the
Judiciary. The Department of the Prosecuting Attorney and the
Chief of Police of the City and County of Honolulu submitted
testimony in opposition. The Legislative Reference Bureau
submitted comments.

Your Committee has amended this measure by:

SB2400 SD1 SSCR LRB 08-1701-1.doc



- (1) Deleting references to section 286-122, Hawaii Revised Statutes, relating to surrender of a suspended license, from section 13 of the bill as recommended by the Honolulu Police Department;
- (2) Deleting section 16 of the measure; and
- (3) Changing the effective date of the measure to October 1, 2080, to facilitate further discussion.

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. 2400, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2400, S.D. 1, and be placed on the calendar for Third Reading.

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


BRIAN T. TANIGUCHI, Chair



