

STAND. COM. REP. NO.

2349

Honolulu, Hawaii

FEB 14 2008

RE: S.B. No. 3263
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 Public Safety, to which was referred S.B. No. 3263 entitled:

"A BILL FOR AN ACT RELATING TO CIVIL ACTIONS,"

begs leave to report as follows:

The purpose of this measure is to provide the courts in the State of Hawaii with jurisdiction over a Hawaii inmate for civil actions committed against the Hawaii inmate, even if that inmate is incarcerated in a mainland prison.

Written testimony in support of this measure was submitted by the Community Alliance on Prisons and one individual citizen. Oral testimony in support of this measure was submitted by Life of the Land. Testimony in opposition of this measure was submitted by the Department of Public Safety and the Department of the Attorney General.

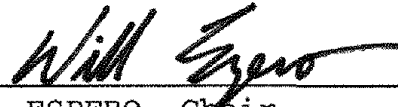
Your Committee finds that extending the jurisdiction of the courts in the State of Hawaii over tortious acts committed against Hawaii inmates who are transferred to institutions outside of Hawaii, is in harmony with the inmate's civil and constitutional rights. Furthermore, Hawaii has a greater interest than the state of the institution in ensuring the safety and well-being of these inmates.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purpose of clarity.



As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3263, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3263, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,

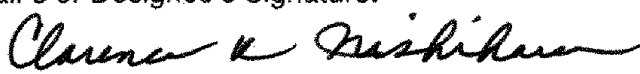


WILL ESPERO, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Public Safety
PBS

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 3263	PBS, JDL	1/31/08		
<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
ESPERO, Will (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
SAKAMOTO, Norman	✓			
WHALEN, Paul	.	✓		
TOTAL	3	1		
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes