

STAND. COM. REP. NO.

2503

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2249
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2249 entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose of this measure is to make the assault of a water safety officer who is engaged in the performance of duty a Class C felony.

Testimony in support of this measure was submitted by two county agencies, two private organizations, and six individuals. Testimony in opposition of this measure was submitted by one state agency. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that water safety officers are an integral part of protecting the people who enjoy water recreation throughout the State and that it is imperative that substantive legal protections be enacted that would benefit water safety officers in performing their duties. Your Committee also finds that establishing a Class C felony for assault on a water safety officer while in the performance of duty will provide recognition to the public that water safety officers are highly valued and their work to protect the health and safety of the public should not be impeded.

Your Committee has amended this measure by:



- (1) Deleting the phrase "or negligently" as it relates to the bodily injury of a water safety officer who is engaged in the performance of duty; and
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on this measure.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2249, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2249, 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
Government Operations,



BRIAN T. TANIGUCHI, Chair



