STAND. COM. REP. NO. **670** -12

Honolulu, Hawaii

March 1 , 2012

RE: H.B. No. 1928

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1928 entitled:

"A BILL FOR AN ACT RELATING TO TESTING FOR INTOXICANTS,"

begs leave to report as follows:

The purpose of this measure is to repeal section 291E-68, Hawaii Revised Statutes, which makes refusal to submit to a breath, blood, or urine test by any person arrested for the use of intoxicants while operating a vehicle a petty misdemeanor.

The Office of the Public Defender and Department of the Prosecuting Attorney of the County of Maui testified in support of this measure. Mothers Against Drunk Driving testified in opposition to this measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1928 and recommends that it pass Third Reading.

STAND. COM. REP. NO. **670** -12 Page 2

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

GILBERT KEITH-AGARAN, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1928	Committee Referral:	JUD Date:	2/16/	1/12
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C.	(C) V			-
2. RHOADS, Karl (VC)	✓			
3. BROWER, Tom	<u> </u>	7,7444		
4. CABANILLA, Rida T.R.				V
5. CARROLL, Mele				7
6. COFFMAN, Denny				V
7. HERKES, Robert N.				
8. ITO, Ken				
9. LUKE, Sylvia				
10. McKELVEY, Angus L.K.				
11. SOUKI, Joseph M.				
12. TSUJI, Clift				
13. FONTAINE, George R.			<u>-</u> 11	
14. MARUMOTO, Barbara C.				
15. THIELEN, Cynthia				
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TOTAL (15)	10		0	4
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				