

Honolulu, Hawaii

APR 05 2012

RE: H.B. No. 2681
H.D. 1
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Public Safety, Government Operations, and Military Affairs and Water, Land, and Housing, to which was referred H.B. No. 2681, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTRIC GUNS,"

beg leave to report as follows:

The purpose and intent of this measure is to temporarily repeal the requirement that the Conservation and Resources Enforcement Program of the Department of Land and Natural Resources meet law enforcement accreditation or recognition standards of the Commission on Accreditation for Law Enforcement Agencies, Inc., prior to using or obtaining electric guns, related equipment, and training.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources and seven individuals. Testimony in opposition was received from the American Civil Liberties Union of Hawaii and one individual.

Your Committees find that while the Department of Land and Natural Resources is committed to obtaining accreditation by the Commission on Accreditation for Law Enforcement Agencies, Inc., the accreditation process has proven itself to be a lengthy and costly effort. In the interim, your Committees realize that the use of electric guns serves to increase the safety of officers and the public. According to testimony of the Department of Land and Natural Resources, the Department is committed to ensuring the



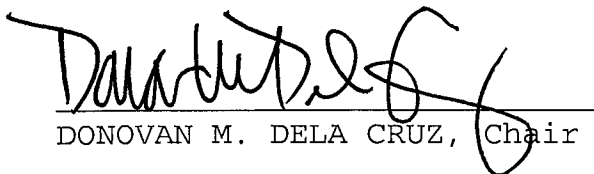
proper controls on the use of electric guns and following established policies, procedures, and training, which will be strictly managed in accordance with accepted national guidelines.

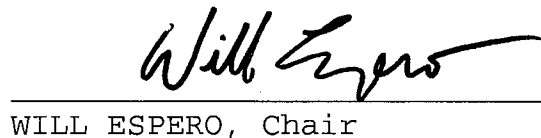
Your Committees have amended this measure by:

- (1) Extending to June 30, 2018, the deadline by which the Department of Land and Natural Resources must meet the law enforcement accreditation or recognition standards of the Commission on Accreditation for Law Enforcement Agencies, Inc., in the use of electric guns and repealing the language requiring that the accreditation or recognition standards be met prior to obtaining electric guns, related equipment, and training for the use of the electric guns;
- (2) Removing the repeal and reenactment language in the effective date, as it is no longer necessary since the deadline has been inserted into statute; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Government Operations, and Military Affairs and Water, Land, and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2681, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2681, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Government Operations, and
Military Affairs and Water,
Land, and Housing,


DONOVAN M. DELA CRUZ, Chair


WILL ESPERO, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Water, Land and Housing
WLH

Bill / Resolution No.:*	Committee Referral:	Date:
HB2681 HD1	PGM/WLH	4/3/12
<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	
DELA CRUZ, Donovan M. (C)	✓	
SOLOMON, Malama (VC)		✓
FUKUNAGA, Carol		✓
RYAN, Pohai	✓	
SHIMABUKURO, Maile	✓	
TOKUDA, Jill N.	✓	
SLOM, Sam		✓
TOTAL	4	3
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