

STAND. COM. REP. NO. 2720

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2579
S.D. 2

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

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2579, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MINORS,"

begs leave to report as follows:

The purpose and intent of this measure is to provide programs and services for sexually exploited children to prevent further victimization of the child and to ensure that a child protective response, rather than a criminal justice response, will be rendered.

Written comments in support of this measure were submitted by the Pacific Alliance to Stop Slavery; IMUAlliance; Tahirih Association; and two individuals. Written comments in opposition to this measure were submitted by the Department of Human Services. Written comments on this measure were submitted by the Department of Budget and Finance.

Your Committee finds that, under current state law, children who are coerced into prostitution can be prosecuted for prostitution offenses, even though they are the victims of sexual exploitation. Your Committee believes that this measure establishes a framework to combat the sex trafficking of children, while protecting sexually exploited children from being further victimized through prosecution.

Your Committee has amended this measure by:



- (1) Clarifying the terms "child and adolescent mental health division", "child protection workers", and "human trafficking service providers";
- (2) Amending all instances of the term "sex trafficking of minors" to read "sex trafficking of children" to maintain consistency with federal law;
- (3) Clarifying the criteria for imposing monetary assessments to be deposited into the minor victims of prostitution special fund established by this measure;
- (4) Correcting various citations to the Hawaii Revised Statutes;
- (5) Deleting section 8 of the measure, relating to solicitation of prostitution near schools or public parks, as it relates to the prosecution of persons seeking the services of prostitutes; and
- (6) Making technical nonsubstantive amendments for the purposes of consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2579, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2579, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2579, SD1	HMS/JDL, WAM	2/28/12		
<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
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			✓
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.				✓
RYAN, Pohai	✓			
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam			✓	
TOTAL	12	0	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
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*Only one measure per Record of Votes