

STAND. COM. REP. NO.

1212

Honolulu, Hawaii

March 22, 2013

RE: S.B. No. 310  
S.D. 2  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committees on Health and Public Safety, to which was referred S.B. No. 310, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH TREATMENT,"

beg leave to report as follows:

The purpose of this measure is to address the high rate of incarceration and hospitalization of persons with severe mental illness by establishing an assisted community treatment program to enable these individuals to obtain assisted community treatment that will be beneficial to the person as the least restrictive alternative.

The State Council on Mental Health; Governor's Coordinator on Homelessness; Chair of the Hawaii Interagency Council on Homelessness; City and County of Honolulu Department of Community Services; City and County of Honolulu Council Member, District 6; National Alliance on Mental Illness, Hawaii State Chapter; Hawaii Catholic Conference; Diamond Head Club House; Catholic Charities Hawaii; Hawaii Substance Abuse Coalition; PHOCUSED; The Institute for Human Services, Inc.; Mental Health Kokua; and numerous individuals supported this measure. The Department of Health, Honolulu Police Department, Hawaii Disability Rights Center, and American Civil Liberties Union of Hawaii opposed this measure. The Department of the Attorney General, Community Alliance for Mental Health, and United Self Help submitted comments.

SB310 HD1 HSCR HLT-PBS HMS 2013-2913



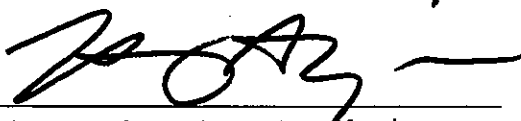
Your Committees note that numerous concerns were raised by the Attorney General and that a number of these concerns were legal in nature. Therefore, your Committees respectfully request the Committee on Judiciary to review the concerns of the Attorney General should the Committee on Judiciary choose to hear this measure.

Your Committees have amended this measure by:

- (1) Adding a savings clause;
- (2) Changing its effective date to July 1, 2050, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Public Safety that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 310, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 310, S.D. 2, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Health and Public  
Safety,



HENRY J.C. AQUINO, Chair



DELLA AU BELATTI, Chair





