

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 1181
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and
Military Affairs, to which was referred S.B. No. 1181 entitled:

"A BILL FOR AN ACT RELATING TO COMMITTED PERSONS ON
FURLOUGH,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Add child support payments as obligations for inmates on furlough who are employed; and
- (2) Specify the percentage of earnings that shall be deducted to satisfy outstanding orders regarding restitution, crime victim compensation, other fees and fines, and child support and reimbursement to the State for the cost of room and board.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of the Attorney General, and one individual.

Your Committee finds that child support orders are not included in statute as financial obligations for committed persons on furlough who are employed outside of the correctional facility. However, the Department of the Attorney General testified that limiting the amount of net monthly earnings or amount ordered that can be withheld for child support orders to thirty percent may cause the State to be noncompliant with federal law.

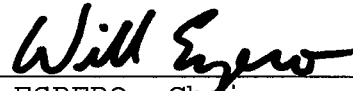


Your Committee has amended this measure accordingly by:

- (1) Deleting the language limiting the amount of child support to be paid at thirty percent of the net monthly earnings or the amount ordered, whichever is less, and deleting the definition of "net income"; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1181, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1181, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Intergovernmental and Military
Affairs,

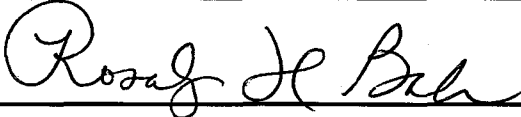


WILL ESPERO, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental and Military Affairs
PSM

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|--|--|---------------------------|----------|----------|
| Bill / Resolution No.:* SB 1181 | Committee Referral: PSM, JDL | Date: 2-12-2013 | | |
| <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 |
| ESPERO, Will (C) | ✓ | | | |
| BAKER, Rosalyn H. (VC) | ✓ | | | |
| GALUTERIA, Brickwood | | | | ✓ |
| GREEN, Josh | ✓ | | | |
| SLOM, Sam | | | | ✓ |
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| TOTAL | 3 | - | - | 2 |
| 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