

STAND. COM. REP. NO. 397

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 932
S.D. 1

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

Madam:

Your Committees on Health and Public Safety,
Intergovernmental and Military Affairs, to which was referred S.B.
No. 932 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit any person who is a danger to self or danger to others from possessing, having custody or control of, receiving, purchasing, or attempting to receive or purchase firearms or other dangerous or deadly weapons;
- (2) Create a reporting system for persons who seriously threaten a readily identifiable person or persons to a mental health professional;
- (3) Require the Department of Public Safety to create a database and list of persons prohibited from possessing, having custody or control of, receiving, purchasing, or attempting to receive or purchase firearms and other dangerous or deadly weapons, which will be accessible to law enforcement, mental health professionals, and sellers of firearms;
- (4) Require the Department to make a list of persons whose license for firearms or other dangerous or deadly weapons has been revoked; and



- (5) Exempt any communication under this measure from applicable privileges.

Your Committees received testimony in support of this measure from the Department of the Attorney General, Department of Health, Department of Public Safety, and five individuals. Your Committees received testimony in opposition to this measure from the National Rifle Association, Hawaii; Hawaii Rifle Association; Community Alliance for Mental Health; and one hundred thirty-eight individuals. Your Committees received comments on this measure from Mental Health America of Hawaii and three individuals.

Your Committees find that Hawaii is very restrictive in its firearm permits and sale of automatic weapons. State law prohibits ownership or possession of firearms for a person who has been acquitted of a crime on the grounds of mental disease, disorder, or defect or has been diagnosed as having a significant behavioral, emotional, or mental disorder, and for a person who has been diagnosed as having a significant behavioral, emotional, or mental disorder as defined by the American Psychiatric Association. Also, the Adult Mental Health Division has in place operating procedures for firearms screening in collaboration with the county police departments. However, the precautionary measures that are needed that relate to mental health and firearms deserve more consideration.

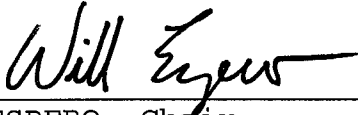
Your Committees have amended this measure by deleting its contents and inserting language to:

- (1) Establish a mental health and firearms task force to:
 - (A) Research current state laws, both locally and nationally, relating to mental health and firearms; and
 - (B) Based on findings, recommend legislation to address the issue of mental health and firearms;
- (2) Designate members of the task force; and
- (3) Require the task force to submit a report of findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2015.

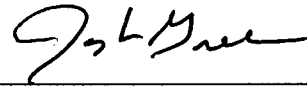


As affirmed by the records of votes of the members of your Committees on Health and Public Safety, Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 932, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 932, S.D. 1, and be referred to the Committees on Judiciary and Labor and Ways and Means.

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



WILL ESPERO, Chair

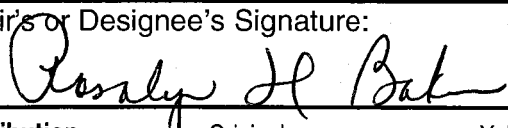


JOSH GREEN, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

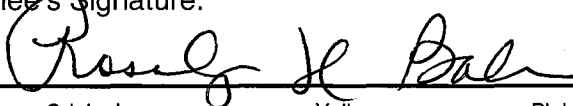
Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB932	Committee Referral: HTH/PSM, JPL/WAM	Date: 02/11/2013		
<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
GREEN, Josh (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5	—	—	—
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

The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 932	HTH/PSM, JDL/WAM	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				✓
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