

STAND. COM. REP. NO. **886**-18

Honolulu, Hawaii
March, 2018

RE: H.B. No. 2588
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2588 entitled:

"A BILL FOR AN ACT RELATING TO EXTENDED TERMS OF IMPRISONMENT,"

begs leave to report as follows:

The purpose of this measure is to authorize the courts to impose an extended term of imprisonment for an offender who is convicted of a felony that results in the death, disability, or serious disfigurement of one or more persons based on the offender's willful and wanton disregard of the need to exercise reasonable care.

The Hawaii Ironworkers Stabilization Fund and numerous individuals testified in support of this measure. Kamehameha Schools supported the intent of this measure. The Office of the Public Defender testified in opposition. The Department of Transportation; United Public Workers, AFSCME, Local 646, AFL-CIO; Hawaii Chapter of Mothers Against Drunk Driving; Hawaii Laborers' Union, Local 368; UNITE HERE Local 5; Hawaii Bicycling League; and many individuals provided comments.

HB2588 HD1 HSCR JUD HMS 2018-2542




Your Committee has amended this measure by:

- (1) Deleting the proposed language authorizing the courts to impose an extended term of imprisonment for an offender who is convicted of a felony that results in the death, disability, or serious disfigurement of one or more persons based on the offender's willful and wanton disregard of the need to exercise reasonable care;
- (2) Inserting language from S.B. No. 2582, which is a similar measure that authorizes the courts to impose an extended term of imprisonment for an offender who is convicted of negligent homicide in the first degree and did not remain at the scene of the crime and render reasonable assistance to an injured person; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2588, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2588, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



SCOTT Y. NISHIMOTO, Chair



