STAND. COM. REP. NO. **711** -18

Honolulu, Hawaii MAR 16 , 2018

RE: S.B. No. 2863 S.D. 2 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 Ocean, Marine Resources, & Hawaiian Affairs, to which was referred S.B. No. 2863, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose of this measure is to establish the class C felony offense of criminal property damage to property of another holding historical significance to Native Hawaiians.

The Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii testified in support of this measure. The Community Alliance on Prisons provided comments on this measure.

Your Committee has amended this measure by changing the classification of the offense from a class C felony to a noncriminal violation and specifying that the civil penalty for the offense is mandatory training on the historical significance of certain property to Native Hawaiians and, for public employees, censure.

As affirmed by the record of votes of the members of your Committee on Ocean, Marine Resources, & Hawaiian Affairs that is attached to this report, your Committee is in accord with the



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intent and purpose of S.B. No. 2863, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2863, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Ocean, Marine Resources, & Hawaiian Affairs,

KANIELA ING,



State of Hawaii House of Representatives The Twenty-ninth Legislature

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Record of Votes of the Committee on Ocean, Marine Resources, & Hawaiian Affairs

	tee Referral: (JUD, FIN	J Date:	3-13-18	
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: □ Pass, unamended (as is) □ Pass, with amendments (HD) □ Hold □ Pass short form bill with HD to recommit for future public hearing (recommit)				
OMH Members	Ayes	Ayes (WR)	Nays	Excused
1. ING, Kaniela (C)				
2. DeCOITE, Lynn (VC)				and a state of the second s
2 CREACAN Distance D				
3. CREAGAN, Richard P.				
4. GATES, Cedric Asuega				
5. SAY, Calvin K.Y.				
6. TAKAYAMA, Gregg				
7. THIELEN, Cynthia	65	e	Er.	
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TOTAL (7)	5	0	5	2
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				