

Honolulu, Hawaii

MAR 18 , 2022

RE: S.B. No. 3085  
S.D. 2  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Corrections, Military, & Veterans, to which was referred S.B. No. 3085, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII CODE OF MILITARY JUSTICE,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Provide a comprehensive law setting forth military judicial procedures, which will apply to all members of the State's military forces while they are not in federal service; and
- (2) Repeal the existing Hawaii Code of Military Justice, which was originally enacted in 1982.

Your Committee received testimony in support of this measure from the Department of Defense and one individual.

Your Committee finds that this measure is based on the Uniform Code of Military Justice as contained in Title 10 United States Code sections 801 et seq., and the Model State Code of Military Justice that was proposed by the American Bar Association in 2005. According to the Department of Defense, this code update



is needed to give commanders the tools they need to maintain good order and discipline within the State's military forces while also protecting the due process rights of the accused.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3085, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3085, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Corrections,  
Military, & Veterans,



TAKASHI OHNO, Chair



