

STAND. COM. REP. NO. 1729-22

Honolulu, Hawaii

MAR 24 , 2022

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

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

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 3085, S.D. 2, H.D. 1, 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; 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- (2) Repeal the existing Hawaii Code of Military Justice, which was originally enacted in 1982.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.

Your Committee finds that the existing Hawaii Code of Military Justice lacks the necessary disciplinary options to provide for effective and efficient good order and discipline in the state military forces. This measure brings the state military justice process in line with the Uniform Code of Military Justice, updates the procedures and punitive sections of military justice

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within the state military forces, provides a comprehensive law setting forth military judicial procedures, and provides for the right of appeal through a civilian court process.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2222, to encourage further discussion; and
- (2) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3085, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 3085, S.D. 2, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,

  
MARI M. NAKASHIMA, Chair



