STAND. COM. REP. NO. 3140

Honolulu, Hawaii MAR 0 4 2022

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

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3085, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to update the Hawaii Code of Military Justice by repealing chapter 124A, Hawaii Revised Statutes, and adding a new chapter to promote order and discipline in the State Military Forces by fostering an independent military justice system and updating nonjudicial punishment and courts-martial procedures.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that chapter 124, Hawaii Revised Statutes, relating to the Hawaii Code of Military Justice, was enacted in 1982 and was the first major update to the code of military justice for the State Military Forces since 1895. Your Committee further finds that the current form 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 will remedy those issues and bring the military justice process in line with the Uniform

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Code of Military Justice by repealing chapter 124A, Hawaii Revised Statutes, and adding a new chapter to promote order and discipline in the State Military Forces by fostering an independent military justice system and updating nonjudicial punishment and courtsmartial procedures.

Your Committee has amended this measure by:

- Inserting an effective date of July 30, 2075, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 S.B. No. 3085, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3085, S.D. 2.

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

KARL RHOADS, Chair



The Senate Thirty-First Legislature State of Hawai^si

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee	Committee Referral:		Date:	
SB 3085, SDI	PSM, JDC			03-03-22	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR) Nay	Excused
RHOADS, Karl (C)		\checkmark			
KEOHOKALOLE, Jarrett (VC)		\checkmark			
ACASIO, Laura		\checkmark	-		
GABBARD, Mike		\checkmark			
KIM, Donna Mercado		\checkmark			
LEE, Chris		V			
FEVELLA, Kurt					\checkmark
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TOTAL		6		_	l
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
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*Only <u>one</u> measure per Record of Votes