Honolulu, Hawaii

Morch 3, 2006

RE: H.B. No. 2885 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2885, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADULT ENTERTAINMENT PRODUCTS," begs leave to report as follows:

The purpose of this bill is to protect youth and the general public from exposure to adult entertainment products by requiring individuals and businesses that sell adult entertainment products to display the products separately and obscure them from view.

Hawaii Reserves Inc., and numerous concerned individuals testified in support of this bill.

Your Committee notes that while the term "X-rated," used in the definition of "adult entertainment products" is a commonly used term in the general public, it is not statutorily defined. Your Committee finds that use of a similar term that is already statutorily defined would more easily serve the purpose of this bill and also add to the ease of enforcement of this bill if enacted.

Accordingly, your Committee has amended this measure by:

(1) Clarifying that an individual or business selling adult entertainment products shall obscure the products from view from "any location" off the premises;

- (2) Amending the definition of "adult entertainment product" to mean merchandise that is pornographic as currently defined in section 712-1210, Hawaii Revised Statutes; 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. 2885, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2885, H.D. 2.

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

SKLVIA LUKE, Chai

## State of Hawaii House of Representatives The Twenty-third Legislature

## **Record of Votes of the Committee on Judiciary**

Bill/Resolution No.:	Date:	Date:			
HB 2885 HD1 (HSCR575-06)		2/23/06			
Committee Referral:	☐ The committee is reconsidering its				
EDB, JUD	previous decision on the measure.				
The recommendation is to:  Pass, unamended	Pas	Pass, with amendments			
☐ Hold ☐ Recommit					
JUD Members	Ayes	Ayes (WR)	Nays	Excused	
1. LUKE, Sylvia (C)					
2. OSHIRO, Blake K. (VC)	<b>/</b>				
3. CALDWELL, Kirk	1				
4. KANOHO, Ezra R.					
5. KARAMATSU, Jon Riki					
6. MORITA, Hermina M.					
7. SONSON, Alex M.					
8. SOUKI, Joseph M.	<b>/</b> ,				
9. MARUMOTO, Barbara C.					
10. THIELEN, Cynthia					
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TOTAL	9	0	0		
The recommendation is:					
□ Not Adouted					
□ Not Adopted					
If joint referral, did not support recommendation.  committee acronym(s)					
commutee acronym(s)					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office					