

Honolulu, Hawaii

MAR 29 2010

RE: H.B. No. 1862
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 1862, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC ORDER,"

begs leave to report as follows:

The purpose of this measure is to change the repeal date in Act 84, Session Laws of Hawaii 2004 (Act 84), for the prohibition on urinating or defecating in public within the boundaries of downtown Honolulu from December 31, 2012 to December 31, 2014.

Testimony in support of the measure was submitted by the Honolulu Police Department, the Downtown Neighborhood Board No. 13, and eighty-two individuals. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that this measure is intended to address concerns by downtown Honolulu residents, workers, and visitors regarding health and sanitation hazards that result from urinating and defecating in public. Your Committee received testimony indicating that the effectiveness of the prohibition, including the number of citations issued for the violation, is uncertain as Honolulu Police Department representatives are not able to easily count the number of citations issued.

Your Committee has amended this measure by:



- (1) Inserting a provision into Act 84 requesting the Honolulu Police Department to prepare and submit to the Legislature a report regarding the effectiveness of the prohibition, including the number of citations issued and the effectiveness of the violation in deterring the conduct proscribed; and
- (2) Inserting an effective date of September 14, 2047, to ensure further discussion on these issues.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1862, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1862, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,



BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:* HB 1862, HD1	Committee Referral: JGO	Date: 3/16/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5	0	0	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: 				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small; margin-top: 5px;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

***Only one measure per Record of Votes**