STAND. COM. REP. NO. 1141

Honolulu, Hawaii

March 24, 2009

RE: S.B. No. 1221

S.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Housing, to which was referred S.B. No. 1221, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to amend the offense of criminal trespass in the first degree to include a person who enters or remains unlawfully at a public housing project after a reasonable request or warning to leave by housing authorities, provided that the person is not an invited guest.

The Hawaii Public Housing Authority (HPHA) and many concerned individuals supported this bill. The American Civil Liberties Union of Hawaii opposed this bill.

Your Committee notes the constitutional concerns raised by the Department of the Attorney General in the testimony of HPHA. Your Committee respectfully requests the Committee on Judiciary to consider these concerns.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1221, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

STAND. COM. REP. NO. 141
Page 2

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

RIDA CABANILLA, Chair

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

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

SB 1221 SD1 H3	nittee Referral: 36, JUD	Date	3-18	-D9
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
HSG Members	Ayes	Ayes (WR)	Nays	Excused
1. CABANILLA, Rida (C)	~			
2 CHONG B. AVG			3.012.02.00	
2. CHONG, Pono (VC)	*			Sept. Leading
3. CHANG, Jerry L.	٧			
4. COFFMAN, Denny	٧.			
5. HAR, Sharon E.	Y			
6. HERKES, Robert N.	S.			
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7. ITO, Ken	k		===	
8. LEE, Chris	D			
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9. LUKE, Sylvia	P	11.70		
10. MORITA, Hermina M.	30			
10. MORETA, HELIMINA W.	<b>y</b>			
11. SAGUM, Roland D., III	٩			
		1. S. (E.1)		
12. CHING, Corinne W.L.	4			
The state of the s	And the second s			
13. THIELEN, Cynthia				6
TOTAL (13)	1			
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				