

STAND. COM. REP. NO.

1104

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 44  
H.D. 1  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred  
H.B. No. 44, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROSTITUTION,"

begs leave to report as follows:

The purpose and intent of this measure is to establish a  
misdemeanor offense of solicitation of prostitution near schools  
or public parks if, within seven hundred fifty feet of a school or  
a public park, a person offers or agrees to pay a fee to another  
person to engage in sexual conduct.

Your Committee received testimony in support of this measure  
from the Department of Education; Hawaii Public Housing Authority;  
Downtown Neighborhood Board No. 13; EAH Housing; Kukui Kauhale,  
Inc., Mun Lun Chinese School; Safeway; and three individuals.  
Your Committee received testimony in opposition to this measure  
from the Office of the Public Defender, American Civil Liberties  
Union of Hawai'i, and Libertarian Party of Hawaii.

Your Committee is supportive of this measure as a means of  
ensuring that the public is not subjected to viewing acts of  
prostitution near schools and public parks, where children are  
often present.

Your Committee has amended this measure by making technical,  
nonsubstantive amendments for the purposes of clarity and  
consistency.

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1104

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 44, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 44, 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  
Labor,



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CLAYTON HEE, Chair

The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>HB 44, HDI</b>	Committee Referral: <b>JDL</b>	Date: <b>4/9/11</b>		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam		✓		
<b>TOTAL</b>	<b>4</b>	<b>1</b>		
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Original File with Committee Report</span> <span>Yellow Clerk's Office</span> <span>Pink Drafting Agency</span> <span>Goldenrod Committee File Copy</span> </div>				

\*Only one measure per Record of Votes