STAND. COM. REP. NO. **3223** 

Honolulu, Hawaii

APR 0 5 2012

H.B. No. 2751 RE:

> H.D. 2 S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

## Sir:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 2751, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION, "

begs leave to report as follows:

The purpose and intent of this measure is to:

- Create a petty misdemeanor offense of disrespect of a (1)house of the Legislature if a person creates a breach of peace or disturbance with the intent to interrupt a legislative proceeding; and
- (2) Authorize the Sergeant-at-Arms of the affected house of the Legislature to arrest and remove the person from the presence of the Legislature or legislative proceeding.

Your Committee received testimony in support of this measure from the State House Sergeant-at-Arms and two private individuals. Testimony in opposition to this measure was submitted by the Hawaii Citizens for the Separation of State and Church and three private individuals.

Your Committee finds that while proceedings of the Legislature allow stakeholders to provide input regarding issues or measures before the Legislature, proceedings are also subject to certain conventions and rules to maintain order. Absent these

2012-1872 SSCR SMA.doc  conventions, rules, and order, public proceedings may easily degenerate and potentially impede progress toward the adoption of laws. This measure would establish safeguards to allow members of the Legislature to perform their duties and conduct proceedings in an efficient and safe manner without impinging upon the opportunity for stakeholders to participate in a respectful and orderly fashion.

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. 2751, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

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

CLAYTON HEE, Chair

2012-1872 SSCR SMA.doc

## The Senate Twenty-Sixth Legislature State of Hawaiʻi

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee		Da	te:	1
HB2151,HD2,SD1	PGM.	JDL		3/28	1/2
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
HEE, Clayton (C)					
SHIMABUKURO, Maile (VC)					
GABBARD, Mike					
IHARA, Jr., Les					
SLOM, Sam					
		· .			
		1.4.			
<u>.</u>				Anne' -	
			. :	1. 1	
TOTAL		3	0	1	1
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:					
<b>Distribution:</b> Original File with Committee Re	Yellow port Clerk's Office		Pink Goldenrod Drafting Agency Committee File Copy		

<sup>\*</sup>Only one measure per Record of Votes