Honolulu, Hawaii **KLOVAM 28**, 2013

RE: H.B. No. 31 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 31 entitled:

"A BILL FOR AN ACT RELATING TO DISORDERLY CONDUCT,"

begs leave to report as follows:

The purpose of this measure is to improve passengers' access to bus stop shelters by including in the offense of disorderly conduct impeding or obstructing the use of a bus stop by laying across a bench or more than one seat at the bus stop, or sleeping on the ground within or abutting a bus stop shelter or structure.

A few concerned individuals supported this measure. The American Civil Liberties Union of Hawaii and the Office of the Public Defender opposed this measure. A concerned individual offered comments on the measure.

Your Committee has amended this measure by:

- (1) Increasing the number of seats at a bus stop across which an individual must lay to commit the offense of disorderly conduct to more than two;
- (2) Specifying that engaging in the foregoing prohibited conduct for sixty minutes or more shall be prima facie evidence of having committed the offense; 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. 31, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 31, H.D. 1, and be placed on the calendar for Third Reading.

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

KARL RHOADS, Chair

Hal Rh



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

## Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:	Date:	0 51 8	EH
HB 31	JUD	-	1/25/13	
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  recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	γ.			
2. HAR, Sharon E. (VC)	, X			
3. BELATTI, Della Au			·	Х
4. BROWER, Tom				X
5. CABANILLA, Rida T.R.				X
6. CARROLL, Mele				X
7. ITO, Ken	<b>X</b>			
8. KAWAKAMI, Derek S.K.	Х			
9. LEE, Chris	*			
10. TSUJI, Clift	X			
11. WOOLEY, Jessica				X
12. MCDERMOTT, Bob	Y.			1
13. THIELEN, Cynthia	X			
·				
<u></u>				
				-
				<u> </u>
· <u>-</u>				
<u> </u>				-
TOTAL (13)	8			5
The recommendation is:  Adopted  Pjoint refer al  committee arronym(s)  Not Adopted  did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				