

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 2751  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Legislative Management, to which was referred H.B. No. 2751 entitled:

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

begs leave to report as follows:

The purpose of this measure as received by your Committee is to create the offense of disrespect of a house of the Legislature for disorderly or contemptuous behavior by a person who is not a member of the Legislature.

Your Committee circulated a proposed draft prior to the public hearing for purposes of receiving testimony that:

- (1) Establishes a fine or allows for imprisonment for not more than 30 days upon an individual who is not a member of the Legislature who engages in disorderly or contemptuous behavior;
- (2) Entitles the person charged for engaging in disorderly or contemptuous behavior to be heard and present evidence to the appropriate house of the Legislature; and



- (3) Authorizes the Sergeant-at-Arms of the affected house of the Legislature to subject a person in violation of the provisions of this measure to arrest and removal from either house or any committee of a house.

The House Sergeant-At-Arms testified in support of the proposed draft. Hawaii Citizens for the Separation of State and Church opposed both the measure as received by your Committee and the proposed draft. Several individuals opposed this measure. One individual provided comments.

Your Committee respectfully requests the Committee on Judiciary to examine whether the penalties in this measure would be more appropriately placed within the judicial system.

Your Committee has amended this measure by adopting the provisions of the proposed draft and changing the effective date to July 1, 2034, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2751, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2751, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Legislative  
Management,

  
KYLE T. YAMASHITA, Chair



