

STAND. COM. REP. NO.

3223

Honolulu, Hawaii

APR 05 2012

RE: H.B. No. 2751
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:

- (1) Create a petty misdemeanor offense of disrespect of a 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

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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



