

STAND. COM. REP. NO. 3317

Honolulu, Hawaii

APR 03 2008

RE: H.B. No. 1978
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1978, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC ORDER,"

begs leave to report as follows:

The purpose of this measure is to make permanent the
prohibition against urinating and defecating in a public place or
any area where such act is likely to be observed by the public in
Downtown Honolulu.

Your Committee received testimony in support of this measure
from the Honolulu Police Department, Downtown Neighborhood Board
No. 13, and three individuals.

Act 84, Session Laws of Hawaii 2004, relating to public
order, enacted the offense of urinating or defecating in public
which applies to the area of Downtown Honolulu only.

Your Committee notes the following findings of Senate
Standing Committee Report No. 2919, Regular Session of 2004, of
the Standing Committee on Judiciary and Hawaiian Affairs:

Your Committee finds that urinating and defecating in public
has become increasingly common in Hawaii. These behaviors are
vile, create health risks stemming from human waste, and
discourage people from patronizing establishments in the area
because of the smell and unsightliness. Currently

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there are no laws that make these acts illegal. However, your Committee believes that this measure will deter many from urinating and defecating in public and equip law enforcement with a tool to penalize individuals that continue to urinate and defecate in public.

Your Committee has amended this measure by:

- (1) Extending the sunset date to December 31, 2012, rather than making the law permanent;
- (2) Changing the effective date from July 1, 2112, to upon approval; and
- (3) Adding the Ramseyer language for underscored material.

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. 1978, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1978, 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,


BRIAN T. TANIGUCHI, Chair



