

Honolulu, Hawaii

MAR 24 2011

RE: H.B. No. 231  
H.D. 2  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committees on Human Services and Judiciary and Labor, to which was referred H.B. No. 231, H.D. 2, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require visitors at public housing projects to obtain visitor passes;
- (2) Extend the criminal trespass statute to public housing projects;
- (3) Require the Hawaii Public Housing Authority to create a two-year pilot project for Mayor Wright Homes; and
- (4) Appropriate funds for the pilot project.

Your Committees received testimony in support of this measure from twenty-eight individuals. Your Committees received testimony in opposition to this measure from the Hawaii Public Housing Authority, Police Department of the City and County of Honolulu, American Civil Liberties Union of Hawai'i, and Legal Aid Society of Hawai'i.

Your Committees find that increased safety and security measures are needed at public housing projects. Based on



information received from the Hawaii Public Housing Authority, the scope of the pilot project proposed by this measure will include designing a surveillance system, and improvements to fencing, lighting, and a guard post. According to the Hawaii Public Housing Authority, the preliminary cost estimate for the pilot project is \$125,000. Your Committees note that the Hawaii Public Housing Authority is expected to provide your Committee on Ways and Means with additional cost information.

Your Committees have heard the concerns that implementing a program that requires visitors to any public housing project to obtain visitor passes may be administratively burdensome. Your Committees have also heard the concerns that requiring visitor passes and extending the criminal trespass statute to public housing may pose constitutional concerns.

Accordingly, your Committees have amended this measure by:

- (1) Deleting section 1, which would have required visitors at public housing projects to obtain visitor passes;
- (2) Deleting section 2, which would have established that remaining unlawfully on the premises of a public housing project constitutes criminal trespass in the first degree;
- (3) Adding language that details the scope of the pilot project at Mayor Wright Homes; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 231, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 231, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committees on Human Services  
and Judiciary and Labor,

*Clayton Hee*

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CLAYTON HEE, Chair

*Suzanne Chun Oakland*

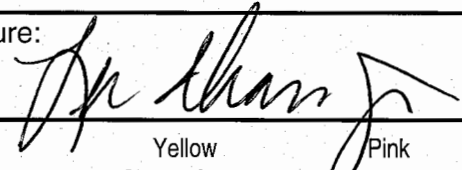
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SUZANNE CHUN OAKLAND, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

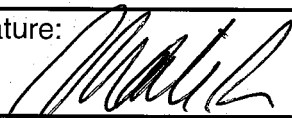
**Record of Votes**  
**Committee on Human Services**  
**HMS**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 231, HD2	HMS/JDL, WAM	3-22-11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
GREEN, M.D., Josh	✓			
SLOM, Sam				✓
<b>TOTAL</b>	3	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes

The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB231, HD2	HMS/JDL, WAM	3/23/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312				
<input checked="" type="checkbox"/> Pass, with amendments 2311				
<input type="checkbox"/> Hold 2310				
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
SLOM, Sam	✓			
<b>TOTAL</b>	4	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted				
<input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
<b>Distribution:</b>				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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