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THE SENATE  
THE TWENTY-THIRD LEGISLATURE  
REGULAR SESSION OF 2006

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COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Senator Colleen Hanabusa, Chair  
Senator Clayton Hee, Vice Chair

NOTICE OF HEARING

DATE: Tuesday, February 7, 2006  
TIME: 9:00 a.m.  
PLACE: Conference Room 229  
State Capitol  
415 South Beretania Street

A G E N D A

SB 2240	<b>MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.</b> Provides for the authorization and payment of claims against the State for refunds of taxes, for judgments and settlements, and for other miscellaneous payments.	JHW, WAM
SB 2244	<b>RELATING TO EXPUNGEMENTS.</b> Requires the deletion of digitized arrest records, rather than the return of hard copy materials, if applicable. Clarifies the definition of "crime" as it relates to expungeable offenses. Limits expungements to applicants that have no convictions on their criminal record.	JHW
SB 2251	<b>RELATING TO TORT ACTIONS.</b> Reiterates the underlying intent of the discretionary function and the intentional tort exception to the State's waiver of sovereign immunity for the torts of its employees, and declares that all the exceptions to the State's waiver of sovereign immunity are to be broadly construed in the State's favor.	JHW
SB 2255	<b>RELATING TO TIME LIMITATIONS.</b> Adds crimes that include deception as an element of those crimes where the date of discovery is used to calculate the time limitation within which the crime must be charged.	JHW
SB 2256	<b>RELATING TO COURT ADVISEMENT CONCERNING ALIEN STATUS.</b> Allows courts to advise defendants of the effect of a criminal conviction on alien status.	JHW
SB 2259	<b>RELATING TO INFORMATION CHARGING.</b> Add "unlawful methamphetamine trafficking" to those felonies that may be initiated by information charging.	JHW

SB 2260

**RELATING TO SENTENCING.**

JHW

Provides for a mandatory sentence of 30 years to life for habitual violent felons. Adds 21 serious class C felonies to those offenses subject to repeat offender sentencing. Provides higher maximum terms for repeat offenders and lower penalties for most misdemeanor and petty misdemeanor offenses. Amends repeat offender statute to: (a) change the method of calculating the period of eligibility for repeat offender sentencing by adding the time a defendant spends on probation, parole, or in prison to the otherwise applicable period; (b) enhance certain sentencing provisions. Adds 20 class B and class C felonies to the list of offenses for which a deferred acceptance of plea (DAG or DANC) is not permitted.

SB 2265

**RELATING TO CRIMES AGAINST MINORS.**

JHW

Add electronic enticement of a child to the list of class C felonies subject to repeat offender sentencing. Mandates at least 1 year incarceration for defendants convicted of promoting child abuse or convicted of electronic enticement of a child. Eliminates the possibility of a deferred plea for those who enter a plea to the crime of promoting child abuse or the crime of electronic enticement of a child. Adds a new misdemeanor of electronic enticement of a child in the third degree.

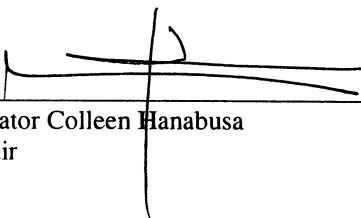
**Decision Making to follow, if time permits.**

Persons wishing to testify should submit 25 copies of their testimony to the committee clerk, Room 227, State Capitol, 24 hours prior to the hearing. Testimony may also be faxed if less than 5 pages in length, to the Senate Sergeant-At-Arms Office at 586-6659 or 1-800-586-6659 (toll free for neighbor islands), at least 24 hours prior to the hearing. When faxing, please indicate to whom the testimony is being submitted, the date and time of the hearing, and the required number of copies needed for submittal.

If you require special assistance or auxiliary aids or services to participate in the public hearing process (i.e., sign language interpreter, wheelchair accessibility, or parking designated for the disabled) please contact the committee clerk 24 hours prior to the hearing so arrangements can be made.

Public Folder. A folder labeled "Public Folder" containing the measures and testimonies for the hearing will be available for shared use by members of the public.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT 586-6916.



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 Senator Colleen Hanabusa  
 Chair