

THE SENATE
THE TWENTY-FOURTH LEGISLATURE
REGULAR SESSION OF 2008

COMMITTEE ON JUDICIARY AND LABOR

Senator Brian T. Taniguchi, Chair

Senator Clayton Hee, Vice Chair

NOTICE OF DECISION MAKING

DATE: Monday, February 25, 2008

TIME: 10:00 a.m.

PLACE: Conference Room 016

State Capitol

415 South Beretania Street

A G E N D A

SB 1487, SD1	RELATING TO CONTROLLED SUBSTANCES.	HTH, JDL
(SSCR492)	Allows the public to utilize the controlled substance pregabalin and makes Hawaii's controlled substance laws consistent with that of federal law. (SD1)	
Testimony		
Status		
SB 2245	RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES.	HSP, JDL
(SSCR2212)	Makes it a violation of the statewide traffic code to leave a child unattended in a motor vehicle. Effective on approval. Requires the examiner of drivers to test driver's license applicants for knowledge of this offense. Requires notice of law in rental cars. Effective on 10/1/2008.	
Testimony		
Status		
SB 2363, SD1	RELATING TO SEXUAL ASSAULT.	HTH, JDL
(SSCR2336)	Amends Hawaii Penal Code to make sexual assault against a person who is mentally defective a "strict liability" offense. (SD1)	
Testimony		
Status		
SB 2366, SD1	RELATING TO STATEWIDE TRAFFIC CODE.	TIA, JDL
(SSCR2133)	Prohibits texting using electronic wireless communication device while driving; provides exemptions for authorized emergency vehicles, text messages to report illegal activity or to summon help in an emergency situation, emergency alert messages, messages related to the operation of a motor vehicle or an accessory component, global positioning or navigation systems permanently affixed to the vehicle. (SD1)	
Testimony		
Status		



<u>SB 2373, SD1</u>	RELATING TO PSEUDOEPHEDRINE SALES. Requires electronic logs of pseudoephedrine sales to be made via an Excel worksheet provided by the department of public safety narcotics enforcement division and maintained for two years in a form searchable by law enforcement. (SD1)	CPH, JDL
<u>(SSCR2373)</u>		
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2395, SD1</u>	RELATING TO LANGUAGE ACCESS. Clarifies definitions related to language access. Requires certain entities to file a language access plan and appoint a language access coordinator. Expands the language access advisory council from 11 to 15 members. (SD1)	HSP, JDL
<u>(SSCR2292)</u>		
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2396, SD1</u>	RELATING TO MENTAL HEALTH. Makes assault of a person employed at a state-operated or -contracted mental health facility a class C felony. (SD1)	HTH, JDL
<u>(SSCR2331)</u>		
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2435, SD1</u>	RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS. Exempts positions and personal services contracts with a qualified community rehabilitation program, which last for no more than one year, from the county civil service law; provided that the cost does not exceed \$1,000,000. (SD1)	HSP/IGM, JDL
<u>(SSCR2268)</u>		
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2627, SD1</u>	RELATING TO COPPER PURCHASES. Requires scrap dealers and recyclers to pay for copper purchases by check. (SD1)	CPH, JDL
<u>(SSCR2229)</u>		
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2730, SD1</u>	RELATING TO CHILD PROTECTION. Establishes a grandparent, or other appropriate relative, preference for out-of-home placement of children needing child protective services. (SD1)	HSP, JDL
<u>(SSCR2146)</u>		
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2895, SD1</u>	RELATING TO OFFENSES AGAINST PUBLIC ORDER. Adds equine animals as protected under the law pertaining to offenses relating to cruelty to animals. (SD1)	AHW, JDL
<u>(SSCR2240)</u>		
<u>Testimony</u>		
<u>Status</u>		



SB 2955, SD1	<p>RELATING TO AGRICULTURAL INSPECTIONS.</p> <p>Grants the Department of Agriculture authority to require advance written notification of arrival of articles transported to the State or from one island within the State to another as freight, air freight, baggage, or otherwise, for the purpose of debarkation. Broadens the range of articles subject to advance notification and possible inspection to include nonagricultural articles capable of harboring pests. Corrects an error that occurred in Act 64, SLH 2005, regarding import of restricted articles so as to be consistent with other parts of the statute. (SD1)</p>	AHW, JDL
<p>(SSCR2186) Testimony Status</p>		
SB 3021, SD1	<p>RELATING TO VIATICAL SETTLEMENTS.</p> <p>Protects those with terminal or chronic illnesses from unscrupulous brokers who trade in life insurance policies of the sick, by requiring disclosure of the consequences to the consumer, providing the right to rescind the contract, and prohibiting the transfer of the life insurance benefits to the new owner for five years. (SD1)</p>	CPH, JDL
<p>(SSCR2226) Testimony Status</p>		
SB 3026, SD1	<p>RELATING TO THE PREVENTION OF MORTGAGE RESCUE FRAUD.</p> <p>Requires mortgage foreclosure rescuers to provide specific information and disclosures to distressed property owners as well as impose specific prohibitions on mortgage foreclosure rescuers. (SD1)</p>	CPH, JDL
<p>(SSCR2374) Testimony Status</p>		
SB 3034, SD1	<p>RELATING TO CIVIL DEFENSE.</p> <p>Supports State Civil Defense's shelter-in-place initiative by exempting civil liability for care homes and schools, in addition to hotels, during an officially designated emergency. (SD1)</p>	IGM, JDL
<p>(SSCR2123) Testimony Status</p>		
SB 3050, SD1	<p>RELATING TO ADULT PROTECTIVE SERVICES.</p> <p>Expands the list of persons mandated to report known or suspected abuse of vulnerable adults to include caregivers and the entity or agency designated by the governor to provide advocacy services to persons with developmental disabilities and mental illness. (SD1)</p>	HSP, JDL
<p>(SSCR2474) Testimony Status</p>		
SB 3051, SD1	<p>RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS.</p> <p>Authorizes the Department of Human Services or its designee to conduct criminal history record checks for those providing services to vulnerable adults and children. (SD1)</p>	HSP, JDL
<p>(SSCR2216) Testimony Status</p>		



<p>SB 3060, SD1</p> <p>(SSCR2380)</p> <p>Testimony</p> <p>Status</p>	<p>RELATING TO HAWAII PUBLIC HOUSING AUTHORITY EVICTIONS BOARDS.</p> <p>Allows the Hawaii public housing authority to hold eviction hearings without the tenant member of the authority's eviction boards present if quorum is met. (SD1)</p>	<p>HSP, JDL</p>
<p>SB 3078, SD1</p> <p>(SSCR2509)</p> <p>Testimony</p> <p>Status</p>	<p>RELATING TO WORKSITE WELLNESS PROGRAMS.</p> <p>Gives State and counties immunity from liability for injury and damage that occur as a result of voluntary participation in state and county worksite wellness programs. (SD1)</p>	<p>HTH, JDL</p>
<p>SB 3080</p> <p>(SSCR2330)</p> <p>Testimony</p> <p>Status</p>	<p>RELATING TO HAWAII HEALTH SYSTEMS CORPORATION BACKGROUND CHECKS.</p> <p>Authorize the Hawaii Health Systems Corporation to conduct FBI criminal history record checks through the Hawaii Criminal Justice Data Center on employees, applicants, current or prospective contractors, providers, or volunteers.</p>	<p>HTH, JDL</p>
<p>SB 3087, SD1</p> <p>(SSCR2172)</p> <p>Testimony</p> <p>Status</p>	<p>RELATING TO CONTRACTOR SUSPENSION ON PUBLIC WORKS PROJECTS.</p> <p>Suspends contractors found to be in violation of the public works procurement law for falsification of records or delaying an investigation under the wage and hour law. (SD1)</p>	<p>TSG, JDL</p>

Decision Making Only

Persons wishing to comment should submit comments in one of the following ways:

- In person: 1 copy of their comments to the committee clerk, Room 219, State Capitol.
- By fax: Comments may 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 which committee the comments are being submitted and the date and time of the decision making agenda.
- By Email: Comments may be emailed if less than 5 pages in length, to the Legislature's Public Access Room at testimony@capitol.hawaii.gov. Please indicate to which committee the comments are being submitted and the date and time of the decision making. Email sent to individual offices or any other Senate office will not be accepted.

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

Please note: Documents made available through the Testimony hyperlink(s) above may not be posted until the start of the hearing.

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



FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT 586-6460.

Senator Brian T. Taniguchi
Chair

