

HOUSE OF REPRESENTATIVES
THE TWENTY-FOURTH LEGISLATURE
REGULAR SESSION OF 2008

COMMITTEE ON JUDICIARY

Rep. Tommy Waters, Chair
Rep. Blake K. Oshiro, Vice Chair

RECEIVED

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Rep. Alex M. Sonson	Rep. Cynthia Thielen

NOTICE OF HEARING

DATE: Tuesday, March 25th, 2008
TIME: 4:05pm
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

A G E N D A

SB 3103, SD1
(SSCR2709)
Status

RELATING TO ENDANGERED SPECIES.
Authorizes the development and use of programmatic safe harbor agreements and programmatic habitat conservation plans that cover multiple landowners or a class of landowners and over a wide area or region. (SD1)

WLH/EEP, JUD

SB 2730, SD2, HD1
(HSCR1190-08)
Status

RELATING TO CHILD PROTECTION.
Establishes a preference for placement of children needing child protective services. (SB2730 HD1)

HSB, JUD

SB 2886, SD1
(SSCR2706)
Status

RELATING TO CHILD ABANDONMENT.
Increases child abandonment to a class C felony and renames the offense to child abandonment in the first degree. Establishes the offense of child abandonment in the second degree and makes it a misdemeanor to abandon a child by leaving the child with a person in reckless disregard of the risk that the person is not who the person claims to be or has no ascertainable address. Eff. July 1, 2050. (SD1)

HSB, JUD

SB 2170, SD1
(SSCR2871)
Status

RELATING TO PUBLIC LAND.
Protects counties from liability as a result of natural conditions on or near a public beach park. Eff. 7/1/2050. (SD1)

WLH, JUD

SB 1487, SD2
(SSCR2606)
Status

RELATING TO CONTROLLED SUBSTANCES.
Allows the public to utilize the controlled substance pregabalin and makes Hawaii's controlled substance laws consistent with that of federal law. (SD2)

HLT, JUD



<u>SB 2900, SD1</u> <u>(SSCR2617)</u> <u>Status</u>	RELATING TO PUBLIC LANDS. Establishes that any county has the power to enforce laws and rules applicable to the use of public streets or highways whose ownership is in dispute between the State and county; ensures that the general public retains the right to use public road whose ownership is in dispute to access coastal and inland recreational areas, including beaches, shores, parks, and trails. (SD1)	TRN, JUD
<u>SB 3200, SD1</u> <u>(SSCR2618)</u> <u>Status</u>	RELATING TO GOVERNMENTAL RETENTION OF ATTORNEYS. Allows a department to retain an attorney if the attorney general declares a conflict of interest. (SD1)	JUD
<u>SB 2245, SD1, HD1</u> <u>(HSCR1253-08)</u> <u>Status</u>	RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES. 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. (SB2245 HD1)	TRN, JUD
<u>SB 2212, SD1, HD1</u> <u>(HSCR1164-08)</u> <u>Status</u>	RELATING TO CRIME. Enables prosecution of human trafficking under Hawaii law by creating new offense of sexual exploitation of a minor, amending existing kidnapping, extortion, and prostitution offenses, and including sexual exploitation of a minor in definition of racketeering. Eliminates distinction between minors under 18 and minors under 16 for purposes of promoting prostitution. Makes victims of sexual exploitation of a minor and promoting prostitution in the first degree eligible for crime victim compensation. Effective 7/1/2050. (SB2212 HD1)	HSH, JUD
<u>SB 2080, SD2, HD1</u> <u>(HSCR1284-08)</u> <u>Status</u>	RELATING TO TEACHER LICENSURE. Requires the Hawaii Teacher Standards Board to revoke a teacher's license when the teacher has been convicted of certain sexual offenses against a minor. (SB2080 HD1)	EDN/LAB, JUD
<u>HCR 49,</u> <u>HD1(HSCR1243-08)</u> <u>Status</u> <u>HR 49, HD1</u> <u>(HSCR1242-08)</u> <u>Status</u>	REQUESTING THE MAUI COUNTY MAYOR AND COUNTY COUNCIL TO IMPLEMENT VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY OF MAUI.	HLT, JUD
<u>HCR 69</u> <u>Status</u> <u>HR 60</u> <u>Status</u>	ESTABLISHING A TASK FORCE TO REVIEW THE RETIREMENT AGE FOR STATE COURT JUSTICES AND JUDGES; THE TERMS OF AND POSSIBLE TERM LIMITS FOR STATE COURT JUSTICES AND JUDGES; THE POSSIBILITY OF ESTABLISHING A SENIOR JUDGE SYSTEM FOR STATE COURT JUSTICES AND JUDGES; JUDICIAL ACCOUNTABILITY AND FITNESS IN THE STATE OF HAWAII; AND RELATED MATTERS.	JUD, HED



<u>HCR 166</u> <u>Status</u> <u>HR 140</u> <u>Status</u>	REQUESTING A STUDY OF THE CREATION OF A FOURTH CIRCUIT COURT TO BE LOCATED AT THE KAPOLEI COURT COMPLEX.	JUD, FIN
<u>HCR 231</u> <u>Status</u>	REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE COST OF CONVENING A CONSTITUTIONAL CONVENTION IN 2010.	JUD, LMG
<u>HCR 267</u> <u>Status</u> <u>HR 227</u> <u>Status</u>	REQUESTING THE OFFICE OF ELECTIONS TO PROVIDE AN INFORMATIONAL BRIEFING AND DEMONSTRATION TO THE APPROPRIATE SENATE AND HOUSE COMMITTEES REGARDING THE OPERATION AND USE OF NEW ELECTRONIC VOTING SYSTEMS AND TO PROVIDE INFORMATION PRIOR TO CONTRACTING TO PURCHASE ANY NEW VOTING SOFTWARE OR EQUIPMENT RELATED TO ANY NEW VOTING SYSTEM.	JUD, LMG
<u>HCR 297</u> <u>Status</u>	REQUESTING THE JUDICIARY TO CONVENE A TASK FORCE TO REVIEW THE FAMILY COURT'S JUDICIAL WAIVER PROCESS INVOLVING JUVENILE FELONY DEFENDANTS.	JUD

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing with a transmittal cover indicating:

- Testifier's name with position/title and organization;
- The Committee the comments are directed to;
- The date and time of the hearing;
- Measure number; and
- The number of copies the Committee is requesting.

While every effort will be made to copy, organize, and collate all testimony received, materials received on the day of the hearing or improperly identified or directed to the incorrect office, may be distributed to the Committee after the hearing.

Submit testimony in ONE of the following ways:

PAPER: 5 copies (including an original) to Room 302 in the State Capitol;

FAX: For comments less than 5 pages in length, transmit to 586-9456 (Oahu) or 1-800-535-3859 (Neighbor Islands); or

EMAIL: For comments less than 5 pages in length, transmit to JUDtestimony@Capitol.hawaii.gov.


Testimony submitted will be placed on the Legislative Web site after the hearing adjourns. This public posting of testimony on the Web site should be considered when including personal information in your testimony.

If you require special assistance or auxiliary aids and/or services to participate in the House public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the Committee Clerk at 586-9450 or email your request for an interpreter to HouseInterpreter@Capitol.hawaii.gov at least 24 hours prior to the hearing for arrangements. Prompt requests submitted help to ensure the availability of qualified individuals and appropriate accommodations.

Selected meetings are broadcast live. Check the current legislative broadcast schedule on the "Capitol TV" Web site at www.capitoltv.org OR call 550-8074.

JUD 03-25-08




 for _____
 Rep. Tommy Waters
 Chair