

HOUSE OF REPRESENTATIVES  
THE TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2009

COMMITTEE ON JUDICIARY  
Rep. Jon Riki Karamatsu, Chair  
Rep. Ken Ito, Vice Chair

RECEIVED

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Rep. John M. Mizuno	Rep. Cynthia Thielen

NOTICE OF HEARING

DATE: Tuesday, February 10, 2009  
TIME: 2:00 p.m.  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

A G E N D A

<u>HB 993</u> Status	PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF PROJECTED EXCESS REVENUES. Routes a portion of projected increases in general fund revenues to emergency and budget reserve fund established by law. Sets 7% as the percentage that triggers the disposition.	JUD, FIN
<u>HB 981</u> Status	RELATING TO HIGHWAY SAFETY. Makes amendments to Act 171, Session Laws of Hawaii 2008, reflecting recommendations of Ignition Interlock Implementation Task Force.	TRN, JUD, FIN
<u>HB 28</u> Status	RELATING TO DEAD HUMAN BODIES. Adds to the prohibition against buying dead human bodies, the selling of dead human bodies. Defines the term "dead human body" to include plastinated bodies and body parts. Increases the fine for buying or selling a dead human body to up to \$5,000.	HLT, JUD, FIN
<u>HB 29</u> Status	RELATING TO DEAD HUMAN BODIES. Prohibits the commercial display of dead human bodies without a permit from the department of health.	HLT, JUD, FIN
<u>HB 131</u> Status	RELATING TO UNCLAIMED PROPERTY. Allows individuals attempting to claim certain unclaimed property from the State to assert ownership through a notarized affidavit signed under penalty of perjury.	JUD, FIN



<u>HB 136</u> <u>Status</u>	RELATING TO GRAFFITI. Establishes the graffiti eradication sentencing program within the judiciary, to allow a person who has committed an act of graffiti to discharge a community service sentence through graffiti eradication activities. Makes appropriation.	JUD, FIN
<u>HB 297</u> <u>Status</u>	RELATING TO THE INTERSTATE COMPACT FOR JUVENILES. Adopts the new Interstate Compact for Juveniles and establishes the family court's jurisdiction under the compact.	HUS, JUD, FIN
<u>HB 299</u> <u>Status</u>	RELATING TO THE PENAL CODE. Establishes the payment priority of the DNA analysis fee over other fees and fines assessed against a defendant by the court.	JUD, FIN
<u>HB 623</u> <u>Status</u>	RELATING TO STATE IDENTIFICATION. Allows the attorney general to contract with counties for processing and issuing state identification cards.	JUD, FIN
<u>HB 819, HD1</u> <u>Status</u>	RELATING TO CRIME. Mandates minors aged 15-17 be tried as adults in cases of first and second degree murder. (HB819 HD1)	HUS, JUD, FIN
<u>HB 981</u> <u>Status</u>	RELATING TO HIGHWAY SAFETY. Makes amendments to Act 171, Session Laws of Hawaii 2008, reflecting recommendations of Ignition Interlock Implementation Task Force.	TRN, JUD, FIN
<u>HB 620</u> <u>Status</u>	RELATING TO SENTENCING. Authorizes the court at sentencing to require a person with three or more convictions of sexual assault in the first degree to wear a global positioning system transmitter for up to 10 years after the person's release from prison.	JUD, FIN
<u>HB 1025</u> <u>Status</u>	RELATING TO SENTENCING. To restore a statutory provision allowing for presentence mental health or medical examination of defendants for purposes of sentencing.	HUS, JUD, FIN
<u>HB 1154</u> <u>Status</u>	RELATING TO TAX ADMINISTRATION. Ensures Hawaii businesses and residents are paying their fair share of taxes by providing the Department of Taxation with resources to seek enforcement against non-compliant cash-based businesses.	JUD, FIN
<u>HB 1155</u> <u>Status</u>	RELATING TO TAX ADMINISTRATION. Deters tax fraud and promotes uniformity in the tax system by conforming Hawaii tax law to the Internal Revenue Code for preparer penalties and accuracy-related penalties.	JUD, FIN
<u>HB 1037</u> <u>Status</u>	RELATING TO CIVIL ACTIONS. Clarifies that government entities are only liable in certain cases for the percentage share of the damages they actually caused.	TRN, JUD, FIN



HB 1713  
Status

RELATING TO HAZARDS.  
Allows Civil Defense, when no emergency exists, to enter on private property to mitigate hazardous situations after giving the landowner notice.

JUD, FIN

DECISION MAKING TO FOLLOW

DECISION MAKING ONLY ON THE FOLLOWING MEASURES:

Previously heard on **Tuesday, February 3, 2009.**

No public testimony will be accepted.

HB 128  
Status

RELATING TO ELECTIONS.  
Makes nomination papers available until the 58th day prior to the deadline for filing nomination papers. Provides 3 additional business days for candidates to file papers if there are no candidates for an office.

JUD

HB 509  
Status

RELATING TO ELECTIONS.  
Requires incumbent elected officials to file nomination papers for re-election 7 days prior to the filing deadline for non-incumbents.

JUD

HB 510  
Status

RELATING TO ELECTIONS.  
Extends the filing deadline by 5 days in cases where a candidate withdraws less than 5 days prior to the filing deadline.

JUD

HB 613  
Status

RELATING TO ELECTIONS.  
Requires the office of elections to develop a standard withdrawal and declaration of candidacy form by 01/01/2010. Requires a candidate to file the standard form to withdraw as a candidate prior to the subsequent filing of nomination papers for any other elective office.

JUD

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: 1 (one) copies (including an original) to Room 302 in the State Capitol;

FAX: For comments less than 5 pages in length, transmit to 586-8494 (Oahu) or 1-800-535-3859 (Neighbor Islands); or

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

Hearing JUD 02-10-09.docx



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 586-8490 or email your request for an interpreter to [HouseInterpreter@Capitol.hawaii.gov](mailto: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](http://www.capitoltv.org) OR call 550-8074.

  
Rep. Jon Riki Karamatsu  
Chair

