

HOUSE OF REPRESENTATIVES  
THE TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2010

RECEIVED

2010 FEB 19 P 4: 17

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AMENDED NOTICE OF HEARING

DATE: Tuesday, February 23, 2010  
TIME: 2:00 p.m.  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

A M E N D E D A G E N D A

The following measure has been **DELETED** from the agenda: **SB 2449**.

The following measures have been **ADDED** to the agenda: **HB 2404 and HB 1034**.

HB 2790, HD1  
(HSCR392-10)  
Status

RELATING TO FIREWORKS.  
Establishes fireworks-related fines and penalties. Effective January 1, 2112. (HB2790 HD1)

TCI/PBS, JUD

SB 1059, SD2, HD1  
(HSCR1216)  
Status

RELATING TO FIREWORKS.  
Establishes an illegal fireworks task force to stop the importation of illegal fireworks and explosives. Requires the task force to report a preliminary plan to the legislature no later than January 10, 2010. Allows counties to enact ordinances or adopt rules regulating fireworks that are more restrictive than state law regulating fireworks under chapter 132D, Hawaii Revised Statutes. Effective 7/1/2050. (SB1059 HD1)

PBS/TRN, JUD

HB 1987, HD1  
(HSCR69-10)  
Status

RELATING TO FIREWORKS.  
Establishes a cause of action to abate the illegal purchasing, selling, possession, setting off, igniting or discharging of fireworks. Allows the court to order the closure of any place used in violation of the fireworks law. Allows for the forfeiture of property used in violation of the fireworks law. (HB1987 HD1)

PBS, JUD

SB 2449  
(SSCR2040)  
Status

~~RELATING TO DRIVER LICENSING.~~  
~~Makes the statutory requirements for provisional driver's licenses for persons under the age of eighteen permanent.~~

~~TRN, JUD~~



<u>HB 229, HD1</u> <u>(HSCR317)</u> <u>Status</u>	RELATING TO THE PENAL CODE. Amends the offenses of murder in the first degree, murder in the second degree, assault in the second degree, and terroristic threatening in the first degree to include conduct committed against victims whom the courts and police are attempting to keep safe with protective orders. (HB229 HD1)	HUS, JUD
<u>HB 840</u> <u>Status</u>	RELATING TO CHARGING BY WRITTEN INFORMATION. Amends section 806-83, Hawaii Revised Statutes, to add felony offenses which may be charged by written information.	JUD
<u>HB 1019</u> <u>Status</u>	RELATING TO THE PENAL CODE. Includes in the offense of murder in the second degree acts committed with the intent to cause serious bodily injury to another person or create the strong probability of causing death or serious bodily injury to another person, which result in the death of another person.	JUD
<u>HB 2592, HD1</u> <u>(HSCR332-10)</u> <u>Status</u>	RELATING TO CONTROLLED SUBSTANCES. Makes Hawaii's controlled substance laws consistent with that of federal law, and clarifies sections of chapter 329 relating to controlled substances. (HB2592 HD1)	HLT, JUD
<u>HB 2897</u> <u>(HSCR290-10)</u> <u>Status</u>	RELATING TO CONTRACTORS. Subjects a contractor to revocation or suspension of license for knowingly or intentionally employing a person who is not eligible to work in the United States under federal law to perform work on any project or operation.	LAB, CPC, JUD
<u>HB 1978, HD1</u> <u>(HSCR26-10)</u> <u>Status</u>	RELATING TO TOWING. Requires towing companies to be in operation twenty-four hours per day, 7 days a week in a county with a population greater than 500,000 persons. Requires tow companies open for twenty-four hours to offer services that include the release of vehicles in storage. Requires tow operators to maintain, at minimum, \$500,000 bodily injury coverage, \$200,000 property damage insurance, \$175,000 hook coverage insurance, or a combined single limit of liability insurance coverage of \$1,000,000. (HB1978 HD1)	TRN, JUD
<u>HB 2354</u> <u>(HSCR92-10)</u> <u>Status</u>	RELATING TO INSURANCE FRAUD. Requires individuals, entities, and insurers to cooperate with insurance fraud investigations. Bars restitution for failure to cooperate.	CPC, JUD
<u>HB 2575, HD1</u> <u>(HSCR265-10)</u> <u>Status</u>	RELATING TO TRAUMA. Provide statutory protection from discovery for the Department of Health trauma care multiagency and multidisciplinary peer review and quality assurance committees. (HB2575 HD1)	HLT, JUD



<u>SB 2246, SD1</u> <u>(SSCR2334)</u> <u>Status</u>	RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS. Amends or repeals various provisions of the Hawaii Revised Statutes and the Session Laws of Hawaii for the purpose of correcting errors and references, clarifying language, and deleting obsolete or unnecessary provisions. (SD1)	JUD
<u>HB 2895</u> <u>(HSCR327-10)</u> <u>Status</u>	RELATING TO FORECLOSURE. Allows a homeowner to force a court supervised foreclosure if a non-judicial foreclosure is successfully appealed due to an unfair sales price.	HSG, JUD
<u>HB 2693</u> <u>(HSCR199-10)</u> <u>Status</u>	RELATING TO CHILD PASSENGER RESTRAINTS. Amends law to prohibit the transport of a child under 8 years of age in a motor vehicle on a public highway in the State, when a parent or legal guardian is present in the motor vehicle, except under certain circumstances. Allows children under the age of 8 and under 4 feet and 9 inches in height to ride in the front seat of a motor vehicle, under certain circumstances.	TRN, JUD
<u>HB 2086, HD1</u> <u>(HSCR110-10)</u> <u>Status</u>	RELATING TO HEALTH CARE DATA. Allows authorized health care entities to use clinical laboratory test results to populate personal health records or electronic medical records. Effective July 1, 2020. (HB2086 HD1)	HLT, JUD
<u>HB 2922, HD1</u> <u>(HSCR270-10)</u> <u>Status</u>	RELATING TO SOLID WASTE. Prohibits the knowing incineration or disposal of fluorescent and compact fluorescent light bulbs in landfills and waste-to-energy facilities in the State. Establishes notice requirements. (HD1)	EEP, JUD
<u>HB 2263</u> <u>(HSCR168-10)</u> <u>Status</u>	RELATING TO HIGHWAY SAFETY. Permits a provisional licensee to obtain a driver's license at age 18 even if the person has held the provisional license for less than 6 months.	TRN, JUD
<u>HB 2548</u> <u>(HSCR163-10)</u> <u>Status</u>	RELATING TO CONSUMER PROTECTION. Updates regulation of prepaid legal services plans.	CPC, JUD
<u>HB 2404</u> <u>(HSCR122-10)</u> <u>Status</u>	RELATING TO DRIVER LICENSING. Makes the statutory requirements for provisional driver's licenses for persons under the age of eighteen permanent.	TRN, JUD
<u>HB 1034</u> <u>Status</u>	RELATING TO CIVIL ACTIONS. Clarifies that certain waivers of the State's sovereign immunity can only take place if the Legislature has in a statute unequivocally waived that sovereign immunity.	JUD

DECISION MAKING TO FOLLOW

DECISION MAKING



The following measure(s) were previously heard on **January 22, 2010**.

<u>HB 1752</u> <u>Status</u>	RELATING TO REPEAT OFFENDERS. Excludes non-violent offenders from repeat offenders statute requiring mandatory minimum prison terms.	JUD
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The following measure(s) were previously heard on **February 4, 2010**.

<u>HB 2724</u> <u>Status</u>	RELATING TO OFFENSES AGAINST PUBLIC ORDER. Permits tethering of an unattended dog if the tether meets certain specifications and the dog is at least 6 months old. Establishes mandatory fines.	JUD
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<u>HB 2725</u> <u>Status</u>	RELATING TO ANIMALS. Amends the definition of necessary sustenance to include a primary pet enclosure that provides shelter; safe construction to prevent injury; room to stand, sit, or lie down; and safe interactions with other animals.	JUD
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The following measure(s) were previously heard on **February 16, 2010**.

<u>HB 1756</u> <u>Status</u>	RELATING TO CRIMINAL PROCEDURE. Allows for expungement of convictions for non-violent offenses that are over 5 years old.	JUD
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<u>HB 2904</u> <u>(HSCR130-10)</u> <u>Status</u>	RELATING TO COUNTY GENERAL PLANS. Prohibits the use of county general and development plans from serving as, or replacing the county regulatory powers.	WLO, JUD
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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: one copy (including an original) to Room 302 in the State Capitol;

FAX: For comments less than 5 pages in length, transmit to 586-8494 (for Oahu) or 1-800-535-3859 (for Neighbor Islanders without a computer to submit testimony through e-mail or the Web);

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

WEB: For comments less than 4MB in size, transmit from the Web page at <http://www.capitol.hawaii.gov/emailtestimony>.

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 586-8490 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.

Hearing JUD 02-23-10.docx



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Rep. Jon Riki Karamatsu  
Chair



