

THE SENATE  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2011

COMMITTEE ON JUDICIARY AND LABOR

Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair

AMENDED NOTICE OF HEARING

DATE: Thursday, April 7, 2011  
TIME: 9:30 a.m.  
PLACE: Conference Room 016  
State Capitol  
415 South Beretania Street

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

<a href="#"><u>HB 1088, HD1</u></a> <a href="#"><u>(HSCR769)</u></a> <a href="#"><u>Testimony</u></a> <a href="#"><u>Status</u></a>	RELATING TO CORRECTIONS. Adds a section to chapter 353, Hawaii Revised Statutes, relating to the mental health treatment of inmates and detainees in the custody of the Department of Public Safety. Effective July 1, 2030. (HB1088 HD1)	JDL
<a href="#"><u>HB 1140, HD1</u></a> <a href="#"><u>(HSCR683)</u></a> <a href="#"><u>Testimony</u></a> <a href="#"><u>Status</u></a>	RELATING TO ARBITRATION. Authorizes a default ruling, in arbitration cases only where all parties are commercial entities, against any party that fails to pay the arbitration fees or costs directed by an arbitrator or arbitration organization. Effective January 7, 2059. (HB1140 HD1)	JDL
<a href="#"><u>HB 1155, HD1</u></a> <a href="#"><u>(HSCR636)</u></a> <a href="#"><u>Testimony</u></a> <a href="#"><u>Status</u></a>	RELATING TO REPEAT OFFENDERS. Specifying class A and B felonies that require mandatory minimum prison terms under the repeat offender statute. Reinstating, adding, and deleting certain class C felonies that require the mandatory minimum prison terms under the repeat offender statute. Effective January 7, 2059. (HB1155 HD1)	JDL
<a href="#"><u>HB 1333, HD1</u></a> <a href="#"><u>(HSCR703)</u></a> <a href="#"><u>Testimony</u></a> <a href="#"><u>Status</u></a>	RELATING TO SMALL CLAIMS COURT. Increases the monetary limit of claims that may be filed in small claims court. Effective on July 1, 2030. (HB1333 HD1)	JDL
<a href="#"><u>HB 341, HD4</u></a> <a href="#"><u>(HSCR912)</u></a> <a href="#"><u>Testimony</u></a> <a href="#"><u>Status</u></a>	RELATING TO EMPLOYMENT PRACTICES. Makes it unlawful for an employer or a labor organization with 100 or more employees and a collective bargaining agreement to bar or discharge from employment, withhold pay from, or demote an employee because the employee uses accrued and available sick leave. Allows an employer or labor organization to require written verification of sick leave in certain situations. Effective July 1, 2030. (HB341 HD4)	JDL



<p><a href="#"><u>HB 141, HD1</u></a>  <a href="#"><u>Proposed SD1</u></a>  <a href="#"><u>(HSCR625)</u></a>  <a href="#"><u>Testimony</u></a>  <a href="#"><u>Status</u></a></p>	<p>RELATING TO THE HAWAII PENAL CODE.  PROPOSED SD1: Establishes class A and B felony labor trafficking offenses, a nonpayment of wages offense, and an unlawful conduct with respect to documents offense. Establishes provisions related to prosecution of the offenses .</p> <p>Copies of the proposed SD (1) are available from the Senate Document Center and on the Legislature's website: <a href="http://www.capitol.hawaii.gov">www.capitol.hawaii.gov</a>.</p>	<p>JDL</p>
<p><a href="#"><u>HB 1376</u></a>  <a href="#"><u>(HSCR615)</u></a>  <a href="#"><u>Testimony</u></a>  <a href="#"><u>Status</u></a></p>	<p><u>RELATING TO EVIDENCE.</u>  <u>Makes permanent the limited news media privilege against the compelled disclosure of sources and unpublished information.</u></p>	<p><u>JDL</u>  [Measure added on 04-05-11]</p>
<p><a href="#"><u>HB 243, HD1</u></a>  <a href="#"><u>Proposed SD1</u></a>  <a href="#"><u>(HSCR418)</u></a>  <a href="#"><u>Testimony</u></a>  <a href="#"><u>Status</u></a></p>	<p><u>RELATING TO ANIMAL CRUELTY.</u>  <u>Proposed SD1: Prohibits pet retailers from selling unsterilized cats</u></p> <p>Copies of the proposed SD (1) are available from the Senate Document Center and on the Legislature's website: <a href="http://www.capitol.hawaii.gov">www.capitol.hawaii.gov</a>.</p>	<p><u>JDL</u>  [Measure added on 04-05-11]</p>
<p><a href="#"><u>HB 688, HD2, SD1</u></a>  <a href="#"><u>(SSCR864)</u></a>  <a href="#"><u>Testimony</u></a>  <a href="#"><u>Status</u></a></p>	<p><u>RELATING TO EDUCATION.</u>  <u>Defines "bullying", "cyberbullying", and "harassment" in chapter 302A, Hawaii Revised Statutes, relating to the public schools.</u>  <u>Establishes the offense of harassment by cyberbullying, with the first and second offenses as misdemeanors, and any third and subsequent offense as a class C felony. Requires the board of education to monitor the department of education's compliance with any rules or statutes covering bullying, cyberbullying, or harassment and to establish reporting requirements for the department of education. Effective July 1, 2030. (SD1)</u></p>	<p><u>EDU, JDL</u>  [Measure added on 04-05-11]</p>

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

**FOR AMENDED HEARING NOTICES:** If the notice is an amended notice, measures that have been deleted are stricken through and measures that have been added are underscored. If there is a measure that is both underscored and stricken through, that measure has been deleted from the agenda.

**Persons wishing to testify should submit testimony in one of the following ways by 4:00 p.m. the day prior to the hearing:**

- By Email: Testimony may be emailed if less than 5 pages in length, to the Committee at [JDLTestimony@Capitol.hawaii.gov](mailto:JDLTestimony@Capitol.hawaii.gov) . Please indicate the measure, date and time of the hearing. Email sent to individual offices or any other Senate office will not be accepted.
- By Web: Testimony may be submitted online if less than 4MB in size, at <http://www.capitol.hawaii.gov/emailtestimony>.
- In person: 1 copy of their testimony to the committee clerk, Room 002, State Capitol.
- By fax: Testimony 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 testimony is being submitted and the date and time of the hearing.



**Please note: If you submit your written testimony after 4:00 p.m. the day prior to the hearing, please sign-in at the staff table to testify orally. A copy of your testimony may not be available during the hearing but will be posted online for the public after the hearing.**

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: All testimony received by the Hawaii Senate will be posted on the Hawaii Legislature's Website. 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 testimonies for the hearing will be available for shared use by members of the public.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT 586-7330.

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Senator Clayton Hee  
Chair

