

HOUSE OF REPRESENTATIVES  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2012

COMMITTEE ON JUDICIARY  
Rep. Gilbert S.C. Keith-Agaran, Chair  
Rep. Karl Rhoads, Vice Chair

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SERGEANT-AT-ARMS  
HOUSE OF  
REPRESENTATIVES

Rep. Tom Brower	Rep. Angus L.K. McKelvey
Rep. Rida T.R. Cabanilla	Rep. Joseph M. Souki
Rep. Mele Carroll	Rep. Clift Tsuji
Rep. Denny Coffman	Rep. George R. Fontaine
Rep. Robert N. Herkes	Rep. Barbara C. Marumoto
Rep. Ken Ito	Rep. Cynthia Thielen
Rep. Sylvia Luke	

NOTICE OF HEARING

DATE: Tuesday, January 31, 2012  
TIME: 2:00 PM  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

A G E N D A

<u>HB 2438</u> <u>Status</u>	MAKING EMERGENCY APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES. Makes emergency appropriations for claims against the State, its officers, and its employees that were submitted during the regular session of 2011 but were not funded.	JUD, FIN
<u>HB 2476</u> <u>Status</u>	MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES. Makes appropriations for claims against the State, its officers, and its employees.	JUD, FIN
<u>HB 2437</u> <u>Status</u>	RELATING TO ELECTIONS. Makes an appropriation of \$1,725,000 for fiscal year 2011-2012 to fund the voting system contract for conducting of the 2012 elections.	JUD, FIN
<u>HB 2251</u> <u>Status</u>	RELATING TO ELECTIONS. Authorizes the county clerk of a county with a population of less than 100,000 to mail an absentee ballot to all properly registered voters on an island of the county that is not contiguous with the county seat of government.	JUD, FIN
<u>HB 2015</u> <u>Status</u>	RELATING TO THE PUBLIC GUARDIAN. Allows the Attorney General to file for a petition of guardianship for individuals who are not able to understand or adequately participate in decisions concerning their care, and have no relatives or friends willing and able to act as a guardian, at the request of a county chief of police.	JUD, FIN



<u>HB 2343</u> <u>Status</u>	PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO REQUIRE DISCLOSURE OF THE NAMES OF JUDICIAL NOMINEES. Amends the State constitution to require the judicial selection committee to publicly disclose its list of nominees for appointment to the office of the chief justice, supreme court, intermediate appellate court, circuit courts, or district courts concurrently with its presentation of that list to the governor or the chief justice.	JUD, FIN
<u>HB 2401</u> <u>Status</u>	PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 2, OF THE HAWAII STATE CONSTITUTION TO ADD A RESIDENCY REQUIREMENT FOR MEMBERS APPOINTED TO THE REAPPORTIONMENT COMMISSION. Proposes a constitutional amendment to require the two members appointed by each of the senate president, speaker of the house of representatives, and the two so designated by their opposition party, to be from different counties.	JUD, FIN
<u>HB 2304</u> <u>Status</u>	RELATING TO REAPPORTIONMENT. Requires members of the reapportionment commission and advisory councils to receive training on chapter 92. Requires reapportionment public hearings to be broadcasted live and archived on the Internet.	JUD, FIN
<u>HB 2662</u> <u>Status</u>	RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES AND CLARIFYING LANGUAGE. Amends various provisions of the Hawaii Revised Statutes and the Session Laws of Hawaii for the purpose of correcting errors and references and clarifying language.	JUD
<u>HB 2442</u> <u>Status</u>	RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL. Amend sections 28-16 and 661-22, Hawaii Revised Statutes, to enable the Attorney General to retain and deposit fifteen percent of any recovery from any civil action or settlement of a civil claim initiated or prosecuted by the Attorney General to be used for staffing, expenses, equipment, and training.	JUD, FIN
<u>HB 2446</u> <u>Status</u>	RELATING TO THE PROBATE CODE. Prevents the statute of limitations from precluding a state agency's claim against a decedent's estate unless the agency receives actual notice of the commencement of the decedent's probate case.	JUD, FIN
<u>HB 2452</u> <u>Status</u>	RELATING TO NOTARIES PUBLIC. Clarify the information required to be on notary seals and increase the fees to become a notary and to renew a notary commission.	JUD, FIN



HB 2468  
Status

RELATING TO FALSE CLAIMS TO THE STATE.  
Brings the State's false claims law into compliance with the Federal False Claims Act in order to meet federal requirements that state laws provide the same or greater protections as those established under section 1909 of the Social Security Act. By meeting the federal requirements, the State will be able to continue to retain an additional ten percent of civil recoveries in cases brought under the false claims law that involve federal programs.

JUD, FIN

HB 2569  
Status

RELATING TO CIVIL UNIONS.  
Amends various statutory provisions related to civil unions and conforming amendments to recognize civil unions; deletes the eligibility requirement for a civil union requiring termination of an existing reciprocal beneficiary relationship, except for out-of-state unions recognized in the State as civil unions; authorizes any licensing agent statewide to issue a civil union license; authorizes the Department of Health to collect fees for civil union licenses to allow for application online; conforms the information collected by civil union solemnizers to the information collected by marriage solemnizers; makes a reciprocal beneficiary relationship automatically terminate upon either party entering into a civil union; authorizes civil union partners to change their names on the certificate of civil union; and confirms that the family court has jurisdiction over the divorce, annulment, and separation of partners to a union that is recognized as a civil union in this State.

JUD, FIN

HB 2623  
Status

RELATING TO TRANSFER OF PROPERTY.  
Specifies that property held in tenancy by the entirety shall continue to be treated as such after transfer to a specified trust except where specifically provided otherwise by the trust instrument; limits the remedy available to creditors against transferred property.

JUD

HB 2624  
Status

RELATING TO THE UNIFORM PROBATE CODE.  
Adds a definition to the Uniform Probate Code to specify that the term "spouse" shall include parties to a civil union in accordance with chapter 572B, Hawaii Revised Statutes.

JUD

DECISION MAKING TO FOLLOW

DECISION MAKING ONLY

The following measure(s) were previously heard on **January 24, 2012**. **No public testimony will be accepted.**

HB 1755  
Status

RELATING TO VOTER REGISTRATION.  
Updates voter registration laws, including authorizing the acceptance of electronic applications to register to vote and the development of an online voter registration system that will cross-check the contents of the application with data associated with previously issued government identification. Makes an appropriation.

JUD, FIN



HB 621  
Status

RELATING TO VOTER REGISTRATION.

JUD

Changes the voter registration requirement to include only the last four digits of the person's social security number on application to register affidavit.

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

FAX: For comments less than 5 pages in length, transmit to 586-6211(for Oahu) or 1-800-535-3859 (for Neighbor Islanders without a computer to submit testimony through e-mail or the Web);

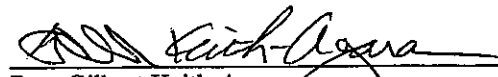
EMAIL: For comments less than 5 pages in length, transmit to [JUDtestimony@Capitol.hawaii.gov](mailto:JUDtestimony@Capitol.hawaii.gov); or

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

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 586-6210 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 536-2100.

  
Rep. Gilbert Keith-Agaran  
Chair

