

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

COMMITTEE ON JUDICIARY
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Rep. Sylvia Luke	

NOTICE OF HEARING

DATE: Thursday, February 09, 2012
TIME: 2:00 PM
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

A G E N D A

HB 2469

Status

RELATING TO SEX OFFENDER REGISTRATION.

JUD, FIN

Adds comparable foreign convictions and tribal convictions to covered offenses; makes offenders who are subject to sex offender registration or notification in their jurisdiction of conviction, covered offenders under Hawaii law; makes it clear that a covered offender must register and report the offender's permanent residence, current temporary residence, or if an address is not available, a description of the place or area in which the covered offender resides; amends the definition of "conviction" in section 846E-1, Hawaii Revised Statutes, to clarify that conviction, for purposes of sex offender registration, occurs on the date judgment is entered; creates a tier classification for any covered sexual offenses that are not clearly included within the current tier classification law; addresses the problem of covered offenders who do not have registered residences to which the post office can deliver mail and cannot receive the ninety-day verification mailings by requiring these offenders to report in person once per month; and repeals the definitions of "mental abnormality," "personality disorder," and "predatory."

HB 2235, HD1

(HSCR86-12)

Status

RELATING TO PROSTITUTION.

HUS, JUD, FIN

Authorizes a person convicted of committing the offense of prostitution to file a motion to vacate the judgment under certain circumstances. Establishes procedures for the motion to vacate. Effective July 1, 2050. (HB2235 HD1)



<u>HB 2539, HD1</u> <u>(HSCR160-12)</u> <u>Status</u>	RELATING TO ADULT ABUSE PERPETRATOR CHECKS FOR CHILD CARE PROVIDERS. Allows the Department of Human Services to conduct adult abuse perpetrator checks on providers, license-exempt pursuant to section 346-152, Hawaii Revised Statutes, that care for children receiving child care subsidies from the department, applicants who want to operate a child care facility, prospective employees of the applicant, licensed child care providers, and new employees of the registered or licensed provider. (HB2539 HD1)	HUS, JUD, FIN
<u>HB 2568</u> <u>(HSCR113-12)</u> <u>Status</u>	RELATING TO BACKGROUND CHECKS. Permits the department of health to identify a designee to perform background checks on its behalf as may be required by law and relating to employment, contracting, licensure, certification, or volunteer status.	HLT, JUD, FIN
<u>HB 2776, HD1</u> <u>(HSCR146-12)</u> <u>Status</u>	RELATING TO LIABILITY INSURANCE. Requires all operators of adult foster homes, adult residential care homes, assisted living facilities, expanded adult residential care homes, and community care foster family homes to obtain and maintain sufficient liability insurance. Effective July 1, 2050. (HB2776 HD1)	HLT/HUS, JUD
<u>HB 1775</u> <u>Status</u>	RELATING TO USE OF FORCE BY PERSONS WITH SPECIAL RESPONSIBILITY FOR CARE, DISCIPLINE, OR SAFETY OF OTHERS. Establishes types of physical force not justifiable when used to discipline minors.	JUD
<u>HB 2771</u> <u>Status</u>	RELATING TO CONTROLLED SUBSTANCES. Increases the protected areas around schools and public parks to 1,500 feet. Makes all acts of promoting a controlled substance in, on, or near schools, school vehicles, or public parks a class A felony. Makes conforming amendments.	JUD
<u>HB 2559, HD1</u> <u>(HSCR164-12)</u> <u>Status</u>	RELATING TO MORTALITY REVIEW OF DEATHS OF PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES. Creates a new part in chapter 321, Hawaii Revised Statutes, giving the Department of Health the authority to obtain all records for death review for persons with developmental or intellectual disabilities. (HB2559 HD1)	HUS, JUD, FIN
<u>HB 2789</u> <u>(HSCR130-12)</u> <u>Status</u>	RELATING TO HIGHWAY SAFETY. Establishes the photo speed imaging detector system program. Authorizes counties to administer the program. Requires proceeds of fines to be expended in the county from which they were collected for generation of the program. Appropriates funds.	TRN, JUD, FIN
<u>HB 2790</u> <u>(HSCR131-12)</u> <u>Status</u>	RELATING TO HIGHWAY SAFETY. Establishes the photo red light imaging detector systems program. Authorizes counties to administer the program. Requires proceeds of fines to be expended in the county from which they were collected for operation of the program. Makes an appropriation.	TRN, JUD, FIN



HB 2241
Status RELATING TO ANTIQUE GAMBLING DEVICES. JUD
Defines "antique slot machine". Clarifies that the possession of an antique slot machine is not unlawful where the device is not used or intended for use in any gambling activity that is not social gambling.

HB 2447
(HSCR112-12)
Status RELATING TO FURNISHING THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN THE STATE OF HAWAII THAT REQUEST VERIFICATION. HLT, JUD, FIN
Amends section 338-18, Hawaii Revised Statutes, to allow the Department of Health to disclose dates of vital events to governmental agencies within the State of Hawaii seeking verification of information contained in vital statistics records for purposes of updating official lists.

DECISION MAKING TO FOLLOW

DECISION MAKING ONLY

The following measure(s) were previously heard on **January 31, 2012**. **No public testimony will be accepted.**

HB 2446
Status RELATING TO THE PROBATE CODE. JUD, FIN
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.

The following measure(s) were previously heard on **February 2, 2012**. **No public testimony will be accepted.**

HB 1985
Status RELATING TO INNOCENCE REDRESS. JUD, FIN
Provides compensation and services to persons who can demonstrate they were wrongfully convicted of a crime and imprisoned.

HB 2457
Status RELATING TO LIMITED EXEMPTION UNDER STATE ETHICS CODE REGARDING CHARITABLE EVENTS. JUD
Exempts from restrictions on gifts under the ethics code invitations or complimentary tickets to a widely attended charitable event from a charitable entity, whether or not the charitable entity is the host of the charitable event. Requires disclosure. Effective July 1, 2012.



HB 2174
Status

RELATING TO CAMPAIGN SPENDING.
Requires the Campaign Spending Commission to maintain public records in a searchable database. Amends reporting requirements by, amongst other things, requiring corporations and noncandidate committees to disclose the name of a candidate identified in any advertisement or electioneering communication which they have funded directly or indirectly. Penalizes all persons failing to report to the Commission. Mandates that the Commission implement rules for campaign spending consistent with Hawaii Revised Statutes within 360 days of the effective date of this Act.

JUD, FIN

HB 2376
Status

RELATING TO CAMPAIGN SPENDING.
Repeals current reporting provisions for corporations. Establishes requirements for persons other than individuals, candidates, candidate committees, and noncandidate committees to register with the Campaign Spending Commission and file reports. Allows the Campaign Spending Commission to monitor and penalize persons for absent or deficient filings. Requires more detail in reporting for all persons, especially regarding contributions or expenditures for advertisements or electioneering communications.

JUD, FIN

HB 2700
Status

RELATING TO CAMPAIGN SPENDING.
Amends public funding pilot project for county of Hawaii county council elections to raise the program cap, repeal the requirement of a minimum fund amount, extend the period for signature collection, clarify provision of matching funds, and to clarify that the formula to determine the amount of funds given to a publicly funded candidate is based on the prior two general elections actually held for the county council seat in that district.

JUD, FIN

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; 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 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 536-2100.



Rep. Gilbert Keith-Agaran
Chair

