

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

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Rep. Sylvia Luke	

NOTICE OF HEARING

DATE: Friday, February 10, 2012
TIME: 2:00 PM
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

A G E N D A

The Committee will not make a decision on the following bills at this meeting. Notice of decision-making on the following bills may be posted at a later date.

<u>HB 2486</u> <u>Status</u>	RELATING TO UNCLAIMED PROPERTY. Requires holders of unclaimed property to remit all property with their November 1 report and corrects references to the Unclaimed Property Trust Fund.	JUD, FIN
<u>HB 2404</u> <u>Status</u>	RELATING TO PUBLIC INFORMATION. Requires all government agencies, boards, commissions, and committees to post the minutes of their meetings online.	JUD, FIN
<u>HB 2596</u> <u>Status</u>	RELATING TO OPEN GOVERNMENT. Creates a process for an agency to obtain judicial review of Office of Information Practices decisions made under either part I of chapter 92 or chapter 92F, Hawaii Revised Statutes, and clarifies standard of review.	JUD, FIN
<u>HB 2597</u> <u>Status</u>	RELATING TO OPEN GOVERNMENT. Allows board members to hear testimony for a meeting canceled for lack of quorum, to attend informational meetings, and to discuss board business via social media; provides for electronic meeting notices.	JUD, FIN



<u>HB 626</u> <u>Status</u>	RELATING TO THE HAWAII UNIFORM COLLABORATIVE LAW ACT. Enacts Uniform Collaborative Law Act, which authorizes disputants to enter into collaborative law participation agreements signifying interest to resolve the dispute without intervention of a tribunal (court or other third party decision maker). Requires parties to a collaborative law process to disclose information fully, candidly, and informally without formal discovery. Subject to certain exceptions, disqualifies attorneys in the collaborative process (and their law firms) from appearing before a tribunal to represent a party in a proceeding related to the collaborative matter.	JUD, FIN
<u>HB 2773, HD1</u> <u>(HSCR90-12)</u> <u>Status</u>	RELATING TO THE WEED AND SEED PROGRAM. Establishes the Weed and Seed Program under the Department of Labor and Industrial Relations. Allows the Department through the Office of Community Services, to contract for services. Appropriates \$336,000 for fiscal year 2012-2013 to maintain and expand the program. Effective July 1, 2012. (HB2773 HD1)	LAB, JUD, FIN
<u>HB 2350, HD1</u> <u>(HSCR88-12)</u> <u>Status</u>	RELATING TO APPROPRIATIONS FOR THE HONOLULU FAMILY JUSTICE CENTER. Appropriates fund to the Department of the Prosecuting Attorney of the City and County of Honolulu for the Honolulu family justice center. Allows for private donations to be accepted to fund the Honolulu family justice center. Effective July 1, 2050. (HB2350 HD1)	HUS, JUD, FIN
<u>HB 1800</u> <u>Status</u>	RELATING TO THE JUDICIARY. Appropriates funds to the Judiciary for FY 2012-2013.	JUD, FIN
<u>HB 1793, HD1</u> <u>(HSCR192-12)</u> <u>Status</u>	RELATING TO CONSERVATION AND RESOURCES. Establishes penalties for the destruction or harvesting of native sandalwood trees. Requires replanting for trees harvested. Requires a permit to export raw or unprocessed sandalwood timber. Establishes Department of Land and Natural Resources policies regarding sandalwood. Effective July 1, 2012. (HB1793 HD1)	WLO, JUD, FIN
<u>HB 2448, HD1</u> <u>(HSCR206-12)</u> <u>Status</u>	RELATING TO MEDICAID. Establishes a formula for calculating the amount to be contributed by the State, towards a claimant's attorney's fees and costs, in lieu of recovering the full amount as stated in section 346-37(f) and (h), Hawaii Revised Statutes. Amends section 346-1, Hawaii Revised Statutes, to define, for the limited purpose of reimbursing Medicaid for benefits paid out, the term "value of damages" as the total amount that a Medicaid recipient receives from a settlement or what a court or jury awards to the Medicaid recipient. Amends section 346-1, Hawaii Revised Statutes, to define the term "medical institution" as being an institution created for the practice of medicine and for caring for patients on a long-term basis. Amends sections 346-29.5(b) and 346-37(g), Hawaii Revised Statutes, to state that the lien amount in the Notice of the Lien sent by the Department of Human Services for reimbursement of Medicaid benefits shall be presumed to be valid. (HB2448 HD1)	HUS, JUD, FIN



<u>HB 2868</u> <u>Status</u>	RELATING TO BAIL. Establishes a board to list and disseminate the names of compensated sureties who are prohibited from posting bail bonds. Creates a process for the court to handle compensated sureties with forfeited bonds when the terms of bail have been violated, including the process under which the court may collect from compensated sureties for the forfeited bonds.	JUD, FIN
<u>HB 2443</u> <u>Status</u>	RELATING TO ATTORNEY'S FEES. Clarify that section 28-6, Hawaii Revised Statutes, allows a court to award the Department of the Attorney General attorney's fees and litigation costs when it prevails in a lawsuit.	JUD, FIN
<u>HB 2460</u> <u>Status</u>	RELATING TO GOVERNMENT TORT ACTIONS. Clarifies certain limitations regarding the State's liability in tort cases and brings the State's liability in line with similar federal liability in many cases.	JUD, FIN
<u>HB 2461</u> <u>Status</u>	RELATING TO GOVERNMENT TORT LIABILITY. Amends section 662-5, Hawaii Revised Statutes, to allow the State of Hawaii to demand a trial by jury in the same manner as a private individual in a tort action.	JUD, FIN

DECISION MAKING TO BE HELD AT A LATER DATE

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

