

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

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NOTICE OF HEARING

DATE: Tuesday, February 14, 2012  
TIME: 2:05 PM  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

A G E N D A

[HB 2030, HD1](#)  
[\(HSCR245-12\)](#)  
[Status](#)

RELATING TO THE STATEWIDE TRAFFIC CODE.  
Requires motorists when passing a stationary authorized emergency vehicle on a highway to vacate the lane closest to the stationary authorized emergency vehicle or reduce driving speed until safely clear of the stationary authorized emergency vehicle. (HB2030 HD1)

TRN/PBM, JUD

[HB 2181](#)  
[\(HSCR132-12\)](#)  
[Status](#)

RELATING TO VACANCIES.  
Amends the deadline to file nomination papers associated with filling a vacancy in the membership of the board of trustees of OHA, to ensure compliance with provisions of the National Defense Authorization Act for Fiscal Year 2010, P.L. 111-84, mandating the mailing of absentee ballots to uniformed and overseas voters no later than forty-five days prior to an election.

HAW, JUD, FIN

[HB 2514, HD1](#)  
[\(HSCR272-12\)](#)  
[Status](#)

RELATING TO PUBLIC SAFETY.  
Requires a pre-trial risk assessment within three working days of commitment to a community correctional center. Expands parole board and requires use of validated risk assessments. Increases membership of Hawaii Paroling Authority. Limits length of incarceration for first-time parole violators. Increases victim restitution payments. Requires parole supervision prior to maximum sentence date. Adds positions statewide in the Department of Public Safety. Appropriates funds. Effective July 1, 2050. (HB2514 HD1)

PBM, JUD, FIN



<a href="#">HB 2515, HD1</a> <a href="#">(HSCR273-12)</a> <a href="#">Status</a>	<p>RELATING TO CRIME.</p> <p>Permits a sentence of probation for certain second-time drug offenders and a three-year probation term for individuals convicted of certain class B and C felonies. Increases the threshold property and services valuation for theft in the second degree to more than \$750. Effective July 1, 2012. (HB2515 HD1)</p>	<p>PBM, JUD, FIN</p>
<a href="#">HB 2193</a> <a href="#">(HSCR204-12)</a> <a href="#">Status</a>	<p>RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION.</p> <p>Adopts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act, to ensure that only one state has jurisdiction at any one time. Contains specific guidelines to specify which court has jurisdiction to appoint a guardian or conservator for an incapacitated adult. Prioritizes the states that may claim jurisdiction.</p>	<p>HUS, JUD, FIN</p>
<a href="#">HB 2011, HD1</a> <a href="#">(HSCR194-12)</a> <a href="#">Status</a>	<p>RELATING TO INVOLUNTARY PSYCHIATRIC HOSPITALIZATION.</p> <p>Establishes new procedures for the examination and involuntary hospitalization of persons that meet criteria for commitment to psychiatric facilities. Effective July 1, 2050. (HB2011 HD1)</p>	<p>HLT, JUD, FIN</p>
<a href="#">HB 1962, HD1</a> <a href="#">(HSCR197-12)</a> <a href="#">Status</a>	<p>RELATING TO PSEUDOEPHEDRINE.</p> <p>Establishes an electronic tracking system for the sale of products containing pseudoephedrine base. (HB1962 HD1)</p>	<p>HLT, JUD, FIN</p>
<a href="#">HB 2193</a> <a href="#">(HSCR204-12)</a> <a href="#">Status</a>	<p>RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION.</p> <p>Adopts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act, to ensure that only one state has jurisdiction at any one time. Contains specific guidelines to specify which court has jurisdiction to appoint a guardian or conservator for an incapacitated adult. Prioritizes the states that may claim jurisdiction.</p>	<p>HUS, JUD, FIN</p>
<a href="#">HB 2600</a> <a href="#">(HSCR226-12)</a> <a href="#">Status</a>	<p>RELATING TO CONTROLLED SUBSTANCES.</p> <p>Updates chapter 329, Hawaii Revised Statutes, to make it consistent with federal laws on controlled substances; and amends section 329-32 relating to the registration requirements for physicians who utilize Hawaii's Medical Use of Marijuana Program.</p>	<p>PBM/HLT, JUD, FIN</p>
<a href="#">HB 2601, HD1</a> <a href="#">(HSCR269-12)</a> <a href="#">Status</a>	<p>RELATING TO THE SERVICE OF PROCESS.</p> <p>Update the statutes to authorize persons authorized by the rules of court to serve legal process, except criminal process and execute specified court orders. (HB2601 HD1)</p>	<p>PBM, JUD, FIN</p>
<a href="#">HB 2594, HD1</a> <a href="#">(HSCR241-12)</a> <a href="#">Status</a>	<p>PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS.</p> <p>Proposes a constitutional amendment to authorize the State to issue special purpose revenue bonds and use the proceeds from the bonds to assist dam and reservoir owners. (HB2594 HD1)</p>	<p>WLO, JUD, FIN</p>
<a href="#">HB 2798, HD1</a> <a href="#">(HSCR227-12)</a> <a href="#">Status</a>	<p>RELATING TO A VETERANS TREATMENT COURT.</p> <p>Establishes a temporary Hawaii veterans treatment court within the judiciary. Appropriates funds. Effective July 1, 2012, and repealed on June 30, 2021. (HB2798 HD1)</p>	<p>PBM/HLT, JUD, FIN</p>



<a href="#">HB 2098, HD1</a> <a href="#">(HSCR109-12)</a> <a href="#">Status</a>	RELATING TO ELDER ABUSE. Authorizes a private cause of action for financial exploitation of a vulnerable adult. Allows for attorney's fees and costs, and punitive damages. Effective July 1, 2050. (HB2098 HD1)	HUS, JUD, FIN
<a href="#">HB 835, HD1</a> <a href="#">(HSCR217)</a> <a href="#">Status</a>	PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF EXCESS REVENUES. Proposes a constitutional amendment to article VII, section 6 of the state constitution to authorize the legislature to deposit excess general fund revenues into a fund to fund pension benefits and other post-employment benefits for State employees.	LAB, JUD, FIN
<a href="#">HB 1699, HD1</a> <a href="#">(HSCR228-12)</a> <a href="#">Status</a>	RELATING TO LABOR. Requires employers to provide meal breaks for employees who work more than a total of five hours a day. Imposes penalties for failure to provide meal breaks. Clarifies that the penalty is based on an employee's regular wage at the time the infraction occurred. Effective December 31, 2057. (HB1699 HD1)	LAB/ERB, JUD, FIN
<a href="#">HB 1995, HD1</a> <a href="#">(HSCR230-12)</a> <a href="#">Status</a>	RELATING TO LABOR. Requires establishments to post in a conspicuous place a poster that provides specified information relating to human trafficking and the National Human Trafficking Resource Center hotline. Defines "establishment". Establishes penalties for violations of the poster requirement. Effective July 1, 2050. (HB1995 HD1)	HUS/LAB, JUD, FIN

DECISION MAKING TO FOLLOW

DECISION MAKING ONLY

The following measure(s) were previously heard on **January 26, 2012**. **No public testimony will be accepted.**

<a href="#">HB 1672</a> <a href="#">Status</a>	RELATING TO TAXATION. Establishes monetary awards for whistleblowers providing information that is the basis for any DOTAX administrative or judicial action for violations of tax laws.	JUD, FIN
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The following measure(s) were previously heard on **February 7, 2012**. **No public testimony will be accepted.**

<a href="#">HB 2589, HD1</a> <a href="#">(HSCR67-12)</a> <a href="#">Status</a>	RELATING TO VESSELS. Clarifies responsibility for disposing of vessels and amends the description of an abandoned vessel. (HB2589 HD1)	WLO, JUD, FIN
<a href="#">HB 2574</a> <a href="#">Status</a>	RELATING TO NOTIFICATION OF CHAPTER 91 HEARINGS. Authorizes notification of chapter 91, Hawaii Revised Statutes, agency hearings, by written notice of hearing by first class mail and eliminates requirement for notice by registered or certified mail with return receipt.	JUD, FIN



[HB 2320, HD1](#)  
[\(HSCR71-12\)](#)  
[Status](#)

RELATING TO HIGHWAY SAFETY.

TRN, JUD, FIN

Clarifies recommendations of the ignition interlock implementation task force. Allows for renewal of a driver's license revoked for impaired driving. Allows repeat intoxicated drivers to install ignition interlock devices in any vehicle they operate, by eliminating the requirement to surrender motor vehicle registrations and license plates. Provides guidelines for ignition interlock instruction permits and ignition interlock permits. Allows individuals with a lifetime revocation to apply for reinstatement of license and privilege to operate a motor vehicle without an ignition interlock after three years with an ignition interlock permit. Requires courts to grant petition for reinstatement if certain requirements are met. Makes housekeeping amendments to chapter 291E. Effective July 1, 2012. (HB2320 HD1)

The following measure(s) were previously heard on **February 9, 2012**. **No public testimony will be accepted.**

[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)

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.

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Rep. Gilbert Keith-Agaran  
Chair

