

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

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NOTICE OF HEARING

DATE: Thursday, February 16, 2012  
TIME: 2:40 PM  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

A G E N D A

[HB 2852](#)  
[Status](#)

RELATING TO LANDOWNER LIABILITY.  
Creates a cause of action against any person who maintains a property nuisance that causes injury or damage to the person or property of another person.

JUD

[HB 1666, HD1](#)  
[\(HSCR126-12\)](#)  
[Status](#)

RELATING TO THE PENAL CODE.  
Establishes mandatory minimum sentencing for negligent homicide or negligent injury involving the operation of a motor vehicle when a vulnerable highway user is involved. Amends penalties for negligent homicide in the second degree, negligent homicide in the third degree, and negligent injury in the second degree when the incident involves a vulnerable highway user. Adds definitions.

TRN, JUD

[HB 1791](#)  
[\(HSCR320-12\)](#)  
[Status](#)

RELATING TO HOMICIDE.  
Requires drivers' license revocations upon convictions for negligent homicide in either the first or second degree. Sets maximum periods of license revocations for convictions of manslaughter and negligent homicide in the first or second degree. Makes imprisonment of up to two years a discretionary condition of probation for manslaughter convictions. Clarifies that probation is an available sentence for manslaughter.

TRN, JUD

[HB 1928](#)  
[\(HSCR322-12\)](#)  
[Status](#)

RELATING TO TESTING FOR INTOXICANTS.  
Repeals section 291E-68, Hawaii Revised Statutes, regarding refusing to submit to a breath, blood, or urine test for those arrested for the use of intoxicants while operating a vehicle. Makes conforming amendments to section 291E-15, Hawaii Revised Statutes.

TRN, JUD



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|--|---|----------|
| <a href="#">HB 2309</a><br><a href="#">(HSCR321-12)</a><br><a href="#">Status</a>      | RELATING TO PERSONAL INFORMATION.<br>Allows the scanning and retention of personal information contained in a state identification card or driver's license for only limited purposes.  | TRN, JUD |
| <a href="#">HB 1926, HD1</a><br><a href="#">(HSCR267-12)</a><br><a href="#">Status</a> | RELATING TO ASSAULTS AGAINST MEDICAL SERVICES PROVIDERS.<br>Expands the offense of assault in the second degree to include harm to any medical services provider engaged in the performance of duty. Effective July 1, 2050. (HB1926 HD1)   | HLT, JUD |
| <a href="#">HB 2232, HD1</a><br><a href="#">(HSCR357-12)</a><br><a href="#">Status</a> | RELATING TO HEALTH.<br>Addresses the circumstances under which pelvic examinations may be performed by certain health care providers and medical students on anesthetized or unconscious female patients. (HB2232 HD1)  | HLT, JUD |
| <a href="#">HB 2467, HD1</a><br><a href="#">(HSCR344-12)</a><br><a href="#">Status</a> | RELATING TO CHILD ABUSE.<br>Provides greater protection to children by amending the offense of promoting child abuse in the second degree to include the possession of images of any form of child pornography that involves a minor who is younger than the age of twelve, sadomasochistic abuse of a minor, or bestiality involving a minor. (HB2467 HD1) | HUS, JUD |
| <a href="#">HB 2440</a><br><a href="#">Status</a>                                      | RELATING TO ACTIONS BY AND AGAINST THE STATE.<br>Clarifies that section 661-1, Hawaii Revised Statutes, only waives the State's sovereign immunity with respect to a claim "founded upon a statute," if the Legislature has unequivocally waived the State's immunity in a separate statute.  | JUD      |
| <a href="#">HB 2591, HD1</a><br><a href="#">(HSCR240-12)</a><br><a href="#">Status</a> | RELATING TO ACCRETED LANDS.<br>Clarifies that land accreted after May 20, 2003, shall be public land except as otherwise provided by law. Effective January 1, 2020. (HB2591 HD1)   | WLO, JUD |

#### DECISION MAKING TO FOLLOW

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 586-6210 (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 10MB in size, transmit from <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

