



GOV. MSG. NO. 1147

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

May 3, 2016

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Eighth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Eighth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on May 3, 2016, the following bill was signed into law:

SB2315 SD2 HD2

RELATING TO JURY DUTY
ACT 046 (16)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor

on MAY 3 2016

THE SENATE
TWENTY-EIGHTH LEGISLATURE, 2016
STATE OF HAWAII

ACT 046
S.B. NO. 2315
S.D. 2
H.D. 2

A BILL FOR AN ACT

RELATING TO JURY DUTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature recognizes that breastfeeding
2 benefits both mothers and children. The American Academy of
3 Pediatrics supports evidence that breastfeeding protects against
4 a variety of diseases and conditions in infants, including
5 bacteremia, diarrhea, respiratory and urinary tract infections,
6 type 1 and type 2 diabetes, lymphoma, leukemia, and childhood
7 obesity. There are also maternal health benefits to
8 breastfeeding, such as decreased postpartum bleeding and more
9 rapid uterine involution, decreased menstrual blood loss, and
10 decreased risk of breast and ovarian cancers. The societal
11 benefits of breastfeeding include lower health insurance costs
12 and higher worker productivity.

13 The American Academy of Pediatrics recommends that a child
14 breastfeed exclusively for about six months, with continuation
15 of breastfeeding for one year or longer as mutually desired by
16 mother and infant; the World Health Organization and the
17 Institute of Medicine concur with this recommendation.



1 According to the federal Centers for Disease Control and
2 Prevention's 2014 Breastfeeding Report Card, seventy-nine per
3 cent of newborn infants in the United States start out
4 breastfeeding. However, breastfeeding rates fell to forty-nine
5 per cent at six months and twenty-seven per cent at twelve
6 months. In Hawaii, only 26.4 per cent of babies are exclusively
7 breastfeeding at six months, as recommended by the American
8 Academy of Pediatrics.

9 The legislature finds that jury duty may create a hardship
10 for mothers who breastfeed their children because the mother-
11 child separation creates a serious challenge to continued
12 breastfeeding. Furthermore, some women who are called to serve
13 jury duty may not have ready access to the proper pump and
14 supplies that are needed to express breast milk. An exemption
15 from jury duty for a breastfeeding mother can have a positive
16 impact on the preservation of the breastfeeding relationship
17 between a mother and her child and would also enable a woman to
18 serve jury duty at a later time. The legislature further finds
19 that a woman should not have to worry about her ability to
20 breastfeed while serving on a jury.



1 The legislature additionally finds that, according to the
2 National Conference of State Legislatures, seventeen states
3 exempt breastfeeding mothers from jury duty or allow jury
4 service to be postponed.

5 The purpose of this Act is to meet the health needs of
6 Hawaii's mothers and babies by exempting from jury duty mothers
7 who breastfeed or express breast milk; provided that this
8 exemption shall continue for a period of two years from the
9 birth of the child.

10 SECTION 2. Section 612-6, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§612-6 Exempt when.** A person may claim exemption from
13 service as a juror if the person is:

- 14 (1) An elected official while the legislature is in
15 session, or a judge of the United States, State, or
16 county;
- 17 (2) An actively practicing physician or dentist;
- 18 (3) A member of the armed forces or militia when on active
19 service and deployed out-of-state;
- 20 (4) An active member of a police or fire department;



1 (5) A person who has served as a juror, either in a court
2 of this State or the United States District Court for
3 the District of Hawaii, within one year preceding the
4 time of filling out the juror qualification form;

5 (6) An active member of an emergency medical services
6 agency;

7 (7) A person living more than seventy miles from the court
8 for which jury service is required; [~~or~~]

9 (8) A person eighty years of age or older~~[-]~~; or

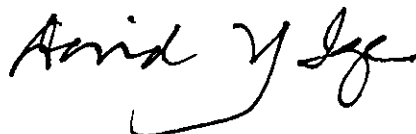
10 (9) A woman who is breastfeeding a child or expressing
11 breast milk for a period of two years from the birth
12 of the child.

13 For purposes of this section, "emergency medical services
14 agency" means any government agency, private agency, or company
15 that provides ambulance services, emergency medical services, or
16 disaster medical services."

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect on March 1, 2017.

APPROVED this 3 day of MAY, 2016



GOVERNOR OF THE STATE OF HAWAII