

THE SENATE
THE TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2017

COMMITTEE ON JUDICIARY AND LABOR

Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Jill N. Tokuda, Chair
Senator Donovan M. Dela Cruz, Vice Chair

NOTICE OF DECISION MAKING

DATE: Tuesday, February 28, 2017
TIME: 9:50 a.m.
PLACE: Conference Room 211
State Capitol
415 South Beretania Street

A G E N D A

The following measures were previously heard in their previous standing committees:

<u>SB 122, SD1</u> <u>(SSCR329)</u> <u>Status & Testimony</u>	RELATING TO MENTAL HEALTH. Entitles designated family members and other interested persons of a person having a mental health emergency to: notice of certain procedures and actions, option to be present in the courtroom for a hearing on a petition for involuntary hospitalization or assisted community treatment, and option to receive copies of hearing transcripts or recordings. Requires the court to adjourn or continue a hearing on a petition for involuntary hospitalization or assisted community treatment for failure to timely notify designated persons, with certain exceptions.	CPH, JDL/WAM
<u>SB 137, SD1</u> <u>(SSCR503)</u> <u>Status & Testimony</u>	RELATING TO UNIVERSITY OF HAWAII RESEARCH. Establishes the Innovation and Commercialization Initiative Program to expressly give the University of Hawaii the legal authority to create, promote, and participate in new economic enterprises and expand workforce opportunities based on inventions and discoveries generated by or at the University.	HRE/ETT, JDL/WAM
<u>SB 223, SD1</u> <u>(SSCR296)</u> <u>Status & Testimony</u>	RELATING TO NATUROPATHIC MEDICINE. Authorizes a naturopathic physician to prescribe testosterone that is consistent with naturopathic medical practice. Clarifies that narcotic drugs shall not be included within the naturopathic formulary. (SD1)	CPH/PSM, JDL/WAM



<p><u>SB 384, SD1</u> <u>(SSCR388)</u> Status & Testimony</p>	<p>RELATING TO PRESCRIPTIVE AUTHORITY FOR CERTAIN CLINICAL PSYCHOLOGISTS. Authorizes and establishes procedures and criteria for prescriptive authority for clinical psychologists who meet specific education, training, and registration requirements, including requiring prescribing psychologists to adhere to all applicable statutory regulations. Requires the board of psychology to report to the legislature prior to the regular session of 2021. Effective July 1, 2018. Sunsets August 31, 2025. (SD1)</p>	<p>CPH, JDL/WAM</p>
<p><u>SB 421, SD1</u> <u>(SSCR126)</u> Status & Testimony</p>	<p>RELATING TO LAW ENFORCEMENT CAMERAS. Establishes requirements for body-worn cameras and vehicle cameras for county police departments. Establishes policy guidelines for the use and discontinuance of use of body-worn cameras by police officers. Establishes certain restrictions on the use of body-worn cameras by on-duty police officers. Adds retention and deletion requirements for body-worn camera footage. Prohibits certain uses of body-worn camera video footage. Establishes violations of recording and retention requirements. Appropriates funds as a grant-in-aid to each county for the purchase of body-worn video cameras and law enforcement vehicle cameras; provided that no funds appropriated to a county shall be expended unless matched dollar-for-dollar by the county. Requires the county police departments to report costs of implementing and maintaining the body-worn camera and vehicle camera program to the legislature. Takes effect on 1/1/2018.</p>	<p>PSM, JDL/WAM</p>
<p><u>SB 494, SD1</u> <u>(SSCR242)</u> Status & Testimony</p>	<p>RELATING TO CONTINUOUS ALCOHOL MONITORING FOR REPEAT OFFENDERS. Requires persons charged with operating a vehicle under the influence of an intoxicant or habitually operating a vehicle under the influence of an intoxicant to be fitted with a continuous alcohol monitoring device if the person: (1) has a prior conviction for operating a vehicle under the influence of an intoxicant or habitually operating a vehicle under the influence of an intoxicant within the past five years; or (2) is currently pending criminal investigation or prosecution for one or more prior charges of operating a vehicle under the influence of an intoxicant or habitually operating a vehicle under the influence of an intoxicant. (SD1)</p>	<p>TRE, JDL/WAM</p>
<p><u>SB 560</u> <u>(SSCR402)</u> Status & Testimony</p>	<p>RELATING TO HAWAIIAN LANGUAGE. Appropriates funds to the University of Hawai'i to translate the Hawai'i state constitution into the Hawaiian language.</p>	<p>HWN/HRE, JDL/WAM</p>
<p><u>SB 614</u> <u>(SSCR170)</u> Status & Testimony</p>	<p>RELATING TO PUBLIC SAFETY. Deletes the sunset provision for Act 139, Session Laws of Hawaii 2012, to make permanent provisions of the Act regarding pretrial risk assessments and parole.</p>	<p>PSM, JDL/WAM</p>



<p><u>SB 674</u> <u>(SSCR171)</u> <u>Status & Testimony</u></p>	<p>RELATING TO CRIMINAL PROCEDURE. Creates procedural and administrative requirements for law enforcement agencies for eyewitness identifications of suspects in criminal investigations. Establishes jury instructions when the court determines that the eyewitness identification is admissible. Requires the attorney general to establish procedures for the implementation of uniform statewide eyewitness identification procedures.</p>	<p>PSM, JDL/WAM</p>
<p><u>SB 889, SD1</u> <u>(SSCR256)</u> <u>Status & Testimony</u></p>	<p>RELATING TO PROFESSIONALLY LICENSED OR CERTIFIED GOVERNMENT EMPLOYEES. Clarifies that the State shall be exclusively liable for claims for injury or loss of property, or personal injury or death, resulting from the negligent or wrongful act or omission of any professionally licensed or certified employee of the State while acting within the scope of the employee's office or employment. Establishes that any civil action or proceeding for money damages arising out of or related to the same subject matter against the employee shall be precluded.</p>	<p>CPH, JDL/WAM</p>
<p><u>SB 968</u> <u>(SSCR66)</u> <u>Status & Testimony</u></p>	<p>RELATING TO SERVICES PERFORMED BY CIVIL SERVICE EMPLOYEES. Authorizes establishment of permanent civil service positions for the Hawaii Public Housing Authority to provide services historically and customarily performed by civil service employees in connection with creating housing opportunities for homeless individuals and others in need.</p>	<p>HOU, JDL/WAM</p>
<p><u>SB 988</u> <u>(SSCR348)</u> <u>Status & Testimony</u></p>	<p>RELATING TO EXEMPTION FOR AGRICULTURAL BUILDINGS AND STRUCTURES. Clarifies procedures for an exemption from building permit and building code requirements pursuant to section 46-88, Hawaii Revised Statutes, and clarifies that section 46-88 does not exempt any new or existing agricultural buildings, structures, related appurtenances, or other development from local, state, or federal floodplain management development standards, ordinances, codes, statutes, rules, or regulations pursuant to National Flood Insurance Program requirements.</p>	<p>PSM/AEN, JDL/WAM</p>
<p><u>SB 991, SD1</u> <u>(SSCR331)</u> <u>Status & Testimony</u></p>	<p>RELATING TO PENALTIES FOR VIOLATIONS ON CERTAIN STATE LANDS. Decriminalizes traffic infractions within natural area reserves, game management areas, wildlife sanctuaries, and public hunting areas. (SD1)</p>	<p>WTL/TRE, JDL/WAM</p>
<p><u>SB 996, SD1</u> <u>(SSCR168)</u> <u>Status & Testimony</u></p>	<p>RELATING TO EMPLOYMENT PRACTICES. Creates a new exception for a corrections agency.</p>	<p>PSM, JDL/WAM</p>



[SB 1039, SD1](#)
[\(SSCR446\)](#)
[Status & Testimony](#)

RELATING TO PUBLIC SAFETY.
Requires PSD to work with the Social Security Administration to enter into an agreement to obtain replacement social security cards for inmates. Requires PSD, in conjunction with DOH, DOT, and the examiner of drivers of each county, to provide Hawaii-born inmates with copies of birth certificates and driver's licenses or civil ID cards free of charge. Requires PSD to assist inmates born outside of Hawaii to obtain birth certificates and photo IDs. Requires PSD to initiate the process of obtaining social security cards, birth certificates, driver's licenses, and civil ID cards at least ninety days prior to release for inmates released to work furlough, extended furlough, or community placement programs. (SD1)

PSM/CPH/TRE,
JDL/WAM

[SB 1070, SD1](#)
[\(SSCR308\)](#)
[Status & Testimony](#)

RELATING TO PROCUREMENT.
Prohibits bid shopping and bid peddling for the competitive sealed bidding process.

GVO, JDL/WAM

[SB 1105, SD1](#)
[\(SSCR496\)](#)
[Status & Testimony](#)

RELATING TO HOUSING.
Expands the types of rental housing projects that can be exempt from general excise taxes. Allows the terms of collective bargaining agreements and associated provisions to be deemed the prevailing wages and terms serving as the basis of compliance with chapter 104, Hawaii Revised Statutes, for the construction of certain rental housing projects. Sunsets on an unspecified date. (SD1)

HOU, JDL/WAM

[SB 1177, SD1](#)
[\(SSCR233\)](#)
[Status & Testimony](#)

RELATING TO COMMON INTEREST AGRICULTURAL COMMUNITIES.
Establishes common interest agricultural communities. Exempts offers or dispositions of interests of land registered as common interest agricultural community from the uniform land sales practices act. Takes effect 7/1/2050. (SD1)

AEN/CPH,
JDL/WAM

[SB 199](#)
[\(SSCR52\)](#)
[Status & Testimony](#)

RELATING TO TEACHER INCENTIVES.
Clarifies that funds for bonuses required by statute or collective bargaining shall not be paid out of a charter school's facilities funding or per-pupil funds. Requires, beginning with fiscal year 2018-2019, that such bonuses be separate line items in the budget. Appropriates funds for teacher bonuses for hard-to-fill placement incentives and National Board certified teacher incentives for charter school teachers.

EDU, WAM/JDL

[SB 619](#)
[\(SSCR71\)](#)
[Status & Testimony](#)

RELATING TO EDUCATION.
Requests the department of education, in collaboration and consultation with the department of business, economic development, and tourism; the department of labor and industrial relations; and the University of Hawaii, to develop a K-12 curriculum to career pipeline initiative that will ensure the State's public school students are adequately trained and prepared to enter the State's workforce upon graduation from high school.

EDU, WAM/JDL



<p><u>SB 683, SD1</u> <u>(SSCR179)</u> <u>Status & Testimony</u></p>	<p>PROPOSING AMENDMENTS TO ARTICLES VII AND X OF THE CONSTITUTION OF THE STATE OF HAWAII TO AUTHORIZE THE LEGISLATURE TO ESTABLISH A SURCHARGE ON RESIDENTIAL INVESTMENT PROPERTY AND VISITOR ACCOMMODATIONS TO INCREASE FUNDING FOR PUBLIC EDUCATION. Proposes amendments to the Constitution of the State of Hawaii to advance the State's goal of providing a quality education for the children of Hawaii by authorizing the legislature to establish, as provided by law, a surcharge on residential investment property and visitor accommodations.</p>	<p>EDU, WAM/JDL</p>
<p><u>SB 686, SD1</u> <u>(SSCR284)</u> <u>Status & Testimony</u></p>	<p>RELATING TO EDUCATION FUNDING. Establishes an education surcharge on residential investment properties and visitor accommodations for the purpose of funding public education. (SD1)</p>	<p>EDU, WAM/JDL</p>
<p><u>SB 836</u> <u>(SSCR406)</u> <u>Status & Testimony</u></p>	<p>RELATING TO EDUCATION. Allows the department of education to offer voluntary training for teachers and educational officers on sex trafficking prevention. Requires the department to provide explanatory information about sex trafficking prevention and response to teachers and educational officers.</p>	<p>EDU, WAM/JDL</p>
<p><u>SB 848, SD1</u> <u>(SSCR504)</u> <u>Status & Testimony</u></p>	<p>RELATING TO HIGHER EDUCATION. Establishes the Hawaiian language university college as an autonomous entity within the University of Hawaii system to be located at the University of Hawaii at Hilo. Implements an indigenous university college model by transferring the University of Hawaii at Hilo Hawaiian language college's rights, duties, powers, and functions to the Hawaiian language university college. Mandates the Hawaiian language university college and University of Hawaii at Hilo to enter into a memorandum of agreement by the end of the 2017-2018 academic year to establish shared operations and administration.</p>	<p>HRE/HWN, WAM/JDL</p>
<p><u>SB 994</u> <u>(SSCR449)</u> <u>Status & Testimony</u></p>	<p>RELATING TO THE STADIUM AUTHORITY. Expands the powers and duties of the stadium authority to develop the stadium property and establish a stadium complex area.</p>	<p>ETT/GVO/PSM, WAM/JDL</p>



SB 1084, SD1

(SSCR343)

Status &
Testimony

RELATING TO THE HAWAII TOURISM AUTHORITY.

ETT, WAM/JDL

Requires the governor to appoint six Hawaii tourism authority board of directors' members within ninety days of receiving lists of nominees from the president of the senate and from the speaker of the house of representatives. Requires the president of the senate and speaker of the house of representatives to appoint those members if the vacancy continues after ninety days. Requires that executive meeting minutes be available to any legislator upon request. Requires that information relating to market plans and strategies discussed at executive session be disclosed after the execution of the market plans and strategies. Requires the Hawaii tourism authority to report, at least twenty days prior to the convening of each regular session of the legislature, summary descriptions and planned and actual expenditures of contracts and agreements entered into by the authority and a detailed annual budget for the authority for a two-year period covering the current and immediately preceding fiscal years to the governor, speaker of the house of representatives, president of the senate, and chairs of legislative committees with primary jurisdiction over tourism or financial oversight. (SD1)

SB 1100

(SSCR320)

Status &
Testimony

RELATING TO RECORDS MANAGEMENT.

EDU, WAM/JDL

Requires the department of education to set a standard for retention of student records of not less than one hundred years. Allows the department of education to partner with the Hawaii correctional industries program to establish a three-year student records modernization pilot project.

Decision making meeting only, no oral testimony will be accepted.

Persons wishing to submit written testimony may do so up to 24 hours prior to the hearing.

Click [here](#) to submit written testimony to the Senate Committee on Judiciary and Labor.

Click [here](#) to submit written testimony to the Senate Committee on Ways and Means.

FOR AMENDED NOTICES: Measures that have been deleted are stricken through and measures that have been added are underscored. If a measure is both underscored and stricken through, that measure has been deleted from the agenda.

If you require auxiliary aids or services to participate in the public hearing process (i.e. ASL or foreign language interpreter, or wheelchair accessibility), please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808) 586-7344.

Senator Jill N. Tokuda
Chair

Senator Gilbert S.C. Keith-Agaran
Chair

