

Ka 'Aha Kenekoa
THE SENATE

Ka 'Aha 'Ōlelo Kanakolu
THE THIRTIETH LEGISLATURE

'Aha Kau Kānāwai 2019
REGULAR SESSION OF 2019

Ke Kōmike Ho'okolokolo
COMMITTEE ON JUDICIARY

Kenekoa/Senator Karl Rhoads, Luna Ho'omalu/Chair
Kenekoa/Senator Glenn Wakai, Hope Luna Ho'omalu/Vice Chair

'Ōlelo Ho'olaha No Ka Ho'oholo Mana'o 'Ana
NOTICE OF DECISION MAKING

Lā / DATE: Pō'ahā, Pepeluali 21, 2019 / Thursday, February 21, 2019
Hola / TIME: 9:00am
Wahi / PLACE: Lumi 'Aha Kūkā 016 / Conference Room 016
Ke Kapikala Moku'āina / State Capitol
415 South Beretania Street

Papa Kumuhana
A G E N D A

Ua pau ka/nā pila ma lalo nei i ka ho'olohe 'ia e nā kōmike i pili i ke/nā kumuhana o ia (mau) pila:
The following measure(s) were previously heard in their respective subject matter committees:

<u>SB 92</u> <u>(SSCR345)</u> <u>Status & Testimony</u>	RELATING TO POLICE REPORTS. Allows surviving immediate family members of murder or manslaughter victims to access a copy of the closing report prepared by the investigating police department, upon the conclusion of all criminal and civil proceedings that arose from the offense.	PSM, JDC
<u>SB 98</u> <u>(SSCR324)</u> <u>Status & Testimony</u>	RELATING TO CROSSWALK SAFETY. Clarifies the requirement that a driver of a motor vehicle yield to or stop for a pedestrian by specifying when a pedestrian is considered to be within an intersection or adjacent crosswalk or crossing the roadway within a crosswalk.	TRS, JDC
<u>SB 340</u> <u>(SSCR59)</u> <u>Status & Testimony</u>	RELATING TO THE BOARD OF EDUCATION. Amends the board of education's membership by inviting the exclusive representative for bargaining unit (5) to appoint a nonvoting public school teacher representative to the board.	EDU, JDC
<u>SB 536, SD1</u> <u>(SSCR502)</u> <u>Status & Testimony</u>	RELATING TO PRESCRIPTIONS. Clarifies that existing law intended to curb over-access to and abuse of opioids, including the time frame for filling prescriptions, supply limitations, and requirements to check the state electronic prescription accountability system and execute an informed consent process, do not apply to qualifying patients who are prescribed or issued prescriptions pursuant to the State's Our Care, Our Choice act. (SD1)	CPH, JDC

<p><u>SB 641</u> <u>(SSCR116)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO INTOXICANTS. Adds the definition of "substance abuse" and amends the definitions of "drug" and "substance" for purposes of operating a vehicle under the influence of an intoxicant violations.</p>	<p>TRS, JDC</p>
<p><u>SB 642, SD1</u> <u>(SSCR93)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO HAWAIIAN AS AN OFFICIAL LANGUAGE OF THE STATE OF HAWAII. Inserts article thirteen of the United Nations Declaration on the Rights of Indigenous Peoples into the Hawaii Revised Statutes. Requires that Hawaiian be used for public acts and transactions. Directs the office of language access to provide services to Hawaiian language speakers. Requires the Hawaiian version of a law be held binding if the law in question was originally drafted in Hawaiian and then translated into English. Requires that 'okina and kahako be used, when appropriate, in documents prepared by or for state or county agencies or officials, with certain exceptions. Amends existing law so that any rule, order, policy, or other act, official or otherwise, that prohibits or discourages the use of 'okina and kahako, except those specifically designed for the benefit of native speakers of Hawaiian, shall be void. (SD1)</p>	<p>HWN, JDC</p>
<p><u>SB 645</u> <u>(SSCR569)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO THE IGNITION INTERLOCK PROGRAM. Requires that the revocation of license period be tolled for any period in which the person does not have an ignition interlock device installed on a vehicle owned or operated by the person. Establishes requirements for removal of the ignition interlock device. Allows a defendant to enroll in an alcohol or substance abuse education or treatment program, or a sobriety program.</p>	<p>PSM, JDC</p>
<p><u>SB 647, SD1</u> <u>(SSCR182)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO THE STATE CAPITOL MANAGEMENT COMMITTEE. Increases the membership of the state capitol management committee by including the lieutenant governor and the lieutenant governor's chief of staff. Prohibits the lieutenant governor from being represented on the committee by a designee. Requires the lieutenant governor to submit an annual report to the legislature. (SD1)</p>	<p>GVO, JDC</p>
<p><u>SB 768, SD1</u> <u>(SSCR99)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO ADOLESCENT MENTAL HEALTH SERVICES. Prohibits health plans and providers from disclosing to a policyholder or other covered person any payment or billing information for a minor's mental health services if the minor received the services without the consent or participation of the minor's parent or legal guardian. Specifies that licensed mental health professionals providing mental health treatment to a minor have a standard of care duty to ask the minor if the minor wants the provision of mental health care services to be kept confidential from the minor's parent or guardian and explain to the minor the meaning of confidential mental health care services. Clarifies that a minor is not responsible for out-of-pocket payments, regardless of parent or guardian participation in treatment or services received. Specifies that the minor's parent or legal guardian is not responsible for out-of-pocket payments for minor-initiated mental health treatment or counseling services, except in certain circumstances. (SD1)</p>	<p>CPH, JDC</p>

<p>SB 701, SD1 (SSCR576) Status & Testimony</p>	<p>RELATING TO THE HAWAIIAN LANGUAGE. Requires any Hawaiian words or names included in public acts and transactions to be accurate, appropriate, and authentic. Requires all newly created, replaced, or reprinted letterheads, documents, symbols, and emblems of the State and other political subdivisions that include Hawaiian words or names to include accurate, appropriate, and authentic Hawaiian words, names, spelling, and punctuation. Establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation. Clarifies that the full text of bills and other official documents are not required to be written in Hawaiian and that misspelled or incorrectly punctuated Hawaiian words and names shall not invalidate the documents or render them unenforceable and no cause of action shall arise accordingly. (SD1)</p>	<p>HWN, JDC</p>
<p>SB 980 (SSCR134) Status & Testimony</p>	<p>RELATING TO EDUCATION. Defines, for the purpose of compulsory education, a private school to be an education institution that teaches kindergarten through grade twelve and that is licensed or accredited by the Hawaii Association of Independent Schools or the Western Association of Schools and Colleges.</p>	<p>EDU, JDC</p>
<p>SB 1009, SD1 (SSCR504) Status & Testimony</p>	<p>RELATING TO FLAVORED TOBACCO PRODUCTS. Bans the sale of flavored tobacco products. Effective 1/1/2020. (SD1)</p>	<p>CPH, JDC</p>
<p>SB 1042, SD1 (SSCR529) Status & Testimony</p>	<p>RELATING TO CIVIL RIGHTS. Requires the Legislative Reference Bureau to submit by 3/1/2019, a report studying how other jurisdictions oversee Title IX enforcement. (SD1)</p>	<p>GVO, JDC</p>
<p>SB 1046, SD1 (SSCR343) Status & Testimony</p>	<p>RELATING TO DOMESTIC VIOLENCE. Allows an employee to take family leave in addition to victim leave when the leave is related to domestic or sexual violence against the employee or the employee's minor child. Requires an employee to submit certification related to domestic or sexual violence of the employee or the employee's minor child. Requires employer confidentiality of information related to domestic or sexual violence against the employee or the employee's minor child. Effective 1/1/2023. (SD1)</p>	<p>LCA, JDC</p>
<p>SB 1451 (SSCR155) Status & Testimony</p>	<p>RELATING TO STATE HOLIDAYS. Reestablishes La Ku'oko'a, Hawaiian Recognition Day, as an official state holiday.</p>	<p>HWN, JDC</p>

SB 1521, SD1

(SSCR643)

**Status &
Testimony**

RELATING TO PHARMACY BENEFIT MANAGERS.

CPH, JDC

Establishes requirements for pharmacy benefit managers and maximum allowable cost, including the ability of pharmacies to receive comprehensive maximum allowable cost lists and bring complaints within the purview of the department of commerce and consumer affairs, rather than the department of health. Requires pharmacy benefit managers to disclose where an equivalent drug can be obtained at or below the maximum allowable cost when a maximum allowable cost is upheld on appeal and allow contracting pharmacies to reverse and rebill claims if the pharmacy benefit manager establishes a maximum allowable cost that is denied on appeal and pay the difference to the contracting pharmacies. Clarifies the available penalties for violations of maximum allowable cost requirements. Effective 7/1/2050. (SD1)

He hālāwai ho'oholo mana'o wale nō. 'a'ohe 'ōlelo hō'ike ha'i waha e 'ae 'ia.

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

'O nā kānaka i makemake e waiho mai i 'ōlelo hō'ike i kikokiko/kākau 'ia, hiki nō a hiki i 24 hola ma mua o ka ho'omaka 'ana o ka hālāwai ho'oholo mana'o.

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

E waiho mai i kāu 'ōlelo hō'ike no ke Kōmike Ho'okolokolo ma o ke kaomi 'ana ma 'ane'i.

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

No Nā Papa 'Ōlelo Ho'olaha I Ho'ololi 'Ia: Kahawaena 'ia nā pila i kāpae 'ia a kahalalo 'ia nā pila i pāku'i 'ia. Kahawaena 'ia me ke kahalalo pū 'ia nā pila i kāpae 'ia mai ka papa kumumana'o.

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.

No nā mea pono kōkua unuhi, a i 'ole kekahi mau mea lawelawe 'ē a'e no ke komo 'ana i nā hanana ma ka 'aha ho'olohe, e kāhea aku i ke kākau 'ōlelo kōmike he 24 hola ma ka li'ili'i loa ma mua o ka 'aha ho'olohe i mea e hiki ai ke ho'omākaukau pono.

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.

No Ka 'Ike 'Ē A'e, E Kelepona Aku I Ke Kākau 'Ōlelo Kōmike Ma (808) 586-6130.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808) 586-6130.

Keneko/Senator Karl Rhoads
Luna Ho'omalua/Chair