

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'aluā, Pepeluali 26, 2019 / Tuesday, February 26, 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 141</u> <u>(SSCR48)</u> <u>Status & Testimony</u>	RELATING TO DISCLOSURE OF ATTORNEY-CLIENT AND ATTORNEY WORK-PRODUCT PRIVILEGED COMMUNICATIONS TO THE OMBUDSMAN. Specifies that disclosure of communications by an agency to the ombudsman does not waive any existing attorney-client or attorney work-product privilege pertaining to those communications. Prohibits the ombudsman from disclosing privileged communications to others.	GVO, JDC
<u>SB 331</u> <u>(SSCR29)</u> <u>Status & Testimony</u>	RELATING TO MOVIE THEATERS. Makes permanent the requirement for certain motion picture theater owners and operators to provide open movie captioning for at least two showings per week, one of which occurs on a Saturday or Sunday. Repeals the requirement to provide an option of personal closed captioning screenings by means of lightweight eyewear.	CPH, JDC
<u>SB 464, SD1</u> <u>(SSCR597)</u> <u>Status & Testimony</u>	RELATING TO PRIVATE PROPERTY. Authorizes a property owner or agent to enter adjacent property with albizia trees under certain conditions, including consulting with a tree arborist and providing written notice, to eradicate albizia trees before they become hazardous. Provides a defense to criminal prosecution. (SD1)	PSM/WTL, JDC

<p><u>SB 674</u> <u>(SSCR474)</u> <u>Status & Testimony</u></p>	<p>RELATING TO GENDER IDENTITY. Prohibits both sexual orientation and gender identity change efforts under Chapter 453J, Hawaii Revised Statutes.</p>	<p>CPH, JDC</p>
<p><u>SB 807, SD1</u> <u>(SSCR381)</u> <u>Status & Testimony</u></p>	<p>RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM. Specifies that a health care provider shall not be required to consult the electronic prescription accountability system for patients when the prescription will be directly administered under the supervision of a health care provider, provided that the system is consulted when the patients are initially admitted at a hospital; for patients in post-operative care with a prescription limited to a three-day supply; or for patients with a terminal disease receiving hospice or other palliative care. Clarifies that an informed consent agreement is not necessary for patients whose prescription will be directly administered under the supervision of a health care provider. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 947, SD1</u> <u>(SSCR234)</u> <u>Status & Testimony</u></p>	<p>RELATING TO FAMILIES. Prohibits the disability of a parent or caregiver from being the sole factor in determining fitness as a foster parent, adoptive parent, guardian, parent seeking custody or visitation, or provider of a safe family home. (SD1)</p>	<p>HMS, JDC</p>
<p><u>SB 1082, SD1</u> <u>(SSCR455)</u> <u>Status & Testimony</u></p>	<p>RELATING TO WAGES. Makes general contractors entering into or under contracts in Hawaii for work on buildings or structures liable for debt incurred by subcontractors for wages due to claimants for performance of labor in the contract between the general contractor and owner. Takes effect 1/1/2051. (SD1)</p>	<p>LCA, JDC</p>
<p><u>SB 1124, SD1</u> <u>(SSCR641)</u> <u>Status & Testimony</u></p>	<p>RELATING TO MENTAL HEALTH. Facilitates the treatment of individuals with mental health issues. Provides that any interested party may file a petition for a mental health order for involuntary hospitalization or assisted community treatment alleging that another person has a mental illness and qualifies for assistance. Requires the court to assess whether a person meets the criteria for assisted community treatment before discharging a person who has been involuntarily hospitalized. Authorizes the court to order a person to obtain assisted community treatment as an alternative to involuntary hospitalization. Clarifies the criteria for assisted community treatment. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 1135, SD1</u> <u>(SSCR224)</u> <u>Status & Testimony</u></p>	<p>RELATING TO THE LAND USE COMMISSION. Provides the Land Use Commission with the power to amend, revise, or modify a decision and order granting a district boundary amendment, or fine a petitioner, when there has been a finding by the Land Use Commission that a petitioner or its successors or assigns have not adhered to a representation made by the petitioner or a condition imposed by the commission, regardless of whether there has been substantial commencement of use of the land. Defines "substantial commencement". Takes effect 12/31/2050. (SD1)</p>	<p>WTL, JDC</p>

<p><u>SB 1237, SD1</u> <u>(SSCR539)</u> <u>Status & Testimony</u></p>	<p>RELATING TO HEALTH. Requires health insurance providers that provide medicare advantage (medicare part C) health benefit plans to submit administrative data, including health care service claims and payment data, to the State Health Planning and Development Agency, or its designee. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 1241</u> <u>(SSCR551)</u> <u>Status & Testimony</u></p>	<p>RELATING TO ENERGY DATA. Permits the Department of Business, Economic Development, and Tourism to share energy data with the Department of Health for purposes of regulating greenhouse gas emissions.</p>	<p>EET/CPH, JDC</p>
<p><u>SB 1244, SD1</u> <u>(SSCR562)</u> <u>Status & Testimony</u></p>	<p>RELATING TO THE SALE OF TOBACCO PRODUCTS. Clarifies that liability for illegally selling tobacco products and electronic smoking devices to persons under 21 is borne by the retail entity, entity that holds a retail tobacco permit, or entity registered to sell electronic smoking devices, as opposed to an employee. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 1261, SD1</u> <u>(SSCR253)</u> <u>Status & Testimony</u></p>	<p>RELATING TO THE INTERSTATE WILDLIFE VIOLATOR COMPACT. Authorizes the Department of Land and Natural Resources to enter into the Interstate Wildlife Violator Compact or similar agreement for mutual assistance in the enforcement of wildlife laws. Takes effect 12/31/2050. (SD1)</p>	<p>WTL, JDC</p>
<p><u>SB 1348</u> <u>(SSCR421)</u> <u>Status & Testimony</u></p>	<p>RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD. Clarifies the intent of the small business regulatory review board's powers when reviewing state and county administrative rules that impact small business.</p>	<p>EET, JDC</p>
<p><u>SB 1495</u> <u>(SSCR197)</u> <u>Status & Testimony</u></p>	<p>RELATING TO ACTIONS FOR QUIET TITLE. Provides that where a quiet title action involves kuleana land, at the request of any defendant at the time the action was brought, the court shall order mandatory mediation with a goal of resolving the dispute and consolidation of separate actions commenced by the same plaintiff or multiple plaintiffs for the same real property in interest. Requires the plaintiff in a quiet title action involving kuleana land to bear the costs of required mediation and only recover certain costs, expenses, or attorney's fees as the court may deem equitable.</p>	<p>HWN, JDC</p>

He hālāwai ho'oholo mana'o wale nō. 'a'ohē '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 ʻŌlelo Hoʻolaha I Hoʻololi ʻIa: Kahawaena ʻia nā pila i kāpae ʻia a kahalalo ʻia nā pila i pākuʻi ʻia. Kahawaena ʻia me ke kahalalo pū ʻia nā pila i kāpae ʻia mai ka papa kumumanaʻo.

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 ʻole kekahi mau mea lawelawe ʻē aʻe no ke komo ʻana i nā hanana ma ka ʻaha hoʻolohe, e kāhea aku i ke kākau ʻōlelo kōmike he 24 hola ma ka liʻiliʻi loa ma mua o ka ʻaha hoʻolohe i mea e hiki ai ke hoʻomākaukau 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 ʻIke ʻĒ Aʻe, E Kelepona Aku I Ke Kākau ʻŌlelo Kōmike Ma (808) 586-6130.

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

Kenekoa/Senator Karl Rhoads
Luna Hoʻomalua/Chair