

HOUSE OF REPRESENTATIVES
THE THIRTIETH LEGISLATURE
REGULAR SESSION OF 2020

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COMMITTEE ON JUDICIARY

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CORRECTED NOTICE OF HEARING

The hearing has been cancelled.

Please be advised that the Centers for Disease Control and Prevention has issued guidelines recommending the avoidance of group meetings larger than 50 people. Due to concerns for public health, legislative hearings have been temporarily suspended.

DATE: Tuesday, March 17, 2020
TIME: 2:05pm
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

As a precautionary response to COVID-19, the Committee highly recommends that written testimony be submitted to avoid a large gathering of people.

A G E N D A

SB 2227, SD2, HD1
(HSCR 1100-20)
Status

RELATING TO ELECTRONIC SMOKING PRODUCTS.

CPC, JUD, FIN

Establishes the offense of unlawful shipment of tobacco products. Includes e-liquid and electronic smoking devices within the definition of "tobacco products", as used in the cigarette tax and tobacco tax law. Increases the license fee for persons engaged as a wholesaler or dealer of cigarettes and tobacco products. Increases the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products. Allocates a portion of funds collected on excise taxes on tobacco products to fund health education, prevention, and nicotine cessation programs for youth, regarding the risks and dangers of the use of electronic smoking devices. Repeals certain statutory provisions relating to electronic smoking devices. Effective 6/18/2050. (HD1)



<u>SB 2228, SD2, HD1</u> <u>(HSCR1101-20)</u> <u>Status</u>	RELATING TO FLAVORED PRODUCTS FOR ELECTRONIC SMOKING DEVICES. Establishes the offense of unlawful shipment of e-liquid products. Beginning July 1, 2020, prohibits the sale of flavored products for electronic smoking devices, the mislabeling of e-liquid products containing nicotine, and the sale of tobacco products other than through retail sales via a direct, in-person exchange between a retailer and consumer. Establishes penalties. Includes e-liquid and electronic smoking devices containing e-liquid within the definition of "tobacco products", as used in the cigarette tax and tobacco tax law. Effective 7/1/2050. (HD1)	CPC, JUD, FIN
<u>SB 3059, SD1, HD1</u> <u>(HSCR1042-20)</u> <u>Status</u>	RELATING TO THE UNIVERSITY OF HAWAII. Repeals the sunset provision in Act 39, Session Laws of Hawaii 2017. Effective 7/2/2050. (HD1)	LHE, JUD, FIN
<u>SB 2573, SD2, HD1</u> <u>(HSCR1041-20)</u> <u>Status</u>	RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS. Requires all public meetings of the board of regents to be recorded in live digital audio format by May 1, 2021, for standing committee meetings, and webcast live by September 1, 2021, for all regular board of regents meetings. Requires all recording to be archived and made available to the public. Requires the Board of Regents to determine its accessibility obligations pursuant to the Americans with Disabilities Act and comply with those obligations. Effective 7/1/2050. (HD1)	LHE, JUD, FIN
<u>SB 2664, SD1, HD1</u> <u>(HSCR1021-20)</u> <u>Status</u>	RELATING TO THE BOARD OF EDUCATION. Requires the board of education to hold no less than six community forums annually, with at least one forum in each county. Requires the board to include an open forum for public comments on non-agenda items. Requires a report to the Legislature on implementing open forums. Effective 7/1/2051. (HD1)	LHE, JUD, FIN
<u>SB 2110, SD1, HD1</u> <u>(HSCR1044-20)</u> <u>Status</u>	RELATING TO THE CHILD PROTECTIVE ACT. Requires the family court to appoint counsel to indigent parents in foster care cases and make every effort to do so at the first hearing attended by the parent. Effective 12/31/2059. (HD1)	HSH, JUD, FIN
<u>SB 2344, SD1, HD1</u> <u>(HSCR1045-20)</u> <u>Status</u>	RELATING TO MINORS. Expands the provisions for a minor to consent to no-cost emergency shelter and related services to include requiring a provider to be licensed and in compliance with zoning and safety regulations. Requires DHS to make every effort to have a shelter for minors on each island. (HD1)	HSH, JUD, FIN
<u>SB 2119, SD1, HD1</u> <u>(HSCR1043-20)</u> <u>Status</u>	RELATING TO THE ROOM CONFINEMENT OF CHILDREN AT DETENTION AND SHELTER FACILITIES. Establishes conditions and time limits in which a child may be placed in room confinement in a detention or shelter facility. Effective 12/31/2059. (HD1)	HSH, JUD, FIN



<u>SB 2638, SD2, HD1</u> <u>(HSCR1048-20)</u> <u>Status</u>	RELATING TO DOMESTIC VIOLENCE. Establishes a petty misdemeanor offense of abuse of family or household members and penalties. Allows a deferred acceptance of guilty or no contest plea in misdemeanor and petty misdemeanor abuse offenses of abuse of family or household members. Requires the judiciary to submit annual reports to the legislature on the number and outcome of abuse of family or household members cases. Sunsets 6/30/2025. Effective 12/31/2059. (HD1)	HSH, JUD, FIN
<u>SB 2406, SD2, HD1</u> <u>(HSCR1024-20)</u> <u>Status</u>	RELATING TO EXPLOSION DETECTION TECHNOLOGY. Requires the police department of each county having a population of more than five hundred thousand to establish a working group to study the feasibility of purchasing and deploying explosion detection technology for the purpose of assisting in locating and responding to explosions caused by the illegal use of firearms and fireworks. Effective 7/1/2050. (HD1)	PVM, JUD, FIN
<u>SB 2383, SD1, HD1</u> <u>(HSCR1025-20)</u> <u>Status</u>	RELATING TO LESS THAN LETHAL FORCE. Requires the department of public safety to review and update, at least annually, its policies and procedures governing the use of force, weapons, and equipment. Requires the law enforcement standards board to review the department's use of force training. Effective 7/1/2050. (HD1)	PVM, JUD, FIN
<u>SB 2985, SD1, HD1</u> <u>(HSCR1031-20)</u> <u>Status</u>	RELATING TO VETERINARIANS. Provides veterinarians who provide emergency care to an animal immunity from civil liability in the absence of gross negligence. Provides veterinarians who render emergency treatment when there is no veterinarian-client-patient relationship, immunity from civil liability in the absence of gross negligence. Requires veterinarians to report to law enforcement events of animal injury, death, or abuse where there is reasonable cause to believe that it relates to dog fighting or animal abuse and gives veterinarians immunity from civil liability for making the reports. Effective 7/31/2150. (HD1)	AGR, JUD, FIN
<u>SB 3040, SD1, HD1</u> <u>(HSCR1032-20)</u> <u>Status</u>	RELATING TO PESTICIDES. Establishes a glyphosate task force to assess the impact of glyphosate on Hawaii's natural environment, human health, and agriculture. Effective 7/31/2150. Repeals 6/30/2022. (HD1)	AGR, JUD, FIN
<u>SB 1289, SD2, HD1</u> <u>(HSCR1075-20)</u> <u>Status</u>	RELATING TO ROOFTOP SOLAR INSTALLATION. Prohibits the issuance of building permits beginning on January 1, 2022, for new single family dwellings, except for households with one hundred per cent or less of the area median income, that are part of a development of twenty or more dwellings and do not include a rooftop solar energy generation system, unless a variance is granted. Takes effect on 7/1/2050. (HD1)	EEP/HSG, JUD, FIN
<u>SB 1253, SD2, HD1</u> <u>(HSCR1036-20)</u> <u>Status</u>	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. Effective 7/1/2050. (HD1)	WLH, JUD, FIN



<u>SB 2537, SD1, HD1</u> <u>(HSCR1038-20)</u> <u>Status</u>	RELATING TO ACCESS TO PUBLIC PROPERTY. Prohibits the obstruction of access to beaches and beach parks. Creates a \$100 penalty for the first conviction of obstructing access to public property. Effective 7/1/2050. (HD1)	WLH, JUD, FIN
<u>SB 2953, SD2, HD1</u> <u>(HSCR1040-20)</u> <u>Status</u>	RELATING TO VESSELS. Makes clarifications regarding removal of unauthorized vessels on state property or in the waters of the State. Makes clarifications regarding the definition of an abandoned vessel. Changes the time limit to claim an unauthorized vessel that is impounded by the department of land and natural resources from thirty days to ten working days. Changes the time limit to claim an abandoned vessel that is impounded by a state or county agency from twenty days to ten working days. Makes abandonment of a vessel on waters of the State or public property a petty misdemeanor. Makes clarifications to auction requirements regarding abandoned vessels. Allows DLNR to charge an impound storage fee. Effective 7/1/2050. (HD1)	WLH, JUD, FIN
<u>SB 2391, SD1</u> <u>(SSCR3184)</u> <u>Status</u>	RELATING TO THE HAWAIIAN HOMES COMMISSION. Allows the Hawaiian homes commission or the department of Hawaiian home lands to retain independent legal counsel as needed. (SD1)	JUD, FIN
<u>SB 3119, SD1</u> <u>(SSCR3031)</u> <u>Status</u>	RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES OR THE SESSION LAWS OF HAWAII FOR THE PURPOSES OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, OR DELETING OBSOLETE OR UNNECESSARY PROVISIONS. Amends or repeals various provisions of the Hawaii Revised Statutes or the Session Laws of Hawaii for the purposes of correcting errors and references, clarifying language, or deleting obsolete or unnecessary provisions. (SD1)	JUD, FIN
<u>SB 2844, SD2</u> <u>(SSCR3056)</u> <u>Status</u>	MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES. Makes appropriations and approves payments for claims against the State, its officers, and its employees. Effective 7/1/2050. (SD2)	JUD, FIN
<u>SB 3080, SD3</u> <u>(SSCR3304)</u> <u>Status</u>	RELATING TO THE JUDICIARY. Appropriates supplemental funds for the Judiciary for the fiscal biennium beginning 7/1/2019, and ending 6/30/2021. Effective 7/1/2050. (SD3)	JUD, FIN

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing. Testimony should indicate:

- Testifier's name with position/title and organization;
- The Committee(s) to which the comments are directed;
- The date and time of the hearing; and
- Measure number.



While every effort will be made to incorporate all testimony received, materials received on the day of the hearing or improperly identified or directed, may be distributed to the Committee after the hearing.

Submit testimony in ONE of the following ways:

PAPER: 15 copies (including an original) to Room 442 in the State Capitol;

FAX: For testimony less than 5 pages in length, transmit to 808-586-6531 (Oahu) or 1-800-535-3859 (for Neighbor Islander without a computer to submit testimony through e-mail or the Web); or

WEB: For testimony less than 20MB in size, transmit from <http://www.capitol.hawaii.gov/submittestimony.aspx>.

Testimony submitted will be placed on the legislative website. This public posting of testimony on the website 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 586-6552 or email your request for an interpreter to 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.



Rep. Chris Lee
Chair

