

THE SENATE
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

NOTICE OF DECISION MAKING

DATE: Tuesday, April 6, 2021
TIME: 9:55 a.m.
PLACE: Conference Room 211 & Videoconference
TIMESLOT: WAM

THE STATE CAPITOL IS CLOSED TO THE PUBLIC DURING THE ONGOING COVID-19 PANDEMIC

A live stream of all Senate Standing Committee meetings will be available on the [Senate YouTube Channel](#).

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A G E N D A

The following measure(s) were previously heard in their respective subject matter committees:

HB 46, HD1 (SSCR1085) Status & Testimony	RELATING TO WILDLIFE. Requires all habitat conservation plans to include an agreement for plan participants to enter into and maintain an annual service contract with a stand-by and response facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the plan area. Effective 7/1/2050. (HD1)	AEN, JDC/WAM
HB 72, HD2, SD1 (SSCR1092) Status & Testimony	RELATING TO ELECTRIC FOOT SCOOTERS. Establishes a framework for the regulation of electric foot scooters by the State and counties. Amends definitions of "moped" to exclude electric foot scooters. Retains personal injury protection benefits for any individual sustaining injuries while using or operating an electric foot scooter. Effective 1/1/2050. (SD1)	TRS, JDC/WAM
HB 77, HD1, SD1 (SSCR1228) Status & Testimony	RELATING TO LANDS CONTROLLED BY THE STATE. Exempts the sale of the leased fee interest in certain affordable leasehold developments by the HHFDC from legislative approval. (SD1)	WTL/HOU, JDC/WAM

<p><u>HB 103, HD1, SD1</u> (SSCR1105) Status & Testimony</p>	<p>RELATING TO EMERGENCY POWERS. Clarifies that the powers granted for emergency purposes shall not be inconsistent with the state constitution. Provides parameters for the duration of suspension of laws and requires justification for the suspension. Requires approval of the legislature by concurrent resolution to extend to a date certain, or deny the extension of, a proclamation of a state of emergency timely requested by the governor beyond sixty days of its issuance, unless the legislature fails to take action, in which case the state of emergency is automatically extended for sixty days. Allows the authorization of the issuance of a separate proclamation arising from the same emergency or disaster as a previous proclamation that expired, upon request of the governor and adoption of a concurrent resolution by the legislature. (SD1)</p>	<p>GVO, JDC/WAM</p>
<p><u>HB 136, HD1, SD1</u> (SSCR1164) Status & Testimony</p>	<p>RELATING TO LIQUOR LICENSES. Applies liquor licensing provisions related to the transfer of licenses and the denial of licenses to limited liability companies. Effective 1/5/2022. (SD1)</p>	<p>CPN, JDC/WAM</p>
<p><u>HB 310, HD2, SD1</u> (SSCR1171) Status & Testimony</p>	<p>RELATING TO HEALTH. Requires assessment of patients who are subject to emergency hospitalization, diagnosed with a mental illness or severe substance use disorder, and found to be lacking decisional capacity to determine if a surrogate or guardian needs to be appointed to make appropriate health care decisions for the patient. Effective 7/1/2060. (SD1)</p>	<p>HTH/HMS, JDC/WAM</p>
<p><u>HB 333, HD3, SD1</u> (SSCR1168) Status & Testimony</p>	<p>RELATING TO PEER-TO-PEER CAR-SHARING. Authorizes peer-to-peer car-sharing and establishes regulations thereof. Establishes the peer-to-peer car-sharing surcharge tax on the operator of the peer-to-peer program. Effective 7/1/2050. (SD1)</p>	<p>TRS, JDC/WAM</p>
<p><u>HB 334, HD1, SD1</u> (SSCR1158) Status & Testimony</p>	<p>RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT. Establishes a state drug and alcohol toxicology testing laboratory special fund, to be administered by DOH. Deposits into the special fund fines imposed on offenders convicted of certain offenses involving operation of a vehicle under the influence of an intoxicant. Requires expenditure reports to the legislature. (SD1)</p>	<p>HTH, JDC/WAM</p>
<p><u>HB 345, HD2, SD1</u> (SSCR1264) Status & Testimony</p>	<p>RELATING TO ASSISTED COMMUNITY TREATMENT. Mandates appointment of a guardian to represent the best interests of a mentally ill individual in assisted community treatment proceedings. Effective 7/1/2060. (SD1)</p>	<p>HMS/HTH, JDC/WAM</p>

HB 465, HD1, SD1

(SSCR1255)

Status &
Testimony

RELATING TO COLLECTIVE BARGAINING.

Requires the representative of labor on the Hawaii labor relations board to be a person whose name has been chosen by the exclusive representatives of the collective bargaining units through a process determined by a simple majority of exclusive representatives and submitted to the Governor for appointment with the advise and consent of the Senate. Allows a simple majority of the exclusive representatives who recommended the nominee to transmit the nominee's name directly to the Senate for confirmation if the governor fails to do so within twenty days after the exclusive representatives' submission of the nominee's name to the governor. Allows a simple majority of the exclusive representatives of the collective bargaining units to remove, via a written request to the governor, the representative of labor from the Hawaii labor relations board during the member's term. (SD1)

LCA, JDC/WAM

HB 477, HD2, SD1

(SSCR1175)

Status &
Testimony

RELATING TO CANNABIS.

Authorizes the department of health to allow a licensed dispensary to purchase up to three thousand grams of medical cannabis or manufactured cannabis products from another licensed dispensary to ensure ongoing qualifying patient access. Increases the allowable number of production centers and retail dispensing locations per dispensary license. Places certain limits on where qualifying patients can obtain medical cannabis or manufactured cannabis products after 12/31/21. Authorizes the department of health to set fee structures for the submission of applications for each additional production center and retail dispensing location and for dispensary-to-dispensary sales. Permits inspections of registered grow sites by department of health or law enforcement to verify compliance with cannabis plant limits for cultivation by qualifying patients. Limits dispensary-to-dispensary sales to those located on the same island, as long as federal law prohibits the transportation of medical cannabis over a body of water. Effective 7/1/2060. (SD1)

HTH/CPN,
JDC/WAM

HB 553, HD2, SD1

(SSCR1058)

Status &
Testimony

RELATING TO THE PROTECTION OF SHARKS.

Establishes an offense of intentionally and knowingly capturing, entangling, or killing a shark in state marine waters, and provides penalties and fines. Provides certain exemptions. Allows the department of land and natural resources to establish rules to achieve certain objectives. Effective 1/1/2022. (SD1)

AEN/WTL,
JDC/WAM

HB 601, HD2

(SSCR1059)

Status &
Testimony

RELATING TO THE TRAFFIC CODE.

Amends the statewide traffic code to allow for the county chiefs of police to designate county employees to issue citations for traffic violations. Effective 1/1/2050. (HD2)

PSM, JDC/WAM

<p><u>HB 670, HD1, SD1</u> <u>(SSCR1256)</u> Status & Testimony</p>	<p>RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Authorizes a court to order the forfeiture of one-half of the Employees' Retirement System (ERS) benefits of an ERS member, former member, or retirant upon conviction of the individual for a felony related to the State or county employment of the individual. Authorizes designated beneficiaries to receive the ERS benefits to which the member, former member or retirant would be entitled under this section upon the death of the member, former member, or retirant. Prohibits designated beneficiaries convicted of a felony under the same set of circumstances as the member, former member, or retirant who was subject to forfeiture of ERS benefits from receiving benefits. Effective 1/1/2050. (SD1)</p>	<p>LCA, JDC/WAM</p>
<p><u>HB 722, HD2, SD1</u> <u>(SSCR1096)</u> Status & Testimony</p>	<p>RELATING TO HUMAN TRAFFICKING. Establishes a statewide coordinator and program overseen by the department of the attorney general to provide services and assistance to commercially sexually exploited children and victims of human trafficking. Requires the attorney general to submit annual reports to the legislature. Requires the children's justice program to coordinate the investigation and case management of child human trafficking cases, including cases involving the commercial sexual exploitation of children. Effective 1/1/2022. (SD1)</p>	<p>HMS, JDC/WAM</p>
<p><u>HB 929, HD1, SD1</u> <u>(SSCR1257)</u> Status & Testimony</p>	<p>RELATING TO QUALIFIED DOMESTIC RELATIONS ORDERS. Clarifies benefits to alternate payees, advisory review determinations of Hawaii domestic relations orders and the priority of multiple orders. Applies to domestic relations orders submitted on or after its effective date. (SD1)</p>	<p>LCA, JDC/WAM</p>
<p><u>HB 1009, HD1</u> <u>(SSCR1204)</u> Status & Testimony</p>	<p>RELATING TO CERTAIN PENALTIES FOR VIOLATIONS OF SUBTITLE 4 OF TITLE 12, HAWAII REVISED STATUTES. Amends the additional fines and costs for destroying or harvesting trees or tree products, including koa, on state forest reserves lands. Establishes penalties for any person who violates vehicular parking or traffic movement rules adopted by the DLNR under forest reserves, water development, and zoning laws. Authorizes the State to pursue civil legal action and criminal action against a person violating forest reserves, water development, and zoning laws and rules. Establishes criminal penalties for violations of all forest reserves laws or rules. Repeals the general penalty provision for violations of certain forestry and wildlife, recreation areas, and fire protection laws and rules.</p>	<p>WTL, JDC/WAM</p>

HB 1016, HD1, SD1

[\(SSCR1152\)](#)

[Status & Testimony](#)

RELATING TO THE TAKING OF MARINE LIFE.

Authorizes the department of land and natural resources to establish rules and fees for the issuance of a commercial marine vessel license. Provides that a single valid commercial marine vessel license satisfies the licensure requirement for all persons aboard the licensed vessel. Requires any person who provides fishing charter services to obtain a commercial marine license. Allows marine charter fishing vessels to obtain commercial marine vessel licenses. Requires the department of land and natural resources to submit a report to the legislature regarding the status of its administrative rules establishing a new commercial marine vessel license category. (SD1)

WTL, JDC/WAM

HB 1018, HD2

[\(SSCR1239\)](#)

[Status & Testimony](#)

RELATING TO LAY NETS.

Authorizes the department of land and natural resources to adopt rules to establish a lay net permit for the use or possession of lay nets, including reasonable permit fees and provisions for revocation, suspension, and withholding of permits for noncompliance with lay net rules. Effective 1/1/2050. (HD2)

WTL, JDC/WAM

HB 1020, HD1, SD1

[\(SSCR1240\)](#)

[Status & Testimony](#)

RELATING TO ADAPTIVE NATURAL RESOURCE MANAGEMENT.

Authorizes the board of land and natural resources (BLNR) to temporarily adopt, amend, and repeal certain natural resource rules by formal action at a public meeting if BLNR finds that such adoption, amendment, or repeal is necessary to implement effective and adaptive management measures in response to rapidly changing resource conditions. Requires legislative and BLNR approval prior to the renewed adoption, amendment, and repeal of certain natural resource rule by formal action at a public meeting. Requires a report to the legislature no later than twenty days prior to the convening of the regular session of 2023. Effective 1/1/2050. (SD1)

WTL, JDC/WAM

[HB 1282, HD2, SD1](#)

[\(SSCR1174\)](#)

[Status &
Testimony](#)

RELATING TO THE TRANSITION OF THE OAHU REGIONAL HEALTH CARE SYSTEM FROM THE HAWAII HEALTH SYSTEMS CORPORATION INTO THE DEPARTMENT OF HEALTH.

HTH/CPN,
JDC/WAM

Commences the transfer of the Oahu regional health care system in its entirety from the Hawaii health systems corporation to the department of health, beginning with the transfer of the Oahu regional health care system's budget into the department of health. Enables the Oahu regional health care system, department of health, Hawaii health systems corporation, and other state agencies to manage and implement the processes required to effectuate the completion of the transition.

Authorizes the department of health to conduct long-term care and substance abuse treatment at Leahi hospital and Maluhia and to pay rent for the use of the Leahi hospital property.

Requires the department of health to consult with the university of Hawaii regarding programs at Leahi hospital and Maluhia.

Clarifies the rights, powers, and exemptions of the Oahu regional system board during the transition period of the Oahu regional health care system into the department of health and the rights and powers of the department of health after the transition is completed. Appropriates monies from the mental health and substance abuse special fund. Authorizes the issuance of general obligation bonds. Part II effective 7/1/2023. Effective 7/1/2050. (SD1)

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.

All testimony received by the Hawai'i Senate is posted on the Hawai'i Legislature's website, which is accessible to the public. Please do not include private information that you do not want disclosed to the public.

The cable TV broadcast and/or live stream of this meeting will include closed captioning. If you require other auxiliary aids or services to participate in the public hearing process (i.e., interpretive services (oral or written) or ASL interpreter), please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

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.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808)587-7211.

Senator Donovan M. Dela Cruz
Chair

Senator Karl Rhoads
Chair

