

THE SENATE
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021

COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

NOTICE OF DECISION MAKING

DATE: Thursday, February 25, 2021
TIME: 9:30 a.m.
PLACE: Via Videoconference
TIMESLOT: JDC

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](#).

Click [here](#) for more information about Live and On-Demand Video options.

A G E N D A

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

SB 382 (SSCR471) Status & Testimony	RELATING TO PAYMENTS OF SUPPORT. Includes tips or gratuities paid directly to an individual by a customer of the employer and reported or declared to the employer under the definition of income withheld by employers for payments of child or spousal support.	LCA, JDC
SB 597, SD1 (SSCR418) Status & Testimony	RELATING TO CAMPAIGN FINANCE. Allows candidates seeking election to use campaign funds for child and vital household dependent care costs under certain conditions. Effective 5/1/2029. (SD1)	HMS, JDC
SB 675, SD1 (SSCR474) Status & Testimony	RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS FUND. Amends the definition of "employee-beneficiary" to include the surviving unmarried adult child of a deceased retired member; provided that the child is incapable of self-support due to a mental or physical incapacity, which existed prior to the unmarried child's reaching the age of majority. Effective 7/1/2020. (SD1)	LCA, JDC
SB 742 (SSCR376) Status & Testimony	RELATING TO POLICING. Requires each county police department to collect certain data regarding police stops, uses of force, and arrests, and submit to the legislature annual reports.	PSM, JDC
SB 754 (SSCR180) Status & Testimony	RELATING TO OPERATING A VEHICLE WHILE INTOXICATED. Lowers the threshold blood alcohol concentration for the offense of operating a vehicle while under the influence of an intoxicant.	TRS, JDC

<p><u>SB 764, SD1</u> <u>(SSCR114)</u> <u>Status & Testimony</u></p>	<p>RELATING TO HUMAN TRAFFICKING. Adds a permanent commercial driver's license disqualification for a commercial driver's license or commercial learner's permit holder who is convicted of a felony involving a severe form of trafficking in persons, without the possibility of reinstatement. (SD1)</p>	<p>CPN, JDC</p>
<p><u>SB 765, SD1</u> <u>(SSCR411)</u> <u>Status & Testimony</u></p>	<p>RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT. Defines "highly intoxicated driver". Provides the evidentiary standard for establishing that a person was a highly intoxicated driver. Requires that ignition interlock devices be installed and maintained on one or more vehicles registered to, and all vehicles operated by, anyone convicted of operating a vehicle under the influence of an intoxicant, during the applicable period of license revocation. Increases the license revocation period ordered by the Administrative Driver's License Revocation Office and extends the applicable lookback periods from five to ten years. Establishes higher penalties for a highly intoxicated driver operating a vehicle. Establishes higher penalties for offenses of operating a vehicle under the influence of an intoxicant. (SD1)</p>	<p>PSM, JDC</p>
<p><u>SB 792</u> <u>(SSCR336)</u> <u>Status & Testimony</u></p>	<p>RELATING TO TRANSPORTATION. Increases the minimum and potential maximum fine for violating certain provisions relating to the installation of a noisy muffler.</p>	<p>TRS, JDC</p>
<p><u>SB 814, SD1</u> <u>(SSCR323)</u> <u>Status & Testimony</u></p>	<p>RELATING TO CHARTER SCHOOLS. Clarifies the process for applicants to apply to open and operate a charter school. Provides for penalties for authorizers who fail to timely comply with board decisions. (SD1)</p>	<p>EDU, JDC</p>
<p><u>SB 821, SD1</u> <u>(SSCR298)</u> <u>Status & Testimony</u></p>	<p>RELATING TO CHILDREN. Allows a minor who has reached the age of 16 to petition the Family Court for emancipation, and directs the court regarding investigation of the petition, appointment of legal counsel and a guardian ad litem for the petitioner, and the findings necessary to grant the petition. Specifies the rights gained by the minor upon emancipation and authorizes the court to require the minor's parents or legal guardians to pay for any services ordered by the court. (SD1)</p>	<p>HMS, JDC</p>
<p><u>SB 839, SD1</u> <u>(SSCR316)</u> <u>Status & Testimony</u></p>	<p>RELATING TO HEALTH. Authorizes advanced practice registered nurses, in addition to physicians, to practice medical aid in dying in accordance with their scope of practice and prescribing authority. Authorizes psychiatric mental health nurse practitioners and clinical nurse specialists, in addition to psychiatrists, psychologists, and clinical social workers, to provide counseling to a qualified patient. Reduces the mandatory waiting period between oral requests from twenty days to fifteen days. Waives the mandatory waiting period for those terminally ill individuals not expected to survive the mandatory waiting period. (SD1)</p>	<p>HTH, JDC</p>

<p><u>SB 925, SD1</u> (SSCR386) Status & Testimony</p>	<p>RELATING TO SECONDHAND DEALERS. Clarifies that the secondhand dealers law applies to a secondhand dealer's operation of an automated recycling kiosk. Effective 7/1/2050. (SD1)</p>	<p>CPN, JDC</p>
<p><u>SB 934</u> (SSCR351) Status & Testimony</p>	<p>RELATING TO MEASUREMENT STANDARDS. Exempts hydrogen fuels from petroleum product measurement requirements.</p>	<p>AEN/EET, JDC</p>
<p><u>SB 964, SD1</u> (SSCR266) Status & Testimony</p>	<p>RELATING TO WASTE MANAGEMENT. Broadens the definition of "food waste" as used in integrated solid waste management. Excludes facilities designed primarily for composting organic material such as food waste and green waste, on-site school campus food waste programs, and recycling drop-off facilities from the requirement that disposal facilities shall not be constructed, modified, or expanded without first establishing a buffer zone of no less than one-half mile from the nearest residential, school, or hospital property line. Establishes a class of artisan-scale composting operations exempt from department of health regulations to divert organic materials from Hawaii's landfills. Takes effect 7/1/2050. (SD1)</p>	<p>AEN, JDC</p>
<p><u>SB 973, SD1</u> (SSCR274) Status & Testimony</p>	<p>RELATING TO HAWAII MONEY TRANSMITTER ACT. Amends the Money Transmitters Act. Changes the chapter and short title to Monetary Transmitters Modernization Act. Incorporates definitions of key terms provided in the Model Money Services Business Law published by the Conference of State Bank Supervisors. Adds supporting documentation to be submitted by a license applicant. Extends the period of a license applicant's litigation and criminal conviction history review from five-years to ten-years from the date of the application. Requires a license applicant to submit information concerning any bankruptcy or receivership proceedings. Clarifies the authority of the commissioner of financial institutions relating to examinations and investigations of licensees and participation in nationwide protocols for licensing cooperation. (SD1)</p>	<p>CPN, JDC</p>
<p><u>SB 1122, SD1</u> (SSCR432) Status & Testimony</p>	<p>RELATING TO THE COUNTY BOARDS OF WATER SUPPLY. Clarifies requirements on the county boards of water supply. Adds representation on the county boards of water supply of the interests to be served by the allocation of water for current and foreseeable development and use of Hawaiian home lands as set forth in section 221 of the Hawaiian Homes Commission Act 1920, as amended. (SD1)</p>	<p>HWN, JDC</p>
<p><u>SB 1123, SD1</u> (SSCR434) Status & Testimony</p>	<p>RELATING TO COUNTIES. Gives counties jurisdiction over the infrastructure of the Department of Hawaiian Home Lands housing developments in their boundaries under specific conditions. Requires counties, under specific conditions, to commence maintenance on that certain infrastructure within sixty days, subject to tolling to comply with certain other laws. (SD1)</p>	<p>HWN, JDC</p>

<p><u>SB 1220, SD1</u> <u>(SSCR439)</u> <u>Status & Testimony</u></p>	<p>RELATING TO CRIMINAL HISTORY RECORD CHECKS. Adds the University of Hawaii to the list of agencies that are authorized to conduct criminal history record checks on current or prospective employees, whose positions or duties are related to the security of campus facilities and persons. (SD1)</p>	<p>HRE/LCA, JDC</p>
<p><u>SB 1225, SD1</u> <u>(SSCR425)</u> <u>Status & Testimony</u></p>	<p>RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS INDEPENDENT AUDIT COMMITTEE. Allows the chairperson of the Independent Audit Committee (IAC) of the University of Hawaii Board of Regents to be selected in a manner consistent with its bylaws. Clarifies that the responsibility of the IAC as to the University's enterprise risk management is to oversee, rather than engage in the pertinent operations. Exempts from chapter 91 and part I of chapter 92, Hawaii Revised Statutes, discussions between the IAC and internal or external auditors on matters that should remain confidential in accordance with nationally recognized best practices for independent audit committees. Allows the IAC chairperson to determine whether IAC discussions that are exempt from chapter 91 and part I of chapter 92, Hawaii Revised Statutes, may be held without the presence of the President or the Chief Financial Officer of the University. (SD1)</p>	<p>HRE, JDC</p>
<p><u>SB 1409, SD1</u> <u>(SSCR431)</u> <u>Status & Testimony</u></p>	<p>RELATING TO TRAINING IN NATIVE HAWAIIAN RIGHTS. Prohibits council, board, and commission members from serving if the member has not completed, within the requisite time, the required training course related to Native Hawaiian traditional and customary rights, Native Hawaiian natural resource protection and access rights, and the public trust, including the State's fiduciary responsibility. (SD1)</p>	<p>HWN, JDC</p>

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 Karl Rhoads
Chair