

HOUSE OF REPRESENTATIVES
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. Mark M. Nakashima, Chair
Rep. Scot Z. Matayoshi, Vice Chair

Rep. Linda Ichiyama	Rep. Nadine K. Nakamura
Rep. Dale T. Kobayashi	Rep. Roy M. Takumi
Rep. Matthew S. LoPresti	Rep. Chris Todd
Rep. Nicole E. Lowen	Rep. James Kunane Tokioka
Rep. Angus L.K. McKelvey	Rep. Gene Ward

NOTICE OF HEARING

DATE: Tuesday, February 9, 2021
TIME: 2:00PM
PLACE: VIA VIDEOCONFERENCE
Conference Room 325
State Capitol
415 South Beretania Street

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

Please note that the committee members will participate remotely via videoconference.
Click [here](#) to submit testimony and to testify remotely.

A live stream link of all House Standing Committee meetings will be available online shortly before the scheduled start time.

Click [here](#) for the live stream of this meeting via YouTube.
Click [here](#) for select hearings broadcast live on 'Ōlelo Community Media for cable TV.

A G E N D A

HB 884 Status	RELATING TO THE OFFICE OF INFORMATION PRACTICES. Requires the Office of Information Practices to resolve open meeting and open record complaints through either a legal determination on whether a violation occurred or guidance on the relevant legal requirements.	JHA, FIN
HB 659 Status	RELATING TO PROPERTY FORFEITURE. Restricts civil asset forfeiture to cases involving the commission of a felony offense where the property owner has been convicted of an underlying felony offense. Directs any forfeiture proceeds to the general fund.	JHA, FIN

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HB 929 Status	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.	JHA, FIN
HB 1075 Status	RELATING TO EMOLUMENTS. Beginning 11/1/2022, prohibits the lieutenant governor, while holding the office of the lieutenant governor, from maintaining any other employment, maintaining a controlling interest in a business, or receiving any emolument, beginning on the sixty-first calendar day after election or appointment to office.	JHA
HB 662 Status	RELATING TO FIREARM OWNERSHIP. Provide an extensive process for limited firearm ownership for hunting or sport only for certain misdemeanor offenders who are currently not allowed to possess a firearm in the State.	JHA, FIN
HB 199 Status	RELATING TO ELECTION PROCLAMATIONS. Amends the content to be included in an election proclamation that is required to be filed not later than 4:30 p.m. on the tenth day prior to the close of filing. Specifies that the county clerk, not the chief election officer, shall issue a proclamation on voter service centers and places of deposit.	JHA
HB 248 Status	RELATING TO PERSONAL RELATIONSHIPS. Authorizes members of secular or non-religious organizations to solemnize marriages and civil unions.	JHA
HB 31 Status	RELATING TO FIREARMS. Raises the maximum age of minors for which safe storage of firearms is required from sixteen to eighteen years.	JHA
HB 341 Status	RELATING TO ADMINISTRATIVE PROCEDURE. Beginning July 1, 2021: Prohibits agencies from accepting petitions for declaratory rulings on issues or questions for which a decision was already issued by another agency that has sole or shared jurisdiction with the agency receiving the petition and provides that agency orders under the State's administrative procedure law relating to declaratory rulings are final and not appealable.	JHA, FIN
HB 357 Status	RELATING TO STATUTE OF LIMITATIONS. Establishes a two-year statute of limitations for all actions for a regulatory taking against the State, including a claim brought under article I, section 20, of the state constitution.	JHA, FIN
HB 818 Status	RELATING TO CRIMINAL TRESPASS ONTO STATE LANDS. Provides that the facts and circumstances to be considered in establishing the offenses of criminal trespass in the second degree and criminal trespass on state lands may include authenticated photographs, video recordings, or other recordings that show the commission of the offense.	JHA

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<u>HB 542</u> <u>Status</u>	RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. Removes cannabidiol drugs that have been approved by the United States Food and Drug Administration from the list of Schedule V substances for consistency with federal laws.	JHA, CPC
<u>HB 1138</u> <u>Status</u>	RELATING TO ABUSE. Changes the age for minors who are in the presence of abuse of family or household member offenses from less than fourteen to less than eighteen years of age.	JHA
<u>HB 1090</u> <u>Status</u>	RELATING TO CHILD PASSENGER RESTRAINTS. Amends requirements for child passengers. Requires rear facing child safety seats for children less than 2 years of age. Requires the use of child safety seats or booster seats for certain children less than 10 years of age. Raises certain fines for violations.	JHA, FIN
<u>HB 1366</u> <u>Status</u>	RELATING TO FIREARMS. Amends the class C felony offense of manufacturing, purchasing, or obtaining firearm parts to assemble a firearm having no serial number to also prohibit possession of those firearm parts. Amends Act 74, Session Laws of Hawaii 2020, to repeal language that specified the prospective application of that Act. Applies retroactively to 9/15/2020.	JHA, FIN
<u>HB 1117</u> <u>Status</u>	RELATING TO VACANCIES. Requires vacancies in the offices of United States Senator, State Senator, and State Representative to be filled by special election.	JHA, FIN
<u>HB 1009</u> <u>Status</u>	RELATING TO CERTAIN PENALTIES FOR VIOLATIONS OF SUBTITLE 4 OF TITLE 12, HAWAII REVISED STATUTES. Amends fines for destroying or harvesting trees or tree products, including koa, on state forest reserves lands to an amount up to \$10,000 or three times the market value at the time and place of the violation, as determined by the Board of Land and Natural Resources, for each tree, whichever is greater, in addition to any costs associated with restoration or replacement of the habitat and damages to public land or natural resources, or any combination thereof. Clarifies that any person violating any provision of part II (Forest Reserves) of chapter 183, Hawaii Revised Statutes, or any rule adopted thereto, other than section 183-17, Hawaii Revised Statutes, shall be guilty of a petty misdemeanor. Clarifies penalties for traffic infractions within forest reserves and sets fine amounts. Repeals the general penalty provision of section 183-4, Hawaii Revised Statutes.	JHA, FIN
<u>HB 1096</u> <u>Status</u>	RELATING TO PARENTAGE. Amends the Uniform Parentage Act to allow non-gestational partners to voluntarily establish parentage of a child during the period immediately prior to or following the birth of the child. Requires the State to recognize parentage determinations from other states and territories.	JHA, FIN

DECISION MAKING TO FOLLOW

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Persons wishing to offer comments should submit testimony at least **24 hours** prior to the hearing. Testimony received after this time will be stamped late and left to the discretion of the chair to consider. 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 not be processed.

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.

The chair may institute a per-testifier time limit.

Committees meeting in the morning must adjourn prior to the day's Floor Session. Therefore, due to time constraints, not all testifiers may be provided an opportunity to offer verbal comments. However, remote testifiers' written submissions will be considered by the committee.

Please refrain from profanity or uncivil behavior. Violations may result in ejection from the hearing without the ability to rejoin.

The House will not be responsible for bad connections on the testifier's end.

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) or are unable to submit testimony via the website due to a disability, please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

Click [here](#) for a complete list of House Guidelines for public testimony.

FOR AMENDED NOTICES: Measures that have been deleted are stricken through and measures that have been added are bolded.

For more information, please contact the Committee Clerk at 586-6680

Rep. Mark M. Nakashima
Chair

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