

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

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| 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 |

AMENDED NOTICE OF HEARING

DATE: Wednesday, February 10, 2021
TIME: 2:00 PM
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 M E N D E D A G E N D A

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| HB 245 (HSCR16) Status | RELATING TO HISTORIC PRESERVATION. Amends the definition of "historic property" under the Historic Preservation Law. | WAL, JHA, FIN |
| HB 344 (HSCR18) Status | RELATING TO GOVERNMENT. Provides that the Board of Land and Natural Resources and Commission on Water Resource Management shall not conduct contested case hearings, and counties shall not conduct contested case hearings regarding disputes over land use, but that decisions and disputes may be contested and adjudicated in circuit court. | WAL, JHA, FIN |

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| <u>HB 601, HD1</u> <u>(HSCR27)</u> <u>Status</u> | RELATING TO THE TRAFFIC CODE. Amends the statewide traffic code to allow for the chairperson of the BLNR and county chiefs of police to designate state or county employees or contractors to issue citations for traffic violations. Effective 1/1/2050. (HD1) | WAL, JHA, FIN |
| <u>HB 567, HD1</u> <u>(HSCR21)</u> <u>Status</u> | RELATING TO EMPLOYMENT. Requires the legislative reference bureau to conduct a study on telework and the use of alternative work schedules for state employees. Requires state departments and agencies to cooperate with the legislative reference bureau. Requires the legislative reference bureau to submit a report of its findings and recommendations, including proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2022. (HD1) | LAT, JHA, FIN |
| <u>HB 670, HD1</u> <u>(HSCR22)</u> <u>Status</u> | RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Authorizes forfeiture of certain ERS benefits, pursuant to court order, for state or county employees and designated beneficiaries who are convicted of an employment-related felony. (HD1) | LAT, JHA, FIN |
| <u>HB 98, HD1</u> <u>(HSCR24)</u> <u>Status</u> | RELATING TO AQUATIC RESOURCES. Specifies that any equipment, article, instrument, aircraft, vehicle, vessel, business record, or other asset used in intentional violation of the aquatic resources law is subject to forfeiture. Authorizes the imposition of a criminal fine. Clarifies that the fine structure is assessed on a per-specimen basis. Makes violations of the aquatic resources law a misdemeanor, rather than a petty misdemeanor. Permits the department of land and natural resources to recommend community service that benefits the resource damaged when a person is ordered to perform community service in lieu of a fine. Effective 7/1/2050. (HD1) | WAL, JHA, FIN |
| <u>HB 465, HD1</u> <u>(HSCR20)</u> <u>Status</u> | RELATING TO COLLECTIVE BARGAINING. Clarifies that the representative of labor on the Hawaii labor relations board be a person selected by a majority of the exclusive representatives of the collective bargaining units. Establishes procedures for removal of the representative of labor on the Hawaii labor relations board. (HD1) | LAT, JHA, FIN |
| <u>HB 244</u> <u>(HSCR15)</u> <u>Status</u> | RELATING TO LAND RECORDATION. Amends the data requirements for land recordation by the bureau of conveyances, on land other than fee simple time share interests deregistered by the land court, to include a map and description prepared by a licensed professional surveyor. | WAL, JHA, FIN |
| <u>HB 498</u> <u>(HSCR19)</u> <u>Status</u> | RELATING TO AQUATIC RESOURCES. Authorizes the department of land and natural resources to use in-lieu fee mitigation to restore, create, enhance, or preserve aquatic habitats or resources as compensatory mitigation. | WAL, JHA, FIN |

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[HB 838, HD1 \(HSCR23\) Status](#) RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION. LAT, JHA, FIN
Clarifies the meaning of "program or activity receiving state financial assistance". Excludes cases within the scope of the Individuals with Disabilities Education Act from the jurisdiction of the Hawaii civil rights commission. (HD1)

DECISION MAKING

The following measure(s) has been **ADDED** to the agenda: **HB341, HB1138, HB1366, HB1096**
The following measure(s) were previously heard on **February 9, 2021**. No public testimony will be accepted.

[HB 341 Status](#) RELATING TO ADMINISTRATIVE PROCEDURE. JHA, FIN
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.

[HB 1138 Status](#) RELATING TO ABUSE. JHA
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.

[HB 1366 Status](#) RELATING TO FIREARMS. JHA, FIN
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.

[HB 1096 Status](#) RELATING TO PARENTAGE. JHA, FIN
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.

DECISION MAKING TO FOLLOW

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.

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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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