

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: Thursday, February 11, 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 G E N D A

[HB 1356, HD1](#)
[\(HSCR73\)](#)
[Status](#)

RELATING TO AGRICULTURE.

AGR, JHA, FIN

Clarifies that "customary and traditional subsistence farming", which is customary and traditional subsistence farming conducted by a native Hawaiian cultural practitioner in certain situations, is included as a protected activity under the Hawaii Right to Farm Act. Clarifies that the cultivation of crops and activities related to game, fish, and livestock on agricultural lands may be for economic use or customary and traditional subsistence farming. Provides that one of the State's policies under the Hawaii State Planning Act's agricultural objectives is to assure the right of native Hawaiian cultural practitioners to engage in customary and traditional subsistence farming for direct personal or family consumption. Effective 7/1/2060. (HD1)

HEARING_JHA_02-11-21_

HEARING_JHA_02-11-21_

HEARING_JHA_02-11-21_

<u>HB 22, HD1</u> <u>(HSCR98)</u> <u>Status</u>	RELATED TO CAMPAIGN FINANCE. Increases the amount of fines that may be assessed against a noncandidate committee for violations of organizational report requirements and the amount of fines that may be assessed for violations of advertisement disclaimer requirements. Effective 7/1/2112. (HD1)	GVR, JHA, FIN
<u>HB 157, HD1</u> <u>(HSCR100)</u> <u>Status</u>	RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS. Authorizes any board that is subject to public agency meetings law to hold a closed meeting to consider statements and information obtained from witnesses or victims during the course of any investigation into the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of matters affecting a witness's or victim's privacy will be involved. Effective 7/1/2112. (HD1)	GVR, JHA, FIN
<u>HB 570, HD1</u> <u>(HSCR46)</u> <u>Status</u>	RELATING TO SEXUAL ABUSE OF MINORS. Expands the time period by which a civil action for childhood sexual abuse must be initiated. Extends the period during which a victim of childhood sexual abuse may bring an otherwise time-barred action against the victim's abuser or an entity having a duty of care. Allows recovery of treble damages in certain circumstances. Provides for training on trauma-informed response. Applies retroactively to 4/24/2020. Effective 7/1/2060. (HD1)	HHH, JHA, FIN
<u>HB 674</u> <u>Status</u>	RELATING TO ELECTIONEERING COMMUNICATIONS. Limits electioneering communication disclosure requirements to noncandidate committees.	JHA
<u>HB 63, HD1</u> <u>(HSCR109)</u> <u>Status</u>	RELATING TO NON-GENERAL FUNDS. Reclassifies the notaries public revolving fund and criminal forfeiture revolving fund as special funds. Reclassifies the litigation deposits trust fund as a trust account. Abolishes the national mortgage settlement trust account and the criminal justice commission trust account, and transfers the remaining unencumbered balances in these trust accounts to the general fund. Effective 7/1/2060. (HD1)	HET, JHA, FIN
<u>HB 569, HD1</u> <u>(HSCR106)</u> <u>Status</u>	RELATING TO VICTIM-COUNSELOR PRIVILEGE. Expands the victim-counselor privilege under Rule 505.5 of the Hawaii Rules of Evidence to include confidential advocates employed by the University of Hawaii. Effective 7/1/2060. (HD1)	HET, JHA, FIN
<u>HB 526, HD1</u> <u>(HSCR103)</u> <u>Status</u>	RELATING TO PROCUREMENT. Requires the past performance of contractors' positive, negative, or lack of previous experience to be considered in bid selection of a contractor. Requires departments to consider available assessments of previous performance on relevant and recent government and private contracts when making contract awards. Appropriates funds. Effective 7/1/2112. (HD1)	GVR, JHA, FIN

HEARING_JHA_02-11-21_

HEARING_JHA_02-11-21_

HEARING_JHA_02-11-21_

HB 541, HD1 (HSCR47) Status	<p>RELATING TO HEALTH.</p> <p>Establishes the state payor committee, to be administered by the directors of the departments of health and human services, or their designees, to establish a purchase of service framework that aligns all behavioral health and substance abuse service contracts. Requires executive programs that purchase social services related to behavioral health or substance abuse to coordinate with the state payor committee as part of the planning for purchases of these services. Requires all community or private organizations that purchase services for behavioral health or substance abuse, at the request of any state funding agency, to disclose the source of other federal, state, or county-level funding it receives for the purposes of performing such services. Effective 7/1/2060. (HD1)</p>	<p>HHH, JHA, FIN</p>
HB 545, HD1 (HSCR111) Status	<p>RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.</p> <p>Requires the department of Hawaiian home lands to digitize its applicant, beneficiary, and lessee records and create a usable digital database no later than 7/1/2022. Effective 7/1/2060. (HD1)</p>	<p>HET, JHA, FIN</p>
HB 972 Status	<p>RELATING TO CONTESTED CASES.</p> <p>Authorizes contested case hearings to use interactive conference technology.</p>	<p>JHA, FIN</p>
HB 103, HD1 (HSCR90) Status	<p>RELATING TO EMERGENCY POWERS.</p> <p>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. Effective 7/1/2050. (HD1)</p>	<p>PDP, JHA, FIN</p>
HB 726, HD1 (HSCR92) Status	<p>RELATING TO FACE COVERINGS.</p> <p>Requires every person to wear a face covering when in a public setting, subject to certain exceptions. Establishes a civil fine for failure to wear a face covering. Sunsets December 31, 2021, or when the last emergency proclamation related to the COVID-19 emergency issued by the governor expires, whichever is sooner. Effective 7/1/2050. (HD1)</p>	<p>PDP, JHA, FIN</p>
HB 724, HD1 (HSCR95) Status	<p>RELATING TO EMERGENCY MANAGEMENT.</p> <p>Prohibits the application of travel restrictions implemented during a state of emergency or local state of emergency to essential workers unless the application of those travel restrictions to essential workers has first been approved by the governor. Defines essential workers for this purpose. Effective 7/1/2050. (HD1)</p>	<p>PDP/ECD, JHA, FIN</p>

HEARING_JHA_02-11-21_
HEARING_JHA_02-11-21_
HEARING_JHA_02-11-21_

[HB 467, HD1](#)
[\(HSCR35\)](#)
[Status](#)

RELATING TO PUBLIC LANDS.
Authorizes the designation of areas or regions of public lands classified as commercial, industrial, resort and hotel, and the establishment and implementation of guidelines for the redevelopment of the areas or regions that will: (1) modernize the policies for the management of public lands in the designated area; (2) establish a plan for the designated area, including district-wide improvements, that is coordinated with state and county land use and planning policies; and (3) implement asset and property management concepts that can optimize income from the properties and evolve in response to changing principles of property administration. Designates the public lands on the Waiakea peninsula on the island of Hawaii as the Waiakea peninsula redevelopment district. Allows the department of land and natural resources to issue a rent reduction or waiver for certain lessee's expenses for demolition or provision of basic infrastructure. Authorizes a local redevelopment agency to contract with a developer for construction of non-residential projects on public land within a redevelopment area. Exempts the costs of construction of work or improvements of a redevelopment project from general excise and use taxes. Effective 1/1/2050. (HD1)

WAL, JHA, FIN

[HB 203, HD1](#)
[\(HSCR80\)](#)
[Status](#)

RELATING TO A WATER STORAGE AND DISTRIBUTION SYSTEM FOR CERTAIN AGRICULTURAL LAND IN WAHIAWA, OAHU.
Authorizes the issuance of general obligation bonds to fund construction costs of a water storage and distribution system and related improvements on agricultural lands owned by the office of Hawaiian affairs in Wahiawa, Oahu, surrounding the Kukaniloko birthing stones site. Effective 1/1/2050. (HD1)

WAL, JHA, FIN

[HB 1012, HD1](#)
[\(HSCR83\)](#)
[Status](#)

RELATING TO RENTALS FOR PUBLIC LAND LEASES.
Authorizes the board of land and natural resources to approve rental reductions or waivers for leases on public lands that require substantial demolition or infrastructure improvement costs in order for the lessee to utilize the premises. Effective 1/1/2050. (HD1)

WAL, JHA, FIN

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.

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.

HEARING_JHA_02-11-21_
HEARING_JHA_02-11-21_
HEARING_JHA_02-11-21_

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

HEARING_JHA_02-11-21_
HEARING_JHA_02-11-21_
HEARING_JHA_02-11-21_