

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

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

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Rep. Angus L.K. McKelvey	Rep. Gene Ward

NOTICE OF HEARING

DATE: Tuesday, March 2, 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 1032](#)
[Status](#)

RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. JHA
Updates the Uniform Controlled Substances Act, chapter 329, Hawaii Revised Statutes, to make it consistent with amendments in the federal controlled substances law as required by section 329-11, Hawaii Revised Statutes.

[HB 1107](#)
[Status](#)

RELATING TO COMPUTER CRIME. JHA
Adds aggravated harassment by stalking to the list of offenses upon which the offense of use of a computer in the commission of a separate crime may be based. Specifies that property used in computer crimes shall be forfeited even when the perpetrator was a person under the age of 18 who did not have ownership of the property.

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<u>HB 1062, HD1</u> <u>(HSCR295)</u> <u>Status</u>	RELATING TO COMMERCIAL DRIVER'S LICENSES. Clarifies the validity period for a commercial learner's permit. Adds a requirement for certain commercial driver's license applicants to complete an entry-level driver training course before taking other required tests for licensure. Effective 1/1/2050. (HD1)	CPC, JHA
<u>HB 1246, HD1</u> <u>(HSCR299)</u> <u>Status</u>	RELATING TO FIREWORKS. Specifies that certain violations of the Fireworks Control Law shall be considered an activity that causes air pollution under the Hawaii Air Pollution Control Act and a violation of noise control rules under the Hawaii noise pollution laws, and punishable by civil penalties and subject to citations under those respective laws. Effective 1/1/2050. (HD1)	CPC, JHA
<u>HB 338</u> <u>Status</u>	RELATING TO THE JUDICIARY. Requires an appellate court to conduct a hearing when a conflict of interest pertaining to a judge or justice is alleged by motion of a party to any suit, action, or proceeding of the appellate court.	JHA
<u>HB 1339</u> <u>Status</u>	RELATING TO IMPEACHMENT. Establishes requirements for institution of and causes for impeachment of the governor or lieutenant governor.	JHA
<u>HB 334</u> <u>Status</u>	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 the department of health. Deposits into the special fund fines imposed on offenders convicted of certain offenses involving operation of a vehicle under the influence of an intoxicant. Appropriates moneys. Requires expenditure reports to the legislature.	JHA
<u>HB 535</u> <u>Status</u>	RELATING TO MANSLAUGHTER. Specifies that a person commits the offense of manslaughter if the person causes the death of another person by recklessly operating a motor vehicle with .08 or more grams of alcohol per 210 liters of breath or .08 or more grams of alcohol per 100 milliliters or cubic centimeters of blood.	JHA
<u>HB 1263, HD1</u> <u>(HSCR291)</u> <u>Status</u>	RELATING TO IGNITION INTERLOCK DEVICES. Establishes a system of graduated penalties for violations of the ignition interlock law. Requires proof of compliance with the ignition interlock law to be eligible to apply for a driver's license. Effective 1/1/2050. (HD1)	CPC, JHA
<u>HB 459, HD1</u> <u>(HSCR293)</u> <u>Status</u>	RELATING TO COMMERCIAL DRIVER'S LICENSE DISQUALIFICATION FOR SEVERE FORMS OF TRAFFICKING IN PERSONS. Adds a permanent commercial driver's license disqualification for a holder of a commercial driver's license or commercial learner's permit who is convicted of a felony involving a severe form of trafficking in persons. Effective 1/1/2050. (HD1)	CPC, JHA

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HB 576, HD2 (HSCR633) Status	RELATING TO HEALTH CARE. Authorizes advanced practice registered nurses to perform medication or aspiration abortions. Effective 7/1/2060. (HD2)	HHH, CPC, JHA
HB 775 (HSCR276) Status	RELATING TO RENAMING KAHULUI AIRPORT ACCESS ROAD. Renames Kahului Airport Access Road on Maui as the Mayor Elmer F. Cravalho Way.	TRN, JHA
HB 785 Status	RELATING TO FIREARMS. Establishes the offense of a loaded firearm while intoxicated as a petty misdemeanor.	JHA
HB 888 Status	RELATING TO COVERED OFFENDER REGISTRATION. Repeals provision that allows persons designated as covered offenders in another state or jurisdiction to petition the Attorney General for termination of registration requirements upon demonstrating that the out of state convictions are not covered offenses in the State of Hawaii; requires certain long term visitors to Hawaii with out-of-state convictions to register pursuant to section 846E-2(b); and clarifies how persons required to register pursuant to section 846E-2(b) can petition to terminate registration.	JHA

The following measure(s) were previously heard on **February 26, 2021**. No public testimony will be accepted.

HB 1105, HD1 (HSCR492) Status	RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS CANDIDATE ADVISORY COUNCIL. Requires the board of regents of the University of Hawaii candidate advisory council to present candidates for the board regents who reflect the diverse student population, counties, and higher education-related stakeholders. Amends the various appointing authorities of members of the candidate advisory council. Amends the terms of members of the candidate advisory council. Effective 7/1/2060. (HD1)	HET, JHA
HB 174 Status	RELATING TO EYEWITNESS IDENTIFICATIONS. Amends Chapter 801K, Hawaii Revised Statutes, to provide clarification and flexibility in eyewitness identification procedures.	JHA
HB 175 Status	RELATING TO SEX TRAFFICKING. Amends section 712-1202, Hawaii Revised Statutes, to include coercion as a means of committing the offense of sex trafficking.	JHA
HB 150 Status	RELATING TO FELONIES. Specifies that interference with an automated public transit operation is unlawful and is a class C felony.	JHA
HB 458 Status	RELATING TO DRIVER'S LICENSES. Extends the renewal period from two years to four years for licensees who are seventy-two years of age or older but younger than eighty years of age; provided their driving record does not include two or more moving traffic violation convictions after the licensee attained the age of seventy-two years. Defines moving traffic violation.	JHA

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HB 1194 Status	RELATING TO THE STATEWIDE TRAFFIC CODE. Prohibits drivers from operating vehicles with more than four wheels and high-passenger cars in the left lane, or close to the left-hand curb or left-hand edge, of a state or county roadway. Exempts drivers operating public transportation vehicles in a zipper lane or diamond lane.	JHA
HB 1010 Status	RELATING TO BOATING REPORTS. Requires the fire chief and ocean safety director of each county, in addition to the Director of Public Safety and police chief of each county, to transmit to the Department of Land and Natural Resources a copy of every report relating to boating accidents or the theft, loss, or recovery of vessels. Requires all reports submitted to be unredacted.	JHA
HB 1253, HD2 (HSCR503) Status	RELATING TO EMPLOYMENT PRACTICES. Prohibits an employer from: requiring an employee to download a mobile application to the employee's personal communication device that enables the employee's location to be tracked or their personal information revealed; terminating or otherwise discriminating against an employee for refusing to download a mobile application on their personal device; or discharging or discriminating against an employee for filing a complaint concerning these unlawful practices. Effective 12/25/2040. (HD2)	LAT, CPC, JHA

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.

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.

For general help navigating the committee hearing process, please contact the Public Access Room at (808) 587-0478 or par@capitol.hawaii.gov.

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.

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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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