

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

AMENDED NOTICE OF HEARING

DATE: Tuesday, March 30, 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

The following measure(s) has been **ADDED** to the agenda for decision making: **HCR 131, HD1**

[SB 367, SD2, HD1](#)  
[\(HSCR1222\)](#)  
[Status](#)

RELATING TO WATER QUALITY.  
Waives the requirement for section 401 water quality certification for certain small-scale beach restoration projects authorized by the Department of Land and Natural Resources. Effective 7/1/2050. (HD1)

EEP/WAL, JHA

[SB 347, SD1, HD1](#)  
[\(HSCR1223\)](#)  
[Status](#)

RELATING TO LITTER CONTROL.  
Prohibits the intentional release of balloons inflated with a gas that is lighter than air. Effective 7/1/2050. (HD1)

EEP, JHA

HEARING\_JHA\_03-30-21\_

\*HEARING\_JHA\_03-30-21\_\*

\*HEARING\_JHA\_03-30-21\_\*

<a href="#">SB 399, SD1, HD1</a> <a href="#">(HSCR1358)</a> <a href="#">Status</a>	<p>RELATING TO THE ORDERS OF THE CAMPAIGN SPENDING COMMISSION.</p> <p>Provides that certain rights shall be deemed waived if a preliminary determination of probable cause is rendered during a meeting subject to the requirements of chapter 92, HRS, and the person fails to request a contested case hearing within twenty days of receipt of the preliminary determination. Allows the campaign spending commission to have an order confirmed as a judgment by the first circuit court, giving the order the same force and effect as any other judgment issued by the circuit courts. Effective 7/1/2112. (HD1)</p>	GVR, JHA
<a href="#">SB 403, HD1</a> <a href="#">(HSCR1359)</a> <a href="#">Status</a>	<p>RELATING TO REPORTS FILED WITH THE CAMPAIGN SPENDING COMMISSION.</p> <p>Clarifies that candidates do not need to file preliminary general reports if they are either unsuccessful in the primary election and does not intend to remain politically active until after the general election or are elected to office in the primary election. Clarifies the aggregate contribution and expenditure amounts that trigger the requirement for a candidate or noncandidate committee to file only the final election period report. (HD1)</p>	GVR, JHA
<a href="#">SB 200, HD1</a> <a href="#">(HSCR1431)</a> <a href="#">Status</a>	<p>RELATING TO ELECTIONS.</p> <p>Clarifies that the requirement to file a late contribution report after an election for candidates or certain other committee representatives who make or receive contributions over a certain amount applies only if the candidate is on the ballot in that election. Effective 7/1/2112. (HD1)</p>	GVR, JHA
<a href="#">SB 826, SD1</a> <a href="#">(SSCR758)</a> <a href="#">Status</a>	<p>RELATING TO SEX OFFENDERS.</p> <p>Prohibits a sex offender from residing within two thousand feet of the sex offender's former victim or the victim's immediate family members. Requires the sex offender to receive approval from the Attorney General prior to a change in address. (SD1)</p>	JHA
<a href="#">SB 1050, SD1</a> <a href="#">(SSCR751)</a> <a href="#">Status</a>	<p>RELATING TO CRIMINAL HISTORY RECORD CHECKS.</p> <p>Adds the Department of the Attorney General to the list of agencies that are authorized to conduct criminal history record checks on current or prospective employees or employees or agents of contractors who have access to federal tax information. (SD1)</p>	JHA
<a href="#">SB 343, SD1</a> <a href="#">(HSCR979)</a> <a href="#">Status</a>	<p>RELATING TO SEXUAL ASSAULT OF AN ANIMAL.</p> <p>Establishes the crime of sexual assault of an animal. Provides that the sexual assault of an animal is a class C felony or a class B felony if the offense subjects a minor to sexual contact with an animal or is committed in the presence of a minor. (SD1)</p>	AGR, JHA
<a href="#">SB 834, SD1, HD1</a> <a href="#">(HSCR1513)</a> <a href="#">Status</a>	<p>RELATING TO CHILDLIKE SEX DOLLS.</p> <p>Establishes the felony offense of importation, sale, or possession of a childlike sex doll. Effective 1/1/2050. (HD1)</p>	CPC, JHA
<a href="#">SB 764, SD1, HD1</a> <a href="#">(HSCR1395)</a> <a href="#">Status</a>	<p>RELATING TO HUMAN TRAFFICKING.</p> <p>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)</p>	CPC, JHA

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<a href="#">SB 309, SD1, HD1</a> <a href="#">(HSCR1396)</a> <a href="#">Status</a>	<p>RELATING TO PRIVACY.</p> <p>Adds the intentional disclosure or threat of disclosure of certain types of realistic deep fake images or video to the offense of violation of privacy in the first degree. Requires the depicted person to suffer harm from the image or video. Exempts images and videos that are a matter of public concern; works of political or newsworthy value; or are commentary, criticism, or any other disclosure protected by the United States Constitution or state constitution. Effective 12/1/2050. (HD1)</p>	CPC, JHA
<a href="#">SB 714, SD1, HD2</a> <a href="#">(HSCR1485)</a> <a href="#">Status</a>	<p>RELATING TO PUBLICITY RIGHTS.</p> <p>Clarifies the right of publicity includes the rights of individuals who died prior to the enactment of the Hawaii Publicity Rights Act. Effective 1/1/2050. (HD2)</p>	ECD, CPC, JHA
<a href="#">SB 191, SD2, HD1</a> <a href="#">(HSCR1405)</a> <a href="#">Status</a>	<p>RELATING TO CONDOMINIUMS.</p> <p>Specifies a procedure for condominium associations to incorporate power of sale language into their governing documents. Clarifies that liens may be foreclosed upon if the power of sale language is contained within an association's governing documents or within some other agreement with the owner of the unit subject to foreclosure. Effective 1/1/2050. (HD1)</p>	CPC, JHA
<a href="#">SB 651, SD1, HD1</a> <a href="#">(HSCR1369)</a> <a href="#">Status</a>	<p>RELATING TO RENAMING KAHULUI AIRPORT ACCESS ROAD.</p> <p>Renames Kahului Airport Access Road on Maui as the Mayor Elmer F. Cravalho Way. (HD1)</p>	TRN, JHA
<a href="#">SB 1270</a> <a href="#">(HSCR1334)</a> <a href="#">Status</a>	<p>RELATING TO THE WORKFORCE DEVELOPMENT COUNCIL.</p> <p>Replaces the Director of Human Services with the Administrator of the Division of Vocational Rehabilitation, Department of Human Services, as an ex officio, voting member on the Workforce Development Council.</p>	LAT, JHA
<a href="#">SB 1225, SD1, HD1</a> <a href="#">(HSCR1220)</a> <a href="#">Status</a>	<p>RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS INDEPENDENT AUDIT COMMITTEE.</p> <p>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, HRS, 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, HRS, may be held without the presence of the president or the chief financial officer of the university. (HD1)</p>	HET, JHA

[SB 540, SD1, HD1](#)  
[\(HSCR1352\)](#)  
[Status](#)

RELATING TO EMERGENCY RULES.

PDP, JHA

Allows for lesser emergency period penalties to be adopted by the governor or a mayor. Allows for the emergency period infractions to be processed under the traffic adjudication process. Allows electronic copies of notices of infractions, infraction adjudication hearings, and notices of infraction judgments to be sent via electronic mail. Grants the district court concurrent jurisdiction over emergency period rule infractions committed by minors. (HD1)

[SB 1034, SD1, HD1](#)  
[\(HSCR1382\)](#)  
[Status](#)

RELATING TO SUNSHINE LAW BOARDS.

PDP, JHA

Authorizes boards, in conjunction with in-person meetings, to use interactive conference technology to remotely conduct public meetings. Authorizes boards to exclude the public from nonpublic locations where board members are physically present when remote board meetings are held by interactive conference technology. Establishes requirements for the conduct of remote meeting. Requires remote meetings held by interactive conference technology to recess for a maximum prescribed period when audiovisual communication cannot be maintained by the board and allows the meeting to be reconvened under certain circumstances. Establishes a new notice requirement to provide the board's contact information for the submission of written testimony by electronic or postal mail, which also applies to remote meeting agendas. Allows for additional courtesy sites open to the public for remote and in-person meetings held by interactive conference technology. Effective 5/6/2137. (HD1)

The following measure(s) were previously heard on **March 29, 2021**. No public testimony will be accepted.

[HCR 131, HD1](#)  
[\(HSCR1304\)](#)  
[Status](#)

**REQUESTING THE ESTABLISHMENT OF A BURIAL SITES  
WORKING GROUP TO REVIEW AND RECOMMEND  
IMPROVEMENTS TO THE BURIAL SITES PROGRAM  
WITHIN THE STATE HISTORIC PRESERVATION DIVISION.**

WAL, 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.

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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](mailto: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.

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.

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Rep. Mark M. Nakashima  
Chair

HEARING\_JHA\_03-30-21\_

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