

THE SENATE
KA 'AHA KENEKOA

THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2023

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

NOTICE OF DECISION MAKING

DATE: Tuesday, April 4, 2023
TIME: 10:00 AM
PLACE: Conference Room 211 & Videoconference
State Capitol
415 South Beretania Street
TIMESLOT: WAM

**PHOTO ID REQUIRED FOR ENTRANCE TO THE STATE CAPITOL
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A G E N D A

The following measure(s) were previously heard in their respective subject matter committees:

HB 153, HD1, SD1 (SSCR1146) Status & Testimony	RELATING TO STATE WATER CODE PENALTIES. Adds a minimum penalty of \$50 and a maximum penalty of \$60,000 per violation of the State Water Code and makes each day that a violation exists or continues to exist a separate offense. Requires the Commission on Water Resource Management to determine the amount of the penalty based on the circumstances of the violation. Creates two positions within the Commission on Water Resource Management. Appropriates funds. Effective 6/30/3000. (SD1)	WTL, JDC/WAM
HB 163, HD1, SD1 (SSCR1228) Status & Testimony	RELATING TO COLLECTIVE BARGAINING. Requires the Department of Human Resources Development to conduct a study to review the repricing processes in section 89-9, Hawaii Revised Statutes, and submit a report to the Legislature prior to the convening of the Regular Session of 2024. Effective 6/30/3000. (SD1)	LBT, WAM/JDC

<p><u>HB 554, HD2, SD1</u> <u>(SSCR1369)</u> <u>Status & Testimony</u></p>	<p>RELATING TO CAMPUS SAFETY. Requires that the University of Hawaii ensure that any individual who participates in implementing the University's disciplinary process has training or experience in handling sexual misconduct complaints and the University's disciplinary process. Requires that the University provide mandatory annual trauma-informed, gender-inclusive, LGBTQ+-inclusive sexual misconduct primary prevention and awareness programming for students and employees of the University. Prohibits the University from taking certain disciplinary action against individuals reporting sexual misconduct unless certain exceptions apply. Establishes positions and appropriates funds. Effective 6/30/3000. (SD1)</p>	<p>HRE, WAM/JDC</p>
<p><u>HB 579, HD2, SD1</u> <u>(SSCR1263)</u> <u>Status & Testimony</u></p>	<p>RELATING TO HUMAN TRAFFICKING. Establishes the statewide Human Trafficking Prevention Program within the Department of the Attorney General to provide services and assistance to commercially sexually exploited children and victims of human trafficking. Requires reports to the Legislature. Effective 6/30/2050. (SD1)</p>	<p>HHS, JDC/WAM</p>
<p><u>HB 622, HD2, SD1</u> <u>(SSCR1347)</u> <u>Status & Testimony</u></p>	<p>RELATING TO SUICIDE PREVENTION. Establishes a Prevent Suicide Hawaii Working Group within the Office of Wellness and Resilience. Requires the working group to: focus on preventing suicides in the State, particularly among Native Hawaiians, Pacific Islanders, farmers, youth, LGBTQIA+, veterans, and other populations identified by the federal Centers for Disease Control and Prevention as a high-risk population for suicide; implement recommendations in the Prevent Suicide Hawaii Task Force's interim report; and report to the Legislature before the Regular Session of 2025. Effective 6/30/2050. (SD1)</p>	<p>HHS, JDC/WAM</p>
<p><u>HB 982, HD1, SD1</u> <u>(SSCR1313)</u> <u>Status & Testimony</u></p>	<p>RELATING TO FUNDING FOR THE DEPARTMENT OF THE ATTORNEY GENERAL TOBACCO ENFORCEMENT UNIT. Amends the amount of funding for the Tobacco Enforcement Special Fund administered by the Department of the Attorney General by: amending the amount of funds that the Tobacco Enforcement Special Fund can carry over at the end of the fiscal year; increasing the cigarette tax stamp fee and concurrently increasing the percentage of the cigarette tax stamp fee deposited to the Tobacco Enforcement Special Fund; and amending the amount of funds to be deposited in the Tobacco Enforcement Special Fund from the Hawaii Tobacco Settlement Special Fund. (SD1)</p>	<p>HHS, WAM/JDC</p>
<p><u>HB 1036, HD1</u> <u>(SSCR1199)</u> <u>Status & Testimony</u></p>	<p>RELATING TO HOMELAND SECURITY. Formally establishes the Hawaii State Fusion Center as a program under the Office of Homeland Security to be transferred to the Department of Law Enforcement on 1/1/2024, and delineates its roles and responsibilities. Effective 6/30/3000. (HD1)</p>	<p>PSM, JDC/WAM</p>

HB 1079, HD2, SD1

(SSCR1219)

Status &
Testimony

RELATING TO WATER POLLUTION CONTROL.

Revises chapter 342D, Hawaii Revised Statutes, to add definitions that are consistent with federal Clean Water Act regulations. Clarifies the Director of Health's role as a certifying agency, including enforcement of water quality certifications, and increases certain statutory civil penalties. Effective 6/30/3000. (SD1)

WTL, JDC/WAM

HB 1082, HD3, SD1

(SSCR1421)

Status &
Testimony

RELATING TO MEDICAL CANNABIS.

Requires that written certifications for a patient with a chronic condition be valid for three years. Removes the requirement that a certifying physician or advanced practice registered nurse have a "bona fide" physician-patient or advanced practice registered nurse-patient relationship to certify that a patient has a debilitating medical condition pursuant to chapter 329, Hawaii Revised Statutes. Amends the definition of "manufactured cannabis product" to include devices that provides safe pulmonary administration, edible cannabis products, and pre-rolled cannabis flower products. Defines "waiting room" within a medical cannabis retail dispensary. Allows primary caregivers, qualifying out-of-state patients, and caregivers of a qualifying out-of-state patient to access the waiting room. Allows selling dispensaries to transport not more than eight hundred ounces of cannabis or manufactured cannabis products to purchasing dispensaries within a thirty-day period, or other amounts with prior approval of the Department of Health. Clarifies the types of medical cannabis products that may be manufactured and distributed pursuant to the State's medical cannabis dispensary system. Clarifies that each day of a violation of chapter 329D, Hawaii Revised Statutes, is a separate violation. Amends the rule-making authority for dispensary-to-dispensary sales. Requires medical cannabis dispensaries, in conjunction with physicians and advanced practice registered nurses who issue written certifications pursuant to section 329-123, Hawaii Revised Statutes, to conduct the continuing education and training program required by section 329D-26, Hawaii Revised Statutes, rather than the Department of Health. Effective 6/30/2050. (SD1)

HHS/CPN,
JDC/WAM

HB 1090, HD1, SD1

(SSCR1220)

Status &
Testimony

RELATING TO OCEAN RECREATION COMMERCIAL PERMITS.

Specifies the methods by which the Department of Land and Natural Resources can issue new ocean recreation commercial permits and renew existing ocean recreation commercial permits. Specifies that new permits for ocean recreation management areas and facilities where a permit limit is implemented shall be issued by the method and order set specified, until the limit is reached. For renewal of existing permits in ocean recreation management areas and facilities where a permit limit is implemented, bases renewal of a commercial permit on seniority, until the limit is reached. Effective 6/30/3000. (SD1)

WTL, JDC/WAM

[HB 1108, HD1](#)

[\(SSCR1269\)](#)

[Status & Testimony](#)

RELATING TO COMMERCIAL MOTOR VEHICLE FINES.
Amends the law relating to vehicle weight violations by replacing the fine schedule and increasing the potential fines based on multitude and magnitude of vehicle weight violations. Effective 6/30/3000. (HD1)

TCA, JDC/WAM

[HB 1200, HD1, SD1](#)

[\(SSCR1223\)](#)

[Status & Testimony](#)

RELATING TO THE CONSERVATION AND RESOURCES ENFORCEMENT PROGRAM.
Requires the Department of Land and Natural Resources to establish an unmanned aircraft systems program. Authorizes Division of Conservation and Resources Enforcement officers to use unmanned aircraft systems. Requires the Department of Land and Natural Resources to submit an annual report of the effectiveness of the unmanned aircraft systems program to the Legislature. Appropriates funds. Effective 6/30/3000. (SD1)

WTL, WAM/JDC

[HB 1217, HD2, SD1](#)

[\(SSCR1413\)](#)

[Status & Testimony](#)

RELATING TO MEDICAL CANNABIS.
Prohibits any person other than those authorized pursuant to chapter 329, part IX or chapter 329D, Hawaii Revised Statutes, from cultivating, producing, manufacturing, distributing, possessing, or dispensing cannabis for medical use. Clarifies that the definition of "distribution" within the definition of "medical use" is limited to the transfer of cannabis and cannabis paraphernalia from the qualifying patient's registered primary caregiver to the qualifying patient. Clarifies that the authorization for the medical use of cannabis does not apply to the cultivation, handling, or possession of a qualifying patient's cannabis for medical use, unless the person is the qualifying patient or the qualifying patient's registered primary caregiver. Increases the restriction on the number of qualifying patients who may use a grow site to fifty, unless an exemption is obtained by the Department of Health, and authorizes the Department of Public Safety to inspect grow sites for compliance. Establishes that a person who is not a qualifying patient, primary caregiver, qualifying out-of-state patient, or caregiver of a qualifying out-of-state patient or medical cannabis dispensary under chapter 329D, Hawaii Revised Statutes, shall not be afforded certain protections. Authorizes only a qualifying patient or their designated primary caregiver to cultivate cannabis after December 31, 2024. Repeals a provision in existing law that exempts certain qualifying patients from obtaining medical cannabis or manufactured cannabis products from authorized sources. Prohibits the mischaracterization or disguise of transactions arising out of the production, manufacture, sale, or distribution of cannabis intended for medical use as another type of compensation or expense. Clarifies that no qualifying patient, primary caregiver, qualifying out-of-state patient, or caregiver of a qualifying out-of-state patient shall use butane or any other...(see document for full description) (SD1)

HHS, JDC/WAM

[HB 1359, HD2, SD1](#)

[\(SSCR1392\)](#)

[Status &
Testimony](#)

RELATING TO HEMP.

Repeals redundant regulations on hemp production, which will reduce costs for the State and Hawaii farmers. Amends the hemp law in a manner that recognizes the unique constraints of Hawaii farmers, while protecting human health. Allows licensed hemp producers to sell hemp biomass. Requires transparency in labeling of hemp products to identify the percentage of Hawaii-grown hemp or hemp product in all hemp products. Establishes the Hawaii Hemp Task Force. Requires and appropriates funds for the Department of Agriculture to hire hemp consultant to recommend infrastructure improvements on each island. Requires and appropriates moneys for the Department of Health to hire or consult a toxicologist or consultant familiar with hemp industry standards for the purpose of setting defined action limits or exposure levels for different types of hemp products. Extends the State's hemp processor law through 7/1/2027. Repeals on 7/1/2027. Effective 6/30/3000. (SD1)

AEN/CPN,
WAM/JDC

Decision making meeting only, no oral testimony will be accepted.

Persons wishing to submit written testimony may do so up to 24 hours prior to the hearing. Click [here](#) to submit written testimony.

All testimony received by the Hawai'i Senate is posted on the Hawai'i Legislature's website, which is accessible to the public. Please do not include private information that you do not want disclosed to the public.

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), please contact the committee at JDCcommittee@capitol.hawaii.gov at least 24 hours prior to the hearing so that arrangements can be made.

FOR AMENDED NOTICES: Measures that have been deleted are stricken through and measures that have been added are underscored. If a measure is both underscored and stricken through, that measure has been deleted from the agenda.

FOR FURTHER INFORMATION, PLEASE CALL THE JDC COMMITTEE CLERK AT (808) 587-7211 OR THE WAM COMMITTEE CLERK AT (808) 586-6800 .

Senator Donovan M. Dela Cruz
Chair

Senator Karl Rhoads
Chair