

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

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

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NOTICE OF HEARING

DATE: Tuesday, March 23, 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

SB 219, SD2, HD1 (HSCR1076) Status	RELATING TO CRIMES ON AGRICULTURAL LANDS. Imposes extended terms of imprisonment for certain offenses against property rights committed when on agricultural land. Creates a rebuttable presumption. Effective 5/6/2137. (HD1)	AGR, JHA, FIN
SB 697, SD1, HD1 (HSCR1051) Status	RELATING TO KALAUPAPA MONTH. Designates January of each year as "Kalaupapa Month". (HD1)	CAI, JHA, FIN
SB 939 (HSCR1054) Status	RELATING TO JUNETEENTH DAY. Establishes June 19 of each year as Juneteenth Day.	CAI, JHA, FIN

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SB 1243, SD2, HD1 (HSCR1094) Status	RELATING TO THE PHASEOUT OF PRIVATE CORRECTIONAL FACILITIES. Requires the Hawaii correctional oversight commission to create a comprehensive plan to phase out the use of private correctional institutions. Prohibits the construction of new correctional facilities and the expansion of existing correctional facilities without first obtaining input and recommendations of the Hawaii correctional system oversight commission. Effective 7/1/3050. (HD1)	CMV, JHA, FIN
SB 664, SD1, HD1 (HSCR1095) Status	RELATING TO PUBLIC SAFETY. Authorizes the department of public safety to develop a new Oahu community correctional center. Appropriates funds for the Hawaii correctional system oversight commission. Effective 5/6/2137. (HD1)	CMV, JHA, FIN
SB 1100, SD1, HD1 (HSCR1059) Status	RELATING TO INSURANCE DATA SECURITY. Adopts the National Association of Insurance Commissioners' Insurance Data Security Model Law to establish insurance data security standards for Hawaii insurance licensees. Effective 7/1/2050. (HD1)	CPC, JHA, FIN
SB 513, SD1, HD1 (HSCR1058) Status	RELATING TO THE ENFORCEMENT OF LAWS. Establishes an expeditious adjudication system for the processing of fireworks infractions. Increases the fireworks display permit fee from \$110 to \$150 and the fine for certain fireworks violations from \$2,000 per violation to \$5,000 per violation. Clarifies that each aerial device, display firework, or article pyrotechnic having a total weight of twenty-five pounds or less that is illegally imported, transferred, or sold constitutes a separate violation. Increases the penalty for removing or extracting the pyrotechnic contents. Authorizes the sheriff division to enforce the fireworks control law. Requires the attorney general to establish an explosion detection technology working group. Requires the department of public safety to develop and implement a web-based fireworks reporting tool. Appropriates funds. Effective 5/6/2137. (HD1)	CPC, JHA, FIN
SB 1204, SD2, HD1 (HSCR1023) Status	RELATING TO TAX APPEALS. Replaces the four district tax boards of review with a single statewide taxation board of review appointed by the Governor, consisting of ten members with three required for quorum. Authorizes taxpayers and others appearing before the board to participate using cost-efficient means such as teleconferencing. (HD1)	ECD, JHA, FIN
SB 516, SD1, HD1 (HSCR1091) Status	RELATING TO EDUCATION. Beginning 7/1/2022, requires the state board for career and technical education to oversee and review annually statewide data collection processes and reporting requirements related to the student attainment of industry-recognized credentials. Requires an annual report to the governor and legislature. Requires the statewide longitudinal data system to store and analyze career and technical education data it receives to analyze the cross-agency longitudinal education and workforce outcomes of certain students. Effective 7/1/2051. (HD1)	EDN, JHA, FIN

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SB 1311, SD2, HD1 (HSCR1092) Status	RELATING TO SUSTAINABLE SCHOOLS. Requires the department of education to establish food waste and zero-emission vehicle goals as part of the sustainable schools initiative. Requires an annual report to the legislature. Effective 7/1/2050. (HD1)	EDN/EEP, JHA, FIN
SB 806, HD1 (HSCR1032) Status	RELATING TO PUBLIC SCHOOL LANDS. Requires the attorney general, on behalf of the department of education, to institute proceedings to acquire certain land owned by the Mililani Town Association by voluntary action or condemnation. Effective 7/1/2050. (HD1)	EDN/WAL, JHA, FIN
SB 1395, SD2, HD1 (HSCR1066) Status	RELATING TO BOARDS AND COMMISSIONS. Requires the governor to appoint an individual to fill a vacancy within all boards and commissions within one hundred eighty days. Specifies that holdover appointments are limited to one hundred eighty days, after which time a vacancy is created on the board or commission. Requires department heads to inform the governor of any vacancy in any board or commission. Requires an outgoing governor to provide the governor-elect with an up-to-date list of information about boards and commissions. Effective 7/1/2112. (HD1)	GVR, JHA, FIN
SB 400, SD1, HD1 (HSCR1061) Status	RELATING TO CAMPAIGN FINANCE REPORTS. Clarifies that increased fines may apply if a candidate committee or noncandidate committee fails to timely file the preliminary primary or preliminary general report due in an unspecified number of calendar days before a primary or general election. Effective 7/1/2112. (HD1)	GVR, JHA, FIN
SB 401, HD1 (HSCR1000) Status	RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW. Increases the amount of the fine for campaign spending law violations that may be assessed against a noncandidate committee making only independent expenditures and that has received at least one contribution of more than \$10,000, or spent more than \$10,000, in an election period. Allows the campaign spending commission to order that the payment of a fine assessed against a noncandidate committee, or any portion of the fine, be paid from the personal funds of an officer of the noncandidate committee. Effective 7/1/2112. (HD1)	GVR, JHA, FIN
SB 402, HD1 (HSCR1001) Status	RELATING TO REIMBURSEMENTS FOR EXPENDITURES BY COMMITTEES. Provides that expenditures by candidate committees may be made to reimburse other individuals for expenditures advanced by those individuals, in addition to those advanced by the candidate. Deletes candidate reimbursements from the category of expenditures that noncandidate committees must itemize in their reports, since noncandidate committees are not allowed to receive or make loans under existing law. Effective 7/1/2112. (HD1)	GVR, JHA, FIN

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<u>SB 405, SD1, HD1</u> <u>(HSCR1085)</u> <u>Status</u>	RELATING TO CAMPAIGN CONTRIBUTIONS. Provides that excess contributions by nonresident contributors shall escheat to the Hawaii election campaign fund if not returned to the contributor within thirty days of the end of the election period. Allows the candidate, candidate committee, or noncandidate committee to choose which excess contributions by nonresident contributors to return. Effective 7/1/2112. (HD1)	GVR, JHA, FIN
<u>SB 406, SD1, HD1</u> <u>(HSCR1002)</u> <u>Status</u>	RELATING TO CAMPAIGN SPENDING COMMISSION STAFF. Clarifies that the campaign spending commission may employ or contract with persons for the performance of day-to-day functions of the commission. Clarifies that persons employed or contracted by the campaign spending commission shall have the authority to perform day-to-day functions of the commission without further commission action. Requires a complaint initiated by the staff of the campaign spending commission to be in writing and signed by the executive director of the commission. Effective 7/1/2112. (HD1)	GVR, JHA, FIN
<u>SB 560, HD1</u> <u>(HSCR1064)</u> <u>Status</u>	RELATING TO RANKED CHOICE VOTING. Establishes ranked choice voting for special federal elections and special elections of vacant county council seats. Effective 7/1/2112. (HD1)	GVR, JHA, FIN
<u>SB 135, SD2, HD1</u> <u>(HSCR1018)</u> <u>Status</u>	RELATING TO TELECOMMUNICATION. Requires the office of enterprise technology services to establish a working group to conduct a study to identify state office buildings that can provide equitable telecommunication access to allow residents of the counties of Hawaii, Kauai, and Maui, and rural areas of the city and county of Honolulu, including residents with disabilities, to participate remotely in legislative hearings. Requires a report to the legislature. Dissolves the working group on 6/30/2022. Effective 7/1/2050. (HD1)	HET, JHA, FIN
<u>SB 717, SD1, HD1</u> <u>(HSCR1017)</u> <u>Status</u>	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT. Requires the department of Hawaiian home lands to digitize its applicant, beneficiary, and lessee records and make the digital database available for use no later than 7/1/2022. Effective 7/1/2060. (HD1)	HET, JHA, FIN
<u>SB 1021, SD2, HD1</u> <u>(HSCR1089)</u> <u>Status</u>	RELATING TO BURIALS. Prohibits the sale, transfer, conveyance, or other disposal or offer for sale of any plot, crypt, or niche unless the property on which the plot, crypt, or niche is located allows the interment of up to ten sets of human remains that are cremated or prepared consistent with traditional Hawaiian burials. Includes the use of alkaline hydrolysis, water cremation, and natural organic reduction as methods for the disposal of human remains. Amends the procedures for the resolution of disputes regarding the right of disposition, the right to rely and act upon written instructions in a funeral service agreement or similar document, and provisions for the disposition of a decedent's remains and recovery of reasonable expenses to include hydrolysis facilities and natural organic reduction facilities. Effective 7/1/2060. (HD1)	HHH, JHA, CPC

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<u>SB 221, SD1, HD1</u> <u>(HSCR1038)</u> <u>Status</u>	RELATING TO HOMELESSNESS. Requires the governor's coordinator on homelessness, in conjunction with the Hawaii interagency council on homelessness, to develop plans for the city and county of Honolulu and the counties of Hawaii, Kauai, and Maui to coordinate the services and shelter facilities of public agencies and nonprofit organizations to meet the concerns of communities impacted by homelessness and the needs of the homeless population within each county. Requires the county plans to contain specific strategies to address unmet needs in each county. Requires annual reports to the legislature on the status of the county plans. Effective 7/1/2060. (HD1)	HHH, JHA, FIN
<u>SB 387, SD1, HD1</u> <u>(HSCR1039)</u> <u>Status</u>	RELATING TO THE ROOM CONFINEMENT OF CHILDREN AT DETENTION AND SHELTER FACILITIES. Establishes conditions and time limits for placing a child in room confinement at a detention or shelter facility. Effective 7/1/2060. (HD1)	HHH, JHA, FIN
<u>SB 821, SD2, HD1</u> <u>(HSCR1040)</u> <u>Status</u>	RELATING TO CHILDREN. Allows a minor who has reached the age of sixteen to petition the family court for emancipation. Requires the court to take certain actions regarding investigation of the petition, appointment of legal counsel and a guardian ad litem for the petitioning minor, and the findings necessary to grant the petition. Specifies the rights gained by the minor upon emancipation. Requires the court to require the minor's parents or legal guardians to pay for any services ordered by the court. Effective 7/1/2060. (HD1)	HHH, JHA, FIN
<u>SB 607, SD3, HD1</u> <u>(HSCR1100)</u> <u>Status</u>	RELATING TO AFFORDABLE HOUSING. Removes the construction completion deadline for the Leialii affordable housing project. Allows HHFDC to address historic preservation laws when funding is appropriated for each portion of the Leialii affordable housing project. Effective 7/1/2050. (HD1)	HSG, JHA, FIN
<u>SB 866, SD2, HD1</u> <u>(HSCR1098)</u> <u>Status</u>	RELATING TO AFFORDABLE HOUSING. Temporarily exempts affordable housing units in projects by the Hawaii Housing Finance and Development Corporation from specific state and county fees and exactions related to discretionary approval or ministerial permitting, except application fees, when the units are exclusively for certain qualified residents. Effective 5/6/2137. Sunsets on 6/30/2027. (HD1)	HSG, JHA, FIN

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<u>SB 2, SD2, HD1</u> <u>(HSCR1014)</u> <u>Status</u>	RELATING TO PUBLIC LANDS. Clarifies that lands set aside by the governor to the Hawaii housing finance and development corporation or leased to the corporation by other state departments or agencies are exempt from the definition of "public lands". Clarifies that lands set aside by the governor or leased to the Hawaii housing finance development corporation from other state departments or agencies are subject to legislative approval prior to the sale or gift of those lands. Requires the corporation to return any land leased to the corporation by other state departments or agencies if the land is no longer needed for housing, finance, or development. Requires the Hawaii housing finance and development corporation to submit certain documentation to the office of Hawaiian affairs regarding government or crown lands set aside or leased to the corporation prior to the corporation developing or financing an affordable housing development on those lands. Effective 7/1/2050. (HD1)	HSG/WAL, JHA, FIN
<u>SB 754</u> <u>(SSCR659)</u> <u>Status</u>	RELATING TO OPERATING A VEHICLE WHILE INTOXICATED. Lowers the threshold blood alcohol concentration for the offense of operating a vehicle while under the influence of an intoxicant.	JHA, CPC
<u>SB 1121, SD2</u> <u>(SSCR580)</u> <u>Status</u>	RELATING TO HOUSING. Exempts housing developed by the department of Hawaiian home lands from general excise taxes. Effective 7/1/2050. (SD2)	JHA, FIN
<u>SB 1220, SD1</u> <u>(HSCR994)</u> <u>Status</u>	RELATING TO CRIMINAL HISTORY RECORD CHECKS. Adds the University of Hawaii to the list of agencies that are authorized to conduct criminal history record checks on current or prospective employees, whose positions or duties are related to the security of campus facilities and persons. (SD1)	LAT, JHA, FIN
<u>SB 678, SD1, HD1</u> <u>(HSCR996)</u> <u>Status</u>	RELATING TO COLLECTIVE BARGAINING. Requires the representative of labor on the Hawaii labor relations board (HLRB) to be a person selected by a simple majority of the exclusive representatives of the collective bargaining units. Establishes procedures for removal of the representative of labor on the HLRB during the member's term by a simple majority of the exclusive representatives of the collective bargaining units. Effective 7/1/2050. (HD1)	LAT, JHA, FIN
<u>SB 1107, SD2, HD1</u> <u>(HSCR998)</u> <u>Status</u>	RELATING TO THE HAWAII EMERGENCY MANAGEMENT AGENCY. Establishes the hazard mitigation special fund for the Hawaii emergency management agency. Effective 7/1/2050. (HD1)	PDP, JHA, FIN
<u>SB 134, SD1, HD1</u> <u>(HSCR999)</u> <u>Status</u>	RELATING TO EMERGENCY POWERS. Prohibits the governor or the mayor from suspending requests for public records or vital statistics during a declared state of emergency. Effective 7/1/2050. (HD1)	PDP, JHA, FIN

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[SB 192, SD1, HD1](#)
[\(HSCR1057\)](#)
[Status](#)

RELATING TO PUBLIC ASSISTANCE.
Allows the Department of Human Services to administer and provide public assistance to eligible residents of the State during a governor-declared state of emergency. Effective 7/1/2060. (HD1)

PDP/HHH, JHA,
FIN

[SB 1401, SD2, HD1](#)
[\(HSCR1035\)](#)
[Status](#)

RELATING TO TRANSPORTATION.
Requires the department of transportation to report on the complete streets policy and principles. Requires the department of transportation to establish standards relating to safe travel along state roadways and a complete streets checklist. Requires the director of transportation to provide training for maintenance staff in complete street policies, principles, and implementation procedures. Requires counties to consider complete street policies when adopting or amending land use ordinances. Effective 5/6/2137. (HD1)

TRN, JHA, FIN

[SB 1166, SD2, HD1](#)
[\(HSCR1025\)](#)
[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 for the lessee to utilize the premises. Sunsets 6/30/2026. (HD1)

WAL, JHA, FIN

[SB 791, SD2, HD1](#)
[\(HSCR1003\)](#)
[Status](#)

RELATING TO VESSELS.
Clarifies removal processes for unauthorized vessels. Clarifies the criteria for determining whether a vessel is abandoned. Reduces the allowable time frame to claim an unauthorized vessel that is impounded by the department of land and natural resources from thirty days to ten working days. Reduces the allowable time frame to claim an abandoned vessel that is impounded by a state or county agency from twenty days to ten working days. Makes abandonment of a vessel in the waters of the State or public property a petty misdemeanor. Clarifies auction requirements regarding abandoned vessels. Allows the department of land and natural resources to charge an impound storage fee. 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.

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.

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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