

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

NOTICE OF HEARING

DATE: Thursday, February 16, 2023
TIME: 9:30 AM
PLACE: Conference Room 016 & Videoconference
State Capitol
415 South Beretania Street

**PHOTO ID REQUIRED FOR ENTRANCE TO THE STATE CAPITOL
BUILDING HOURS: 7AM TO 5PM, MONDAY - FRIDAY**

Face masks are recommended while visiting the State Capitol and may be required in some offices.
Please refer to posted signage for guidance.

These policies are subject to change and may be adjusted based on evolving COVID-19 guidelines.
Please check the Legislature's website for updates www.capitol.hawaii.gov.

The Legislature is accepting written, videoconference, and in-person testimony at public hearings.
A live stream of all Senate Standing Committee meetings will be available on the [Senate YouTube Channel](#).

A G E N D A

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| <u>SB 911</u> | RELATING TO JURORS. | JDC |
| <u>Status & Testimony</u> | Clarifies that a prospective juror is disqualified to serve as a juror if they have been convicted of a felony and have not been finally discharged, in addition to not being pardoned. | |
| <u>SB 926</u> | RELATING TO PEDESTRIANS. | JDC |
| <u>Status & Testimony</u> | Authorizes pedestrians to cross a street when a reasonably careful pedestrian determines that there is no immediate danger from a collision with a vehicle. | |
| <u>SB 933</u> | RELATING TO TEMPORARY RESTRAINING ORDERS. | JDC |
| <u>Status & Testimony</u> | Allows petitioners to attend TRO hearings remotely when domestic violence or intimate partner violence is alleged or the petitioner has been diagnosed with post-traumatic stress disorder. | |

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| <u>SB 997</u> <u>Status & Testimony</u> | RELATING TO ELECTIONS. Requires notice and identification of certain top donors who contributed to a noncandidate committee. Changes the requirement of certain information from the schedules filed with the noncandidate committee reports. Removes certain information required for the late contribution report. Increases the amount of disbursement for electioneering communication that is required to be disclosed. Requires noncandidate committees that make only independent expenditures and spend over \$10,000 to maintain transfer records and provide certain notice to donors. Repeals the top contribution identification requirement. | JDC |
| <u>SB 1005</u> <u>Status & Testimony</u> | RELATING TO THE ELECTION OF THE PRESIDENT. Establishes a date for presidential primaries, as well as signature and fee requirements for a person to be nominated as a presidential primary candidate. | JDC |
| <u>SB 1072</u> <u>Status & Testimony</u> | RELATING TO COURTS OF APPEAL. Prohibits the State's Supreme Court and Intermediate Appellate Court from affirming, modifying, reversing, or vacating a matter on grounds other than those raised by the parties to the proceeding, unless the parties are provided the opportunity to brief the court. Requires a rehearing upon timely petition of any party, if the courts fail to afford the opportunity for parties to submit supplemental briefing. | JDC |
| <u>SB 1073</u> <u>Status & Testimony</u> | RELATING TO THE JUDICIARY. Clarifies that the disqualification requirements for judges also apply to justices. Establishes a process by which a party before an appellate court in the State, who believes that the judge or justice presiding over their case may have a disqualifying conflict of interest, may move for a hearing on possible conflict of interest. Prohibits the appellate court judge or justice who is subject to the motion to hear or rule on the motion but allows them to file a response or voluntarily recuse themselves from presiding over the pending action or proceeding. | JDC |
| <u>SB 1079</u> <u>Status & Testimony</u> | RELATING TO EXPUNGEMENT. Requires courts to, upon written request, expunge records of convictions for (1) operating a vehicle after consuming a measurable amount of alcohol while under the age of twenty-one and (2) certain property offenses, if the sentencing occurred prior to 1998. | JDC |
| <u>SB 1179</u> <u>Status & Testimony</u> | RELATING TO CAMPAIGN FINANCE. Prohibits foreign nationals, foreign-influenced business entities, and foreign corporations from making contributions, independent expenditures, or electioneering communications, or contributions or donations to third parties that are earmarked for such purposes. Requires every business entity that contributes or expends funds in a state election to file a statement of certification regarding its limited foreign influence. Requires noncandidate committees making only independent expenditures to obtain a statement of certification from each top contributor required to be listed in an advertisement. | JDC |

Decision Making to follow, if time permits.

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.

Please go to the Legislature's website, www.capitol.hawaii.gov, to submit **written testimony** at least 24 hours prior to the hearing. Create a free account on the website, or sign in to an existing account, then click on the "Participate" drop down menu and select the "Submit Testimony" option to get started. While submitting your written testimony, you will be prompted to indicate if you would also like to testify at the hearing in-person or remotely via videoconference.

Please note the following:

- The number of oral testifiers and/or time allotted to each testifier may be limited by the Chair when necessary to adhere to the committee hearing schedule. We may not be able to accommodate everyone who requests to testify orally.
- Testifiers for this hearing will be limited to **2 minutes** each.

If you wish to **testify via videoconference** during the hearing, please review the detailed step-by-step instructions for testimony procedures before you submit your written testimony. Here's a direct link to the instructions: <https://capitol.hawaii.gov/docs/testimonyinstructions.pdf>

For general help navigating the committee hearing process, please contact the Public Access Room at (808) 587-0478 or par@capitol.hawaii.gov. You can also visit their website at <https://lrb.hawaii.gov/par/>.

For special assistance: 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 at JDCcommittee@capitol.hawaii.gov at least 24 hours prior to the hearing.

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 COMMITTEE CLERK AT (808) 587-7211.

Senator Karl Rhoads
Chair