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STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
Ka 'Oihana O Ka Loio Kuhina
425 QUEEN STREET
HONOLULU, HAWAII 96813
(808) 586-1500

**NOTICE OF MEETING
OF
COMMISSION TO PROMOTE UNIFORM LEGISLATION**

DATE: November 8, 2024, (Friday) at 10:30 a.m.

PLACE: The meeting will be convened remotely via Zoom
<https://us02web.zoom.us/j/86954594539>

In accordance with section 92-3.7, Hawaii Revised Statutes (HRS), the meeting of the Commission to Promote Uniform Legislation (CPUL) will be convened remotely via Zoom. The following options are available for the public to participate in the meeting.

Participate Remotely via Zoom

Please use the following link: <https://us02web.zoom.us/j/86954594539>

Participate via Phone

Dial: 1 (719) 359 4580 US

International numbers available: <https://us02web.zoom.us/j/86954594539>

Meeting ID: 869 5459 4539

Participate Remotely and View the Remote Meeting at the Following Physical Meeting Site

Hale Auhau First Floor Conference Room
425 Queen Street
Honolulu, Hawaii 96813

Further instructions are at page 3 of this notice, following the agenda.

AGENDA

1. CALL TO ORDER.

Introduction of Members and Guests.

2. APPROVAL OF MINUTES OF MEETING of June 25, 2024.

3. OLD BUSINESS.

Discussion about the 2024 Annual Meeting of the National Conference of Commissioners on Uniform State Laws (Uniform Law Commission) held in Boston, Massachusetts, from July 19-24, 2024.

4. NEW BUSINESS.

a. Discussion of Uniform Acts for Introduction or Support in the 2025 Regular Legislative Session, as follows:

(1) New Uniform Acts that were approved at the 2024 Annual Meeting of the Uniform Law Commission.

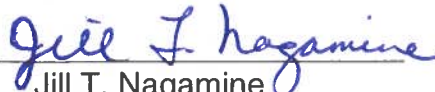
(2) Other Uniform Acts that have not been enacted in Hawaii.

(3) Deliberation of which Uniform Acts to attempt to introduce in Hawaii.

b. Commission membership.

5. ADJOURNMENT.

Lani L. Ewart, Chair

By: 
Jill T. Nagamine
Deputy Attorney General

Meeting materials:

Minutes of 6-25-24 Meeting—Attached, and linked at:

<https://ag.hawaii.gov/wp-content/uploads/2024/07/Minutes-of-06-25-2024-draft.pdf>

There is no board packet for this meeting.

If you need an auxiliary aid/service or other accommodation due to a disability, contact Brenden Kinoshita, Administrative Services Manager, at 808-586-1289 or email Brenden.B.Kinoshita@hawaii.gov as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternate/accessible formats.

Further Instructions for Participation in the Meeting

In accordance with section 92-3.7(c), HRS, in the event that audiovisual communication cannot be maintained with all members participating in the meeting or with the public location identified in this notice, the meeting will be automatically recessed for up to thirty minutes, during which time, an attempt to restore audiovisual communication will be made. If only audio communication can be reestablished, the meeting will be reconvened and continue. To participate via audio communication, please refer to the "Participate Via Phone" information above. If the meeting cannot be reconvened because neither audiovisual communication nor audio communication can be re-established within thirty minutes, the meeting will be automatically terminated.

PUBLIC TESTIMONY

Oral Live Testimony: Oral live testimony may be provided via either of the following options:

Zoom: Oral live testimony may be provided remotely via the Zoom link provided above at the top of this Notice. You will be asked to provide your name and an email address in the standard email format, e.g., ****@****.com. If you choose not to provide your name, you will still be allowed to testify. Initially, all microphones will automatically be muted. You may click the Raise Hand button found on your Zoom screen to indicate that you wish to testify on an item. The Chair will ask the Zoom moderator to enable each testifier to unmute the testifier's microphone. When recognized by the Chair, please unmute your microphone before speaking and mute your microphone after you finish speaking. If you are testifying on behalf of an organization, please indicate the name of the organization.

Phone: If you do not have a computer/Internet access, you may provide oral live testimony via the Participate via Phone option and attend this meeting with audio-only access by calling the phone number listed in the "Participate via Phone" option located at the top of this Notice. Upon dialing the number, you will be prompted to enter the Meeting ID listed at the first page of this Notice. After entering the Meeting ID, you will be asked to wait to be admitted into the meeting. Please wait until you are admitted into the meeting as no panelist numbers will be issued. If you wish to testify on an item, you may indicate that you want to testify by entering * followed by 9 on your phone's keypad. A voice prompt will then let you know that the meeting host has been notified. When recognized by the Chair, please unmute yourself by entering * and then 6 on your phone's keypad. A voice prompt will let you know that you are unmuted, and you may begin speaking. After you have finished speaking, please enter * and then 6 to mute yourself.

Instructions: For both Internet and phone testifiers, testimony will be limited to a maximum of three minutes per person, per item. You will be given notice when 30 seconds remain. If you continue to testify beyond your allotted time, the Chair will kindly ask you to complete your testimony. If you have submitted written testimony and have also signed up to deliver it orally, the Chair will ask you to summarize your points. When you have finished

testifying, please wait to see if the CPUL Members have follow-up questions. If not, the Chair will return you to the audience side of the Zoom meeting. Staff will be monitoring people joining by video and will do their best to take each person in an orderly fashion. Please be patient.

Written Testimony:

To ensure that the public as well as the CPUL Members receive testimony in a timely manner, the CPUL requests that written testimony be submitted 24 hours prior to the scheduled Public Hearing date and time. Any written testimony submitted after such time cannot be guaranteed to be distributed in time for the meeting. Written testimony may be submitted by any one of the following methods:

Email to: hawaiiag@hawaii.gov

Mail to: CPUL c/o Department of the Attorney General,
Legislative Division
425 Queen Street
Honolulu, Hawaii 96813

Please note that written public testimony submitted to the CPUL will be treated as a public record and any contact information contained therein will be available for public inspection and copying.

**STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL**

COMMISSION TO PROMOTE UNIFORM LEGISLATION

**MINUTES OF MEETING
Held on June 25, 2024**

1. CALL TO ORDER.

Pursuant to written public notice posted on the State of Hawai'i Calendar of Events on June 18, 2024, the meeting of the Commission to Promote Uniform Legislation (CPUL) was called to order by Chair Lani L. Ewart at 10:00 a.m., on Tuesday, June 25, 2024, via Zoom conferencing facilitated by Brandon Salbedo of the Department of the Attorney General, who acted as the Zoom moderator. In compliance with section 92-3.7, Hawaii Revised Statutes, a physical meeting site was provided at Hale Auhau First Floor Conference Room, 425 Queen Street, Honolulu, Hawai'i 96813.

Commissioners Present: Lani L. Ewart, Chair
Elizabeth Kent, Vice-Chair
Peter Hamasaki
Blake Oshiro
Michael Tanoue

Also Present: Robert S. Toyofuku,
Life Member of the National Conference of
Commissioners on Uniform State Laws, also
referred to as the Uniform Law Commission
(ULC),
Jill T. Nagamine, Deputy Attorney General,
Maurice S. Kato, Deputy Attorney General,
Kotoba Kanazawa, Deputy Attorney General, and
Romina Marquez, Legal Clerk,
Legislative Division of the Department of the
Attorney General

Jill T. Nagamine, Kotoba Kanazawa, and Romina Marquez participated from the physical meeting site via Zoom. The rest of the participants joined the meeting via Zoom remotely. All commissioners attending were visible via Zoom, except when Commissioner Kent was off the screen for a short period of time.

2. APPROVAL OF MINUTES OF MEETING of December 5, 2023.

Chair Ewart asked the commissioners if there were any changes or corrections to the minutes. No one recommended changes.

Motion: Commissioner Oshiro moved to approve the minutes as written and Commissioner Hamasaki seconded the motion. There was no discussion. The motion was approved by voice vote of Commissioners Ewart, Hamasaki, Oshiro, and Tanoue, with Commissioner Kent abstaining, and the motion was carried. The minutes of the meeting of December 5, 2023, were approved as written. Chair Ewart thanked the Legislative Division for preparing the minutes.

3. OLD BUSINESS.

Recap of uniform acts that were introduced in the 2024 Regular Legislative Session and how they fared.

Commissioner Tanoue reported that House Bill No. 1915, Relating to the Uniform Probate Code, is the only bill pertaining to a Uniform Act that passed the 2024 Regular Session. Commissioner Ewart started the session supporting it, and in her absence Commissioner Tanoue provided testimony. Commissioner Tanoue reported that the Governor signed it on April 18, and it was enacted as Act 7. It corrected a clerical error that was made in last year's Act 158, Session Laws of Hawaii 2023, pertaining to the number of notices required to creditors by updating the Uniform Probate Code to reduce the number of required publications of a notice to creditors by a trustee and making it consistent with other amendments made last year in Act 158.

Commissioner Kent reported that the Task Force to Recommend Amendments to Update Existing Parentage Laws that was established by Act 156, Session Laws of Hawaii 2023, continues to meet. While Commissioner Kent is not a member of the task force, she believes that the task force is still struggling with some issues, and she provided a copy of the ULC's amendments to article 9 of the Uniform Parentage Act to a task force member, Deputy Attorney General Lauren Chun, in the hope that it might resolve some of the remaining issues.

Commissioner Kent also reported that there is another group that meets regarding the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act. That group meets about every six weeks and both Commissioner Kent and Commissioner Tanoue are in that group. It is going through a transition as to its direction. Commissioner Kent believes that the regularity of the meetings and the fact that some people have stuck with the project is a positive sign. Representative Tarnas has attended some meetings. The next meeting is Wednesday, July 17. Commissioner Kent stated that there are a lot of problems faced by this act that are due to insufficient resources. There are not enough positions in the state government to provide needed services. There are some structural issues too. Chair Ewart opined that it is good that the group is meeting now and trying to work through the issues instead of just passing something that cannot be implemented effectively.

Chair Ewart reported that Commissioner Oshiro was confirmed by the Senate for another term as a commissioner, to expire June 30, 2027.

4. NEW BUSINESS.

- a. Discussion of the upcoming 2024 Annual Meeting of the Uniform Law Commission (ULC) to be held in Boston, Massachusetts, including who from the Hawaii Delegation will attend and how the uniform acts under consideration will be assigned for monitoring.

The ULC Annual Meeting is in Boston, Massachusetts on July 19-25, 2024. Chair Ewart and Life Member Toyofuku will attend in person. They will divide the agenda between the two of them.

The acts up for discussion are:

- The Uniform Unincorporated Organizations Acts (20__)
- The Uniform Mortgage Modification Act
- The Uniform Antitrust Pre-Merger Notification Act
- The Conflicts of Law in Trust and Estates Act
- The Virtual Currency Customer Protection Act
- The Judicial Interview of Children Act
- The Assignment for Benefit of Creditors Act

After attending the informal sessions on some of these acts, some commissioners have already sent Chair Ewart their comments and thoughts on the acts. Chair Ewart mentioned that the meeting agenda is on the ULC website and requested all commissioners to send questions or comments about the acts up for discussion to her or Life Member Toyofuku before the meeting, and they will try to follow up. Chair Ewart has already received comments from Commissioner Kent on the Judicial Interview of Children Act, and Commissioner Hamasaki also sent comments to Chair Ewart on a couple of acts. The commissioners did not see an informal session on the Virtual Currency Customer Protection Act.

Chair Ewart indicated that the Redaction of Personal Information from Public Records Act, which had been scheduled to be discussed at the Annual Meeting, might be withdrawn by the Executive Committee to re-evaluate the scope of the act and limit it to records relating to judges.

Commissioner Kent asked if anyone knew if the sessions could be watched on YouTube. Life Member Toyofuku does not think so, but says he will check with ULC staff in Chicago.

- b. Legislative planning for the 2025 Regular Legislative Session, including review of the ULC Legislative Planning meeting that occurred on May 6, 2024, and ideas for uniform acts for possible introduction.

Life Member Toyofuku announced that the ULC is having a legislative summit on August 23-24, 2024, in Dallas, Texas, and he and Commissioner Tanoue plan to attend. He says they will get an idea then of what acts the ULC will be encouraging for introduction by the states. All the members of the ULC's Legislative Counsel, as many liaisons for each region as possible, and some invited guests will attend. ULC hopes to increase involvement with ULC legislation or the legislative process.

Maybe mid-November would be a good time for the next meeting. That would be after the General Election and early enough to allow time before the 2025 Regular Legislative Session to get bills introduced. The Legislative Division will poll members for their availability for various dates in mid-November.

Commissioner Tanoue asked when legislators usually want bills for introduction. Life Member Toyofuku opined that they generally like to get something by December so they can send it to a drafting agency to get it in the proper form.

Commissioner Kent asked Commissioner Oshiro if he thinks there is a chance that any of the uniform acts will be in the Executive or Judiciary bill package. If so, the CPUL can help by supporting the bills. Commissioner Oshiro indicated that normally the Governor's Office gets first drafts of legislative proposals by October, and departments work on drafts of the bills they would like introduced. He said it is just as easy to get bills introduced by the chairs of the Senate Committee on Judiciary or the House Committee on Judiciary and Hawaiian Affairs.

Commissioner Hamasaki asked if the Department of the Attorney General may be interested in proposing the Uniform Antitrust Pre-Merger Notification Act. Deputy Attorney General Nagamine said she could check with the Deputy Attorney General who specializes in antitrust law. Chair Ewart indicated that would be a good idea. This may or may not already be covered in Hawaii law (chapter 480, Hawaii Revised Statutes).

5. ADJOURNMENT.

There being no other new business or announcement, Chair Ewart adjourned the meeting at 10:34 a.m.

Respectfully submitted,



Romina N. Marquez
Legal Clerk
Legislative Division

Approved for Submission:



Jill T. Nagamine
Deputy Attorney General

Approved by the CPUL:

_____ As Submitted

_____ With Corrections

Date Approved: _____