

THE SENATE
THE TWENTY-FOURTH LEGISLATURE
REGULAR SESSION OF 2008

COMMITTEE ON WAYS AND MEANS

Senator Rosalyn H. Baker, Chair
Senator Shan S. Tsutsui, Vice Chair

NOTICE OF DECISION MAKING

DATE: Monday, February 25, 2008
TIME: 10:30 a.m.
PLACE: Conference Room 211
State Capitol
415 South Beretania Street

A G E N D A

The following bills were previously heard in their respective subject matter committees. For this decision-making, only written comments will be accepted; no oral testimony will be accepted.

[HB 1755, HD1, SD1](#) RELATING TO THE GENERAL EXCISE TAX. EDT, WAM
Clarifies that the reduced general excise tax rate of 0.5 per cent on service-to-service wholesale transactions applies to dealers that furnish goods or services to fulfill manufacturer warranty obligations to purchasers of the manufacturer's tangible personal property. (SD1)

[\(SSCR2194\)](#)

[Testimony](#)

[Status](#)

[SB 591, SD2](#) RELATING TO TAXATION. EDT, WAM
Repeals and reenacts the capital goods excise tax credit in order to reflect the definitions and other references to the Internal Revenue Code. (SD2)

[\(SSCR2511\)](#)

[Testimony](#)

[Status](#)

[SB 2153](#) RELATING TO INCOME TAX CREDIT. EDT, WAM
Provides a mandatory tax credit to taxpayers pursuant to article VII, section 6, of the Hawaii State Constitution.

[\(SSCR2189\)](#)

[Testimony](#)

[Status](#)

[SB 2155, SD1](#) RELATING TO GENERAL EXCISE TAXATION. EDT, WAM
Exempts from the general excise tax amounts received by managed care support contractors as reimbursements of costs or advances made to health care providers pursuant to a contract for the administration of the federal TRICARE program. (SD1)

[\(SSCR2375\)](#)

[Testimony](#)

[Status](#)



<p><u>SB 2196, SD1</u></p> <p>(SSCR2478)</p> <p>Testimony</p> <p>Status</p>	<p>RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS.</p> <p>Adds regulatory function over commercially permitted use of government and private boating facilities and private marinas; and activities on ocean waters not including functions of the department of transportation, to the department of land and natural resources. (SD1)</p>	<p>EDT/WTL, WAM</p>
<p><u>SB 2273, SD1</u></p> <p>(SSCR2480)</p> <p>Testimony</p> <p>Status</p>	<p>RELATING TO DIGITAL MEDIA.</p> <p>Establishes an additional five per cent tax credit for qualified production costs incurred by a qualified production in any county of the State; provided that the qualified production employs workers who are Hawaii residents, who are paid a base rate of \$200 per day for a ten-hour day, who participate in on-the-job training, or complete a motion picture, digital media, or film production training course, and are certified as a trainee by the film industry branch of the department of business, economic development, and tourism; establishes a motion picture, digital media, or film production training course; appropriates funds. (SD1)</p>	<p>EDT, WAM</p>
<p><u>SB 2393, SD1</u></p> <p>(SSCR2052)</p> <p>Testimony</p> <p>Status</p>	<p>RELATING TO TECHNOLOGY.</p> <p>Extends funding for the Hawaii broadband task force from fiscal year 2007-2008 to add fiscal year 2008-2009. (SD1)</p>	<p>EDT, WAM</p>
<p><u>SB 2394</u></p> <p>(SSCR2051)</p> <p>Testimony</p> <p>Status</p>	<p>RELATING TO HIGH TECHNOLOGY.</p> <p>Clarifies awards procedures for federal small business innovation research grants or federal small business technology transfer program grants.</p>	<p>EDT, WAM</p>
<p><u>SB 2433, SD1</u></p> <p>(SSCR2160)</p> <p>Testimony</p> <p>Status</p>	<p>RELATING TO IOLANI PALACE.</p> <p>Establishes standards and conditions that the State of Hawaii Museum of Monarchy History must meet in order to receive state funds. (SD1)</p>	<p>EDT, WAM</p>
<p><u>SB 2480, SD1</u></p> <p>(SSCR2479)</p> <p>Testimony</p> <p>Status</p>	<p>RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT.</p> <p>Amends Acts 111 and 271, Session Laws of Hawaii 2007, to appropriate additional funds in fiscal year 2008-2009 for the support and expansion of existing STEM-related programs such as robotics, research experiences for teachers, and project EAST programs; appropriates moneys from the federal temporary assistance for needy families program funds and from general funds in fiscal year 2008-2009 for STEM programs and K-12 creative media education programs. (SD1)</p>	<p>EDT/EDU/HSP, WAM</p>



<p><u>SB 2583, SD1</u></p> <p><u>(SSCR2197)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>MAKING AN APPROPRIATION FOR THE HAWAII CAPITAL CULTURAL DISTRICT.</p> <p>Establishes the Hawai'i capital cultural district task force to review the current operations of the Hawaii state art museum and its long range plans for operations and growth, with respect to the museum's location in the No. 1 Capitol District Building located in the Hawai'i capital cultural district; appropriates funds to the SFCA for the work of the task force; requires a report to the 2009 legislature; sunsets the task force June 30, 2009. (SD1)</p>	<p>EDT, WAM</p>
<p><u>SB 2803, SD1</u></p> <p><u>(SSCR2388)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO PERSONAL INFORMATION.</p> <p>Implements recommendations of the 12/2007 report of the Hawaii identity theft task force to protect the security of personal information collected and maintained by state and county government. (SD1)</p>	<p>EDT/JDL, WAM</p>
<p><u>SB 2862, SD1</u></p> <p><u>(SSCR2158)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO EDUCATION.</p> <p>Establishes the science, technology, and education special fund; amends Act 111, SLH 2007, to deposit the appropriation in Act 111 to establish the fostering inspiration and relevance through science and technology pre-academy program in the University of Hawaii college of engineering into the science, technology, and education special fund. (SD1)</p>	<p>EDT/EDU, WAM</p>
<p><u>SB 2868, SD1</u></p> <p><u>(SSCR2370)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO ARCHAEOLOGICAL DATA.</p> <p>Establishes an archaeological data survey as an online database program under the State of Hawaii Museum of Natural and Cultural History. Authorizes the museum, in consultation with the office of Hawaiian affairs and the state historic preservation division to withhold information from the database if a disclosure may pose a threat to a site or artifact. (SD1)</p>	<p>EDT/AHW, WAM</p>
<p><u>SB 2983, SD1</u></p> <p><u>(SSCR2163)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT.</p> <p>Updates sections of Chapter 210D, Hawaii Revised Statutes, which created the Hawaii Community-Based Economic Development (CBED) Program, the Hawaii Community-Based Economic Development Revolving Fund, and the CBED Advisory Council; allows for smaller CBED loans, and reduces the maximum interest rate on these loans. (SD1)</p>	<p>EDT, WAM</p>
<p><u>SB 3115, SD1</u></p> <p><u>(SSCR2392)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO ELECTRONIC TAX ADMINISTRATION.</p> <p>Establishes integrated tax services and management special fund to receive revenues from the integrated tax services and management systems post-implementation revenue-generating initiatives; provides that moneys in the fund will be used to pay for the integrated tax services and management systems; requires that the department of taxation, by rule adopted pursuant to chapter 91, Hawaii Revised Statutes, shall require the electronic, telephonic, or optical filing of tax returns under certain conditions; provides that a service fee shall not be required. (SD1)</p>	<p>EDT, WAM</p>



SB 3165, SD1

[\(SSCR2500\)](#)

[Testimony](#)

[Status](#)

RELATING TO TAXATION.

Specifies that a county shall not grant an exemption from GET or receipt taxes for a mixed use transit oriented joint development project; exempts from GET a project developed to provide affordable rental housing or a community health care facility within a mixed use transit oriented joint development project; exempts from GET amounts received by the operator of a county fixed guideway transportation system operated under an operating contract with a county or political subdivision. (SD1)

EDT/TIA/HSP,
WAM

SB 3168, SD1

[\(SSCR2236\)](#)

[Testimony](#)

[Status](#)

RELATING TO CREATIVE MEDIA.

Establishes the academy for creative media (ACM) program in statute under the University of Hawaii at west Oahu; amends Act 11, special session 2007, to refocus the purpose section, to delete all references to a lease agreement with PBS Hawaii, and to provide that no moneys shall be expended unless the ACM is permanently located at the west Oahu campus. (SD1)

EDT/EDU, WAM

SB 2202

[\(SSCR2412\)](#)

[Testimony](#)

[Status](#)

RELATING TO PARTIAL PUBLIC FINANCING OF ELECTIONS.

Qualifies a candidate for the office of prosecuting attorney to qualify for partial public campaign financing if the candidate does not exceed the respective campaign expenditure limit.

JDL, WAM

SB 2218, SD1

[\(SSCR2417\)](#)

[Testimony](#)

[Status](#)

RELATING TO ELECTRONIC MONITORING.

Requires electronic monitoring of persons convicted of violating a domestic abuse temporary restraining order or protective order. Effective 01/01/09. (SB2218 SD1)

JDL, WAM

SB 2562, SD1

[\(SSCR2397\)](#)

[Testimony](#)

[Status](#)

RELATING TO VOTING.

Authorizes permanent absentee voting. Makes appropriation. (SB2562 SD1)

JDL, WAM

SB 2579, SD1

[\(SSCR2485\)](#)

[Testimony](#)

[Status](#)

RELATING TO CAMPAIGN SPENDING.

Clarifies who is subject to administrative fines for violations relating to campaign contributions and expenditures. Provides for deposit of collected fines into the state general fund. (SB2579 SD1)

JDL, WAM

SB 2605, SD1

[\(SSCR2438\)](#)

[Testimony](#)

[Status](#)

RELATING TO TAXATION.

Increases the election fund contribution amount on state income tax returns from \$2 to \$3 for campaign spending purposes. (SD1)

JDL/EDT, WAM



<p><u>SB 2715</u></p> <p><u>(SSCR2394)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO COURT-APPOINTED COUNSEL AND GUARDIANS AD LITEM IN FAMILY COURT. Clarifies compensation rates for court-appointed attorneys and Guardians Ad Litem in family court.</p>	<p>JDL, WAM</p>
<p><u>SB 2818, SD1</u></p> <p><u>(SSCR2395)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO HUMAN TRAFFICKING. Extends the sunset date for the Hawaii Anti-trafficking Task Force to 2010. Adds members to the Task Force. Appropriates funds. (SB 2818 SD1)</p>	<p>JDL, WAM</p>
<p><u>SB 2961, SD1</u></p> <p><u>(SSCR2439)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES. Makes appropriations for claims against the State, its officers, and its employees. (SD1)</p>	<p>JDL, WAM</p>
<p><u>SB 2977, SD1</u></p> <p><u>(SSCR2393)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO CHILD SUPPORT ENFORCEMENT. Changes the law relating to child support enforcement agency notification in some circumstances to custodial parents. Establishes a child support enforcement agency assistant administrator. Clarifies rules relating to some child support enforcement agency hearings and related matters. (SB2977 SD1)</p>	<p>JDL/HSP, WAM</p>
<p><u>SB 1368, SD1</u></p> <p><u>(SSCR2357)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO LAND USE. Establishes a process for determining when land use classifications should be rescinded because they have not been exercised. (SD1)</p>	<p>WTL, WAM</p>
<p><u>SB 2154</u></p> <p><u>(SSCR2356)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO A PILOT COMMUNITY CONSERVATION PROGRAM. Creates a pilot community conservation program within the Maui office of the division of conservation and resource enforcement and appropriates funds.</p>	<p>WTL, WAM</p>
<p><u>SB 2189, SD1</u></p> <p><u>(SSCR2452)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO MAKUA. Establishes a Makua reserve commission to oversee preservation and restoration activities in Makua valley on Oahu. (SD1)</p>	<p>WTL, WAM</p>



SB 2198, SD1

RELATING TO LAND CONSERVATION.

WTL, EDT, WAM

Provides a tax credit to encourage the preservation and protection of conservation land in the State. (SD1)

[\(SSCR2537\)](#)

[Testimony](#)

[Status](#)

SB 2423, SD1

RELATING TO LAND ACQUISITION.

WTL, WAM

Directs the department of land and natural resources or any appropriate entity of the State to acquire lands owned by Kuilima Resort Company, Oaktree Capital, LLC, and their successor in interest, commonly known as Turtle Bay Hotel and Resort located in Kahuku, Oahu. (SD1)

[\(SSCR2430\)](#)

[Testimony](#)

[Status](#)

SB 2486, SD1

RELATING TO WATER.

WTL/AHW, WAM

Includes water and irrigation systems as a use for the special land and development fund. Eff. 7/1/2050. (SD1)

[\(SSCR2368\)](#)

[Testimony](#)

[Status](#)

SB 2528, SD1

RELATING TO STATE PARKS ON KAUAI.

WTL, WAM

Establishes a sub-account under the state parks special fund into which a percentage of the proceeds collected from the various fees collected at the Kokee state park and Waimea canyon state park, less any net amounts due to OHA, will be deposited and used to cover the cost of repair, maintenance, and operation at the Kokee state park and Waimea canyon state park. (SD1)

[\(SSCR2152\)](#)

[Testimony](#)

[Status](#)

SB 2727, SD1

RELATING TO HA'IKU VALLEY.

WTL/AHW/JDL,
WAM

Establishes the Ha'iku valley cultural preserve commission to have policy and management oversight of the Ha'iku valley cultural preserve. Makes an appropriation for the commission. (SD1)

[\(SSCR2431\)](#)

[Testimony](#)

[Status](#)

SB 2739, SD1

RELATING TO THE MAKENA-KEONEOIO GOVERNMENT ROAD.

WTL/TIA, WAM

Establishes that the Makena-Keone'o'io government road is under the jurisdiction of the department of land and natural resources; requires the department to adopt rules pursuant to chapter 91 and section 195-5, HRS, regarding entry into the 'Ahihi-Kina'u natural area reserve through the Makena-Keone'o'io government road. (SD1)

[\(SSCR2327\)](#)

[Testimony](#)

[Status](#)

SB 2817, SD1

RELATING TO HONOLUA BAY.

WTL, WAM

Creates a temporary Honolua Bay advisory committee to develop an acquisition and management plan for Lipoa Point on the island of Maui. Report to the legislature. Appropriates funds. (SD1)

[\(SSCR2248\)](#)

[Testimony](#)

[Status](#)



<p><u>SB 2871, SD1</u></p> <p><u>(SSCR2383)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO AQUATIC RESOURCES.</p> <p>Encourages the department of land and natural resources to work with local communities to manage near shore reef resources through the maka'i o ke kai program; provides grants for community-based marines resource management; establishes the community-based marine resource management advisory board to advise the department of land and natural resources on resource management and fisheries' rules; appropriates moneys. (SD1)</p>	<p>WTL, WAM</p>
<p><u>SB 3137, SD1</u></p> <p><u>(SSCR2429)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>MAKING AN APPROPRIATION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR AKULE FISH MONITORING.</p> <p>Makes an appropriation to the department of land and natural resources for the purpose of monitoring akule fish from Pearl harbor to Ka'ena point. (SD1)</p>	<p>WTL, WAM</p>
<p><u>SB 3138, SD1</u></p> <p><u>(SSCR2432)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO THE WAIANAE COAST.</p> <p>Amends Act 6, SLH Special Session 2005, to require an interim report on the baseline environmental study to be submitted to the 2008 legislature and the final report to the 2009 legislature; appropriates moneys to DLNR for continuing preparation of the study. Eff. 7/1/2050. (SD1)</p>	<p>WTL, WAM</p>
<p><u>SB 3221, SD1</u></p> <p><u>(SSCR2427)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO THE COCO PALMS RESORT.</p> <p>Appropriates matching funds for the board of land and natural resources in partnership with other public and private nonprofit entities to acquire the Coco Palms Resort and convert it into a public historical park and cultural education center to preserve and benefit native Hawaiian culture. (SD1)</p>	<p>WTL, WAM</p>
<p><u>SB 3225, SD1</u></p> <p><u>(SSCR2428)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO FISHING.</p> <p>Provides that the department of land and natural resources is to establish a network of fish replenishment areas on Maui and Oahu with the option of establishing them on additional islands as warranted in the future. (SD1)</p>	<p>WTL, WAM</p>
<p><u>SB 2047, SD2</u></p> <p><u>(SSCR2542)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO TAXATION.</p> <p>Provides tax credits for modifications to accommodate persons with disabilities, to facilitate aging-in-place, for caregivers, and provides an additional exemption to low-income families for dependents under the age of eighteen. (SD2)</p>	<p>HSP, EDT, WAM</p>
<p><u>SB 3258, SD2</u></p> <p><u>(SSCR2513)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO MEDICAID HOSPITAL AND LONG TERM CARE REIMBURSEMENTS.</p> <p>Establishes reimbursement guidelines and provides appropriations for medicaid hospital and long term care reimbursements. (SD2)</p>	<p>HSP/HTH, WAM</p>



<p><u>SB 2192, SD1</u></p> <p><u>(SSCR2466)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO SOLID WASTE.</p> <p>Requires the department of health to conduct an independent analysis on the structural stability of the ash monofill prior to granting the city and county of Honolulu's requested modification to the existing permit for the Waimanalo gulch sanitary landfill. (SD1)</p>	<p>HTH/IGM, WAM</p>
<p><u>SB 2571, SD1</u></p> <p><u>(SSCR2206)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO FOOD WASTE RECYCLING.</p> <p>Requires the department of education, in a partnership with the department of health, to establish a three-year food waste recycling pilot project within one or more public schools. Appropriates funds from the environmental management special fund for the pilot program. (SD1)</p>	<p>EDU/ENE, WAM</p>
<p><u>SB 2879, SD1</u></p> <p><u>(SSCR2207)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO EDUCATION.</p> <p>Establishes a power of attorney for special education; establishes the process to appoint a surrogate decision maker for an adult student that lacks capacity; and clarifies the authority of a guardian an adult student. (SD1)</p>	<p>EDU/JDL, WAM</p>
<p><u>SB 2574, SD1</u></p> <p><u>(SSCR2174)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO PROCUREMENT.</p> <p>Requires that moneys received pursuant to a solicitation of funds by a government body to cover costs and expenses of state-sponsored trips and endeavors to generate business opportunities and goodwill be deposited into the general fund and disbursed pursuant to legislative appropriation; makes appropriation; makes comptroller ex-officio non-voting member of procurement board. (SD1)</p>	<p>TSG, WAM</p>
<p><u>SB 2823, SD1</u></p> <p><u>(SSCR2175)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO PROCUREMENT.</p> <p>Requires the state procurement office to conduct audits and follow-up audits to ensure compliance with procurement code and report results to the legislature; makes comptroller ex-officio nonvoting member of procurement policy board. (SD1)</p>	<p>TSG, WAM</p>
<p><u>SB 2901, SD1</u></p> <p><u>(SSCR2011)</u></p> <p><u>Testimony</u></p> <p><u>Status</u></p>	<p>RELATING TO VETERANS CEMETERIES.</p> <p>Appropriates funds for the repair and improvement of veterans cemeteries and allocates the distribution of funds by county. (SD1)</p>	<p>IGM, WAM</p>

**FOR ALL MEASURES LISTED ABOVE
ONLY WRITTEN COMMENTS SHOULD BE SUBMITTED.**

Persons wishing to testify should submit testimony in one of the following ways at least 24 hours prior to the hearing:

- In person: 1 copy of their testimony to the committee clerk, Room 210, State Capitol.



- By fax: Testimony may be faxed if less than 5 pages in length, to the Senate Sergeant-At-Arms Office at 586-6659 or 1-800-586-6659 (toll free for neighbor islands), at least 24 hours prior to the hearing. When faxing, please indicate to which committee the testimony is being submitted and the date and time of the hearing.
- By Email: Testimony may be emailed if less than 5 pages in length, to testimony@capitol.hawaii.gov. Please indicate to which committee the testimony is being submitted and the date and time of the hearing. Email sent to individual offices or any other Senate office will not be accepted.

If you require special assistance or auxiliary aids or services to participate in the public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the committee clerk 24 hours prior to the hearing so arrangements can be made.

Please note: Documents made available through the Testimony hyperlink(s) above may not be posted until the start of the hearing.

Public Folder. A folder labeled “Public Folder” containing the measures and testimonies for the hearing will be available for shared use by members of the public.



FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT 586-6800.

Senator Rosalyn H. Baker
Chair

