

THE SENATE  
THE TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2009

COMMITTEE ON WAYS AND MEANS

Senator Donna Mercado Kim, Chair  
Senator Shan S. Tsutsui, Vice Chair

AMENDED NOTICE OF DECISION MAKING

DATE: Thursday February 26, 2009  
TIME: 9:00 a.m.  
PLACE: Conference Room 211  
State Capitol  
415 South Beretania Street

A G E N D A

**EDT**

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| <p><b><u>SB 294, SD1</u></b><br/><a href="#">(SSCR412)</a><br/><a href="#">Testimony</a><br/><a href="#">Status</a></p>  | <p>RELATING TO STATE DEPARTMENTS.<br/>Clarifies the role of the department of business, economic development, and tourism with respect to making recommendations to other state departments. Makes the recommendations and actions subject to legislative review. (SD1)</p>   | <p>EDT, WAM</p> |
| <p><b><u>SB 523, SD1</u></b><br/><a href="#">(SSCR91)</a><br/><a href="#">Testimony</a><br/><a href="#">Status</a></p>   | <p>RELATING TO HIGH TECHNOLOGY.<br/>Clarifies the operation of the high technology research and development loan and grant program to allow the State to catch up to increased federal award amounts. Provides that the High Technology Development Corporation shall provide a grant to any small business in Hawaii that receives federal small business innovative research or technology transfer awards. (SD1)</p> | <p>EDT, WAM</p> |
| <p><b><u>SB 830, SD1</u></b><br/><a href="#">(SSCR250)</a><br/><a href="#">Testimony</a><br/><a href="#">Status</a></p>  | <p>RELATING TO GOVERNMENT SHARED SERVICES TECHNOLOGY.<br/>Establishes the shared services technology special fund to allow departments and agencies to pool resources for common technology systems, hardware, and software. (SD1)</p>  | <p>EDT, WAM</p> |
| <p><b><u>SB 1299, SD1</u></b><br/><a href="#">(SSCR212)</a><br/><a href="#">Testimony</a><br/><a href="#">Status</a></p> | <p>RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING.<br/>Adds businesses engaged in advanced flight simulator training for pilots, dispatchers, mechanics, or air traffic controllers to the definition of "qualified business" under the state enterprise zone law. (SD1)</p>  | <p>EDT, WAM</p> |
| <p><b><u>SB 1678, SD1</u></b><br/><a href="#">(SSCR210)</a><br/><a href="#">Testimony</a><br/><a href="#">Status</a></p> | <p>RELATING TO TAXATION.<br/>Adopts amendments to Hawaii tax laws to implement the streamlined sales and use tax agreement. (SD1)</p>   | <p>EDT, WAM</p> |

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| <p><b><u>SB 1680, SD1</u></b><br/> <a href="#">(SSCR353)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p>                      | <p>RELATING TO TECHNOLOGY.<br/>         Implements key recommendations of the Hawaii broadband task force by establishing the Hawaii broadband commissioner (HBC) in the department of commerce and consumer affairs (DCCA). Transfers functions relating to telecommunications from the public utilities commission to the HBC and functions relating to cable services from DCCA to the HBC. Establishes a work group to develop procedures to streamline state and county broadband regulation, franchising, and permitting and report to the legislature. (SD1)</p> | <p>EDT/CPN, WAM</p> |
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| <p><b><u>ENE</u></b><br/> <b><u>SB 32, SD1</u></b><br/> <a href="#">(SSCR360)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p> | <p>RELATING TO FUEL.<br/>         Repeals the sunset date of the tax exemption on gross income or proceeds from the sale of alcohol fuels. (SD1)</p>  | <p>ENE, WAM</p>     |
| <p><b><u>SB 553, SD1</u></b><br/> <a href="#">(SSCR151)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p>                       | <p>RELATING TO ENERGY-EFFICIENT LIGHTING.<br/>         Requires use of compact fluorescent light bulbs, light-emitting diode lighting products, and advanced energy-efficient incandescent light bulbs in state buildings. (SD1)</p>  | <p>ENE/JGO, WAM</p> |
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| <p><b><u>HMS</u></b><br/> <b><u>SB 914, SD1</u></b><br/> <a href="#">(SSCR87)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p> | <p>RELATING TO PUBLIC ASSISTANCE.<br/>         Amends section 346-1, Hawaii Revised Statutes, by adding definitions of "non-work eligible household", "work eligible household", and "other work eligible household" and repealing the definition of "exempt household" to be consistent with recent changes in federal regulations. Also amends section 346-53(a), Hawaii Revised Statutes, to be consistent with the new definitions. (SD1)</p>   | <p>HMS, WAM</p>     |
| <p><b><u>SB 921, SD1</u></b><br/> <a href="#">(SSCR280)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p>                       | <p>RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS.<br/>         Repeals section 348-9, Hawaii Revised Statutes, that establishes the Statewide Council on Independent Living. (SD1)</p>   | <p>HMS, WAM</p>     |
| <p><b><u>SB 39</u></b><br/> <a href="#">(SSCR60)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p>                              | <p>RELATING TO REPORTS ON THE HAWAII CANCER RESEARCH SPECIAL FUND.<br/>         Beginning 01/01/2010, requires the University of Hawaii to report semi-annually on the moneys in the Hawaii cancer research special fund, including deposits, expenditures, and other transactions.</p>   | <p>HRE/HTH, WAM</p> |
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| <p><b><u>HTH</u></b><br/> <b><u>SB 427</u></b><br/> <a href="#">(SSCR307)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p>     | <p>RELATING TO GENERAL EXCISE TAXATION.<br/>         Excludes from the general excise tax, amounts received by a managed care support contractor of the TRICARE program for the actual cost or advancement to third party health care providers pursuant to a contract with the United States.</p>  | <p>HTH, WAM</p>     |

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| <p><b><u>SB 528, SD1</u></b><br/> <u>(SSCR225)</u><br/> <u>Testimony</u><br/> <u>Status</u></p>  | <p>RELATING TO TOBACCO.<br/> Makes permanent the retail tobacco permit law. (SD1)</p>  | <p>HTH, WAM</p>     |
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| <b><u>JGO</u></b>  |  |                     |
| <p><b><u>SB 111</u></b><br/> <u>(SSCR61)</u><br/> <u>Testimony</u><br/> <u>Status</u></p>        | <p>RELATING TO THE PENAL CODE.<br/> Establishes the payment priority of the DNA analysis fee over other fees and fines assessed against a defendant by the court.</p>  | <p>JGO, WAM</p>     |
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| <p><b><u>SB 522, SD1</u></b><br/> <u>(SSCR214)</u><br/> <u>Testimony</u><br/> <u>Status</u></p>  | <p>RELATING TO LAND COURT.<br/> Requires the assistant registrar of the land court to provide, within 10 days, or as soon thereafter in case of computer malfunction, and free of charge, an image and index of all instruments that contain real property transactions each week to the administrator of the city and county of Honolulu's real property assessment division. (SD1)</p>   | <p>JGO/CPN, WAM</p> |
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| <p><b><u>SB 1103, SD1</u></b><br/> <u>(SSCR197)</u><br/> <u>Testimony</u><br/> <u>Status</u></p> | <p>RELATING TO EFFECTIVE LEGISLATION.<br/> Creates commission on effective legislation within the office of the ombudsman and chaired by the ombudsman. Sets membership to include representatives from 6 executive departments, to be appointed by the senate president and house speaker; the counties; and University of Hawaii. Requires commission to examine existing laws within the Hawaii Revised Statutes referred by legislators, state and county agencies, and the public that may be obsolete, redundant, conflicting, or ambiguous. Requires ombudsman to report to legislature biennially. (SD1)</p> | <p>JGO, WAM</p>     |
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| <p><b><u>SB 1343, SD1</u></b><br/> <u>(SSCR195)</u><br/> <u>Testimony</u><br/> <u>Status</u></p> | <p>RELATING TO FEES AND OTHER ASSESSMENTS.<br/> Removes administrative agencies' authority to establish fees and replaces administratively established fees with statutory fees. Effective 7/1/2050. (SD1)</p>   | <p>JGO, WAM</p>     |
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| <b><u>LBR</u></b>  |  |                     |
| <p><b><u>SB 690, SD1</u></b><br/> <u>(SSCR200)</u><br/> <u>Testimony</u><br/> <u>Status</u></p>  | <p>RELATING TO INTERGOVERNMENTAL MOVEMENTS.<br/> Allows for the exchange or movement of civil service employees between the State and any county, between counties, between the federal government and the State, or between the federal government and any county; provided certain conditions are met. (SD1)</p>   | <p>LBR/TIA, WAM</p> |
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| <p><b><u>SB 876, SD1</u></b><br/> <u>(SSCR123)</u><br/> <u>Testimony</u><br/> <u>Status</u></p>  | <p>RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.<br/> Clarifies retirement date for ordinary disability retirement, payment of attorney's fees and costs in disability retirement and accidental death cases, forfeiture date for noncontributory service credit, and benefits for reemployed retirants. (SD1)</p>   | <p>LBR, WAM</p>     |

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| <p><b><u>SB 905, SD1</u></b><br/> <a href="#">(SSCR407)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p>  | <p>RELATING TO THE OFFICE OF COMMUNITY SERVICES.<br/> Transfers the Office of Community Services from the Department of Labor and Industrial Relations to the Department of Human Services. (SD1)</p>  | <p>LBR/HMS, WAM</p> |
| <p><b><u>SB 947, SD1</u></b><br/> <a href="#">(SSCR154)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p>  | <p>RELATING TO UNEMPLOYMENT CONTRIBUTION RATES.<br/> Intended to conform Hawaii's unemployment insurance law to federal law to ensure uniform application to all state unemployment insurance experience rating transfers for employers. (SD1)</p>   | <p>LBR, WAM</p>     |
| <p><b><u>SB 1664, SD1</u></b><br/> <a href="#">(SSCR147)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p> | <p>RELATING TO EMPLOYMENT SECURITY.<br/> Adds definitions relating to partial unemployment and sets out claimants' eligibility, claims filing, and registration requirements, and employers' reporting requirements for partial unemployment. (SD1)</p>  | <p>LBR, WAM</p>     |
| <b><u>PSM</u></b>   |  |                     |
| <p><b><u>SB 546, SD1</u></b><br/> <a href="#">(SSCR145)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p>  | <p>RELATING TO CORRECTIONS.<br/> Requires the department of public safety to establish a pilot program on Oahu that electronically monitors committed persons who are permitted to live and work in the community in lieu of continued incarceration. Appropriates funds. Effective 7/1/2050. (SD1)</p>  | <p>PSM, WAM</p>     |
| <p><b><u>SB 970, SD1</u></b><br/> <a href="#">(SSCR146)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p>  | <p>RELATING TO COMMITTED PERSONS' ACCOUNTS.<br/> Amends section 353-20, Hawaii Revised Statutes, to permit the Director of Public Safety to direct the department to have one or more accounts for committed persons. Also states that the accounts are non-interest bearing and that no interest can be paid to committed persons on the individual accounts. (SD1)</p> | <p>PSM, WAM</p>     |
| <p><b><u>SB 1060</u></b><br/> <a href="#">(SSCR270)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p>      | <p>RELATING TO FIREWORKS.<br/> Increases the permit fees associated with using and importing fireworks.</p>  | <p>PSM, WAM</p>     |
| <b><u>TIA</u></b>   |  |                     |
| <p><b><u>SB 1224, SD1</u></b><br/> <a href="#">(SSCR321)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p> | <p>RELATING TO AIRPORT CONCESSIONS.<br/> Requires the department of transportation to periodically review airport concession leases. Allows the DOT to adjust the lease rent to what is reasonable and affordable for the concession. Sunsets 7/1/2014. (SD1)</p>  | <p>TIA, WAM</p>     |
| <b><u>WTL</u></b>   |  |                     |
| <p><b><u>SB 560, SD1</u></b><br/> <a href="#">(SSCR120)</a><br/> <a href="#">Testimony</a><br/> <a href="#">Status</a></p>  | <p>RELATING TO PUBLIC SAFETY.<br/> Establishes a task force to study the disparate treatment of native Hawaiians and other ethnic groups in the State's criminal justice system. (SD1)</p>   | <p>WTL/PSM, WAM</p> |

CPN

SB 877, SD1

(SSCR243)

Testimony

Status

RELATING TO THE ONE CALL CENTER.

Protects Hawaii's underground infrastructure by making the One Call Center pilot program permanent. Since 2004, the Center has become the central database for utility operators, contractors, and excavators attempting to locate underground gas, electric, telecommunication, cable, water, and sewer lines. (SD1)

CPN, WAM

**Decision making meeting only, no public testimony will be accepted.**

**Persons wishing to comment should submit their comments in one of the following ways:**

- By Email: Comments may be emailed if less than 5 pages in length, to the Committee at [WAMTestimony@Capitol.hawaii.gov](mailto:WAMTestimony@Capitol.hawaii.gov). Please indicate the measure, date and time of the hearing. Email sent to individual offices or any other Senate office will not be accepted.
- By Web: Comments may be submitted online if less than 4MB in size, at <http://www.capitol.hawaii.gov/emailtestimony>.
- In person: 1 copy of their Comments to the committee clerk, Room 210, State Capitol.
- By fax: Comments 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 comments is being submitted and the date and time of the hearing.

**FOR AMENDED HEARING NOTICES:** If the notice is an amended notice, measures that have been deleted are stricken through and measures that have been added are underscored. If there is a measure that is both underscored and stricken through, that measure has been deleted from the agenda.

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.

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

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Senator Donna Mercado Kim  
Chair