

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

NOTICE OF DECISION MAKING

DATE: Monday April 6, 2009
TIME: 9:30 a.m.
PLACE: Conference Room 211
State Capitol
415 South Beretania Street

A G E N D A

WTL

HB 1552, HD2, SD1

[\(SSCR1055\)](#)

[Testimony](#)

[Status](#)

RELATING TO PUBLIC LANDS.

Authorizes DLNR to issue long-term residential leases to qualified persons in state living parks. Establishes living park planning councils to develop state living park master plans to ensure the living park achieves its purpose and goals. Takes effect July 1, 2020. (SD1)

WTL, WAM

HB 1766, HD2, SD1

[\(SSCR1082\)](#)

[Testimony](#)

[Status](#)

RELATING TO SMALL BOAT HARBORS.

Permits commercial permits in Ala Wai and Keehi small boat harbors; directs the department of land and natural resources to provide a request for proposal for a public-private partnership to develop a portion of Ala Wai small boat harbor; permits commercial use permits to be issued for vessels assigned moorings in Ala Wai and Keehi small boat harbors; and provides for future mooring fees to be established by appraisal. (SD1)

WTL, WAM

HMS

HB 1187, HD1, SD1

[\(SSCR1047\)](#)

[Testimony](#)

[Status](#)

RELATING TO THE HOMELESS.

Assists the homeless in reuniting with their families. Takes effect July 1, 2050. (SD1)

HMS, WAM

HTH

HB 896, HD1

[\(SSCR961\)](#)

[Testimony](#)

[Status](#)

RELATING TO TOBACCO.

Makes permanent the retail tobacco permit law. (HB896 HD1)

HTH, WAM

<p><u>HB 343, HD1, SD1</u> (SSCR967) Testimony Status</p>	<p>RELATING TO RURAL PRIMARY HEALTH CARE TRAINING. Appropriates funds to develop a statewide rural primary health care training program and support the family medicine residency program of the University of Hawaii John A. Burns school of medicine's department of family medicine and community health. (SD1)</p>	<p>HTH/HRE, WAM</p>
<p><u>HB 694, SD1</u> (SSCR1034) Testimony Status</p>	<p>RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION. Authorizes a facility or regional health care system under the Hawaii health systems corporation to transition into a new legal entity; amends the maintenance of services requirements; requires Hawaii health systems corporation to assume liabilities and debts or other obligations accrued beginning on July 1, 1996; requires commercial health plans to provide a minimum reimbursement level; authorizes special negotiating authority for Hawaii health systems corporation with bargaining units; authorizes criminal history record checks. Effective July 1, 2050. (SD1)</p>	<p>HTH, WAM</p>
<p><u>WAM</u></p>		
<p><u>HB 39, HD2</u> Proposed SD1 (HSCR735) Testimony Status</p>	<p>RELATING TO STATE REVENUES. Provides for the temporary transfer of interest from certain special funds, revolving funds, and special accounts to the general fund. Subjects special funds, with a few exceptions, to assessments for the central service and departmental administrative expenses transfers non-general funds into the general fund. (SD1)</p>	<p>WAM</p>
<p><u>HB 1744, HD1</u> (HSCR742) Testimony Status</p>	<p>RELATING TO THE TRANSIENT ACCOMMODATIONS TAX. Suspends for 6 years from 07/01/2009 to 06/30/2015 the distribution of transient accommodations tax revenues to the counties. Effective 07/01/2020. (HB1744 HD1)</p>	<p>WAM</p>
<p><u>HB 1600, HD1</u> (HSCR764) Testimony Status</p>	<p>RELATING TO THE GENERAL EXCISE TAX. Exempts from the general excise tax, amounts received by a common paymaster to pay employees of two or more related businesses, on behalf of the related businesses, where the applicable relationship is defined under Section 267(b) of the Internal Revenue Code. (HB1600 HD1)</p>	<p>WAM</p>
<p><u>HB 1605, HD1</u> Proposed SD1 (HSCR752) Testimony Status</p>	<p>RELATING TO TAXATION. Authorizes each county to establish a retail sales tax on the sales of tangible personal property. (Proposed SD1)</p>	<p>WAM</p>
<p><u>HB 1747, HD1</u> (HSCR765) Testimony Status</p>	<p>RELATING TO TAXATION. Increases the income tax for high income brackets. Repeals the increases on 12/31/15. (HB1747 HD1)</p>	<p>WAM</p>

<p><u>HB 1364, HD1</u> <u>(HSCR789)</u> <u>Testimony</u> <u>Status</u></p>	<p>RELATING TO THE BUDGET. Requires the governor or the director of finance to report restrictions of appropriations to the legislature. (HB1364 HD1)</p>	<p>WAM</p>
<p><u>HB 1739, HD1</u> <u>Proposed SD1</u> <u>(HSCR754)</u> <u>Testimony</u> <u>Status</u></p>	<p>RELATING TO TAXATION. Deters tax fraud and conforms Hawaii tax law to the Internal Revenue Code for tax preparers and tax return accuracy-related issues, promotes expedited tax appeals, authorizes the Department of Taxation to adopt temporary rules, and clarifies taxpayer rights with respect to tax appeals. (SD1 Proposed)</p>	<p>WAM</p>
<p><u>TIA</u></p>		
<p><u>HB 142, HD1</u> <u>(SSCR909)</u> <u>Testimony</u> <u>Status</u></p>	<p>RELATING TO INTRA-STATE AVIATION. Exempts the general excise and use taxes on fuel sold from a foreign-trade zone to common carriers for use in interisland air transportation. (HB142 HD1)</p>	<p>TIA, WAM</p>
<p><u>HB 863, HD1, SD1</u> <u>(SSCR926)</u> <u>Testimony</u> <u>Status</u></p>	<p>RELATING TO ESTABLISHING A COUNTY TRANSIT ORIENTED DEVELOPMENT INFRASTRUCTURE REVOLVING FUND. Creates the county infrastructure development revolving loan fund within department of budget and finance to provide no-interest loans to the counties for the development, pre-development, or construction of infrastructure projects to expedite the building of transit-oriented development, especially those involving affordable housing. Effective 07/01/2020. (SD1)</p>	<p>TIA/EDH, WAM</p>
<p><u>HB 1166, HD1, SD1</u> <u>(SSCR925)</u> <u>Testimony</u> <u>Status</u></p>	<p>RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND. Provides the Airports Division of the Department of Transportation with additional financing options utilizing its passenger facility charge revenues to construct airports capital improvement projects and to provide the statutory framework to permit the execution of these financial options. (SD1)</p>	<p>TIA, WAM</p>
<p><u>CPN</u></p>		
<p><u>HB 1059, HD2, SD1</u> <u>(SSCR960)</u> <u>Testimony</u> <u>Status</u></p>	<p>RELATING TO THE ONE CALL CENTER. Makes permanent the One Call Center pilot program, which facilitates advance warnings to excavators of the location of underground facilities. Exempts pest control operations from the program for three years. (SD1)</p>	<p>CPN, WAM</p>
<p><u>HB 1071, HD3, SD1</u> <u>(SSCR927)</u> <u>Testimony</u> <u>Status</u></p>	<p>RELATING TO MORTGAGE SERVICERS. Provides for the licensing and regulation of mortgage servicers that service residential mortgage loans secured by real property located in the State of Hawaii. Specifies prohibited practices for mortgage servicers. Effective January 1, 2010. (SD1)</p>	<p>CPN, WAM</p>

<p><u>HB 1074, HD2, SD1</u> (SSCR928) Testimony Status</p>	<p>RELATING TO INSURANCE. Makes numerous updates to the Insurance Code. Clarifies allowable insurer investments to meet capital and reserve requirements. Sets a time limit for insurers to claim the Retaliatory Tax Credit. Limits the issuance of surplus lines broker licenses to certain insurance lines of authority. Allows a limited adjuster license for crop insurance claims. Amends the continuing education credit hours required for insurance produce license renewals. Makes printed form filings optional for insurance rate filings in accordance with state plans to begin accepting electronic rate filings and payments for all lines of insurance. Effective 07/01/2020. (SD1)</p>	<p>CPN, WAM</p>
<p><u>HB 1404, HD1, SD1</u> (SSCR977) Testimony Status</p>	<p>RELATING TO GENERAL EXCISE TAX. Makes the general excise tax exemption amendments for timeshare operators and condominium submanagers permanent. Effective July 1, 2050. (SD1)</p>	<p>CPN, WAM</p>
<u>EDT</u>		
<p><u>HB 381, HD2, SD1</u> (SSCR1060) Testimony Status</p>	<p>RELATING TO THE STATE OF HAWAII ENDOWMENT FUND. Amends the \$4,000,000 appropriation to the State of Hawaii Endowment Fund authorized under Act 97, SLH 2006, as amended by Act 156, SLH 2007) to stipulate that all portions of pledges not collected by February 28, 2013, will cause any unexpended or unencumbered balance from the appropriation to revert to the general fund. Effective 7/1/2050. (SD1)</p>	<p>EDT, WAM</p>
<p><u>HB 610, HD2, SD1</u> (SSCR929) Testimony Status</p>	<p>RELATING TO SCIENCE AND TECHNOLOGY. Amends the Hawaii State Planning Act to include references to science and technology initiatives in Hawaii. Amends the department of business, economic development, and tourism's reporting requirement to the legislature on the growth industries of Hawaii. (SD1)</p>	<p>EDT, WAM</p>
<p><u>HB 611, HD1, SD1</u> (SSCR1070) Testimony Status</p>	<p>RELATING TO TAXATION. Amends the capital goods excise tax credit so that it applies only to property placed in service or purchased pursuant to a binding contract in taxable years beginning before July 1, 2009; suspends the credit for taxable years beginning on or after July 1, 2009, and ending on or before December 31, 2011; and adds a new part for property placed in service or purchased pursuant to a binding contract in taxable years beginning after December 31, 2011. Requires the department of taxation, with the assistance of the department of business, economic development, and tourism, to evaluate certain tax credits and tax exemptions and report to the legislature. Requires the department of taxation to give recommendations and for the legislature to implement those recommendations prior to the mandate for those tax credits and tax exemptions to sunset. (SD1)</p>	<p>EDT, WAM</p>

<p><u>HB 984, HD4, SD1</u> (SSCR1026) Testimony Status</p>	<p>RELATING TO TECHNOLOGY. 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>
<p><u>HB 1405, HD2, SD1</u> (SSCR1040) Testimony Status</p>	<p>RELATING TO THE GENERAL EXCISE TAX. Adopts amendments to Hawaii tax laws to implement the streamlined sales and use tax agreement. (SD1)</p>	<p>EDT, WAM</p>
<p><u>HB 1583, HD1</u> (HSCR759) Testimony Status</p>	<p>RELATING TO TAXATION. Reduces tax credits allowed under chapters 235, 239, 241, and 431, HRS, by 75 percent for taxable years beginning on or after January 1, 2009, and ending before January 1, 2011. Suspends the use of tax credit carryovers generated from taxable years beginning before January 1, 2009, until January 1, 2011. (HB1583 HD1)</p>	<p>WAM</p>
<p><u>HB 1451, HD2, SD1</u> (SSCR998) Testimony Status</p>	<p>RELATING TO TAXATION. Extends the high technology business investment, research activities, and technology infrastructure renovation tax credits to 12/31/2012. Provides aggregate caps on the high technology business investment tax credit for each qualified high technology business and disallows 100% of the credit in the year that a recapture event occurs and each year thereafter. Requires a drop-down subsidiary to obtain a comfort letter. (SD1)</p>	<p>EDT, WAM</p>
<p><u>HMS</u></p>		
<p><u>HB 333, HD2, SD1</u> (SSCR979) Testimony Status</p>	<p>RELATING TO TAXATION. Creates a state earned income tax credit funded initially with TANF funds. Restricts the interest charged by tax preparers to clients who claim the earned income tax credit. Takes effect January 1, 2050. (SD1)</p>	<p>HMS, WAM</p>
<p><u>HB 739, HD2, SD1</u> (SSCR1072) Testimony Status</p>	<p>RELATING TO TEMPORARY ASSISTANCE TO NEEDY FAMILIES. Details how the legislature will spend TANF funds, emphasizing child care services, work program contracts and related support services, the prevention of out-of-wedlock pregnancies, the purchase of service contracts for child protective services, information system maintenance, and administration costs. Transfers portions of TANF funds to the social services block grant and child care development fund. (SD1)</p>	<p>HMS, WAM</p>
<p><u>HB 989, HD1, SD1</u> (SSCR980) Testimony Status</p>	<p>RELATING TO CHILDREN'S HEALTH CARE. Amends the Act 236, Session Laws of Hawaii 2007, which established the Hawaii children's health care program, to extend the program for three more years and require reporting to Legislature prior to the 2010 and 2011 Regular Sessions. Effective 07/01/2020. (SD1)</p>	<p>HMS/HTH, WAM</p>

<p><u>HB 1064, HD1, SD1</u> <u>(SSCR1071)</u> <u>Testimony</u> <u>Status</u></p>	<p>MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL. Emergency appropriation to address the budget shortfall for general assistance payments in April, May, and June of 2009, and to address the budget shortfall in fiscal year 2008-2009 for mental health services and Hawaii Health Systems Corporation. (SD1)</p>	<p>HMS, WAM</p>
<p><u>HB 1098, HD2, SD1</u> <u>(SSCR981)</u> <u>Testimony</u> <u>Status</u></p>	<p>RELATING TO GENERAL ASSISTANCE. Places a twenty-four-month limit on general assistance to households without minor dependents with appropriate exceptions. Requires DHS to refer general assistance recipients to the aid to the aged, blind, and disabled program under specified conditions. Converts general assistance into an entitlement program. Takes effect July 1, 2020. (SD1)</p>	<p>HMS, WAM</p>
<p><u>HB 1103, SD1</u> <u>(SSCR1046)</u> <u>Testimony</u> <u>Status</u></p>	<p>RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS. Repeals section 348-9, Hawaii Revised Statutes, that establishes the Statewide Council on Independent Living. (SD1)</p>	<p>HMS, WAM</p>
<p><u>HB 1284, HD1, SD1</u> <u>(SSCR1073)</u> <u>Testimony</u> <u>Status</u></p>	<p>RELATING TO HEALTH. Appropriates unspecified funds for each year of the 2009-2011 fiscal biennium to increase the payments for physician services to medicaid-eligible persons, including fee-for-service, QUEST provider services, and QUEST Expanded Access Program up to an unspecified per cent of the current medicare rate. Requires the department of human services (DHS) to report to the legislature prior to the 2010 regular session with (1) the amount of baseline medicaid and additional funds needed for fiscal year 2010-2011, and (2) the amount of funding required to continue increased payments for physician services to medicaid-eligible persons. Requires DHS to seek an appropriation in an amount equal to at least the amount appropriated in 2009-2010 for additional payments for physician services. Effective date 7/1/2010. (SD1)</p>	<p>HMS/HTH, WAM</p>
<p><u>HB 1354, HD2, SD1</u> <u>(SSCR1045)</u> <u>Testimony</u> <u>Status</u></p>	<p>RELATING TO CHILDREN. Appropriates Temporary Assistance for Needy Families funds and general revenue funds for the Healthy Start and Enhanced Healthy Start Programs, to maintain current services, to hire additional staff and for provider training. Effective 7/1/20. (SD1)</p>	<p>HMS, WAM</p>
<p><u>HB 1525, HD1, SD1</u> <u>(SSCR1052)</u> <u>Testimony</u> <u>Status</u></p>	<p>RELATING TO MEDICAID. Requires the department of human services to award medicaid contracts to nonprofit and for-profit entities which comply with specified reporting requirements. Effective 1/1/2016. (SD1)</p>	<p>HMS/JGO, WAM</p>
<p><u>HRE</u></p>		

HB 1057, HD1, SD1

(SSCR1005)

Testimony

Status

RELATING TO THE STATE OF HAWAII COLLEGE SAVINGS PROGRAM.

Supports investment in a child's future by allowing family members and friends to contribute to State-established HI529 college savings accounts that currently only account owners can contribute to. (SD1)

HRE, WAM

HB 1174, HD3, SD1

(SSCR1054)

Testimony

Status

RELATING TO THE UNIVERSITY OF HAWAII.

Authorizes the board of regents to charge fees and enter into lease agreements for the Mauna Kea lands, adopt rules to regulate public and commercial activities on Mauna Kea lands, establish and collect administrative fines for violations; establishes a Mauna Kea lands management special fund for the University of Hawaii to manage Mauna Kea lands; requires annual reports to the legislature. Effective 7/1/2025. (SD1)

HRE/WTL, 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 . 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.

Senator Donna Mercado Kim
Chair

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