

COMMITTEE ON CONSUMER PROTECTION & COMMERCE AND COMMITTEE ON JUDICIARY

Monday, February 02, 2009
2:00 p.m.
Conference Room 325; State Capitol

AGENDA:

HB 311 Status	RELATING TO LIQUOR. Makes various administrative, technical amendments to the liquor license and liquor tax laws.	CPC/JUD, FIN
HB 606 Status	RELATING TO INTOXICATING LIQUOR. Prohibits attempts by minors using false identification to purchase liquor by establishing fines and other penalties. Designates 50% of revenues from fines to county programs for underage drinking awareness and prevention. Authorizes the issuance of citations as an alternative to arrest for violations associated with intoxicating liquor.	CPC/JUD, FIN
HB 51 Status	RELATING TO REAL ESTATE BROKERS. Prohibits persons convicted of felonies involving fraud or misrepresentation from being licensed as a real estate broker.	CPC/JUD
HB 233 Status	RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT. Excludes licensed real estate brokers and salespersons from the definition of distressed property consultants in the Mortgage Foreclosure Rescue Fraud Prevention Act. Prohibits certain conduct relating to the acquisition of an ownership interest in distressed property by licensed real estate brokers and salespersons.	CPC/JUD
HB 654 Status	RELATING TO CONTRACTORS. Prohibits the resumption of work for any person who is issued a citation for operating without a contractor's license in good standing until the person cited holds the required licenses conducted and makes the issuance of citations and cease and desist orders mandatory. Amends penalties. Effective 1/1/10.	CPC/JUD

<u>HB 262</u> <u>Status</u>	RELATING TO INSURANCE FRAUD. Expands the authority of the insurance division’s insurance fraud investigations unit to prevent, investigate, and prosecute (both civilly and criminally) insurance fraud beyond motor vehicle insurance cases to all lines of insurance except workers’ compensation.	CPC/JUD, FIN
<u>HB 272</u> <u>Status</u>	RELATING TO THE HAWAII REGISTERED AGENTS ACT. Adopts provisions of the Model Registered Agents Act, which streamlines business registration filings for registered agents who accept service of process on behalf of businesses in Hawaii, particularly commercial agents who are in the business of serving as agents.	CPC/JUD, FIN
<u>HB 581</u> <u>Status</u>	RELATING TO INFORMATION. Requires public or private entities responsible for the inadvertent, unauthorized disclosure of personally identifiable financial information to pay for access to credit reports for at least 1 year.	CPC/JUD, FIN
<u>HB 1031</u> <u>Status</u>	RELATING TO CHAPTER 480, HAWAII REVISED STATUTES. Clarifies antitrust and unfair competition law with regard to who can sue in certain instances, including when having made indirect purchases.	CPC/JUD, FIN
<u>HB 995</u> <u>Status</u>	RELATING TO PUBLIC ACCOUNTANCY. Authorizes the out-of-state practice of public accountancy in this State provided that the practice is conducted through an individual with a permit or privilege to practice in this State. Establishes a privilege to practice in this State for out-of-state practitioners.	CPC/JUD, FIN
<u>HB 943</u> <u>Status</u>	RELATING TO PUBLIC ACCOUNTANTS. Excludes public accountants as distressed property consultants.	CPC, JUD

[HB 976](#)
[Status](#) RELATING TO FORECLOSURE. CPC, JUD
Requires the circuit court to provide written notification to parties to a foreclosure action for a specified period prior to the issuance of a judgment. Takes effect on July 1, 2009, and sunsets June 30, 2010.

[HB 972](#)
[Status](#) RELATING TO FUEL. CPC, JUD, FIN
Prohibits fractional-cent pricing in the retail sale of gasoline and diesel.

[HB 1059](#)
[Status](#) RELATING TO THE ONE CALL CENTER. CPC, FIN
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.

Decision making to follow.

2:05 pm AGENDA:

Decision making only (heard on Thursday, January 29, 2009):
[HB 254](#)
[Status](#) RELATING TO PUBLIC UTILITIES. CPC
Requires the public utilities commission to treat switched access phone service as fully competitive.

[HB 627](#)
[Status](#) RELATING TO CONTRACTORS. CPC, JUD
Prohibits the resumption of work for any person who is issued a citation for operating without a contractor's license in good standing until a hearing is conducted, and makes the issuance of citations and cease and desist orders mandatory. Amends penalties.

[HB 239](#)
[Status](#) RELATING TO INSURANCE. CPC, JUD
Repeals the statute that limits insurance coverage for punitive damages to contracts that specifically provide such coverage.

COMMITTEE ON EDUCATION

Monday, February 02, 2009

2:00 p.m.

Conference Room 309; State Capitol

AGENDA:

HB 11 Status	RELATING TO EDUCATION. Makes clarifying amendments to laws affecting the charter schools.	EDN, JUD
HB 12 Status	RELATING TO THE BOARD OF EDUCATION. Authorizes the Board of Education to employ or retain its own attorneys.	EDN, JUD, FIN
HB 13 Status	RELATING TO BOARD OF EDUCATION MEETINGS. Authorizes the board of education to file any meeting notice that specifies legislation or legislation-related agenda items no fewer than two calendar days before a meeting during the period from the convening of the legislature in regular session to adjournment sine die of each regular session, and during any special session of the legislature.	EDN, JUD
HB 87 Status	RELATING TO EDUCATION. Provides the Department of Education with oversight and monitoring powers over a child receiving special education services at a private school but at public expense.	EDN, JUD, FIN
HB 173 Status	RELATING TO SCHOOL MEALS. Modifies the method by which the prices of school meals are determined.	EDN, FIN
HB 176 Status	RELATING TO SCHOOL BUSES. Requires all school buses imported into the state after July 1, 2010, to be equipped with lap and shoulder belt assemblies at all designated seating positions. Requires DOE to adopt rules requiring the use of seatbelts. Requires school buses that are currently in Hawaii to be retrofitted and equipped with lap and shoulder belt assemblies by July 1, 2020.	EDN, TRN, FIN

<u>HB 179</u> <u>Status</u>	RELATING TO SCHOOL FACILITIES. Transfers responsibility for school facilities repair and maintenance for air conditioning equipment and donated equipment and fixtures from the Department of Accounting and General Services to the Department of Education, consistent with Act 51, SLH 2004.	EDN, FIN
<u>HB 180</u> <u>Status</u>	RELATING TO EDUCATION. Repeals the Performance Standards Review Commission.	EDN, FIN
<u>HB 181</u> <u>Status</u>	RELATING TO THE FEDERAL GRANTS REVOLVING FUND. Renames the existing Federal Grants Search, Development, and Application Revolving Fund as the Federal Grants Revolving Fund. Allows funds in the Federal Grants Revolving Fund to be used to monitor grant execution, ensure compliance with grant requirements, and audit grant expenditures.	EDN, FIN
<u>HB 395</u> <u>Status</u>	RELATING TO EARLY LEARNING. Requires any unexpended or unencumbered general fund appropriations designated for the State's early learning system to lapse into the Keiki First Steps Trust Fund.	EDN, FIN
<u>HB 985</u> <u>Status</u>	RELATING TO EDUCATION. Returns the Department of Education to a system divided by districts in lieu of the current complex area structure. Requires the Board of Education to appoint the district superintendents. Establishes duties of the district superintendent.	EDN, FIN
<u>HB 992</u> <u>Status</u>	RELATING TO NUTRITION. Establishes a farm-to-work nutrition program in the public schools.	EDN, AGR, FIN

Decision making to follow.

COMMITTEE ON FINANCE

Monday, February 2, 2009
2:00 p.m.
Conference Room 308; State Capitol

AGENDA:

HB 302 Status	MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN. Appropriates funds to provide for the expenses of the Legislature, Auditor, Legislative Reference Bureau, and Ombudsman.	FIN
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Decision making to follow.

COMMITTEE ON ECONOMIC REVITALIZATION, BUSINESS, & MILITARY AFFAIRS

Tuesday, February 3, 2009
8:30 a.m.
Conference Room 312; State Capitol

AGENDA:

HB 657 Status	RELATING TO VETERANS SCHOLARSHIP PROGRAM. Provides a veterans scholarship program at the University of Hawaii and other approved educational institutions.	EBM, HED, FIN
HB 735 Status	RELATING TO TAXATION. Adopts amendments to Hawaii tax laws to implement the streamlined sales and use tax agreement.	EBM, CPC/JUD, FIN
HB 472 Status	RELATING TO THE STATE VEHICLE WEIGHT TAX. Provides for the exemption of vehicle weight taxes for one noncommercial vehicle per veteran.	EBM, TRN, FIN
HB 454 Status	RELATING TO PLANNING. Establishes a commission in the Office of Planning to identify and prioritize the return to the State of federal lands that are no longer needed for national defense or federal purposes.	EBM, WLO, FIN

[HB 553](#)
[Status](#) RELATING TO MEDICAL ENTERPRISE ZONES. EBM, HLT, FIN
Establishes medical enterprise zones in the State to encourage the development of medical and research services. Creates a 7-year pilot medical enterprise zone in West Maui.

[HB 651](#)
[Status](#) RELATING TO INTOXICATING LIQUOR. EBM, CPC, FIN
Creates a 2-year program that allows liquor establishments to obtain a liquor license from the liquor commission if they have obtained temporary tax clearance from the department of taxation by entering into a payment plan with the department for the payment of taxes.

Decision making only (heard on Thursday, January 29, 2009):
[HB 720](#)
[Status](#) RELATING TO FAMILY LEAVE. EBM, LAB, FIN
Allows an employee to use family leave during any calendar year to provide family care and support during the military deployment of the employee's child, spouse or reciprocal beneficiary, or parent. Requires an employee to provide proof of military deployment. Defines military deployment.

COMMITTEE ON HEALTH

Tuesday, February 03, 2009
8:30 a.m.
Conference Room 329; State Capitol

AGENDA:

[HB 384](#)
[Status](#) RELATING TO PUBLIC SAFETY. HLT, WLO, FIN
Establishes a task force to collect data and examine advisability and effectiveness of a detention pond safety program.

[HB 823](#)
[Status](#) RELATING TO HEALTH INSURANCE. HLT, CPC, FIN
Mandates health insurance coverage for colorectal cancer screening and that the insurer provide the insured with information about the risks of undiagnosed colorectal cancer and encourage the insured to consult with their physician about screening options.

<u>HB 991</u> <u>Status</u>	RELATING TO THE UNIVERSITY OF HAWAII. Establishes loan repayment program for University of Hawaii medical school graduates working in rural areas of the State.	HLT, HED, FIN
<u>HB 1509</u> <u>Status</u>	RELATING TO SMOKING. Prohibits smoking within the Waikiki Beach area.	HLT, WLO, JUD
<u>HB 327</u> <u>Status</u>	RELATING TO CIGARETTES. Prohibits sale, distribution, and import of purse packs of cigarettes or cigarette packs containing fewer than 20 cigarettes per pack. Defines "purse pack". Imposed fines.	HLT, JUD, FIN
<u>HB 1526</u> <u>Status</u>	RELATING TO HEALTH. Requires a franchise retail food establishment to include nutritional information about each standard menu item.	HLT, EBM, FIN
<u>HB 1823</u> <u>Status</u>	RELATING TO RESPIRATORY CARE. Establishes licensing and regulatory requirements for practice of respiratory care. Establishes board of respiratory care in the department of commerce and consumer affairs, provides for disciplinary criteria, and penalties.	HLT, CPC/JUD, FIN
<u>HB 423</u> <u>Status</u>	RELATING TO EMERGENCY CONTRACEPTIVES FOR SEXUAL ASSAULT SURVIVORS. Requires hospitals to provide information about emergency contraception to women who are sexually assaulted and to provide emergency contraception when requested. Provides for administrative penalties for noncompliance.	HLT, JUD
<u>HB 636</u> <u>Status</u>	RELATING TO BOARD OF PHARMACY. Requires the board of pharmacy to conduct unannounced site inspections of pharmacies at least once during the period that a pharmacy permit is in force. Makes acceptance of on-site inspections a condition of receiving a permit to operate a pharmacy.	HLT, CPC/JUD, FIN

<u>HB 655</u> <u>Status</u>	RELATING TO REMOTE DISPENSING PHARMACIES. Allows remote dispensing pharmacies to operate on islands without a pharmacy, provide medications to patients with health insurance, and dispense controlled substances.	HLT, CPC
<u>HB 811</u> <u>Status</u>	RELATING TO REGISTERED NURSES. Removes, for an unlicensed foreign nursing school graduate applying for a registered nurse license in Hawaii, the requirement for a school transcript to be evaluated. Requires board of nursing to adopt rules requiring submission of the breakdown of educational program for international nursing programs form.	HLT, CPC
<u>HB 1362</u> <u>Status</u>	RELATING TO GENETIC COUNSELORS. Establishes genetic counseling licensure program within department of health. Requires licensure in order to use the title of "licensed genetic counselor". Provides exemptions from licensure requirements.	HLT, CPC, FIN
<u>HB 814</u> <u>Status</u>	RELATING TO NURSE AIDES. Specifies the renewal period for the recertification of certified nurse aides and the number of continuing education hours for their recertification.	HLT, CPC, FIN
<u>HB 533</u> <u>Status</u>	RELATING TO HEALTH. Requires food establishments to post notices warning that certain foods in the food establishment may contain peanuts or be prepared with products derived from peanuts. Makes notices subject to inspection of food establishments by department of health staff. Establishes penalty. Requires director of health to adopt rules.	HLT, JUD

Decision making to follow.

COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Tuesday, February 03, 2009

8:30 a.m.

Conference Room 309; State Capitol

AGENDA:

HB 952 Status	RELATING TO LABOR. Certifies entities as exclusive representatives absent an election where no other representatives are certified as the exclusive bargaining representatives. Requires immediate collective bargaining between parties once entities are certified as exclusive representatives.	LAB, EBM, FIN
HB 319 Status	RELATING TO FAMILY LEAVE. Requires employers to notify employees annually of their entitlement to family leave, as well as possible adverse impact of taking family leave.	LAB, EBM
HB 982 Status	RELATING TO FAMILY LEAVE. Establishes a new data collection system for family leave. Extends applicability of the family leave law to employers with 50 or more employees and to certain emergency and casual hires of the State and counties. Makes appropriation.	LAB, HED/LMG, FIN
HB 643 Status	RELATING TO CONTRACTORS. Prohibits contractors from employing persons not eligible to work in the United States. Imposes fines for violations. Authorizes the contractors license board to suspend or revoke a license if a civil judgment is entered against the contractor on a complaint alleging that the contractor hired ineligible workers. Establishes a special fund.	LAB, JUD, FIN
HB 826 Status	RELATING TO PUBLIC WORKS. Establishes requirements for contractors who bid on state construction projects. Establishes penalties for non-compliance with such requirements.	LAB, FIN

<u>HB 31</u> <u>Status</u>	RELATING TO EMPLOYMENT PRACTICES. Establishes employer's use of individual's credit history in hiring and termination decisions as an unlawful discriminatory practice.	LAB, CPC/JUD
<u>HB 442</u> <u>Status</u>	RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD. Authorizes the labor and industrial relations appeals board (appeal board) to utilize a hearings officer and allow that hearings officer to hold a hearing, in order for the appeal board to expedite hearings on certain workers' compensation matters.	LAB, FIN
<u>HB 849</u> <u>Status</u>	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Increases the composition of the board of trustees of the employees' retirement system from 8 to 12 and amends the composition and appointment procedures in order to provide for county representation.	LAB, FIN
<u>HB 850</u> <u>Status</u>	RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND. Requires 4 of the 5 seats on the board of trustees of the employer-union health benefits trust fund allocated to public employers to be occupied by the respective county directors of finance.	LAB, FIN

Decision making to follow.

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Tuesday, February 03, 2009
9:00 a.m.
Conference Room 325; State Capitol

AGENDA:

<u>HB 371</u> <u>Status</u>	RELATING TO TAXATION. Repeals the sunset provision relating to the one cent tax on naphtha fuel used in a power-generating facility.	EEP, CPC, FIN
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<u>HB 521</u> <u>Status</u>	RELATING TO FUEL TAX. Exempts SLH 2007, Act 209's amendments to section 243-4(a), HRS, from repeal and reenactment on December 31, 2009 by SLH 2007, Act 103, which will lower the license taxes paid by distributors on each gallon of liquid fuel sold.	EEP, FIN
<u>HB 370</u> <u>Status</u>	RELATING TO TAXATION. Clarifies that the additional one cent license tax added to diesel fuel is not applicable to diesel oil that is sold for use in electric power generation by a power-generating facility.	EEP, FIN
<u>HB 197</u> <u>Status</u>	RELATING TO CONDOMINIUMS. Gives boards of directors authority to install or allow the installation of solar energy or wind energy devices on the common elements of condominiums.	EEP, CPC
<u>HB 429</u> <u>Status</u>	RELATING TO ENERGY EFFICIENCY. Directs the public utilities commission to establish energy efficiency portfolio standards.	EEP, CPC, FIN
<u>HB 430</u> <u>Status</u>	RELATING TO ENERGY EFFICIENCY. Directs the public benefits fee administrator to review energy use patterns and develop an energy efficiency plan. Appropriates funds.	EEP, CPC, FIN
<u>HB 432</u> <u>Status</u>	RELATING TO ENERGY EFFICIENCY. Expands the pay as you save pilot program to include photovoltaic energy systems and refrigerator exchanges.	EEP, CPC, FIN
<u>HB 433</u> <u>Status</u>	RELATING TO ENERGY EFFICIENCY. Directs the public benefits fee administrator to develop and implement a program to encourage residential retail electricity customers to replace inefficient household appliances with ENERGY STAR appliances.	EEP, CPC, FIN
<u>HB 436</u> <u>Status</u>	RELATING TO ENERGY EFFICIENCY. Directs the public utilities commission to establish a consumer information program on energy efficient properties.	EEP, CPC, FIN

[HB 986](#)
[Status](#)

RELATING TO PUBLIC SCHOOL FACILITIES.
Requires construction and renovation of public school facilities to meet the Collaborative for High Performance Schools standards. Requires replacement of old portable buildings with high performance classrooms. Also requires prioritization of public school facilities projects in accordance with certain criteria.

EEP, EDN, FIN

[HB 428](#)
[Status](#)

RELATING TO ENVIRONMENTAL RESPONSE.
Excludes bona fide prospective purchasers and owners of contiguous properties who meet certain conditions from liability under the environmental response law.

EEP, JUD

Decision making to follow.