

COMMITTEE ON LEGISLATIVE MANAGEMENT

Friday, February 6, 2009

2:00 p.m.

Conference Room 423; State Capitol

AGENDA:

HB 196 Status	RELATING TO STANDARDS OF CONDUCT. Reduces the value of a gift that must be reported by a legislator or government employee, or spouse or dependent child of a legislator or government employee from \$200 to \$100.	LMG, JUD
HB 970 Status	RELATING TO LOBBYISTS. Prohibits former legislators and appointees whose appointments were subject to senate confirmation from engaging in lobbying for 24 months after termination of employment.	LMG, JUD
HB 59 Status	PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATED TO RESIDENCE REQUIREMENTS FOR MEMBERS OF THE LEGISLATURE. Amends the state constitution to require candidates for the state senate or house of representatives to be a resident of the legislative district from which the person is a candidate for not less than twelve consecutive months prior to the general election.	LMG, JUD, FIN
HB 495 Status	PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 6, OF THE HAWAII STATE CONSTITUTION. Adds the requirement that persons seeking election to the State Senate and State House be qualified voters of the district they seek to represent for at least one year prior to the filing of nomination papers.	LMG, JUD, FIN

<u>HB 853</u> <u>Status</u>	RELATING TO PUBLIC DISCLOSURE OF FINANCIAL INTERESTS STATEMENTS. Requires a legislator to file a disclosure of financial interest between 1/1 and 1/31. If unable to file by 1/31, requires a good faith estimate by 1/31 and an amended disclosure form to be filed by 5/31.	LMG, JUD
<u>HB 855</u> <u>Status</u>	RELATING TO THE DISPOSITION OF FINANCIAL INTERESTS DISCLOSURE STATEMENTS. Allows the state ethics commission a one-year period to dispose of financial interests disclosure statements after the period of retention has expired.	LMG, JUD
<u>HB 1364</u> <u>Status</u>	RELATING TO THE BUDGET. Requires the governor or the director of finance to report restrictions of appropriations to the legislature.	LMG, FIN

Decision making to follow.

COMMITTEE ON AGRICULTURE AND COMMITTEE ON LABOR & PUBLIC EMPLOYMENT AND COMMITTEE ON HEALTH AND COMMITTEE ON PUBLIC SAFETY AND COMMITTEE ON HIGHER EDUCATION AND COMMITTEE ON TRANSPORTATION

Saturday, February 7, 2009
9:00 a.m.
Conference Room 325; State Capitol

AGENDA:

<u>HB 313</u> <u>Status</u>	RELATING TO HIGHWAYS. Requires the Department of Transportation (DOT) to conduct more frequent reviews of the condition of highway guardrails on the island of Hawaii that are deteriorating from exposure to acid rain caused by vog. Requires DOT to research measures and technology that could be used to prevent guardrail deterioration.	TRN, FIN
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<u>HB 318</u> <u>Status</u>	RELATING TO VOG. Requires the Department of Agriculture to work with the University of Hawaii, College of Tropical Agriculture and Human Resources, to determine best methods of vog treatment and research vog-resistant varieties of plants; appropriates funding.	AGR/HED, FIN
<u>HB 316</u> <u>Status</u>	RELATING TO AGRICULTURE. Establishes a temporary reimbursement program for tenants of state agricultural lands in vog-impacted areas to reimburse tenants for costs of repair and maintenance of fencing and other infrastructure repair and maintenance.	PBS/AGR, FIN
<u>HB 312</u> <u>Status</u>	RELATING TO HAZARDOUS SUBSTANCES. Directs the Department of Defense to develop and implement a program to ensure that an adequate number of monitors to detect sulfur dioxide are strategically placed throughout areas of the state where high incidences of vog, sulfur dioxide, or both occur.	PBS/HLT, FIN
<u>HB 317</u> <u>Status</u>	RELATING TO MOBILE MEDICAL CARE. Authorizes the use of federal Homeland Security Grant Program funds to provide the people of the southern portion of the island of Hawaii with increased access to suitable emergency and clinical medical care. (Mobile Medical Van; Vog Health Care)	HLT/PBS, FIN
<u>HB 314</u> <u>Status</u>	RELATING TO WORKERS' COMPENSATION. Requires the Department of Labor and Industrial Relations to develop rules for workers' compensation claims involving vog- related medical conditions.	LAB, FIN
<u>HB 315</u> <u>Status</u>	RELATING TO VOLCANIC EMISSIONS. Requires the Department of Labor and Industrial Relations, in consultation with the Department of Health and the Interagency Task Force on Vog, to establish standards to promote worker safety during high incidences of vog or sulfur dioxide.	LAB, FIN

COMMITTEE ON TOURISM, CULTURE, & INTERNATIONAL AFFAIRS

Saturday, February 7, 2009
Conference Room 312; State Capitol

9:00 a.m. AGENDA:

HB 681 Status	RELATING TO THE TRANSIENT ACCOMMODATIONS TAX. Requires that not less than % of moneys allocated to the tourism special fund from the transient accommodations tax be used for tourism product development.	TCI, FIN
HB 601 Status	RELATING TO THE WORKS OF ART SPECIAL FUND. Allows up to 50% of funds in the works of art special fund to be used for capital improvement projects, the purchase of facilities, and the repair and maintenance of facilities dedicated to the culture and arts. Removes capital improvement appropriations that are designated for renovation of state buildings from the works of art special fund's 1% transfer requirement.	TCI, FIN
HB 946 Status	RELATING TO STATE FOUNDATION ON CULTURE AND THE ARTS. Establishes a state income-tax check-off for the state foundation on culture and the arts.	TCI, FIN
HB 963 Status	RELATING TO WORKS OF ART SPECIAL FUND. Allows expenditures from works of art special fund for acquisition of works of art for the Bernice Pauahi Bishop Museum and Iolani Palace.	TCI, HAW, FIN
HB 1224 Status	RELATING TO WORKS OF ART SPECIAL FUND. Suspends until 6/30/11 the transfer of 1% of each capital improvement project appropriation to the works of special art fund. Requires that any unexpended and unencumbered moneys in the works of art special fund on 6/30/09 be transferred to the appropriate capital projects fund to be allotted and expended for capital improvement projects.	TCI, FIN

<u>HB 381</u> <u>Status</u>	RELATING TO THE STATE OF HAWAII ENDOWMENT FUND. Extends the date on which a \$4,000,000 appropriation to the State of Hawaii Endowment Fund (which was authorized pursuant to Act 97, SLH 2006, as amended by Act 156, SLH 2007) is to lapse to the general fund, from June 30, 2009 to June 30, 2011.	TCI, FIN
<u>HB 506</u> <u>Status</u>	RELATING TO A MUSEUM ARTIFACT AND ARCHIVAL CONSERVATION SUMMIT. Directs the department of accounting and general services to organize a museum artifact and archival conservation summit.	TCI, FIN
<u>HB 649</u> <u>Status</u>	RELATING TO NATURAL RESOURCES. Transfers funds from the tourism special fund for conservation and restoration projects in east Maui.	TCI, WLO, FIN

Decision making to follow.

Decision making only (heard on Monday, February 2, 2009):

<u>HB 753</u> <u>Status</u>	TRANSIENT ACCOMMODATIONS TAX. Repeals cap on deposit of transient accommodations tax (TAT) revenues into the convention center enterprise special fund. Increases percentage of TAT revenues to be deposited into the tourism special fund from 34.2% to 37.9%. Repeals deposit of excess revenues into the general fund.	TCI, FIN
<u>HB 756</u> <u>Status</u>	RELATING TO THE GENERAL EXCISE TAX. Provides a general excise tax exemption for amounts received for the provision of facilities and services for convention, meeting, and incentive program events that are paid for by national and international organizations.	TCI, FIN

<u>HB 678</u> <u>Status</u>	RELATING TO THE HAWAII TOURISM AUTHORITY. Requires Hawaii tourism authority to submit annual budget to legislature for approval. Requires expenditure caps on marketing, product development, and administration. Allows adjustment within each of the 3 categories, but not to exceed approved respective maximum expenditure limits.	TCI, FIN
<u>HB 682</u> <u>Status</u>	RELATING TO THE HAWAII TOURISM AUTHORITY. Reduces the term of contracts, except for contracts for use of the convention center facility, the Hawaii tourism authority may enter into from 5 to 2 years.	TCI, FIN
<u>HB 684</u> <u>Status</u>	RELATING TO HAWAII TOURISM AUTHORITY. Requires HTA budgetary controls in effect on January 1, 2008 to be made permanent. Allows changes to budgetary controls only with legislative approval.	TCI, FIN
<u>HB 754</u> <u>Status</u>	RELATING TO THE HAWAII TOURISM AUTHORITY. Removes the directors of DBEDT and transportation, chairperson of the BLNR, and executive director of the state foundation on culture and the arts from the Hawaii tourism authority board. Requires members to be appointed by the mayors, senate president, and speaker of the house of representatives. Creates advisory group.	TCI, FIN
<u>HB 755</u> <u>Status</u>	RELATING TO THE HAWAII TOURISM AUTHORITY. Repeals sunset of provisions that allow the Hawaii tourism authority (HTA) to continue to: (1) hire its own attorneys; (2) exempt its accounts from comptroller's supervision; (3) use its own business and accounting forms; (4) use 5% of the tourism special fund for administration and appoint a sports coordinator; and (5) require the HTA to provide income and expenditure data to the comptroller.	TCI, FIN
<u>HB 960</u> <u>Status</u>	RELATING TO THE HAWAII TOURISM AUTHORITY. Broadens definition of "tourism emergency" and provides for plans and programs to address them.	TCI, PBS, FIN

[HB 1472](#) RELATING TO THE HAWAII TOURISM AUTHORITY. TCI, LAB, FIN
[Status](#) Make various amendments to clarify the Hawaii
Tourism Authority law.

COMMITTEE ON HUMAN SERVICES

Monday, February 9, 2009
8:15 a.m.
Conference Room 329; State Capitol

AGENDA:

[HB 1102](#) RELATING TO RECORD CHECKS FOR THE OFFICE OF HUS, JUD, FIN
[Status](#) YOUTH SERVICES.
Authorizes the Director of Human Services to conduct
child abuse record checks as part of the record
checks for all current staff and new staff members of
the Hawaii youth correctional facilities.

[HB 812](#) RELATING TO DOMESTIC VIOLENCE. HUS, CPC/JUD
[Status](#) Allows a tenant who is a victim of domestic violence,
sexual abuse, or harassment by stalking to terminate
his or her rental agreement.

[HB 229](#) RELATING TO THE PENAL CODE. HUS, JUD
[Status](#) Amends the offenses of murder in the first degree,
murder in the second degree, assault in the second
degree, and terroristic threatening in the first degree
to include conduct committed against victims who the
courts and police are attempting to keep safe with
protective orders.

[HB 275](#) RELATING TO MANDATORY REPORTING OF CHILD HUS, JUD
[Status](#) ABUSE AND NEGLECT.
Broadens the group of persons required to report
child abuse and neglect to include family members,
unless they are victims of domestic violence.

[HB 296](#) RELATING TO FAMILY COURT. HUS, JUD
[Status](#) Increases the maximum term of a temporary
guardianship of a minor from six months to twelve
months.

<u>HB 441</u> <u>Status</u>	RELATING TO CHILD CARE. Creates penalties for child care facility providers who misrepresent material information about their child care center operations to the guardians or parents of a prospective or active child at the center, an employee of the department of human services, or any law enforcement officer.	HUS, JUD
<u>HB 571</u> <u>Status</u>	RELATING TO CHILDREN. Permits the special court trustee to recommend that \$100 be assessed against a parent who interferes with visitation by failing to keep a scheduled visit without timely notifying the other parent of cancelation or by failing to reschedule a canceled visit within a reasonable time.	HUS, JUD
<u>HB 831</u> <u>Status</u>	RELATING TO SERVICE OF COURT ORDERS. Allows a court to order substituted service of protective and temporary restraining orders if the court finds that the respondent has been deliberately avoiding personal service.	HUS, JUD
<u>HB 892</u> <u>Status</u>	RELATING TO PROTECTIVE ORDERS. Requires periodic court review of protective order where duration of initial or extended order exceeds 3 years.	HUS, JUD
<u>HB 912</u> <u>Status</u>	RELATING TO CHILD WELFARE SERVICES. Adds definitions of "caregiver" and "safe home" to the Child Protective Act. Clarifies that local customs of caring for children outside the family home by relatives and friends are, where appropriate, available alternatives to the department of human services and the court assuming custody of children.	HUS, JUD
<u>HB 1020</u> <u>Status</u>	RELATING TO THE PENAL CODE. To provide greater protections to victims of domestic violence who the court is already attempting to keep safe through protective orders.	HUS, JUD

<u>HB 1041</u> <u>Status</u>	RELATING TO PERSONS COMMITTED TO THE HAWAII YOUTH CORRECTIONAL FACILITIES OR TO THE CUSTODY OR CARE OF THE EXECUTIVE DIRECTOR OF THE OFFICE OF YOUTH SERVICES. Allows the Hawaii Youth Correctional Facility to obtain necessary information on youth committed to the facility quickly when the youth are admitted, and to use the information for treatment and care within the facility.	HUS, JUD
<u>HB 1095</u> <u>Status</u>	RELATING TO NOTICE OF GUARDIANSHIP PROCEEDINGS. Amends section 560:5-113, Hawaii Revised Statutes, to provide that notice to parents shall not be required if the parents have been served in a proceeding under chapter 587, Hawaii Revised Statutes, and a permanent plan has been ordered by the Court.	HUS, JUD
<u>HB 1101</u> <u>Status</u>	RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES. Authorizes the Director of Human Services to appoint and commission investigators to investigate incidents at the Hawaii youth correctional facilities, and gives these investigators access to necessary information maintained by state and county entities.	HUS, JUD
<u>HB 1524</u> <u>Status</u>	RELATING TO CRIMINAL CONTEMPT OF COURT. Prohibits a court from imprisoning a victim of a sexual assault or domestic abuse crime for contempt for refusing to testify concerning that sexual assault or domestic abuse crime.	HUS, JUD
<u>HB 724</u> <u>Status</u>	RELATING TO INCOME TAX. Allows a taxpayer to choose between the current \$5 or a new \$8 check off donation from their tax liability for the Hawaii children's trust fund, and the domestic violence and sexual assault special funds within the department of health, the department of human services, and the judiciary.	HUS, FIN

[HB 734](#)
[Status](#) RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS. HUS, FIN
Clarifies guidelines for individual development accounts (IDAs) and designates the department of human services or a contracted agency to administer IDAs. Appropriates funds.

[HB 1498](#)
[Status](#) MAKING AN APPROPRIATION FOR EMERGENCY DOMESTIC VIOLENCE SHELTERS. HUS, FIN
Makes an appropriation for emergency domestic violence shelters.

Decision making to follow.

COMMITTEE ON TRANSPORTATION

Monday, February 9, 2009
9:00 a.m.
Conference Room 309; State Capitol

AGENDA:

[HB 142](#)
[Status](#) RELATING TO INTRA-STATE AVIATION. TRN, FIN
Exempts the general excise and use taxes on fuel sold from a foreign-trade zone to common carriers for use in interisland air transportation.

[HB 1388](#)
[Status](#) RELATING TO AIRPORT CONCESSIONS. TRN, FIN
Allows for certain adjustments and modifications to airport concession leases.

[HB 378](#)
[Status](#) RELATING TO TRANSPORTATION. TRN, FIN
Allows the Department of Transportation to hire and award security contracts by negotiation and not through a bid.

[HB 557](#)
[Status](#) RELATING TO TRANSPORTATION. TRN, JUD
Amends the definition of "bicycle" to include a bicycle powered by an electronic motor.

<u>HB 1389</u> <u>Status</u>	RELATING TO MOTOR VEHICLE REGISTRATION. Allows rental or U-drive companies to register their motor vehicles every two years and receive a credit for the balance of the registration period upon surrender of the vehicles certificate of registration.	TRN, JUD
<u>HB 869</u> <u>Status</u>	RELATING TO RENTAL MOTOR VEHICLES. Requires that the owner of a rental motor vehicle, upon notice that the rental motor vehicle has been involved in a violation, provide the court with the name and address of the lessee within 60 days of the mailing of the notice.	TRN, JUD
<u>HB 306</u> <u>Status</u>	RELATING TO TRANSPORTATION. Directs the department of transportation to adopt a complete streets policy regarding future transportation projects.	TRN, FIN
<u>HB 864</u> <u>Status</u>	RELATING TO ESTABLISHING A LOAN GUARANTY PROGRAM FOR TRANSIT ORIENTED DEVELOPMENT. Authorizes Hawaii housing finance and development corporation to guarantee loans made by commercial lenders to developers for the financing of transit-oriented development projects that include affordable housing.	TRN, HSG/WLO, FIN
<u>HB 863</u> <u>Status</u>	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.	TRN, WLO/HSG, FIN
<u>HB 865</u> <u>Status</u>	RELATING TO TRANSPORTATION. Requires the Statewide Transportation Council to comply with county transportation and general plans, to the extent it does not impact federal funds, in the preparation of the statewide transportation plan for projected transportation needs for a six-year period.	TRN, WLO

<u>HB 144</u> <u>Status</u>	RELATING TO HIGHWAYS. Allows medium-speed electric vehicles to be operated on roads with a posted speed limit of 45 miles per hour or less.	TRN, JUD
<u>HB 76</u> <u>Status</u>	RELATING TO TRAFFIC VIOLATIONS. Establishes a \$150 fine for traffic-control signal violations.	TRN, JUD
<u>HB 1003</u> <u>Status</u>	RELATING TO HIGHWAY SAFETY. Prohibits pedestrians from walking in or on a highway or its right-of-way for the purpose of soliciting for sale or selling anything or for soliciting or accepting donations of any kind.	TRN, JUD
<u>HB 143</u> <u>Status</u>	RELATING TO THE USE OF MOBILE PHONES AND ELECTRONIC DEVICES WHILE DRIVING. Prohibits the use of a mobile telephone while driving unless equipped with a hands-free accessory and being used in the hands-free mode. Exempts mobile radios. Prohibits transit drivers from using cellular phones whenever their vehicle is in motion.	TRN, JUD
<u>HB 866</u> <u>Status</u>	RELATING TO HIGH OCCUPANCY VEHICLE LANES. Allows all motor vehicles, regardless of number of persons on board, to use high occupancy vehicle lanes or zipper lanes when one or more lanes of traffic have been shut down by law enforcement officers or emergency services personnel.	TRN

Decision making to follow.

COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

Monday, February 9, 2009
Conference Room 325; State Capitol

9:00 a.m. AGENDA:

HB 1552 Status	RELATING TO PUBLIC LANDS. Authorizes DLNR to issue long-term residential leases to qualified persons currently residing in Kahana Valley state living park. Establishes Kahana planning council to develop Kahana valley state living park master plan to ensure the living park achieves its purpose and goals.	WLO, FIN
HB 980 Status	RELATING TO RECREATIONAL RENAISSANCE. Fortifies the recreational renaissance program of the department of land and natural resources through various amendments to state law.	WLO, FIN
HB 1604 Status	RELATING TO REAL PROPERTY. Imposes a tax upon the value of improvements surrendered to a lessor by a lessee, without compensation to the lessee, upon the expiration of a long-term non-residential lease.	WLO, FIN
HB 1040 Status	RELATING TO TORT LIABILITY. Repeals the sunset date and makes permanent the law shielding county lifeguards from liability.	WLO, JUD
HB 848 Status	RELATING TO GOVERNMENT LIABILITY. Makes permanent the tort law exception to liability for county lifeguard services and the conclusive presumptions relating to the duty of public entities to warn of dangers on improved public lands.	WLO, JUD
HB 1055 Status	RELATING TO LAND USE. Provides for a use-it-or-lose-it automatic reversion of urban or rural district land use reclassifications if development has not commenced within ten years.	WLO, JUD

[HB 127](#)
[Status](#) RELATING TO LAND USE. WLO, AGR
Allows mining as a permitted use in the agricultural district.

[HB 1767](#)
[Status](#) RELATING TO EMINENT DOMAIN. WLO, JUD
Limits county eminent domain powers to preclude condemnation of private property owned by tax exempt charitable organizations for use for certain economic development related purposes.

[HB 665](#)
[Status](#) RELATING TO FORFEITURE. WLO, JUD
Clarifies that the forfeiture laws apply to violations of conservation and resources statutes and rules and to protection of caves, historic preservation, and the Kaho'olawe island reserve.

[HB 1712](#)
[Status](#) RELATING TO FISHING. WLO, FIN
Requires the department of land and natural resources to submit a report to the legislature on any proposed rules to regulate the taking of uhu, weke/moana kali, and ulua/papio.

Decision making to follow.

9:30 a.m. AGENDA:

[HB 1708](#)
[Status](#) RELATING TO UNENCUMBERED PUBLIC LANDS. WLO, FIN
Requires the department of land and natural resources to establish a simple permit process for wedding ceremonies at state beaches and parks.

[HB 1310](#)
[Status](#) RELATING TO OCEAN RECREATION. WLO, JUD
Deletes: (i) prohibition of commercial operation of thrill craft, water sledding, parasailing, or high speed boating in Maunalua Bay, Oahu, on weekends and holidays; (ii) requirement that permits be issued at public auction; and (iii) maximum term of permit issue of 20 years.

[HB 271](#)
[Status](#) RELATING TO REAL PROPERTY. WLO, JUD, FIN
Permits the registrar of the bureau of conveyances to accept electronic documents with electronic signatures for recording.

Decision making to follow.