

COMMITTEE ON HIGHER EDUCATION AND COMMITTEE ON LEGISLATIVE
MANAGEMENT

Tuesday, February 10, 2009
Conference Room 309; State Capitol

2:00 p.m. AGENDA:

HB 982, HD1 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. Makes appropriation. (HB982 HD1)	LAB, HED/LMG, FIN
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Decision making to follow.

2:15 p.m. AGENDA:

HED only:

HB 691, HD1 Status	RELATING TO PHYSICIAN SHORTAGES. Establishes the Hawaii Rural Health Care Provider Loan Repayment Program to provide student loan repayments to physicians who practice in federally designated health professional shortage areas of the state. (HB691 HD1)	HLT, HED, FIN
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HB 991, HD1 Status	RELATING TO THE UNIVERSITY OF HAWAII. Establishes the Hawaii Medical Doctor Loan Repayment Program for University of Hawaii medical school graduates and medical school graduates with training from Hawaii based medical program working in rural areas of the state. (HB991 HD1)	HLT, HED, FIN
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HB 222 Status	RELATING TO THE UNIVERSITY OF HAWAII. Appropriates funds, subject to private, federal, or other governmental match, to the University of Hawaii for the establishment of a Muslim Asia Research Institute.	HED, TCI, FIN
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Decision making to follow.

COMMITTEE ON JUDICIARY

Tuesday, February 10, 2009

2:00 p.m.

Conference Room 325; State Capitol

AGENDA:

HB 993 Status	PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF PROJECTED EXCESS REVENUES. Routes a portion of projected increases in general fund revenues to emergency and budget reserve fund established by law. Sets 7% as the percentage that triggers the disposition.	JUD, FIN
HB 981 Status	RELATING TO HIGHWAY SAFETY. Makes amendments to Act 171, Session Laws of Hawaii 2008, reflecting recommendations of Ignition Interlock Implementation Task Force.	TRN, JUD, FIN
HB 28 Status	RELATING TO DEAD HUMAN BODIES. Adds to the prohibition against buying dead human bodies, the selling of dead human bodies. Defines the term "dead human body" to include plastinated bodies and body parts. Increases the fine for buying or selling a dead human body to up to \$5,000.	HLT, JUD, FIN
HB 29 Status	RELATING TO DEAD HUMAN BODIES. Prohibits the commercial display of dead human bodies without a permit from the department of health.	HLT, JUD, FIN
HB 131 Status	RELATING TO UNCLAIMED PROPERTY. Allows individuals attempting to claim certain unclaimed property from the State to assert ownership through a notarized affidavit signed under penalty of perjury.	JUD, FIN

<u>HB 136</u> <u>Status</u>	RELATING TO GRAFFITI. Establishes the graffiti eradication sentencing program within the judiciary, to allow a person who has committed an act of graffiti to discharge a community service sentence through graffiti eradication activities. Makes appropriation.	JUD, FIN
<u>HB 297</u> <u>Status</u>	RELATING TO THE INTERSTATE COMPACT FOR JUVENILES. Adopts the new Interstate Compact for Juveniles and establishes the family court's jurisdiction under the compact.	HUS, JUD, FIN
<u>HB 299</u> <u>Status</u>	RELATING TO THE PENAL CODE. Establishes the payment priority of the DNA analysis fee over other fees and fines assessed against a defendant by the court.	JUD, FIN
<u>HB 623</u> <u>Status</u>	RELATING TO STATE IDENTIFICATION. Allows the attorney general to contract with counties for processing and issuing state identification cards.	JUD, FIN
<u>HB 819, HD1</u> <u>Status</u>	RELATING TO CRIME. Mandates minors aged 15-17 be tried as adults in cases of first and second degree murder. (HB819 HD1)	HUS, JUD, FIN
<u>HB 981</u> <u>Status</u>	RELATING TO HIGHWAY SAFETY. Makes amendments to Act 171, Session Laws of Hawaii 2008, reflecting recommendations of Ignition Interlock Implementation Task Force.	TRN, JUD, FIN
<u>HB 620</u> <u>Status</u>	RELATING TO SENTENCING. Authorizes the court at sentencing to require a person with three or more convictions of sexual assault in the first degree to wear a global positioning system transmitter for up to 10 years after the person's release from prison.	JUD, FIN
<u>HB 1025</u> <u>Status</u>	RELATING TO SENTENCING. To restore a statutory provision allowing for presentence mental health or medical examination of defendants for purposes of sentencing.	HUS, JUD, FIN

HB 1154 Status	RELATING TO TAX ADMINISTRATION. Ensures Hawaii businesses and residents are paying their fair share of taxes by providing the Department of Taxation with resources to seek enforcement against non-compliant cash-based businesses.	JUD, FIN
HB 1155 Status	RELATING TO TAX ADMINISTRATION. Deters tax fraud and promotes uniformity in the tax system by conforming Hawaii tax law to the Internal Revenue Code for preparer penalties and accuracy-related penalties.	JUD, FIN
HB 1037 Status	RELATING TO CIVIL ACTIONS. Clarifies that government entities are only liable in certain cases for the percentage share of the damages they actually caused.	TRN, JUD, FIN
HB 1713 Status	RELATING TO HAZARDS. Allows Civil Defense, when no emergency exists, to enter on private property to mitigate hazardous situations after giving the landowner notice.	JUD, FIN

Decision making to follow.

Decision making only (heard on Tuesday, February 3, 2009):

HB 128 Status	RELATING TO ELECTIONS. Makes nomination papers available until the 58th day prior to the deadline for filing nomination papers. Provides 3 additional business days for candidates to file papers if there are no candidates for an office.	JUD
HB 509 Status	RELATING TO ELECTIONS. Requires incumbent elected officials to file nomination papers for re-election 7 days prior to the filing deadline for non-incumbents.	JUD
HB 510 Status	RELATING TO ELECTIONS. Extends the filing deadline by 5 days in cases where a candidate withdraws less than 5 days prior to the filing deadline.	JUD

[HB 613](#)
[Status](#)

RELATING TO ELECTIONS.

JUD

Requires the office of elections to develop a standard withdrawal and declaration of candidacy form by 01/01/2010. Requires a candidate to file the standard form to withdraw as a candidate prior to the subsequent filing of nomination papers for any other elective office.

COMMITTEE ON HAWAIIAN AFFAIRS

Tuesday, February 10, 2009
Kealakehe Elementary School
74-5118 Kealaka`a Street
Kailua, Kona 76740

6:00 p.m. AGENDA:

OFFICE OF HAWAIIAN
AFFAIRS

Robert Lindsey, Trustee
William Meheula, Attorney at Law
Clyde Namu`o, Administrator

Presentation on HB 901- OHA to receive a portion of the income and proceeds from land in public land trust.

6:05 p.m. – 9:00 p.m. AGENDA:

[HB 901](#)
[Status](#)

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.
Amends the law to provide for the office of Hawaiian affairs to receive a portion of the income and proceeds from land in the public land trust.

HAW,WLO/JUD
, FIN
(pending re-referral)

COMMITTEE ON TRANSPORTATION

Wednesday, February 11, 2009
Conference Room 309; State Capitol

8:30 a.m. AGENDA:

HB 1520 Status	RELATING TO ADMINISTRATIVE REVOCATION. Permits driver whose license has been administratively revoked for life to seek reinstatement of the license after 10 years have passed since the lifetime revocation	TRN, JUD
HB 134 Status	RELATING TO MOTOR VEHICLE DRIVER LICENSING. Requires applicants for driver licenses and instruction permits to submit proof that the applicant is legally in the United States. Further requires driver licenses or instruction permits of legal nonimmigrants to expire no later than the date of the legal nonimmigrant's authorized period of stay in the United States.	TRN, JUD
HB 129 Status	RELATING TO TRAFFIC SAFETY. Disallows the use of DAG and DANC pleas in cases regarding negligent homicide in the third degree. Requires mandatory minimum sentence. Requires license revocation for a minimum of 5 years and a maximum of 10 years if driver is found to have committed 5 or more traffic infractions within the preceding 5-year period.	TRN, JUD
HB 65 Status	RELATING TO SIDEWALKS. Defines the downtown Honolulu business district. Prohibits use of bicycles, electric personal assistive mobility devices, skateboards, roller skates, and other similar toys on sidewalks in the downtown Honolulu business district.	TRN, JUD
HB 140 Status	RELATING TO THE STATEWIDE TRAFFIC CODE. Gives counties the ability to regulate the use of electric personal assistive mobility devices on sidewalks.	TRN, JUD

<u>HB 1485</u> <u>Status</u>	RELATING TO THE STATEWIDE TRAFFIC CODE. Increases speed restriction for neighborhood electric vehicles from 25 to 35 miles per hour.	TRN, JUD
<u>HB 60</u> <u>Status</u>	RELATING TO TRAFFIC VIOLATIONS. Allows motor vehicle audible reverse warning system to be manually turned off between the hours of 10:00 p.m. and 6:00 a.m.; provided that the vehicle is guided while reversing by a person other than the driver of the vehicle.	TRN, JUD
<u>HB 57</u> <u>Status</u>	RELATING TO TRAFFIC INFRACTIONS. Requires district court to delete from a driver's traffic abstract any violation which the driver is found not to have committed.	TRN, JUD
<u>HB 53</u> <u>Status</u>	RELATING TO MOTOR VEHICLES. Amends section 249-10, HRS (vehicular taxes; penalties) to clarify that an owner of an antique motor vehicle may operate that vehicle on the highways for limited purposes.	TRN, JUD
<u>HB 267</u> <u>Status</u>	RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY. Allows the transportation of rental cars by interisland ferry; provided that the interisland ferry has a written contract with the owner of the rental car.	TRN, CPC
<u>HB 1163</u> <u>Status</u>	RELATING TO HARBORS. Authorizes the Department of Transportation to impose upon private parties who use state commercial harbors the duty to defend, indemnify and hold harmless the State against claims that arise from such use.	TRN, JUD, FIN
<u>HB 139</u> <u>Status</u>	RELATING TO TRANSPORTATION. Allows the State to enter into agreements with private entities to build, operate, own, or finance transportation facilities including toll highways.	TRN, FIN

Decision making to follow.

Decision making only (heard on Wednesday, February 4, 2009):

[HB 1159](#) RELATING TO HIGHWAY SAFETY. TRN, JUD, FIN
[Status](#)

Modifies the current reckless driving law to include defined penalties for first-time offenders and repeat offenders guilty of one or more traffic violations under the State's Traffic Code.

[HB 1225](#) RELATING TO REGULATION. TRN, CPC, FIN
[Status](#)

Establishes a transportation carrier commission to regulate water and motor carriers. Removes such carriers from the jurisdiction of the public utilities commission.

11:00 a.m. AGENDA:

TRN/LAB only:

[HB 1502](#) RELATING TO TELEWORK. TRN/LAB, FIN
[Status](#)

Establishes the telework task force to develop a comprehensive plan that will encourage and expand telework opportunities in Hawaii while reducing harmful environmental impacts, traffic congestion, the dependence on fossil fuels, and encourage a better quality of life for people who commute to work in Hawaii. Makes an appropriation.

Decision making to follow.

COMMITTEE ON AGRICULTURE

Wednesday, February 11, 2009
Conference Room 312; State Capitol

9:00 a.m. AGENDA:

Decision making only (heard on Wednesday, February 4, 2009):

[HB 244](#) RELATING TO PUBLIC UTILITIES. AGR, CPC
[Status](#)

Directs public utilities to establish discounted rates for providing services used for agricultural activities located in agricultural districts

[HB 243](#)
[Status](#) RELATING TO IRRIGATION SYSTEMS. AGR, FIN
Appropriates funds for the repair and maintenance of irrigation systems.

[HB 240](#)
[Status](#) MAKING A GRANT-IN-AID APPROPRIATION TO THE AGR, FIN
COUNTIES TO FINANCE DROUGHT MITIGATION
PROJECTS AND MEASURES.
Appropriates funds to the counties for drought mitigation purposes.

[HB 255](#)
[Status](#) RELATING TO AGRICULTURE. AGR, FIN
Directs department of agriculture, in conjunction with agribusiness development corporation, to develop an agricultural water plan for Ka`u and south Kona.

9:05 a.m. AGENDA:

AGR/HED only:

Decision making only (heard on Saturday, February 7, 2009):

[HB 318](#)
[Status](#) RELATING TO VOG. AGR/HED, FIN
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.

Decision making to follow.

COMMITTEE ON HAWAIIAN AFFAIRS

Wednesday, February 11, 2009
Conference Room 329; State Capitol

9:00 a.m. AGENDA:

[HB 905](#)
[Status](#) RELATING TO NATIVE HAWAIIANS. HAW, WLO, FIN
Places the aha kiole advisory committee with the office of Hawaiian affairs for administrative purposes. Appropriates funds.

<u>HB 1806</u> <u>Status</u>	RELATING TO HAWAIIAN NATURAL RESOURCE MANAGEMENT. Establishes the Aha Ahupua`a Task Force to establish a hierarchy of natural resource advisory councils known as Aha Ahapua`a Councils. Establishes an Aha Kiole Council and Aha Moku councils to advise the state and counties on traditional land management and natural resources issues.	HAW, WLO, FIN
<u>HB 1658</u> <u>Status</u>	RELATING TO EDUCATION. Establishes and funds a traditional Hawaiian navigation pilot program in the public schools.	HAW, EDN, FIN
<u>HB 928</u> <u>Status</u>	MAKING AN APPROPRIATION FOR THE DEVELOPMENT AND CONSTRUCTION OF A DOUBLE HULLED CANOE. Appropriates money for Hui Wa'a O Kaulua to the develop and construct a double-hulled canoe.	HAW, FIN
<u>HB 1661</u> <u>Status</u>	RELATING TO KULEANA LANDS. Requires the office of Hawaiian affairs to hold in trust any lands where the owner of an inheritable interest in kuleana lands dies intestate and there is no taker under the Hawaii uniform probate code, for 10 years before passing to the office of Hawaiian affairs.	HAW, JUD, FIN
<u>HB 1662</u> <u>Status</u>	RELATING TO HISTORIC PRESERVATION. Clarifies that a burial site may include a cave or lava tube or a portion of a cave or lava tube. Defines burial cave.	HAW, WLO, FIN
<u>HB 1664</u> <u>Status</u>	RELATING TO CORRECTIONS. Establishes a program within the Department of Public Safety that assigns select, non-violent inmates on a work detail that restores historical sites selected by the Office of Hawaiian Affairs.	HAW, PBS, FIN
<u>HB 1665</u> <u>Status</u>	RELATING TO HAWAIIAN FISHPONDS. Prohibits the sale of public lands on which government-owned Hawaiian fishponds are located.	HAW, WLO, FIN

Decision making to follow.

9:30 a.m. AGENDA:

HB 899 Status	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS. Clarifies and strengthens the Office of Hawaiian Affairs' bond authority.	HAW, FIN
HB 908 Status	RELATING TO TUITION WAIVERS IN THE UNIVERSITY OF HAWAII SYSTEM. Requires the board of regents to grant tuition waivers for native Hawaiian students in the University of Hawaii system.	HAW, HED, FIN
HB 1397 Status	RELATING TO HAWAIIAN HOME LANDS. Prohibits alienation of lease by a lessee for consideration, except to immediate family.	HAW, JUD

Decision making to follow.

9:50 a.m. AGENDA:

HAW/HSG only:

HB 1612 Status	RELATING TO AFFORDABLE HOUSING. Permits the department of Hawaiian home lands to receive and subsequently assign, transfer, or exchange county affordable housing credits.	HAW/HSG, FIN
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Decision making to follow.

10:00 a.m. AGENDA:

HAW/WLO only:

HB 949 Status	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT. Authorizes the department of Hawaiian home lands to issue long term commercial leases.	HAW/WLO, FIN
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Decision making to follow.

10:15 a.m. AGENDA:

HAW only:

HB 900 Status	RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS. Appropriates funds for the operating and capital improvement budget of the Office of Hawaiian Affairs for fiscal years 2009-2010 and 2010-2011.	HAW, FIN
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Decision making to follow.

COMMITTEE ON HOUSING AND COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

Wednesday, February 11, 2009
Conference Room 325; State Capitol

9:00 a.m. AGENDA:

HB 361 Status	RELATING TO AFFORDABLE HOUSING. Expedites the construction of affordable housing units by requiring ministerial permits associated with the project to be issued by the State or county within 45 days of county council approval of the project.	HSG/WLO
HB 363 Status	RELATING TO AFFORDABLE HOUSING. Increases the supply while decreasing the cost of affordable housing.	HSG/WLO, FIN
HB 354 Status	RELATING TO AFFORDABLE HOUSING. Requires counties to accept or reject a public infrastructure dedication that has been developed as part of a housing project within 60 days of the dedication request.	HSG/WLO, TRN
HB 1186 Status	RELATING TO HOUSING DEVELOPMENT. Eliminates the Hawaii community development authority's cash-in-lieu option for meeting reserved housing requirements.	HSG/WLO

[HB 1188](#)
[Status](#) RELATING TO AFFORDABLE HOUSING. HSG/WLO
Increases the number of eligible households: (1) under which the counties may provide flexibility in land use density provisions and public facility requirements, and (2) to which the housing finance and development corporation may lease land for \$1 per year to nonprofit organizations that provide affordable housing, by lowering threshold income limits from 140% to 80% of median incomes.

[HB 1189](#)
[Status](#) RELATING TO HOUSING. HSG/WLO
Requires petitioners for reclassification of district boundaries and developers of 25 or more housing units provide for at least 60% of the units to be affordable housing, of which 25% going to the households earning up to 80% of the area median income.

[HB 948](#)
[Status](#) RELATING TO KAKAAKO. WLO/HSG
Increases the reserved housing requirement for a planned development to twenty-five per cent of floor space in the Kakaako community development district, mauka area for lots three acres or more in size.

[HB 1532](#)
[Status](#) RELATING TO KAKAAKO. WLO/HSG
Increases the reserved housing requirement for a major development on a lot of at least 1 acre in the Kakaako community development district, mauka area.

Decision making to follow.

10:30 a.m. AGENDA:

HSG only:

[HB 72](#)
[Status](#) RELATING TO PUBLIC HOUSING. HSG, JUD
Amends criminal trespass in the first degree to include a person who enters or remains unlawfully in or upon the premises of a public housing project after reasonable request or warning to leave by housing authorities or a police officer. Excludes an invited guest.

<u>HB 351</u> <u>Status</u>	RELATING TO PUBLIC HOUSING. Appropriates funds for the purpose of expenditures by the Hawaii public housing authority to make required repairs and renovations at public housing facilities to ensure compliance with state and federal law.	HSG, FIN
<u>HB 828</u> <u>Status</u>	RELATING TO PUBLIC HOUSING. Requires public housing provided by county or state financing to remain affordable in perpetuity.	HSG, FIN
<u>HB 1221</u> <u>Status</u>	RELATING TO AFFORDABLE HOUSING PROJECTS. Appropriates \$50,000,000 in general obligation bond funds for affordable housing projects. Allows the appropriation to be used to match federal funds that may be appropriated under any federal fiscal stimulus legislation.	HSG, FIN
<u>HB 1232</u> <u>Status</u>	RELATING TO SUSTAINABLE AFFORDABLE HOUSING. Requires a portion of housing units in residential developments constructed with state assistance, on land purchase or leased from the State and on land located in a community development district, to be sold pursuant to restrictions that ensure continued affordability over time.	HSG, FIN
<u>HB 1591</u> <u>Status</u>	RELATING TO HOUSING. Provides that the restriction on the resale of affordable housing to "qualified residents" shall apply in perpetuity instead of only 10 years.	HSG, FIN
<u>HB 1221</u> <u>Status</u>	RELATING TO AFFORDABLE HOUSING PROJECTS. Appropriates \$50,000,000 in general obligation bond funds for affordable housing projects. Allows the appropriation to be used to match federal funds that may be appropriated under any federal fiscal stimulus legislation.	HSG, FIN
<u>HB 1592</u> <u>Status</u>	RELATING TO HOUSING. Establishes provisions for the leveraging of union financing for affordable housing projects.	HSG, FIN

<u>HB 350</u> <u>Status</u>	RELATING TO THE LANDLORD-TENANT CODE. Provides a definition of "good faith".	HSG, CPC
<u>HB 1071</u> <u>Status</u>	RELATING TO MORTGAGE SERVICERS. Enacts a new chapter of the Hawaii Revised Statutes to provide for the licensing and regulation of mortgage servicers that service residential mortgage loans secured by real property located in the State of Hawaii.	HSG, CPC, FIN
<u>HB 1825</u> <u>Status</u>	RELATING TO FORECLOSURES. Requires mortgagors and mortgagees to explore options to avoid foreclosure, including modification or restructuring of loans; effective on approval and repeals 12/31/2012. Requires notice of foreclosure be given to a tenant of the foreclosed property with the option to keep rental agreement in full force or vacate premises in 60 days.	HSG, CPC/JUD

Decision making to follow.

Decision making only (heard on Wednesday, February 4, 2009):

<u>HB 360</u> <u>Status</u>	RELATING TO HOUSING. Expedites project reviews for mixed-use housing and related infrastructure projects to stimulate affordable housing development.	HSG, FIN
<u>HB 1521</u> <u>Status</u>	RELATING TO PUBLIC HOUSING. Shortens time for notice, meeting, and grievance requirements for violations with rental agreements, leases, violation of rules, or maintenance in public housing. Streamlines eviction process in public housing.	HSG, FIN
<u>HB 1694</u> <u>Status</u>	RELATING TO PUBLIC HOUSING. Requires the Hawaii public housing authority to establish a minimum rent of \$250 per month for all state public housing units. Prohibits the Hawaii public housing authority from establishing preferences for tenant selection.	HSG, FIN

<u>HB 202</u> <u>Status</u>	RELATING TO FORECLOSURES. Requires notification of mortgage foreclosure to the tenant of rental property by the successor in interest prior to termination of the rental agreement and commencement of summary possession proceedings. Provides that holdover tenants are liable to the successor in interest for the pro-rated share of rent and other charges authorized under the previous rental agreement, for each day the tenant remains in possession up until the commencement of summary possession proceedings, after which higher charges authorized under existing law apply.	HSG, CPC/JUD
<u>HB 331</u> <u>Status</u>	RELATING TO REAL PROPERTY. Requires that tenants of rental property be given sixty days written notice to vacate when the rental property is sold in foreclosure. Requires that tenants of rental property be notified when foreclosure proceedings have begun on the rental property.	HSG, CPC/JUD
<u>HB 443</u> <u>Status</u>	RELATING TO LANDLORD-TENANT CODE. Requires landlord to give tenant prior notice of a foreclosure action and 30-day notice of foreclosure sale.	HSG, CPC
<u>HB 522</u> <u>Status</u>	RELATING TO FORECLOSURES. Requires mortgagees to provide notice to tenants of foreclosure and give them 45 days from the date of notice to vacate when their rental property is disposed of in either a judicial or non-judicial foreclosure.	HSG, JUD
<u>HB 525</u> <u>Status</u>	RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE. Makes a mortgagee in possession or purchaser of residential rental property that has been foreclosed upon subject to a rental agreement between the previous landlord and a tenant.	HSG, CPC/JUD

COMMITTEE ON HUMAN SERVICES AND COMMITTEE ON HAWAIIAN AFFAIRS

Wednesday, February 11, 2009

9:05 a.m.

Conference Room 329; State Capitol

AGENDA:

[HB 798](#)

[Status](#)

RELATING TO CHILDREN.

Requires that rules adopted by the department of human services regarding the licensing process for foster parents or the certification process for foster family boarding homes provide for the recognition and respect of the Hawaiian culture and the system of hanai.

HUS/HAW, FIN

Decision making to follow.