

COMMITTEE ON CONSUMER PROTECTION & COMMERCE AND COMMITTEE ON JUDICIARY

Monday, March 23, 2009
Conference Room 325; State Capitol

2:00 p.m. AGENDA:

SB 605, SD1, HD1 (HSCR1080) Status	RELATING TO NOISE. Requires the department of health to add the dBC decibel weighting system to the current dBA decibel weighting system for purposes of community noise control. Sets permissible maximum sound levels for nighttime and grants the DOH and the county liquor commission the authority to enforce these limits. Directs DOH, DLIR, and the county liquor commission to develop recommendations for a permanent maximum sound level, in decibels. (SB605 HD1)	EEP, CPC/JUD, FIN
SB 892, SD1 (SSCR579) Status	RELATING TO INSURANCE. Updates references in insurance code and updates continuing education requirements for insurance licensees. (SD1)	CPC/JUD, FIN
SB 967, SD2, HD1 (HSCR1057) Status	RELATING TO CONTROLLED SUBSTANCES. Makes Hawaii's controlled substance laws consistent with that of federal law and clarifies sections of chapter 329 relating to controlled substances. Authorizes administrative inspections of the premises and records other than financial data, for establishments such as pharmacies that are authorized to dispense controlled substances. Effective 7/1/2050. (SB967 HD1)	PBS, CPC/JUD, FIN
SB 1142, SD1 (HSCR1005) Status	RELATING TO PHYSICIAN ASSISTANTS. Authorizes physician assistants to sign certain documents; to provide emergency medical care without supervision; to administer immunizations; to prescribe medications for patients suffering from human immunodeficiency virus or acquired immune deficiency syndrome without preauthorization; limits liability of physician assistants under good Samaritan laws. (SD1)	HLT, CPC/JUD, FIN
SB 1263, SD2, HD1 (HSCR1041) Status	RELATING TO TATTOO ARTISTS. Updates the regulation of tattoo artists and tattoo shops in the State. (SB1263 HD1)	HLT, CPC/JUD, FIN

[SB 1676, SD2](#)
[\(HSCR1040\)](#)
[Status](#) RELATING TO HEALTH. HLT, CPC/JUD
Makes amendments to clarify the legislature's support for the expanded use of new technology in telemedicine; clarifies that telehealth is within the scope of a physician's practice; clarifies that a provider-patient relationship may be established through telehealth where the provider is licensed to practice in this State. (SD2)

Decision making to follow.

Decision making only (heard on Monday, March 16, 2009):

[SB 1218, SD2](#)
[\(SSCR721\)](#)
[Status](#) RELATING TO MORTGAGE LOAN ORIGINATORS. CPC/JUD, FIN
Allows the commissioner of financial institutions to regulate, license, examine, and enforce laws regulating mortgage brokers and loan originators. Repeals chapter 454, HRS, relating to mortgage brokers and solicitors. (SD2)

2:15 p.m. AGENDA:

CPC only:

[SB 1223, SD1,](#)
[HD1](#)
[\(HSCR1029\)](#)
[Status](#) RELATING TO HAWAII MADE PRODUCTS. AGR, CPC, FIN
Directs the department of agriculture to convene a working group composed of stakeholders to resolve labeling issues relating to the Hawaii-made Products Law and to report to the Legislature. Prohibits the use of the phrase "Made in Hawaii" as an advertising or media tool for items unless the items meet specific criteria. (SB1223 HD1)

[SB 1680, SD2,](#)
[HD1](#)
[\(HSCR1073\)](#)
[Status](#) RELATING TO TECHNOLOGY. EBM, CPC, FIN
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. Effective July 1, 2112. (SB1680 HD1)

SB 585, SD2, HD1 (HSCR1044) Status	<p>RELATING TO REMOTE DISPENSING. Authorizes remote dispensing pharmacies to provide medications to patients with health insurance coverage; allows remote dispensing pharmacies to dispense controlled substances. Effective July 1, 2020. (SB585 HD1)</p>	<p>HLT, CPC, FIN</p>
SB 1140, SD2, HD1 (HSCR1039) Status	<p>RELATING TO HEALTH CARE. Requires commercial health plans licensed to do business in the State to pay no less than 101 per cent of costs for all services provided to plan beneficiaries by critical access hospitals and federally qualified health centers. Exempts limited benefit health insurance policies from the minimum reimbursement requirement. (SB1140 HD1)</p>	<p>HLT/HUS, CPC, FIN</p>
SB 1173, SD2, HD1 (HSCR1081) Status	<p>RELATING TO ENERGY EFFICIENCY. Establishes energy-efficiency initiatives necessary for and contributing to the transition of Hawaii's energy sector to non-petroleum energy sources. Effective 01/01/90. (HD1)</p>	<p>EEP/WLO, CPC, FIN</p>
SB 868, SD2, HD1 (HSCR1078) Status	<p>RELATING TO ENERGY RESOURCES. Addresses deficiencies in Hawaii's energy resources coordination statutes. Provides policy guidance to ensure adequate detail on the nature and relationship of the energy data analysis functions of the state energy resources coordinator and energy program. (SB868 HD1)</p>	<p>EEP, CPC, FIN</p>
SB 1258, SD2, HD1 (HSCR1084) Status	<p>RELATING TO RENEWABLE ENERGY. Makes various revisions to renewable energy and net energy metering provisions. Encourages the development of renewable energy in Hawaii. (SB1258 HD1)</p>	<p>EEP, CPC, FIN</p>
SB 1671, SD1, HD1 (HSCR1079) Status	<p>RELATING TO FOSSIL FUELS. Prohibits the construction or operation of any new electricity generating facility using fossil fuel, except under extraordinary circumstances, as determined by the PUC, or when the electric generation unit has rated capacity of less than 2 megawatts and is used primarily to serve a facility's own internal operation. (HD1)</p>	<p>EEP, CPC, FIN</p>

[HCR 118](#) URGING THE PRESIDENT OF THE UNITED STATES AND CPC
[Status](#) THE UNITED STATES CONGRESS TO ADOPT
 LEGISLATION ESTABLISHING A FEDERAL USURY RATE.

[HR 95](#)

Decision making to follow.

COMMITTEE ON ECONOMIC REVITALIZATION, BUSINESS, & MILITARY AFFAIRS

Tuesday, March 24, 2009

7:00 a.m.

Conference Room 312; State Capitol

AGENDA:

[SB 688, HD1](#) RELATING TO EMPLOYMENT. LAB, EBM, FIN
[\(HSCR1002\)](#)
[Status](#) Establishes job security requirements upon the
 divestiture of a covered establishment employing 100 or
 more persons. (SB688 HD1)

[SB 1622, SD1,](#) RELATING TO EMPLOYMENT SECURITY. LAB, EBM, FIN
[HD1](#)
[\(HSCR1003\)](#)
[Status](#) Requires certain employers to retain employees who
 were displaced from an employer by divestiture through
 a transfer of a covered establishment to a new employer
 for a period of 90 days unless the business is
 substantially dissimilar or the human resources needs of
 the business are reduced. (SB1622 HD1)

[SB 242, SD2](#) RELATING TO SEAWATER AIR CONDITIONING. EEP, EBM, FIN
[\(SSCR813\)](#)
[Status](#) Allows the sale of cooling from seawater air conditioning
 district cooling systems to qualify for state enterprise
 zone benefits. Effective 1/1/2050. (SD2)

[SB 427](#) RELATING TO GENERAL EXCISE TAXATION. HLT, EBM, FIN
[\(SSCR759\)](#)
[Status](#) 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.

<u>SB 1164, SD2</u> <u>(SSCR792)</u> <u>Status</u>	RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN. Enacts the interstate compact on educational opportunity for military children to remove barriers to educational attainment faced by children of military families due to frequent moves and deployment of parents. (SD2)	EDN, EBM, FIN
<u>SB 823, SD1</u> <u>(HSCR977)</u> <u>Status</u>	RELATING TO FAMILY LEAVE. Requires employers to post notice of employees' entitlement to family leave. (SD1)	LAB, EBM
<u>SB 1066, SD2</u> <u>(SSCR794)</u> <u>Status</u>	RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY. Increases the number of directors for NELHA to 13, adding 2 tenant representative directors. (SD2)	EEP, EBM
<u>HR 108</u> <u>Status</u>	REQUESTING THE OFFICE OF VETERANS' SERVICES TO DIRECT ITS POLICY ADVISORY BOARD ON VETERANS' SERVICES TO FORMULATE VETERAN ELIGIBILITY CRITERIA OF STATEWIDE APPLICABILITY.	EBM, FIN
<u>HCR131</u> <u>Status</u>		EBM, FIN
<u>HR 136</u> <u>Status</u>	REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO IMPLEMENT AN ELECTRONIC DIRECT DEPOSIT SYSTEM FOR MEMBERS OF THE HAWAII NATIONAL GUARD WHILE ON ACTIVE DUTY IN ACCORDANCE WITH ACT 31, SESSION LAWS OF HAWAII 2007.	EBM, FIN
<u>HCR 169</u> <u>Status</u>		EBM, LMG
<u>HR 171</u> <u>Status</u>	REQUESTING THE FORMATION OF A JOINT LEGISLATIVE PROCUREMENT WORKING GROUP TO EVALUATE THE STATE PROCUREMENT CODE AND RECOMMEND IMPROVEMENTS.	EBM, LMG
<u>HCR 210</u> <u>Status</u>		EBM, JUD
<u>HR 280</u> <u>Status</u>	URGING LANDLORDS TO HELP COMMERCIAL TENANTS MAINTAIN THEIR LEASES IN ORDER TO CONTINUE THEIR BUSINESS DURING DIFFICULT ECONOMIC TIMES.	EBM, JUD
<u>HCR 308</u> <u>Status</u>		EBM, LMG, FIN
<u>HCR 192</u> <u>Status</u>	CONVENING THE ECONOMIC RECOVERY TASK FORCE AND REQUESTING THE GOVERNOR'S PARTICIPATION.	EBM, LMG, FIN

[HCR 206](#)
[Status](#) REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RECENT AMENDMENTS TO HAWAII ADMINISTRATIVE RULES RELATING TO CONSTRUCTION CONTRACTS UNDER THE HAWAII PUBLIC PROCUREMENT CODE TO DETERMINE WHETHER THOSE AMENDMENTS ARE CONTRARY TO THE LETTER OR SPIRIT OF THE PROCUREMENT CODE. EBM, LMG, FIN

[SCR 24, SD1](#)
[\(SSCR870\)](#)
[Status](#) URGING FULL PRESERVATION OF UNITED STATES MARINE CORPS AIR STATION EWA AS A NATIONAL MONUMENT, MUSEUM, AND RESTORED PARK FOR THE STATE OF HAWAII. EBM, WLO

[SCR 47, SD1](#)
[\(SSCR872\)](#)
[Status](#) PROCLAIMING 2009 AS THE YEAR OF THE NONCOMMISSIONED OFFICER CORPS OF THE UNITED STATES ARMY. EBM

Decision making only (heard on Tuesday, March 17, 2009):

[SB 205, SD1](#)
[\(SSCR521\)](#)
[Status](#) RELATING TO OWNER-BUILDERS. Increases period prohibiting sale or lease by owner-builder from 1 to 2 years unless due to circumstances beyond control of the owner or lessee as determined by the contractors licensing board; requires that an exemption from licensing requirements is given no more than once in 3 years; clarifies violation provisions. (SD1) EBM, CPC/JUD

Decision making to follow.

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION AND COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

Tuesday, March 24, 2009
Conference Room 325; State Capitol

9:00 a.m. AGENDA:

[SB 466, SD2](#)
[\(SSCR501\)](#)
[Status](#) RELATING TO POLLUTION. Prohibits the use of leaf blowers on certain days and during certain hours; restricts the use of leaf blowers for certain durations of time and near operable doors, windows, and air ducts of buildings. Effective 7/1/2050. (SD2) EEP, JUD

<p>SB 1248, SD1, HD1 (HSCR1071) Status</p>	<p>RELATING TO STATE ENTERPRISE ZONES. Extends tax credits and exemptions for agricultural producers and manufacturers for an additional seven years. Allows receipts, sales, and employees of a business's establishments in all enterprise zones located within the same county to count toward qualification. Allows limited liability companies to be qualified businesses and service businesses. Amends definitions in section 209E-2, HRS. (SB1248 HD1)</p>	<p>EBM/AGR, EEP, FIN</p>
<p>SB 178, SD1 (HSCR1031) Status</p>	<p>RELATING TO FOOD WASTE RECYCLING. Requires the department of education, in a partnership with the department of health, to establish a three-year food waste recycling pilot project in one or more public schools. Allows departments to enter into public/private partnerships to establish and operate the pilot program. Appropriates funds for the pilot program. (SD1)</p>	<p>EDN, EEP, FIN</p>
<p>SB 464, SD2 (SSCR850) Status</p>	<p>RELATING TO TAXATION. Amends the renewable energy technologies income tax credit to allow special allocations of the credit in certain cases, and prevents passive activity losses from including a depreciation deduction. Provides that a taxpayer who claims the renewable energy technologies income tax credit cannot claim any other tax credit for the same actual costs for which a tax credit is claimed under the renewable energy technologies income tax credit or qualify as a qualified high technology business. Effective 01/01/90. (SD2)</p>	<p>EEP, FIN</p>
<p>SB 701, SD2 (SSCR735) Status</p>	<p>RELATING TO LANDFILLS. Places a moratorium on or after 8/1/09, on any new solid waste landfills and the expansion of any existing private solid waste landfills in the: (1) Waianae district; (2) Waialua district; (3) Koolauloa district; and (4) Koolaupoko district. (HD1)</p>	<p>EEP/WLO, JUD</p>

Copies of the proposed HD1 are available in room 314 and on the Legislature's Web site:
<http://www.capitol.hawaii.gov>.

[SB 536, SD1](#) RELATING TO STARLIGHT RESERVE. EEP/WLO, FIN
[\(SSCR551\)](#)
[Status](#) Requires department of business, economic
development, and tourism, assisted by a temporary
advisory committee, to develop a statewide starlight
reserve strategy, including an intelligent statewide
lighting law, to preserve the quality of the night sky and
its associated cultural, scientific, astronomical, natural,
and landscape-related values. (SD1)

Decision making to follow.

10:00 a.m. AGENDA:

EEP/AGR only:

[SB 512, SD2](#) RELATING TO TAXATION. EEP/AGR, FIN
[\(SSCR700\)](#)
[Status](#) Amends the definition of nameplate capacity for biofuels
facilities and revises the allowable tax credit to be equal
to 40 cents per gallon of biofuel produced. Requires
qualifying facility to be located within the State and
utilize locally grown feed stock for at least 75% of its
production output. (SD2)

Decision making to follow.

10:30 a.m. AGENDA:

EEP/WLO only:

Decision making only (heard on Thursday, March 19, 2009):

[SB 50, SD1](#) RELATING TO RENEWABLE ENERGY PRODUCERS. WLO/EEP, FIN
[\(SSCR452\)](#)
[Status](#) Requires that the board of land and natural resources
conduct public hearings prior to awarding a lease of
public land to a renewable energy producer. (SD1)

[SB 1008, SD1](#) RELATING TO WATER QUALITY STANDARDS. EEP/WLO, FIN
[\(SSCR576\)](#)
[Status](#) Amends state water quality standards for inland and
marine waters to conform to federal standards. (SD1)

[SB 266, SD2](#) RELATING TO GLOBAL WARMING. EEP, FIN
[\(SSCR643\)](#)
[Status](#) Establishes the global warming task force to assess the
impacts of global warming and climate change trends in
the State. (SD2)

COMMITTEE ON HEALTH

Tuesday, March 24, 2009

10:00 a.m.

Conference Room 329; State Capitol

AGENDA:

<u>SB 423, SD1</u> <u>(SSCR658)</u> <u>Status</u>	RELATING TO HEALTH. Appropriates money to match federal funds for medicaid. (SD1)	HLT, FIN
<u>SB 932, SD2</u> <u>(SSCR631)</u> <u>Status</u>	RELATING TO INFECTIOUS DISEASE TESTING. Expands routine human immunodeficiency virus testing by health care providers to improve early diagnosis of human immunodeficiency virus. Requires health care providers to obtain written informed consent and to provide pre-test counseling prior to testing for human immunodeficiency virus. Requires DOH to adopt rules. Effective 7/1/2050. (SD2)	HLT, JUD
<u>SB 933, SD2</u> <u>(SSCR740)</u> <u>Status</u>	RELATING TO TEMPORARY LICENSURE OF DENTISTS. Clarifies that the board of dental examiners may issue a community service license to practice dentistry while the person is in the employment of the department of health. Clarifies that the board of dental examiners may issue a temporary license to practice dentistry while the person is contracted by the department of health to conduct dental education and training. (SD2)	HLT, CPC
<u>SB 940, SD1</u> <u>(SSCR575)</u> <u>Status</u>	RELATING TO INSURANCE. Requires direct payment for the provision of pre-hospital ambulance treatment and transport services. (SD1)	HLT, CPC
<u>SB 1178, SD2</u> <u>(SSCR737)</u> <u>Status</u>	RELATING TO HEALTH. Requires the department of health to review emergency plans and develop guidelines of all dialysis centers in the State to ensure the safety of dialysis patients in the event of a public emergency; requires the department to post on its website a list of all dialysis centers in Hawaii that have backup emergency generators with the capacity to sustain dialysis treatments and maintain their water treatment system. (SD2)	HLT, FIN

Decision making only (heard on Friday, March 20, 2009):

[SB 44, SD2](#)
[\(SSCR671\)](#)
[Status](#) RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION. HLT, FIN
Requires (1) department of health to assume all community hospital liabilities accrued up to 6/30/1996; and (2) Hawaii health systems corporation (HHSC) to assume all subsequent liabilities. Clarifies HHSC responsibility for payments into the employees' retirement system funds for its employees. (SD2)

[SB 1673, SD2](#)
[\(SSCR845\)](#)
[Status](#) RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION. HLT, FIN
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. (SD2)

Decision making to follow.

COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Tuesday, March 24, 2009
10:30 a.m.
Conference Room 309; State Capitol

AGENDA:

[SB 614, HD1](#)
[\(HSCR1059\)](#)
[Status](#) RELATING TO FAMILY LEAVE. EBM, LAB, FIN
Grants additional family leave to address family care, legal, and financial issues directly related to or resulting from the impending military deployment or active military deployment of the employee's child, spouse, reciprocal beneficiary, or parent. (SB614 HD1)

[SB 896, SD1,](#)
[HD1](#)
[\(HSCR1060\)](#)
[Status](#) RELATING TO CIVIL SERVICE LAW. EBM, LAB, FIN
Clarifies that positions in the Hawaii National Guard sponsored adult educational programs are exempt from civil service requirements. (SB896 HD1)

SB 1205, SD2, HD1 (HSCR1047) Status	RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS. Provides temporary health insurance for unemployed persons who lost their health insurance. (SB1205 HD1)	HLT, LAB, FIN
HCR 207 Status	REQUESTING A JOINT AGENCY STUDY ON THE IMPACT OF ILLEGAL IMMIGRATION IN HAWAII.	LAB, FIN
HR 168 Status		
HCR 151 Status	REQUESTING EACH PUBLIC SECTOR JURISDICTION WITHIN THE STATE TO SUBMIT REPORTS ON PERIODIC REPRICING AS REQUIRED UNDER SECTION 89-9, HAWAII REVISED STATUTES.	LAB, FIN

Decision making to follow.