

THE SENATE  
THE TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2010

COMMITTEE ON WAYS AND MEANS

Senator Donna Mercado Kim, Chair  
Senator Shan S. Tsutsui, Vice Chair

NOTICE OF DECISION MAKING

DATE: Wednesday March 31, 2010  
TIME: 9:30am  
PLACE: Conference Room 211  
State Capitol  
415 South Beretania Street

A G E N D A

The following measure(s) were previously heard by the Senate standing committees

<a href="#"><u>HB 2087, HD1, SD1</u></a> <a href="#"><u>(SSCR2757)</u></a> <a href="#"><u>Testimony</u></a> <a href="#"><u>Status</u></a>	RELATING TO HEALTH. Requires health insurers to promptly pay claims for services to medicaid recipients, by repealing the exemption for medicaid claims from the clean claims law. Requires the State to pay interest on delayed payments. Authorizes expenditures from the hurricane reserve trust fund and matching American Recovery and Reinvestment Act funds. Takes effect July 1, 2050. (SD1)	HMS/CPN, WAM
<a href="#"><u>HB 2774, HD2, SD1</u></a> <a href="#"><u>(SSCR2824)</u></a> <a href="#"><u>Testimony</u></a> <a href="#"><u>Status</u></a>	RELATING TO HUMAN SERVICES. Requires the department of human services to include certain provisions in each contract with managed care organizations for the provision of Medicaid benefits under QUEST; makes amendments to the QUEST psychotropic benefits; provides a state lump-sum death benefit in an amount equal to the Social Security Administration's lump-sum death benefit for deceased medical or financial assistance recipients who are ineligible for the Social Security Administration benefit. Prohibits the DHS from any expenditures appropriated for Medicaid on any programs not specifically related to Medicaid or not authorized by the Legislature. Effective July 1, 2050. (SD1)	HMS/HTH, WAM
<a href="#"><u>HB 1854, SD1</u></a> <a href="#"><u>(SSCR2739)</u></a> <a href="#"><u>Testimony</u></a> <a href="#"><u>Status</u></a>	RELATING TO EDUCATION. Removes unnecessary restrictions on the use of food distribution program revolving funds. Allows the use of food distribution program revolving funds to support the administration and operation of the food distribution program pursuant to 7 Code of Federal Regulations section 250.15. (SD1)	EDH, WAM
<a href="#"><u>HB 2318, HD2, SD1</u></a> <a href="#"><u>(SSCR2807)</u></a> <a href="#"><u>Testimony</u></a> <a href="#"><u>Status</u></a>	RELATING TO THE HOMELESS. Establishes the housing first special fund. Authorizes the Hawaii public housing authority to implement housing first programs and services, as the authority deems appropriate for clientele who would most likely benefit and succeed from housing first programs, and subject to the availability of existing funds or housing first special fund moneys. Takes effect 7/1/2020 and sunsets 7/30/2016. (SD1)	EDH/HMS/WTL, WAM



<p><b><u>HB 2306, HD2, SD1</u></b>  <a href="#">(SSCR2798)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO SALARIES.  Adjusts compensation of the superintendent of education and state librarian by adding annual performance-based bonuses based on various evaluation criteria. Effective July 1, 2020. (SD1)</p>	<p>EDH, WAM</p>
<p><b><u>HB 2377, HD3, SD1</u></b>  <a href="#">(SSCR2805)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO EDUCATION.  Requires all voting members of the board of education to be appointed by the governor, with the advice and consent of the senate, from pools of qualified candidates presented to the governor by the board of education candidate nomination commission. Effective July 1, 2020. (SD1)</p>	<p>EDH, WAM</p>
<p><b><u>HB 2381, HD2, SD1</u></b>  <a href="#">(SSCR2738)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO TAXATION.  Provides a temporary tax credit for residential construction and remodeling projects. Requires a report to the legislature comparing the impact on jobs and the state budget for various tax credit schemes. Effective 7/1/2020. Sunsets 6/30/2013. (SD1)</p>	<p>EDH, WAM</p>
<p><b><u>HB 2486, HD2, SD1</u></b>  <a href="#">(SSCR2806)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO EDUCATION.  Establishes a minimum number of instructional days and hours per school year for kindergarten to grade twelve, beginning with the 2011-2012 school year. Directs the department of education to consider pick-up and drop-off times that optimize the department's transportation services while minimizing costs. Effective July 1, 2020. (SD1)</p>	<p>EDH/LBR, WAM</p>
<p><b><u>HB 1901, HD2, SD1</u></b>  <a href="#">(SSCR2787)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO PROCUREMENT OF VOTING SYSTEM EQUIPMENT.  Establishes an alternative public procurement process for the procurement of voting system equipment. Effective upon approval and repealed on June 30, 2011. (SD1)</p>	<p>JGO, WAM</p>
<p><b><u>HB 2000, HD2, SD1</u></b>  <a href="#">(SSCR2816)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO THE JUDICIARY.  Appropriates funds to the Judiciary for FY 2010-2011. (SD1)</p>	<p>JGO, WAM</p>
<p><b><u>HB 2595, HD1, SD1</u></b>  <a href="#">(SSCR2786)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO GENERAL EXCISE TAX.  Precludes a taxpayer from using a general excise tax benefit, including exemptions, deductions, lower rates, or income splitting, unless the taxpayer follows all administrative requirements, subject to exemptions. Creates trust fund liability for revenues collected by a business as a tax recovery whether such amount is separately stated or not. Requires the department of taxation to conduct periodic reviews of housing projects certified for a general excise tax exemption. Clarifies that county housing projects are also entitled to tax exemptions under sections 237-29 and 238-3(j), HRS. Takes effect September 14, 2047. (SD1)</p>	<p>JGO, WAM</p>



<p><b><u><a href="#">HB 415, HD2, SD1</a></u></b>  <u><a href="#">(SSCR2761)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO PUBLIC SAFETY.  Directs the auditor to conduct a financial and management audit of the Department of Public Safety's contract with the Corrections Corporation of America and the federal detention center in Honolulu. Effective on approval. (SD1)</p>	<p>PSM, WAM</p>
<p><b><u><a href="#">HB 1818, HD2, SD1</a></u></b>  <u><a href="#">(SSCR2785)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO COGNITIVE RESTRUCTURING.  Allows the department of public safety to provide reentry/reintegration programs in Hawaii's correctional facilities offer cognitive behavioral theory with cultural and other interventions to address domestic violence, addictions, self-mastery through identity, and community connections for successful transitions back into the community. Effective on approval. (SD1)</p>	<p>PSM/WTL, WAM</p>
<p><b><u><a href="#">HB 2266, HD1, SD1</a></u></b>  <u><a href="#">(SSCR2760)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO CORRECTIONS.  Requires the Department of Public Safety to address sexual assault in prison. Requires the department to provide annual data regarding acts of sexual assault and sexual misconduct. Requires the department to report to the Legislature on any implementation of the federal Prison Rape Elimination Act. Effective upon approval. (SD1)</p>	<p>PSM, WAM</p>
<p><b><u><a href="#">HB 2692, HD1</a></u></b>  <u><a href="#">(SSCR2733)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO DISASTER PREPAREDNESS PLANNING.  Requires the director of civil defense to prepare a disaster preparedness plan for the 44th and 45th House of Representatives districts and report to the legislature in 2011. Effective July 1, 2020. (HB2692 HD1)</p>	<p>PSM, WAM</p>
<p><b><u><a href="#">HB 2461, HD2, SD1</a></u></b>  <u><a href="#">(SSCR2808)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO INSURANCE.  Requires a moratorium on the existing reference-based pricing program for prescription drug plan members through June 30, 2012; requires a study on the feasibility and long-term effects of reference-based pricing programs; requires pilot program to explore the use of mobile health vans; and provides for continuing coverage of prescription medication under any policy entered into by an insured or insurer on or after July 1, 2010. (SD1)</p>	<p>LBR/HMS/HTH,  WAM</p>
<p><b><u><a href="#">HB 2533, HD1, SD1</a></u></b>  <u><a href="#">(SSCR2743)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO THE EMPLOYMENT OF EMPLOYEES' RETIREMENT SYSTEM RETIRANTS.  Establishes conditions for reemployment of a retirant in a position that is excluded from Employee Retirement System (ERS) membership. Requires reimbursement of retirement allowances or other benefits received during the reemployment, and payment of contributions that should have been paid during the reemployment, for retirants reemployed in violation of the conditions for reemployment. Effective July 1, 2020. (SD1)</p>	<p>LBR, WAM</p>
<p><b><u><a href="#">HB 2919, HD1, SD1</a></u></b>  <u><a href="#">(SSCR2744)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.  Amends the definition of "sewer worker" for purposes of the Employees' Retirement System to include sewer maintenance working supervisors, wastewater collection system inspection supervisors, wastewater collection system district supervisors, and wastewater collection system field services supervisors. (SD1)</p>	<p>LBR, WAM</p>



<p><b><u>HB 40, HD1</u></b>  <a href="#">(SSCR2727)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO STATE BONDS.  Repeals Act 112, Session Laws of Hawaii 2009, which authorized the issuance of special purpose revenue bonds to assist Carbon Diversion Inc. (HB40 HD1)</p>	<p>ENE, WAM</p>
<p><b><u>HB 2239, SD1</u></b>  <a href="#">(SSCR2728)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.  Removes the exemption for dietary supplements from the deposit beverage container program; adds hard spirits, and wine containers. (SD1)</p>	<p>ENE, WAM</p>
<p><b><u>HB 2497, SD1</u></b>  <a href="#">(SSCR2729)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS.  Authorizes issuance of special purpose revenue bonds for Carbon Bio-Engineers Inc., for development of non-fossil fuel energy production. (SD1)</p>	<p>ENE, WAM</p>
<p><b><u>HB 2643, HD2, SD1</u></b>  <a href="#">(SSCR2774)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO CLEAN ENERGY BONDS.  Establishes a clean energy bond loan program for renewable energy systems and energy efficiency improvements on residential and commercial properties; authorizes the issuance of general obligation reimbursable bonds to finance the program; establishes laws to implement the program which shall be repealed upon the adoption of administrative rules. (SD1)</p>	<p>ENE, WAM</p>
<p><b><u>HB 2644, HD2, SD1</u></b>  <a href="#">(SSCR2741)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO SOLID WASTE.  Applies the solid waste disposal surcharge to waste that is deposited in a landfill, incinerator, or waste-to-energy facility, and applies the surcharge to waste that is shipped out-of-state for disposal. (SD1)</p>	<p>ENE/TIA, WAM</p>
<p><b><u>HB 2688, HD1, SD1</u></b>  <a href="#">(SSCR2740)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO HEALTH.  Changes the name of the environmental health education fund to the sanitation and environmental health special fund and allows the funds to be used for sanitation program activities and functions; increases the amount that can be used for administrative costs and the amount that the fund may accumulate before the excess is transferred into the general fund. (SD1)</p>	<p>ENE/HTH, WAM</p>
<p><b><u>HB 2084, HD1, SD1</u></b>  <a href="#">(SSCR2756)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS.  Appropriates an unspecified amount to match the federal disproportionate share hospital allowance allocated to the State; authorizes a portion of the unspecified appropriated funds to be used to obtain matching federal disproportionate share hospital allowance for fiscal year 2009-2010 expenditures by the State. Effective July 1, 2050. (SD1)</p>	<p>HTH/HMS, WAM</p>
<p><b><u>HB 2094</u></b>  <a href="#">(SSCR2755)</a>  <a href="#">Testimony</a>  <a href="#">Status</a></p>	<p>RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH.  Authorizes the issuance of SPRBs to assist Hawaii Pacific Health in financing, refinancing, and/or reimbursing costs related to the acquisition or construction of health care facilities.</p>	<p>HTH, WAM</p>



<p><b><u><a href="#">HB 2152, HD1, SD1</a></u></b>  <u><a href="#">(SSCR2768)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES.          Authorizes the disability and communication access board to charge a fee to defray expenses of review of construction plans to ensure compliance with laws relating to access to persons with disabilities. Establishes temporary fees until the board adopts permanent fees. Requires report to the legislature. (SD1)</p>	<p>HTH, WAM</p>
<p><b><u><a href="#">HB 2505, HD1, SD1</a></u></b>  <u><a href="#">(SSCR2802)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO THE ACCESS HAWAII COMMITTEE.          Establishes the access Hawaii committee special fund; requires information on income and expenditures to be subject to legislative review and oversight in each budget submittal from the department of accounting and general services. Effective July 1, 2020. (SD1)</p>	<p>EDT, WAM</p>
<p><b><u><a href="#">HB 2698, HD2, SD1</a></u></b>  <u><a href="#">(SSCR2777)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO TECHNOLOGY.          Requires the director of commerce and consumer affairs, in conjunction with expanded digital cable programming and services, to promote and encourage telework; establishes a telework promotion and broadband assistance advisory council; establishes a work group to develop procedures for streamlined permitting functions applicable to development of broadband services or technology; requires the department of commerce and consumer affairs to report annually to the legislature on expenditures of federal moneys for broadband facilities, services, equipment, or contracts. (SD1)</p>	<p>EDT, WAM</p>
<p><b><u><a href="#">HB 2831, HD2, SD1</a></u></b>  <u><a href="#">(SSCR2778)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY.          Authorizes the natural energy laboratory of Hawaii authority (NELHA) to acquire, hold, and sell qualified securities subject to certain conditions; authorizes NELHA to accept donations of money, property, and services; requires NELHA to report on these matters in the NELHA annual report. (SD1)</p>	<p>EDT, WAM</p>
<p><b><u><a href="#">HB 2783, HD2, SD1</a></u></b>  <u><a href="#">(SSCR2813)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO GENERAL EXCISE TAX.          Makes permanent the general excise tax exemptions for condominium common expenses paid by managers, submanagers, and suboperators, and for hotel employee expenses paid by hotel operators and timeshare projects. Clarifies the maximum allowable tax exemption. (SD1)</p>	<p>CPN/TSM, WAM</p>
<p><b><u><a href="#">HB 2923, HD2, SD1</a></u></b>  <u><a href="#">(SSCR2819)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO PUBLIC LANDS.          Established procedures for the department of Hawaiian home lands for purpose of determining the disposition of lands for commercial and multipurpose projects. Limits extension of leases to not longer than twenty years, to be granted only once. Specifies disposition of proceeds. Requires DHHL to submit annual report to legislature and the U.S. Dept. of Interior. Specifies twenty percent of revenues generated from lease agreements and land use instruments to be deposited into the Native Hawaiian rehabilitation fund. Eff 7/1/2010. (SD1)</p>	<p>WTL, WAM</p>
<p><b><u><a href="#">HB 2667, HD2</a></u></b>  <u><a href="#">(SSCR2712)</a></u>  <u><a href="#">Testimony</a></u>  <u><a href="#">Status</a></u></p>	<p>RELATING TO FERRIES.          Requires the Department of Transportation to conduct a study on the feasibility of establishing a statewide ferry system and the Hawaii State Ferry System Authority for the operation of a ferry system between the islands. Effective July 1, 2020. (HB2667 HD2)</p>	<p>TIA, WAM</p>



**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](mailto: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.
- 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.

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Senator Donna Mercado Kim  
Chair

