

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Monday, February 1, 2010
2:00 p.m.
Conference Room 325; State Capitol

AGENDA:

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| HB 2304
Status | RELATING TO LICENSURE.
Requires at least half of all elevator mechanics at a construction job site to be licensed and requires elevator mechanics, electricians, and plumbers to wear their licenses at the job site. | CPC |
| HB 2136
Status | RELATING TO DISTRIBUTIONS BY NONPROFIT CORPORATIONS.
Permits current distributions by nonprofit corporations to its nonprofit members and affiliates, provided that the distributions are in accordance with the distributing nonprofit corporations' purposes and will not jeopardize their liquidity. | CPC |
| HB 2302
Status | RELATING TO INFORMATION TECHNOLOGY.
Transfers responsibilities for developing and implementing statewide technology policies from the Department of Accounting and General Services to the Department of Commerce and Consumer Affairs. Creates the position of chief information officer. Creates and funds the shared services technology special fund. | CPC, FIN |
| HB 2360
Status | RELATING TO INTRASTATE TELECOMMUNICATIONS SERVICES.
Clarifies that the public utilities commission shall treat retail intrastate telecommunications services as fully competitive. Clarifies that the fully competitive designation shall not apply to services provided according to the statutory obligations of telecommunications carriers. | CPC |
| HB 2286
Status | RELATING TO CAPTIVE INSURANCE COMPANIES.
Amends the frequency of statutorily required captive insurance company examinations from once every three years to once every five years, unless otherwise required by the Insurance Commissioner. Requires risk retention captive insurance companies to undergo examination within three years of formation. Eliminates reference to a repealed provision on minimum surplus requirements for captive insurance companies. Requires protected cell accounts established by sponsored captive insurance companies to be operated only under the forms of business organizations authorized by the Insurance Commissioner. | CPC |

[HB 2354](#) RELATING TO INSURANCE FRAUD. CPC, JUD
[Status](#) Requires individuals, entities, and insurers to cooperate with insurance fraud investigations. Bars restitution for failure to cooperate.

[HB 304](#) RELATING TO FORECLOSURES. CPC, JUD
[Status](#) Provides a vehicle to allow more time to a defaulting mortgagor facing foreclosure.

Decision making to follow.

Decision making only (heard on 01/25/10):

[HB 1927](#) RELATING TO OWNER-BUILDERS. CPC, FIN
[Status](#) Amends Chapter 444 by: (1) Allowing an exemption for the sale or lease of a property by an owner builder prior to the expiration of the one-year prohibition period in the event of hardship; (2) Defining when a construction or improvement is completed; (3) Exempting improvements of less than \$10,000 in value; (4) Exempting lenders and mortgages in cases of non-judicial foreclosure; (5) Creating a rebuttable presumption that an owner or lessee is in violation when more than one exemption is obtained within five years. Increases the handyman exemption to \$2,000.

COMMITTEE ON EDUCATION

Monday, February 1, 2010
2:00 p.m.
Conference Room 309; State Capitol

AGENDA:

[HB 1988](#) PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION EDN, JUD,
[Status](#) TO ALLOW THE GOVERNOR TO APPOINT THE MEMBERS OF THE FIN
BOARD OF EDUCATION AND THE SUPERINTENDENT OF
EDUCATION UPON CONFIRMATION BY BOTH THE HOUSE OF
REPRESENTATIVES AND THE SENATE.
Proposes a constitutional amendment to Article X, Sections 2 and 3, of the Hawaii Constitution to allow the Governor to appoint the members of the Board of Education and the Superintendent of Education upon the advice and consent of both the State House of Representatives and the Senate.

<u>HB 1989</u> <u>Status</u>	RELATING TO EDUCATION. Provides housekeeping amendments to election and education statutes to implement an amendment to the Hawaii Constitution that requires members of the Board of Education and the Superintendent of Education to be nominated and, upon the advice and consent of the State House of Representatives and the Senate, appointed by the Governor.	EDN, JUD, FIN
<u>HB 2177</u> <u>Status</u>	PROPOSING AN AMENDMENT TO REPEAL ARTICLE X, SECTIONS 2 AND 3, AND TO AMEND ARTICLE XVI, SECTION 4, OF THE HAWAI`I STATE CONSTITUTION. Proposes a constitutional amendment to abolish the board of education.	EDN, JUD, FIN
<u>HB 2178</u> <u>Status</u>	RELATING TO EDUCATION. Abolishes board of education.	EDN, JUD, FIN
<u>HB 2376</u> <u>Status</u>	PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION. Proposes constitutional amendments to Article X, Sections 2 and 3, of the Hawaii Constitution relating to the Board of Education.	EDN, JUD, FIN
<u>HB 2377</u> <u>Status</u>	RELATING TO EDUCATION. Requires Board of Education members to be nominated and, by and with the advice and consent of the Senate, appointed by the Governor from pools of qualified candidates presented to the Governor by the Board of Education Selection Advisory Council. Gives the Board of Education the power to restructure the Department of Education to ensure that it is decentralized in a manner to promote student growth and achievement and greater accountability, and monitor and protect student rights provided by law.	EDN, JUD, FIN
<u>HB 2424</u> <u>Status</u>	PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION. Amends provision of state constitution to redistrict the board of education, to provide for one board member for every three representative districts. Requires that members reside in the board district that the member represents, and requires that the members be elected by the qualified voters in the respective district.	EDN, JUD, FIN
<u>HB 2428</u> <u>Status</u>	RELATING TO THE BOARD OF EDUCATION. Increases the number of members on the board of education to seventeen. Amends law to provide that each school board district shall be comprised of three representative districts.	EDN, JUD, FIN

Decision making to follow.

COMMITTEE ON ECONOMIC REVITALIZATION, BUSINESS, & MILITARY AFFAIRS

Tuesday, February 2, 2010

8:30 a.m.

Conference Room 312; State Capitol

AGENDA:

HB 1943 Status	RELATING TO VETERANS. Requires the director of the office of veterans' services to act on behalf of deceased veterans found to be indigent at the time of death and without surviving immediate family members to ensure the burial of the veteran's remains in a state veterans cemetery.	EBM, FIN
HB 1944 Status	RELATING TO HEALTH CLUBS. Allows military personnel deployed outside the State on federal active duty to cancel or suspend health club membership at any time during the contract term under certain conditions.	EBM, CPC
HB 2844 Status	RELATING TO THE FILM INDUSTRY. Creates a film industry branch special fund with revenues from a general exercise tax surcharge on motion picture theaters and television broadcasting stations and fees charged by the department of business, economic development, and tourism for its film industry activities.	EBM, FIN
HB 1921 Status	RELATING TO A CONTROLLING INTEREST TRANSFER TAX. Establishes the controlling interest transfer tax of 1.11% to be administered by the director of taxation on any transfer of interest of more than 50% in an entity holding real property in the State.	EBM, FIN
HB 2168 Status	RELATING TO TAX CREDITS. Creates a state new markets tax credit and allows multiple tax credit claims for partners.	EBM, FIN
HB 2284 Status	RELATING TO REAL PROPERTY. Extends repeal date of Act 189, SLH 2009, to 6/30/2010.	EBM, JUD
HB 2368 Status	RELATING TO TAXATION. Reduces the general excise tax liability of eligible businesses in the State by 10% for 4 years. Increases the general excise tax and use tax by 1% for 6 years. Increases the amount of the refundable food/general excise tax credit. Phases out the corporation income tax on corporations, regulated investment companies, and real estate investment trusts over 4 years by reducing the tax rate each year.	EBM, FIN

<u>HB 2430</u> <u>Status</u>	RELATING TO PROCUREMENT. Permits bidders and their subcontractors who are registered under an apprenticeship agreement with DLIR to benefit from a 5% reduction in their bid amount on contracts for \$250,000 or more.	EBM, LAB, FIN
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Decision making to follow.

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Tuesday, February 2, 2010
8:30 a.m.
Conference Room 325; State Capitol

AGENDA:

<u>HB 2497</u> <u>Status</u>	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.	EEP, FIN
<u>HB 2628</u> <u>Status</u>	RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU. Extends the authorization to issue special purpose revenue bonds for Honolulu Seawater Air Conditioning LLC.	EEP, FIN
<u>HB 2631</u> <u>Status</u>	RELATING TO ENERGY INDUSTRY REPORTING. Establishes the energy industry monitoring and analysis program within DBEDT. Suspends the petroleum industry monitoring and reporting program in the PUC.	EEP, CPC/JUD, FIN
<u>HB 2971</u> <u>Status</u>	RELATING TO RENEWABLE ENERGY FACILITY SITING PROCESS. Requires the energy resources coordinate to include representatives from the island where a renewable energy facility is proposed to be included in determining terms and conditions of permit plan. Adds community benefits agreements as subject to determination by government agencies, applicant, and residents.	EEP, FIN
<u>HB 2643</u> <u>Status</u>	RELATING TO CLEAN ENERGY BONDS. Establishes a property assessed clean energy bond financing program for renewable energy system and energy efficiency improvements on residential and commercial properties, and authorizes the issuance of general obligation bonds to finance the program.	EEP, FIN

HB 2644 Status	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.	EEP, FIN
HB 2427 Status	RELATING TO SOLID WASTE MANAGEMENT. Changes the interval between revisions of county solid waste management plans from 5 to 10 years and as necessary.	EEP
HB 2125 Status	RELATING TO ENVIRONMENTAL PROTECTION. Requires businesses in the State to collect an offset fee for each plastic disposable checkout bag distributed to customers.	EEP, EBM, FIN

Decision making to follow.

COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Tuesday, February 2, 2010
9:00 a.m.
Conference Room 309; State Capitol

AGENDA:

HB 2964 Status	RELATING TO SALARIES. Increases the salary reduction for legislators from 5% to 8.07% for the second half of the 2009-2010 fiscal biennium.	LAB, FIN
HB 2079 Status	RELATING TO WORKERS' COMPENSATION. Repeals the possibility of the director extending the due date for written decisions on the outcome of worker compensation claims.	LAB, FIN
HB 2637 Status	RELATING TO MEDICAL AND REHABILITATION BENEFITS. Clarifies that a physician or surgeon may conduct diagnostic testing or engage in a one-time consultation for a subspecialty diagnostic evaluation and treatment recommendations from a board certified or licensed specialist.	LAB, CPC, FIN
HB 2636 Status	RELATING TO DISLOCATED WORKERS. Authorizes the department of labor and industrial relations to exercise enforcement powers against an employer in a covered establishment that would require the employer to adhere to, and comply with, the notification and penalty provisions of section 394B-9, HRS.	LAB, JUD, FIN

<u>HB 2101</u> <u>Status</u>	RELATING TO CUSTOMER SERVICE. Directs the ombudsman to develop and implement a pilot program using informed customers to investigate customer service at state agencies.	LAB, LMG, FIN
<u>HB 2165</u> <u>Status</u>	RELATING TO HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND. Conforms to medicare law the definition in the employer-union health benefits trust fund law relating to disabled individuals.	LAB, FIN
<u>HB 2257</u> <u>Status</u>	RELATING TO UNEMPLOYMENT INSURANCE BENEFITS. Authorizes an individual that is attached to a regular employer who is not offering work to still receive unemployment insurance benefits even if that individual voluntarily or involuntarily separates from part-time employment.	LAB, FIN
<u>HB 2429</u> <u>Status</u>	RELATING TO SEPARATION INCENTIVES. Authorizes the state executive branch to offer a voluntary severance or a special retirement incentive benefit to state employees who elect to voluntarily separate from service when their positions are identified for abolishment or when they are directly affected by a reduction-in-force or workforce restructuring plan; extends to other jurisdictions the option to provide a special retirement incentive to their respective employees under a reduction-in-force or a workforce restructuring plan.	LAB, FIN
<u>HB 2858</u> <u>Status</u>	RELATING TO FURLOUGHS. Specifies that a "furlough" relates to an employee's wages and hours of employment and constitutes a term or condition of employment that is subject to collective bargaining.	LAB, JUD, FIN
<u>HB 2897</u> <u>Status</u>	RELATING TO CONTRACTORS. Subjects a contractor to revocation or suspension of license for knowingly or intentionally employing a person who is not eligible to work in the United States under federal law to perform work on any project or operation.	LAB, CPC, JUD
<u>HB 2919</u> <u>Status</u>	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.	LAB, FIN

[HB 2935](#) RELATING TO EMPLOYMENT PRACTICES. LAB, JUD,
[Status](#) Makes it an unlawful practice for any employer or labor FIN
organization to bar or discharge from employment, withhold pay
from, or demote an employee because the employee uses
accrued and available sick leave.

[HB 1687](#) RELATING TO SICK LEAVE. LAB, JUD,
[Status](#) Requires employers to provide paid sick leave to employees. FIN

Decision making to follow.

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION AND COMMITTEE ON HOUSING

Tuesday, February 2, 2010

9:30 a.m.

Conference Room 325; State Capitol

AGENDA:

[HB 2520](#) RELATING TO PHOTOVOLTAIC READY NEW RESIDENTIAL EEP/HSG,
[Status](#) HOMES. CPC
Requires that new single-family residential construction
incorporate design elements and minimum equipment installation
at the time of construction so as to facilitate the future adoption
of a photovoltaic system.

[HB 2521](#) RELATING TO NET ZERO ENERGY CAPABLE CONSTRUCTION. EEP/HSG,
[Status](#) Requires all new single-family residential construction be CPC
designed to be "net zero energy capable" as of January 1, 2015.

[HB 2792](#) RELATING TO SOLAR ENERGY DEVICES. EEP/HSG,
[Status](#) Clarifies that the rules of a private condominium entity shall not JUD
render a solar energy device more than twenty-five per cent less
effective, increase the cost of installation, maintenance, or
removal of a solar energy device, or require an encumbrance on
title because of the placement of the solar energy device.

Decision making to follow.

COMMITTEE ON HEALTH

Tuesday, February 2, 2010

10:00 a.m.

Conference Room 329; State Capitol

AGENDA:

HB 2573 Status	RELATING TO TIME FRAMES TO REGAIN FITNESS TO PROCEED. Establishes specific time frames for a commitment or release on conditions when unfit defendants are charged with petty misdemeanors (60 days), and non-violent misdemeanors (120 days).	HLT, JUD, FIN
HB 2574 Status	RELATING TO PARKING FOR DISABLED PERSONS. To establish the Disability and Communication Access Board as the issuing agency that authorizes the issuance of removable windshield placards, temporary removable windshield placards, special license plates, and identification cards; to extend the validity of the placard from 4 to 6 years.	HLT, TRN, FIN
HB 2939 Status	RELATING TO THE LONG TERM CARE COMMISSION. Requires the long term care commission to review the feasibility of establishing a long term care fund to assist residents who would otherwise not qualify for any government or private long term care insurance program. Finances the fund by imposing or increasing the general excise tax on food and drugs commencing 1/1/12. Requires conclusions and recommendations of the review to be included in the commission's final report to the legislature on 9/30/10.	HLT, CPC, FIN
HB 2723 Status	RELATING TO FOOD SAFETY. Amends the food safety consultative and education program under the department of health to include information and education efforts regarding food allergies and anaphylaxis. Establishes a "food allergy friendly" program.	HLT, EBM, FIN
HB 2829 Status	RELATING TO HEALTH. Requires hospitals to disclose infection rates; protects patient privacy rights.	HLT, JUD, FIN
HB 1932 Status	RELATING TO FOOD LABELING. Provides penalties for the misbranding of fish or fish products that result in consumer illness. Creates the food misbranding special fund to support Department of Health inspectors investigating incidents of fish or fish products misbranding.	HLT, CPC/JUD, FIN

[HB 2170](#) RELATING TO VITAL STATISTICS. HLT, FIN
[Status](#) Requires the department of health to provide each county's real property assessment division a monthly list of death records at no charge.

Decision making to follow.

10:30 a.m. AGENDA:

HLT/HUS only:

[HB 1902](#) RELATING TO LONG TERM CARE. HLT/HUS, FIN
[Status](#) Delays interim and final reports of the long term care commission on the development of a 5-year plan and proposed system reforms from 2/28/2010 and 9/30/2010 to 1/1/2011 and 1/1/2012, respectively. Extends term of commission to the adjournment sine die of the regular session of the 2012 legislature.

[HB 2085](#) RELATING TO HEALTH. HLT/HUS, FIN
[Status](#) Establishes limits on requests for proposals from health and human services providers for QUEST contracts that exceed \$100,000,000 and commence after the term of the agency director expires.

[HB 2087](#) RELATING TO HEALTH. HLT/HUS,
[Status](#) Exempting QUEST plans from paying interest under the clean CPC/JUD claims act when delays are due to non-payment by government payers to QUEST plans.

[HB 2090](#) RELATING TO MEDICAID REIMBURSEMENTS. HLT/HUS, FIN
[Status](#) Requires medicaid reimbursement to hospitals for patients occupying acute-licensed beds who are on a waitlist for long-term care to be at least equal to the rate paid for acute care services; requires medicaid reimbursement to long-term care facilities for patients with medically complex conditions to be at least equal to the rate paid for subacute care; appropriates funds for increased reimbursements.

Decision making to follow.