

COMMITTEE ON HIGHER EDUCATION

Tuesday, February 2, 2010

2:00 p.m.

Conference Room 309; State Capitol

AGENDA:

HB 2641 Status	RELATING TO UNIVERSITY OF HAWAII PROJECTS. Extends the sunset provision in Act 138, Session Laws of Hawaii 2005, relating to providing funding to the University of Hawaii to construct or renovate housing units.	HED, FIN
HB 2670 Status	RELATING TO THE UNIVERSITY OF HAWAII. Lifts the cap on the amount of expenditures that the UH Board of Regents can authorize from the University of Hawaii Tuition and Fees Special Fund.	HED, FIN
HB 2685 Status	RELATING TO UNIVERSITY OF HAWAII BUDGET. Requires the University of Hawaii to use zero-based budgeting principles in formulating the budget for the 2011-2012 fiscal year.	HED, FIN
HB 2701 Status	RELATING TO THE UNIVERSITY OF HAWAII. Establishes a task force to develop a strategic plan to increase the commercialization of University of Hawaii's research.	HED, FIN
HB 2921 Status	RELATING TO LICENSING. Revises minimum requirements for licensing electricians and plumbers.	HED, CPC

Decision making to follow.

COMMITTEE ON JUDICIARY

Tuesday, February 2, 2010

2:00 p.m.

Conference Room 325; State Capitol

AGENDA:

SB 910, SD1, HD1 (HSCR1051) Status	RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES. Transfers homeless programs and services within the Department of Human Services by relocating the state homeless programs from the Hawaii Public Housing Authority to the Benefit, Employment, and Support Services Division. (SB910 HD1)	HSG, JUD, FIN
HB 59, HD1 (HSCR189) Status	PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING 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. (HB59 HD1)	LMG, JUD, FIN
HB 1190 (HSCR529) Status	RELATING TO TRAFFIC ACCIDENT INVESTIGATION. Requires the police department of each county to identify roadways most critical to free movement and commerce and establish protocols necessary to coordinate major accident investigations, including immediately notifying the medical examiner in fatal accident cases.	TRN, JUD
HB 1863 Status	RELATING TO PROSTITUTION. Repeals the "sunset" date of, and thereby makes permanent, Act 192, Session Laws of Hawaii 2008, which makes habitual solicitation of prostitution a criminal offense.	JUD
HB 1867 Status	RELATING TO PROSTITUTION. Makes it a misdemeanor to offer or agree to pay a fee to engage in sexual conduct within 750 feet of a school or public park.	JUD
HB 1862 Status	RELATING TO PUBLIC ORDER. Removes the sunset date of December 31, 2012 on the prohibition against urinating or defecating in public within the boundaries of downtown Honolulu.	JUD

Decision making to follow.

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

HB 2003 Status	RELATING TO CAMPAIGN FINANCING. Updates, organizes, and clarifies current campaign financing laws.	JUD, FIN
HB 2004 Status	RELATING TO CAMPAIGN FINANCING. Amends law relating to ballot issue committees. Defines automated phone call and requires certain information to be stated at the beginning of such phone calls. Amends the definition of advertisement. Repeals the campaign spending commission's authority to adopt a code of fair campaign practices as part of its rules. Requires advertising notices and disclaimers to be included on every web page that contains an advertisement.	JUD, FIN

COMMITTEE ON AGRICULTURE

Wednesday, February 3, 2010

8:30 a.m.

Conference Room 312; State Capitol

AGENDA:

HB 2083 Status	RELATING TO MILK LABELING. Requires milk and soy milk beverages to be labeled with the date of pasteurization or the date of packaging.	AGR, CPC/JUD
HB 2503 Status	RELATING TO THE ENVIRONMENT. Authorizes an expansion of the permissible uses of the Pesticides Use Revolving Fund to include personnel costs for compliance monitoring.	AGR, FIN
HB 2504 Status	RELATING TO INVASIVE SPECIES. Allows for Nursery Certification fees to be deposited into the Pest Inspection, Quarantine, and Eradication Fund.	AGR, FIN
HB 2729 Status	RELATING TO AGRICULTURE. Amends the definition of "agricultural commodity" to include livestock of the bovine, equine, swine, sheep, or goat species and the carcasses or meat of those species.	AGR, FIN
HB 2775 Status	RELATING TO AGRICULTURE. Establishes fees for permits, letters, and the registration of plants, animals, and microorganisms allowed entry into the State.	AGR, FIN

[HB 2779](#)
[Status](#) RELATING TO STATE LEASES. AGR, WLO
Allows agricultural or aquacultural lessees on state land to erect or use temporary structures, without state or county approval or a county building permit, if they were built according to the Uniform Building Code and the lessees sign a waiver.

[HB 2913](#)
[Status](#) RELATING TO TAXATION. AGR, FIN
Imposes an agricultural rent windfall income tax surcharge on lessors who charge excessive rent for agricultural land.

[HB 2948](#)
[Status](#) RELATING TO AGRICULTURE. AGR, FIN
Establishes restrictions on the interisland movement of certain agricultural and nonagricultural articles; amends requirements related to the notification of arrival, labeling, authority to inspect, and importation of certain agricultural and nonagricultural articles; establishes a misdemeanor offense and increases the fine applicable to violators.

Decision making to follow.

Decision making only (heard on 01/29/10):

[HB 2290](#)
[Status](#) RELATING TO AGRICULTURE. AGR, FIN
Establishes an agriculture inspection and certification special fund under the department of agriculture. Requires that special fund moneys be used for inspecting, certifying, weighing, classifying, or grading of agricultural products to be exported from or shipped within the State.

[HB 2293](#)
[Status](#) RELATING TO THE DEPARTMENT OF AGRICULTURE. AGR, FIN
Requires the deposit of a portion of the agricultural loan repayments into a new department of agriculture staffing special fund. Requires moneys in the special fund to be expended on department personnel salary and fringe benefit costs that were previously paid from the general fund. Requires report to the legislature. Takes effect on 7/1/2010 and sunsets on 6/30/2015.

[HB 2294](#)
[Status](#) RELATING TO AGRICULTURE. AGR, FIN
Makes various amendments to the agricultural inspection and biosecurity laws, including the following: (1) changes the designation of the pest inspection, quarantine, and eradication service fee to a "tax", (2) makes the department of taxation responsible for collecting that tax, (3) requires the deposit of fees and fines relating to agricultural inspections into the pest inspection, quarantine, and eradication fund, and (4) repeals the certification services revolving fund, permit revolving fund, and microorganism revolving fund and transfers the moneys in those funds into the pest inspection, quarantine, and eradication fund.

COMMITTEE ON HAWAIIAN AFFAIRS AND COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

Wednesday, February 3, 2010

9:00 a.m.

Conference Room 329; State Capitol

AGENDA:

HB 2480 Status	RELATING TO HISTORIC PLACES. Defines archaeological site or archaeological feature. Requires the historic preservation division of DLNR to report on the state and historical significance of an archaeological site if inadvertently destroyed. Provides for penalties for wilful alteration or destruction of an archaeological site or archaeological feature on the Hawaii or national register of historic places.	HAW/WLO, FIN
HB 1961 Status	RELATING TO THE KAHO'OLAWA REHABILITATION TRUST FUND. Imposes a surcharge on ocean recreational activity tours at Molokini island, including the reefs and reef lands off the shore of the island, to be deposited in the Kaho'olawe rehabilitation trust fund.	HAW/WLO, FIN
HB 2240 Status	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS. Transfers the functions and duties of the historic preservation division of DLNR relating to Hawaiian burial sites to the Office of Hawaiian Affairs.	HAW/WLO, FIN
HB 2242 Status	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS. Transfers the functions and duties of the historic preservation division and the Kaho`olawe island reserve commission relating to Hawaiian burial sites to the Office of Hawaiian Affairs. Establishes special fund. Funds operation through conveyance tax revenues. Includes cave burials and burial sites.	HAW/WLO, FIN
HB 2484 Status	RELATING TO HISTORIC PRESERVATION. Establishes fines for the knowing destruction of heiau on private lands.	HAW/WLO, JUD

[HB 2672](#)
[Status](#) RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS. HAW/WLO, JUD,
Resolves claims and disputes relating to the portion of income FIN
and proceeds from the lands of the public land trust for use by
the office of Hawaiian affairs between 11/7/1978, and
7/1/2008; requires payment of cash to the office of Hawaiian
affairs.

[HB 2241](#)
[Status](#) RELATING TO PUBLIC TRUST LANDS. HAW/WLO, JUD,
Provides for transfer of management, control, and title of FIN
public trust land to sovereign Hawaiian entity upon recognition
by the United States and State of Hawaii.

Decision making to follow.

COMMITTEE ON HOUSING

Wednesday, February 3, 2010

9:00 a.m.

Conference Room 325; State Capitol

AGENDA:

[HB 2311](#)
[Status](#) RELATING TO PLANNED COMMUNITY ASSOCIATIONS. HSG, JUD/CPC
Allows for the use of flag poles to display the flag of the United
States or of the State on the premises of single-family residential
dwellings or townhouses that are part of a planned community.
Allows reasonable restrictions on the use of flag poles for aesthetic
purposes.

[HB 2357](#)
[Status](#) RELATING TO GOVERNMENT SERVICES. HSG, FIN
Allows the Hawaii public housing authority to bill the home nations
of individuals covered under the Compact of Free Association for
homeless services and assistance.

[HB 2358](#)
[Status](#) RELATING TO PUBLIC HOUSING. HSG, FIN
Requires the Hawaii public housing authority to establish minimum
rent for state public housing units and annual consumer price index
adjustments of minimum rent. Requires authority to seek the full
cost to repair damage to a unit.

<u>HB 2491</u> <u>Status</u>	RELATING TO PUBLIC HOUSING. Requires the Hawaii Public Housing Authority to assess a public housing project common area assessment against all units in the project that is not less than one per cent of the expenses incurred for the common area. Allows the Authority to charge a tenant for a common area expense caused by the tenant and requires the Authority to seek reimbursement for any damage to a public housing unit caused by a tenant. Also deletes references to a prospective tenant's need with respect to tenant selection procedures.	HSG, JUD, FIN
<u>HB 2568</u> <u>Status</u>	RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY. Reduces the quorum requirement for the board of directors of the Hawaii Public Housing Authority.	HSG
<u>HB 2624</u> <u>Status</u>	RELATING TO PLANNED COMMUNITY ASSOCIATIONS. Conforms planned community association laws with respect to proxies to comparable provisions regulating condominium property regimes.	HSG, CPC/JUD
<u>HB 2625</u> <u>Status</u>	RELATING TO CONDOMINIUMS. Clarifies various provisions of the condominium property regime law.	HSG, CPC/JUD
<u>HB 2812</u> <u>Status</u>	RELATING TO CONDOMINIUMS. Establishes a minimum number of members for condominium association boards of directors for mixed-use condominiums with a certain number of units and owners. Limits the number of board members representing nonresidential-use units.	HSG, CPC
<u>HB 2819</u> <u>Status</u>	RELATING TO REAL PROPERTY DISCLOSURES. Requires the seller of a residential home to disclose to a buyer any violations, inconsistencies, or nonconformities with zoning laws or general plans, as well as the existence or absence of any variances.	HSG, CPC/JUD
<u>HB 2895</u> <u>Status</u>	RELATING TO FORECLOSURE. Allows a homeowner to force a court supervised foreclosure if a non-judicial foreclosure is successfully appealed due to an unfair sales price.	HSG, JUD

Decision making to follow.

Decision making only (heard on 01/27/10):

<u>HB 2281</u> <u>Status</u>	RELATING TO ELDERLY HOUSING. Increases the minimum age requirement for all persons residing in elderly housing from 55 to 62 years except for spouses and domestic partners.	HSG, FIN
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10:00 a.m. AGENDA:

HSG/WLO only

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| HB 2435
Status | RELATING TO HOUSING.
Granting temporary relief from county housing requirements as recommended by the construction industry task force to stimulate housing construction statewide. | HSG/WLO |
| HB 2488
Status | RELATING TO THE HOMELESS.
Increases by 10% the conveyance tax on the sale of luxury homes over \$700,000 to finance the purchase and maintenance of state parks to serve the homeless. | HSG/WLO, FIN |
| HB 2526
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 forty-five days of acceptance of the permit application for the project. | HSG/WLO,
JUD |

Decision making to follow.

COMMITTEE ON TRANSPORTATION

Wednesday, February 3, 2010

9:00 a.m.

Conference Room 309; State Capitol

AGENDA:

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| HB 2679
Status | RELATING TO HYBRID BICYCLES.
Clarifies the definition of bicycle to include electric motor bicycles for purposes of county vehicular taxes and the statewide traffic code. Specifies type of bicycles to be allowed to be transported on public busses. | TRN, JUD |
| HB 2952
Status | RELATING TO MOPEDS.
Convenes a task force to explore the feasibility of treating mopeds like motorcycles in certain instances. | TRN, FIN |
| HB 2898
Status | RELATING TO HIGHWAY SAFETY.
Requires all operators and passengers of motorcycles and motor scooters to wear safety helmets. | TRN, JUD |

[HB 2263](#) RELATING TO HIGHWAY SAFETY. TRN, JUD
[Status](#) Permits a provisional licensee to obtain a driver's license at age 18 even if the person has held the provisional license for less than 6 months.

[HB 2726](#) RELATING TO TAXATION. TRN, FIN
[Status](#) Exempts lessors from the rental motor vehicle surcharge tax when renting an electric vehicle.

[HB 1976](#) RELATING TO TRANSPORTATION. TRN, FIN
[Status](#) Appropriates funds from the Rental Motor Vehicle Customer Facility Charge Special Fund to fund various car rental facility projects statewide.

[HB 2370](#) RELATING TO TRANSPORTATION. TRN, FIN
[Status](#) Raises rental motor vehicle customer facility charge from \$1/day to \$4.50/day. Appropriates funds out of the rental motor vehicle customer facility charge special fund for multiple purposes.

[HB 2602](#) RELATING TO HIGHWAY SAFETY. TRN, JUD
[Status](#) Create a new law for distracted driving for drivers who operate any mobile electronic devices while operating a motor vehicle on the highways within the State of Hawaii to further define the penalties for reckless drivers will be a deterrent and result in safer roadways.

[HB 2693](#) RELATING TO CHILD PASSENGER RESTRAINTS. TRN, JUD
[Status](#) Amends law to prohibit the transport of a child under 8 years of age in a motor vehicle on a public highway in the State, when a parent or legal guardian is present in the motor vehicle, except under certain circumstances. Allows children under the age of 8 and under 4 feet and 9 inches in height to ride in the front seat of a motor vehicle, under certain circumstances.

Decision making to follow.

11:00 a.m. AGENDA:

TRN/WLO only

[HB 2298](#) RELATING TO HARBORS. TRN/WLO,
[Status](#) Amends conditions under which a vessel authorized to moor in Kewalo Basin is allowed to moor in Honolulu Harbor. FIN

Decision making to follow.

COMMITTEE ON HAWAIIAN AFFAIRS

Wednesday, February 3, 2010

10:15 a.m.

Conference Room 329; State Capitol

AGENDA:

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| <u>HB 2676</u>
<u>Status</u> | RELATING TO THE KAHO'OLAWA ISLAND RESERVE COMMISSION.
Exempts contracts made by the Kaho'olawe island reserve commission for the procurement of food or fuel products from the state procurement code. | HAW, EBM,
FIN |
| <u>HB 2760</u>
<u>Status</u> | RELATING TO NATIVE HAWAIIANS.
Requires the Office of Hawaiian Affairs and the Department of Hawaiian Homelands to establish a native Hawaiian research, science, and technology park to serve as an incubator for native Hawaiian entrepreneurs. | HAW, EBM,
FIN |
| <u>HB 2673</u>
<u>Status</u> | RELATING TO TARO.
Extends the final report deadline for the taro security and purity task force for two years. Appropriates funds with a dollar for dollar matching requirement by the office of Hawaiian affairs. | HAW, AGR,
FIN |

Decision making to follow.

10:30 AGENDA:

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| <u>HB 2759</u>
<u>Status</u> | RELATING TO GAMING.
Authorize the Hawaiian homes commission to allow gaming on Hawaiian home lands and to designate specific Hawaiian home lands for the purposes of establishing gaming operations. Creates a gaming commission to regulate all gaming on Hawaiian home lands. Imposes a wagering tax on gross receipts of casino gaming operations and provides for distribution to the general fund and Hawaiian home lands trust fund. | HAW, JUD,
FIN |
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Decision making to follow.