

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Wednesday, February 10, 2010

2:00 p.m.

Conference Room 325; State Capitol

AGENDA:

HB 2520 (HSCR104-10) Status	RELATING TO PHOTOVOLTAIC READY NEW RESIDENTIAL HOMES. 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.	EEP/HSG, CPC
HB 2521, HD1 (HSCR132-10) Status	RELATING TO NET ZERO ENERGY CAPABLE CONSTRUCTION. Requires all new single-family residential construction be designed to be "net zero energy capable" as of 1/1/15.	EEP/HSG, CPC
HB 2238 (HSCR18-10) Status	RELATING TO RENEWABLE PORTFOLIO STANDARDS. Amends definition of "renewable electrical energy" to include, beginning January 1, 2015, customer-sited, grid-connected renewable energy generation.	EEP, CPC
HB 2197, HD1 (HSCR19-10) Status	RELATING TO CONDOMINIUMS. Gives boards of directors authority to install or allow the installation of solar energy or wind energy devices on the common elements of condominiums. (HB 2197 HD1)	EEP, CPC
HB 2205, HD1 (HSCR108-10) Status	RELATING TO CONTINUING EDUCATION FOR NURSES. Requires nurses licensed in the state to complete 15 hours of continuing education during each two-year license period as a requirement for license renewal. (HB2205 HD1)	HLT, CPC
HB 2921, HD1 (HSCR125-10) Status	RELATING TO LICENSING. Revises the minimum requirements for licensure of electricians. Effective July 1, 2013. (HB2921 HD1)	HED, CPC
HB 2906 Status	RELATING TO PSYCHOLOGICAL TESTING. Authorizes social workers, marriage and family therapists, advanced practice registered nurses, and physician assistants to engage in psychological testing, provided that they hold at least master's degrees. Defines "psychological testing".	CPC

Decision making to follow.

2:05 p.m. AGENDA:

Decision making only (heard on 02/08/10)

HB 2603, HD1 (HSCR58-10)	RELATING TO COST SHARING IN THE RELOCATION AND UNDERGROUNDING OF UTILITY FACILITIES.	TRN, CPC, FIN
Status	Requires any utility owner whose facility occupies State Highway right-of-way to provide their share of relocation costs up front to the affected state agency for encumbrance of funds in related contracts. Exempts telecommunications carriers. (HB2603 HD1)	

Decision making only (heard on 02/03/10)

HB 2630	RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT.	CPC, JUD
Status	Increases the grounds for license revocations.	

COMMITTEE ON FINANCE

Wednesday, February 10, 2010

2:00 p.m.

Conference Room 308; State Capitol

AGENDA #1:

HB 2523	RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION.	FIN
Status	Approves settlement between Aloha Tower Development Corporation and Kenneth H. Hughes, Inc. and increases budget ceiling appropriation from Aloha Tower Fund.	

HB 2963	MAKING AN EMERGENCY APPROPRIATION FROM THE EMERGENCY AND BUDGET RESERVE FUND FOR EDUCATION.	FIN
Status	Makes an emergency appropriation of \$50,000,000 from the Emergency and Budget Reserve Fund to the General Fund.	

HB 1848	RELATING TO CAPITAL INVESTMENTS.	FIN
Status	Defines agency-wide technology and computer system projects as capital investments to allow them to be financed with bond funds and depreciated as capital investments.	

<u>HB 1922</u> <u>Status</u>	RELATING TO TAXATION. Requires a nonresident seller of real property located in Hawaii to furnish to the bureau of conveyances a tax clearance certificate issued from the department of taxation that certifies that the seller has paid all general excise, transient accommodations, and income taxes as a condition to recording a change in title on the real property.	FIN
<u>HB 1985</u> <u>Status</u>	RELATING TO TAXATION. Requires the Department of Taxation to provide the Legislature with certain annual and biennial reports.	FIN
<u>HB 2600</u> <u>Status</u>	RELATING TO TAX ADMINISTRATION. Amends the due dates for miscellaneous tax types from the last day of the month to the twentieth day of the month to conform with the general excise tax payment deadline. Amends the due date for filing and payment of quarterly periodic insurance premiums taxes from quarterly to monthly.	FIN
<u>HB 2231</u> <u>Status</u>	RELATING TO GOVERNMENT RECORDS. Clarifies cost of reproducing government records from not less than five cents per page to not more than ten cents per page.	FIN
<u>HB 2505</u> <u>Status</u>	RELATING TO THE ACCESS HAWAII COMMITTEE. Establishes the Access Hawaii Committee Special Fund.	FIN
<u>HB 2532</u> <u>Status</u>	RELATING TO UNCLAIMED PROPERTY. Requires holders of unclaimed property to remit all property with their November 1 report and deletes reference to a specific number of days in which claims must be acted upon; also makes a technical correction by referencing the Unclaimed Property Trust Fund.	FIN
<u>HB 2690</u> <u>Status</u>	RELATING TO GOVERNMENT. Requires that the Senate President and Speaker of the House of Representatives be notified in writing upon the receipt of any federal-aid money accepted for expenditure in the state.	FIN
<u>HB 2875</u> <u>Status</u>	RELATING TO THE HAWAII HURRICANE RESERVE TRUST FUND. Authorizes the loan of moneys from the Hawaii hurricane reserve trust fund to the general fund. Prohibits transfers from the trust fund to the loss mitigation grant fund. Takes effect upon approval and sunsets on 06/30/15.	FIN

Decision making to follow.

3:00 p.m. AGENDA #2:

HB 1907 Status	RELATING TO TAXATION. Temporarily suspends the income tax net operating loss carryback deduction for losses generated in 2009 and 2010.	FIN
HB 1948 Status	RELATING TO TAXATION. Requires the department of taxation to provide refunds to taxpayers within 90 days or the due date of the tax, whichever occurred first.	FIN
HB 2285 Status	RELATING TO ESTATE AND TRANSFER TAX. Retains the State's ability to "pick-up" the state death tax credit as it existed in the Internal Revenue Code before the enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001.	FIN
HB 2313 Status	RELATING TO TAXATION. Repeals the income tax provision that requires the reporting of gambling winnings but not losses.	FIN
HB 2596 Status	RELATING TO TAX CREDITS. Provides for the statutory ordering of income tax credits, which requires the claiming of refundable credits first, followed by nonrefundable credits.	FIN
HB 2868 Status	RELATING TO TAXATION. Places a cap on itemized deductions claimed on state income tax returns. Applies to taxable years beginning after 12/31/09 and sunsets on 12/31/15.	FIN
HB 2869 Status	RELATING TO TAX DEDUCTIONS. Adopts the federal tax deduction limitation with modifications.	FIN
HB 2870 Status	RELATING TO TAXATION. Removes the refunding feature of the capital goods excise tax credit from 01/01/10 to 12/31/15.	FIN
HB 2890 Status	RELATING TO TAXATION. Imposes the income tax on a lessor of real property for capital improvements made by a lessee upon the termination of a lease.	FIN

Decision making to follow.

4:00 p.m. AGENDA #3:

HB 2874 Status	RELATING TO THE TRANSIENT ACCOMMODATIONS TAX. Temporarily increases from 7/1/2010 to 6/30/2015 the transient accommodations tax rate on time share units.	FIN
HB 2699 Status	RELATING TO TAXATION. Provides that the transient accommodation tax shall be assessed and collected at a minimum rate of \$8 per day. Effective 7/1/10.	FIN
HB 2700 Status	RELATING TO TAXATION. Imposes the general excise tax and the transient accommodations tax on gross rental proceeds received from a rewards club central fund to the operator of a transient accommodation.	FIN
HB 2595 Status	RELATING TO GENERAL EXCISE TAX. Precludes a taxpayer from utilizing a general excise tax benefit, including exemptions, deductions, lower rates, or income splitting, unless the taxpayer follows all administrative requirements. Creates trust fund liability for revenues collected by a business as a tax recovery.	FIN
HB 2597 Status	RELATING TO GENERAL EXCISE TAX ON INSURANCE PRODUCERS. Adjusts the rate of the general excise tax assessed on insurance commissions by making it equivalent to the tax rate paid by other commission agent counterparts.	FIN
HB 2879 Status	RELATING TO STATE FUNDS. Imposes a general excise tax surcharge upon gross income or gross proceeds comprised of state non-general funds. Imposes a public service company tax surcharge upon gross income comprised of state non-general funds. Imposes an insurance premium tax surcharge upon gross premiums, gross underwriting profits, and risk premiums comprised of state non-general funds. Takes effect on 7/1/2010 and sunsets on 6/30/2015.	FIN
HB 2882 Status	RELATING TO TAXATION. Imposes the general excise tax at a 4% rate on the gross income from the sale of securities. Repeals the general excise tax exemption for stock or future exchanges. Takes effect on 10/01/10 and sunsets on 06/30/15, except that the repeal of the exchange exemption shall be permanent.	FIN

[HB 2884](#) RELATING TO TAXATION. FIN
[Status](#) Imposes the general excise tax at the rate of 4% on the death benefits and other gross income derived by a provider of a life settlement contract. Takes effect on 07/01/10 and sunsets on 06/30/15.

Decision making to follow.

4:30 p.m. AGENDA #4:

Decision making only to insert substantive provisions (short form bill)

[HB 2594](#) RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE. FIN
[Status](#) Provides a short form measure for conforming amendments to the Hawaii income tax law based upon amendments to the Internal Revenue Code for calendar year 2009.

COMMITTEE ON LEGISLATIVE MANAGEMENT

Wednesday, February 10, 2010

2:00 p.m.

Conference Room 423; State Capitol

AGENDA:

[HB 2447](#) RELATING TO OUT-OF-STATE OFFICES. EBM, LMG, FIN
[\(HSCR97-10\)](#) Beginning July 1, 2010, requires the auditor to conduct at least
[Status](#) every two years a management and financial audit of the department of business, economic development, and tourism out-of-state offices; requires reports to the legislature; repeals exemption from audit and accounting requirements for out-of-state offices.

[HB 2327](#) RELATING TO ETHICS. LMG, JUD
[Status](#) Codifies the standards for evaluation of whether a gift is a violation of the ethics code; the reasonable reliance on past published opinions by the ethics commission and legislators and employees; and a reconsideration process in which a violator may seek reconsideration from an ethics commission decision.

[HB 2902, HD1](#) RELATING TO PUBLIC EDUCATION GOVERNMENT TELEVISION. LMG
[\(HSCR189-10\)](#) Statutorily distributes cable franchise fees received by the State
[Status](#) to support public, educational, or governmental access facilities, services, or programming. (HB2902 HD1)

Decision making only (heard on 02/05/10)

[HB 2144, HD1](#) RELATING TO LEGISLATIVE CAUCUSES. HUS/HLT, LMG,
[\(HSCR41-10\)](#) Statutorily establishes the joint legislative keiki caucus and joint FIN
[Status](#) legislative kupuna caucus. Effective January 1, 2050. (HB2144
HD1)

[HB 2101](#) RELATING TO CUSTOMER SERVICE. LAB, LMG, FIN
[\(HSCR78-10\)](#) Directs the ombudsman to develop and implement a pilot
[Status](#) program using informed customers to investigate customer
service at state agencies.

[HB 2276](#) RELATING TO PUBLIC SAFETY. PBS, LMG, FIN
[\(HSCR68-10\)](#) Requires bills to amend or create new offenses, or to change
[Status](#) parole or probation procedures, to be accompanied by a
correctional impact statement. Requires assistance of the
corrections population management commission to prepare
corrections population impact.

Decision making to follow.

COMMITTEE ON HUMAN SERVICES

Thursday, February 11, 2010

9:00 a.m.

Conference Room 329; State Capitol

AGENDA:

Decision making only (heard on 02/08/10)

[HB 2061](#) RELATING TO CHILDREN. HUS, FIN
[Status](#) Provides that in child custody proceedings, courts shall not give
undue weight to a parent's absence away from the child, when
such absence is due to service in the military or duties as a public
official. Requires courts to make a reasonable effort to expedite
proceedings or use electronic communication systems to facilitate
a parent's participation in a proceeding when the parent is a
substantial distance away from the court.

HOUSE HUS/SENATE HMS only:

9:30 a.m. AGENDA:

The purpose of this informational briefing will be to discuss the state of youth services in Hawaii and the future of the Office of Youth Services. This briefing will be conducted in a roundtable discussion format. The focus will involve reviewing the Office of Youth Services and its associated programs. All providers of services, former and current OYS employees and all others interested in this issue are welcome to participate.

COMMITTEE ON PUBLIC SAFETY

Thursday, February 11, 2010

9:30 a.m.

Conference Room 309; State Capitol

AGENDA:

HB 2016 Status	RELATING TO COUNTIES. Requires that county police chiefs be appointed and removed as prescribed by each county's charter.	PBS
HB 2805 Status	MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL FOR OPERATING EXPENSES. Appropriates funds to the Hawaii civil air patrol for tsunami operations in Hawaii.	PBS, FIN
HB 2023 Status	RELATING TO THE CIVIL DEFENSE AND EMERGENCY ACT. Extends immunity from liability to a person who voluntarily permits the use of the person's property to shelter people during a natural or man-made disaster.	PBS, JUD
HB 2549 Status	RELATING TO A MAJOR DISASTER TRUST ACCOUNT. Allows federal reimbursement moneys for disaster relief to be deposited into a trust account for future disaster relief.	PBS, FIN
HB 2718 Status	RELATING TO CIVIL DEFENSE. Provides that the governor may order and direct government agencies, officers, and employees, state or local, to take actions and employ measures necessary to mitigate hazardous situations. Allows the governor to authorize state or local agencies, officers, and employees to enter private property at reasonable times to investigate, determine, or mitigate situations deemed by the governor to be hazardous to the health and safety of the public, even in the absence of a civil defense activity or other emergency.	PBS, JUD

[HB 387](#)
[Status](#) RELATING TO DISASTER RELIEF. PBS, FIN
Authorizes the director of civil defense to use inmate labor to assist with disaster relief efforts. Establishes the inmate disaster relief labor program within the department of public safety.

[HB 1983](#)
[Status](#) RELATING TO CRIMINAL OFFENDERS. PBS, JUD
Allows the department of public safety to release a committed person serving a misdemeanor sentence if the person has served at least two-thirds of the sentence imposed by the court.

[HB 2118](#)
[Status](#) RELATING TO CORRECTIONS. PBS, JUD
Allows an inmate to receive "earned time" credit to reduce the length of a prison sentence.

[HB 2266](#)
[Status](#) RELATING TO CORRECTIONS. PBS, FIN
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.

[HB 2656](#)
[Status](#) RELATING TO CORRECTIONS. PBS, FIN
Allows department of public safety to parole up to an additional 200 inmates who do not have to return to prison each night and upon special conditions if the prison has insufficient number of beds to accommodate more furloughed inmates. Requires DPS to report to legislature semi-annually.

Decision making to follow.

11:20 a.m. AGENDA:

TCI/PBS only:

[HB 2790](#)
[Status](#) RELATING TO FIREWORKS. TCI/PBS, JUD
Enhances the penalties for fireworks violations and broadens the authority of officers to enforce the fireworks law. Also prohibits fireworks sales from tents and other temporary structures.

Decision making to follow.

Decision making only (heard 02/04/10)

[HB 2778](#)
[Status](#) RELATING TO ENFORCEMENT. TCI/PBS, JUD,
FIN
Increases fireworks-related fees and penalties and allocates the fees to county fire and police departments to fund enforcement fireworks laws in the State.

11:30 a.m. AGENDA:

Decision making only to insert substantive provisions (short form bill)

[HB 415](#) RELATING TO PUBLIC SAFETY. PBS
[Status](#) Short form bill relating to public safety.

Decision making to follow.

PBS only:

11:35 a.m. AGENDA:

Decision making only (heard on 02/04/10)

[HB 2657](#) RELATING TO PUBLIC SAFETY. PBS, FIN
[Status](#) Requires the department of public safety to plan for a model wellness center to be built in East Hawaii. Report to legislature in 2011.

PBS/HLT only:

11:40 a.m. AGENDA:

Decision making only (heard on 02/04/10)

[HB 1930](#) RELATING TO THE MEDICAL USE OF MARIJUANA. PBS/HLT, JUD
[Status](#) Allows probationers and parolees who meet the requirements of qualifying patients to request that the terms of their probation or parole be modified to be allowed the medical use of marijuana.

COMMITTEE ON ECONOMIC REVITALIZATION, BUSINESS, & MILITARY AFFAIRS

Thursday, February 11, 2010
10:30 a.m.
Conference Room 312; State Capitol

AGENDA:

[HB 2441](#) RELATING TO PROCUREMENT. EBM, FIN
[Status](#) Requires contracts awarded to projects of the departments of Hawaiian home lands and transportation; county boards of water supply; and county departments of housing, planning and permitting, and transportation to be awarded within thirty days of the bid opening date.

Decision making to follow.

11:00 a.m. AGENDA:

EBM/LAB only:

[HB 2273](#) RELATING TO CIVIL SERVICE. EBM/LAB, FIN
[Status](#) Specifies which veterans qualify for civil service hiring preference.

[HB 2558](#) RELATING TO JOB CREATION. EBM/LAB, FIN
[Status](#) Provides for a job creation income tax credit for each new full time employee hired during calendar years 2010, 2011, and 2012.

Decision making to follow.

11:00 a.m. AGENDA:

TCI/EBM only:

Decision making only (heard on 02/08/10)

[HB 2439](#) RELATING TO TAXATION. TCI/EBM, FIN
[Status](#) Creates a 10% refundable tax credit for construction or renovation costs incurred on a qualified hotel facility before December 31, 2015.

[HB 2681](#) RELATING TO TAXATION. TCI/EBM, FIN
[Status](#) Provides until 12/31/11, a tax credit for hotel construction and renovations.

[HB 2559](#) RELATING TO REMODELING TAX CREDITS. EBM/TCI, FIN
[Status](#) Provides a ten percent tax credit on costs incurred for the construction or renovation of a hotel or resort property through December 31, 2012.

EBM/HED only:

11:15 a.m. AGENDA:

Decision making only (heard on 02/04/10)

[HB 2382](#) RELATING TO DIGITAL MEDIA. EBM/HED, FIN
[Status](#) Establishes digital media enterprise subzones as unspecified geographic areas surrounding University of Hawaii campuses that are also designated as enterprise zones; establishes tax benefits for digital media infrastructure development and operation and local workforce employment; authorizes insurance companies to invest in qualified digital media infrastructure projects in lieu of pay certain state taxes; renames and amends the Hawaii television and film development special fund to the Hawaii film office special fund; sunsets on 6/30/2020.

11:20 a.m. AGENDA:

EBM only:

Decision making only (heard on 02/09/10)

[HB 2057](#) RELATING TO PUBLIC PROCUREMENT. EBM, FIN
[Status](#) Requires a purchasing agency to hold a pre-bid conference. Requires parties that protest a contract award to have attended a pre-bid conference.

[HB 2133](#) RELATING TO PROCUREMENT. EBM, FIN
[Status](#) Amends the Hawaii public procurement code to make public contracts effective as of the notice of the award. Specifies that the solicitation, offer, bid, or proposal and the award notice constitute the entire contract. Provides that a subsequent written and executed contract is not required.

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Thursday, February 11, 2010

10:30 a.m.

Conference Room 325; State Capitol

AGENDA:

[HB 2556, HD1](#) RELATING TO ENVIRONMENTALLY SENSITIVE PRODUCTS. EDN, EEP, FIN
[\(HSCR140-10\)](#) Requires the Department of Education to give first preference
[Status](#) to environmentally-sensitive cleaning and maintenance products
that carry the Design for the Environment label designated by
the Design for the Environment Program of the United States
Environmental Protection Agency, for use in public schools.
(HB2556 HD1)

Decision making to follow.