

COMMITTEE ON CONSUMER PROTECTION & COMMERCE AND COMMITTEE ON JUDICIARY

Thursday, February 18, 2010

2:00 p.m.

Conference Room 325; State Capitol

AGENDA:

- [HB 2417, HD1](#) RELATING TO ACTIVITY DESKS. TCI, CPC/JUD
[\(HSCR215-10\)](#) Establishes record keeping requirements for client trust accounts
[Status](#) held by activity desks. Clarifies that activity desks shall include
registration numbers on all advertising materials of an activity
provider. Prohibits an activity desk from booking or placing a
reservation for activities with an activity provider until payment
is received or direct payment to the provider is arranged.
Increases activity desk bond or letter of credit cap to \$250,000.
Effective January 1, 2112. (HB2417 HD1)
- [HB 2083, HD1](#) RELATING TO MILK LABELING. AGR, CPC/JUD
[\(HSCR124-10\)](#) Requires milk and soy milk beverages to be labeled with the
[Status](#) date of pasteurization or the date of packaging. Effective
January 20, 2020. (HB2083 HD1)
- [HB 2089, HD1](#) RELATING TO HEALTH INSURANCE. HLT, CPC/JUD
[\(HSCR264-10\)](#) Requires health insurers to report annually on how health
[Status](#) insurance premiums are being spent; and spend a minimum
amount of the premiums on medical expenses. Requires the
Insurance Division of the Department of Commerce and
Consumer Affairs to collect from health care providers, analyze,
and disseminate health care information for use in a publication
to assist the public in choosing health care providers. Effective
July 1, 2020. (HB2089 HD1)
- [HB 2087](#) RELATING TO HEALTH. HLT/HUS,
[\(HSCR286-10\)](#) Exempting QUEST plans from paying interest under the clean
[Status](#) claims act when delays are due to non-payment by government
payers to QUEST plans. CPC/JUD
- [HB 2110](#) RELATING TO PLANNED COMMUNITY ASSOCIATIONS. HSG, CPC/JUD
[\(HSCR21-10\)](#) Permits members of planned community associations to make
[Status](#) electronic recordings of association meetings for personal use.
- [HB 2624, HD1](#) RELATING TO PLANNED COMMUNITY ASSOCIATIONS. HSG, CPC/JUD
[\(HSCR206-10\)](#) Conforms planned community association laws with respect to
[Status](#) proxies to comparable provisions regulating condominium
property regimes. Takes effect January 1, 2011. (HB2624 HD1)

[HB 2288](#) RELATING TO PRIVATE TRANSFER FEES. CPC/JUD
[Status](#) Prohibits the imposition of fees for a future transfer of real property. Specifies exceptions.

[HB 2905](#) RELATING TO INTOXICATING LIQUOR. CPC/JUD
[Status](#) Prohibits use by minors of false identification to purchase liquor. Establishes fines and other penalties. Designates 50% of revenues from fines to county programs for underage drinking awareness and prevention. Authorizes the issuance of citations as an alternative to arrest for violations associated with intoxicating liquor.

Decision making to follow.

COMMITTEE ON FINANCE

Thursday, February 18, 2010
2:00 p.m.
Conference Room 308; State Capitol

AGENDA: # 2

[HB 2381, HD1](#) RELATING TO TAXATION. EBM, FIN
[\(HSCR103-10\)](#) Provides a temporary tax credit for residential construction and
[Status](#) remodeling projects. Effective July 1, 2112.

[HB 2382, HD1](#) RELATING TO DIGITAL MEDIA. EBM/HED, FIN
[\(HSCR348-10\)](#) Establishes digital media enterprise subzones near University of
[Status](#) Hawaii campuses and within enterprise zones; establishes tax credits for digital media infrastructure development and local workforce employment; authorizes insurance companies to invest in qualified digital media infrastructure projects in lieu of certain state taxes; renames the Hawaii Television and Film Development Special Fund the Hawaii Film Office Special Fund; sunsets on 6/30/2020; effective July 1, 2112.

[HB 2984, HD1](#) RELATING TO TAX CREDITS. EBM, FIN
[\(HSCR380-10\)](#) Extends the tax credit for research activities for 1 year. Repeals
[Status](#) remaining tax credit provisions of Act 221, Session Laws of Hawaii 2001.

[HB 2945, HD1 \(HSCR258-10\) Status](#) RELATING TO ECONOMIC DEVELOPMENT. EBM, FIN
Amends State Private Investment Fund to establish a managing board; authorize insurance company tax credits to be used as a fund guarantee; establish investment limits; require investments in successful venture capital firms with experienced managers and an ability to mentor entrepreneurs; set a target of 30% of investments in Hawaii-based businesses; direct that returns exceeding fund expenses, debts, and investor equity interests be deposited into the general fund.

[HB 2844, HD1 \(HSCR276-10\) Status](#) RELATING TO THE FILM INDUSTRY. EBM, FIN
Creates a Film Industry Branch Special Fund with revenues from a general exercise tax surcharge on motion picture theaters and fees charged by the Department of Business, Economic Development, and Tourism for its film industry activities. Allows other revenues such as legislative appropriations, grants, gifts, and donations to be deposited into the special fund. Effective July 1, 2112.

[HB 1926, HD1 \(HSCR377-10\) Status](#) RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM. EBM, FIN
Establishes the Department of Business, Economic Development, and Tourism Operation Special Fund for the operation of the department. Imposes a surcharge on the fees charged by certain departments for certain business- and commerce-related authorizations and services. Requires the deposit of the surcharge revenues, as well as \$2 million annually from the Compliance Resolution Fund, into the special fund. Takes effect on July 1, 2010, and sunsets on June 30, 2015.

Decision making to follow.

3:00 p.m. AGENDA: # 3

[HB 2409, HD1 \(HSCR372-10\) Status](#) RELATING TO AQUACULTURE. AGR/WLO, FIN
Increases lease terms for aquaculture ventures from 35 to 45 years. Provides aquaculture lessees in good standing the right of first refusal. Allows for supportive aquaculture activities.

[HB 2948, HD1 \(HSCR371-10\) 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. Effective January 20, 2020.

HB 2294, HD1 (HSCR393-10) Status	RELATING TO AGRICULTURE. Makes various amendments to the agricultural inspection and biosecurity laws, including the following: (1) Exempts aggregate bulk freight, cement bulk freight, coal bulk freight, and liquid bulk freight from the Pest Inspection, Quarantine, and Eradication Service fee; (2) Increases the purposes for expenditures from the Pest Inspection, Quarantine, and Eradication Fund; (3) Requires the deposit of fees and fines relating to agricultural inspections into the Pest Inspection, Quarantine, and Eradication Fund; and (4) Repeals the Permit Revolving Fund, and Microorganism Import Certification Revolving Fund and transfers the moneys in those funds into the Pest Inspection, Quarantine, and Eradication Fund.	AGR, FIN
HB 2503, HD1 (HSCR160-10) Status	RELATING TO THE ENVIRONMENT. Authorizes an expansion of the permissible uses of the Pesticide Use Revolving Fund (Fund) by removing the requirement that personnel costs from the Fund be used only for employees in the Registration and Education Section of the Pesticides Branch of the Department of Agriculture. Effective January 20, 2020.	AGR, FIN
HB 2293, HD1 (HSCR368-10) Status	RELATING TO THE DEPARTMENT OF AGRICULTURE. 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, fringe benefit, and operating costs that were previously paid from the general fund. Requires report to the legislature. Takes effect on 1/20/2020 and sunsets on .	AGR, FIN
HB 2504 (HSCR245-10) Status	RELATING TO INVASIVE SPECIES. Allows for Nursery Certification fees to be deposited into the Pest Inspection, Quarantine, and Eradication Fund.	AGR, FIN

HB 2290, HD1 (HSCR367-10) Status	<p>RELATING TO AGRICULTURE.</p> <p>Establishes the Agriculture Inspection and Certification Special Fund under the Department of Agriculture for the inspection, certification, weighing, or grading of agricultural commodities that are to be imported into, exported from, or shipped within the state. Deposits all fees, civil penalties, and other moneys collected by DOA into the Special Fund. Allows DOA to enter into agreements with government and private agencies to hire and pay inspectors to perform certification and audit services, maintain food safety, and establish and maintain an Internet food safety promotional and reporting system. Repeals the Certification Services Revolving Fund. Requires the establishment or increase of certain fees to cover the operation and maintenance costs of agriculture inspection and certification programs, and central services and departmental administrative expense assessments. Appropriates funds for DOA's agriculture inspection and certification program.</p>	<p>AGR, FIN</p>
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Decision making to follow.

4:00 p.m. AGENDA: # 4

HB 2497 (HSCR117-10) Status	<p>RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS.</p> <p>Authorizes issuance of special purpose revenue bonds for Carbon Bio-Engineers, Inc., for development of non-fossil fuel energy production.</p>	<p>EEP, FIN</p>
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HB 2239 (HSCR17-10) Status	<p>RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.</p> <p>Removes the exemption for dietary supplements from the deposit beverage container program.</p>	<p>EEP, FIN</p>
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HB 2644, HD1 (HSCR204-10) Status	<p>RELATING TO SOLID WASTE.</p> <p>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.</p>	<p>EEP, FIN</p>
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HB 2643, HD1 (HSCR303-10) Status	<p>RELATING TO CLEAN ENERGY BONDS.</p> <p>Establishes a clean energy bond loan 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.</p>	<p>EEP, FIN</p>
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[HB 2631, HD1 \(HSCR320-10\) Status](#) RELATING TO ENERGY INDUSTRY REPORTING. EEP, CPC/JUD, FIN
Repeals the petroleum industry information reporting requirements, the petroleum industry monitoring, analysis, and reporting program, and the PIMAR special fund.

[HB 2421, HD1 \(HSCR340-10\) Status](#) RELATING TO GOVERNMENT. EEP/AGR, FIN
Establishes various initiatives, and appropriates funds to promote economic development for local food and energy businesses, ensures Hawaii is energy and food self-sufficient and sustainable to the maximum extent feasible, and help Hawaii's natural resources and humankind adapt and be resilient to the inevitable challenges brought on by climate change. Provides a fuel tax exemption for commercial air transportation providers. Increases and changes the name of the environmental response tax.

Decision making to follow.

5:00 p.m. AGENDA: # 5

[HB 2962 Status](#) RELATING TO TAXATION. FIN
Temporarily defers deductions against a taxpayer's net income tax liability for claims under the Technology Infrastructure Renovation Tax Credit and High Technology Business Investment Tax Credit between July 1, 2010, and June 30, 2013.

[HB 1947 Status](#) RELATING TO TAXATION. FIN
Repeals applicability of state income tax to rollovers made by employees of state and county agencies and tax exempt organizations from qualifying annuity plans and qualifying deferred compensation plans to eligible retirement plans or individual retirement accounts.

[HB 2153 Status](#) RELATING TO TAXATION. FIN
Assesses a surcharge tax on all soft drinks sold in the State.

[HB 2736 Status](#) RELATING TO PUBLIC PROCUREMENT. FIN
Requires at least eighty per cent of workers on public works and construction contracts to be Hawaii residents.

[HB 2741 Status](#) RELATING TO SMALL BOAT HARBORS. FIN
Requires the DLNR to issue a commercial permit to the owner of a commercial vessel with a mooring permit under certain conditions.

[HB 2739](#) RELATING TO DAMS AND RESERVOIRS. FIN
[Status](#) Establishes standards for the permitting, inspection, and maintenance of dams, reservoirs, and their appurtenant structures. Establishes the dam rehabilitation loan revolving fund and loan program. Authorizes the issuance of revenue bonds to fund the dam rehabilitation loan program.

Decision making to follow.

COMMITTEE ON FINANCE

Friday, February 19, 2010
10:00 a.m.
Conference Room 308; State Capitol

AGENDA: # 1

[HB 2157, HD1](#) RELATING TO EXPANDED ADULT RESIDENTIAL CARE HOMES. HUS/HLT, FIN
[\(HSCR220-10\)](#) Increases capacity from two to three nursing facility level
[Status](#) residents in Type I Expanded Adult Residential Care Homes.
Effective January 1, 2050.

[HB 2091](#) RELATING TO MEDICAID ELIGIBILITY. HUS/HLT, FIN
[\(HSCR71-10\)](#) Requires the department of human services to provide medicaid
[Status](#) presumptive eligibility to patients who have been waitlisted for long-term care; and conduct a study of a computerized medicaid applications system; requires reports to the legislature.

[HB 2061, HD1](#) RELATING TO CHILDREN. HUS, FIN
[\(HSCR388-10\)](#) Statutorily establishes a process by which the Family Court can
[Status](#) resolve matters regarding custody and visitation for service members of the United States armed forces, armed forces reserves, and National Guard whose military duties require temporary absences. Effective July 1, 2050.

[HB 744, HD1](#) RELATING TO HUMAN SERVICES. HUS, FIN
[\(HSCR323\)](#) Creates and implements a silver alert program to be operated
[Status](#) concurrently with the Maile Amber Alert program.

Decision making to follow.

11:00 a.m. AGENDA: # 2

HB 2706 (HSCR167-10) Status	RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT. Creates the Permitted Transfers in Trust Act to govern transfers of currency, bonds, and securities from a transferor to a trustee by means of an irrevocable trust instrument. Specifies that the rule against perpetuities does not apply to transfers pursuant to the Permitted Transfers in Trust Act.	CPC, FIN
HB 2642 (HSCR162-10) Status	RELATING TO UTILITIES REGULATION. Appropriates moneys for the reorganization of the PUC and the division of consumer advocacy.	CPC, FIN
HB 2302, HD1 (HSCR262-10) Status	RELATING TO INFORMATION TECHNOLOGY. Transfers responsibilities for developing and implementing statewide technology policies from the Department of Accounting and General Services to the Office of the Lieutenant Governor. Creates the position of Chief Information Officer. Creates and funds the shared services technology special fund.	CPC, FIN
HB 2029, HD1 (HSCR292-10) Status	RELATING TO PROFESSIONS AND OCCUPATIONS. Repeals the regulatory programs for barbers and cosmetologists, marriage and family therapists, athlete agents, hearing aid dealers and fitters, and electrologists.	CPC, FIN
HB 1927, HD1 (HSCR261-10) Status	RELATING TO OWNER-BUILDERS. Amends the Owner-Builder Law 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 pursuant to an approved building permit where the estimated valuation as reflected in the building permit is less than \$10,000; (4) Establishing fines for the failure of an owner-builder to comply with the requirements set forth in the disclosure statement provided to the owner-builder by the county. Effective January 1, 2011.	CPC, FIN

Decisions making to follow.

1:00 p.m. AGENDA: # 3

HB 2051 (HSCR30-10) Status	RELATING TO THE UNIVERSITY OF HAWAII. Allows the University of Hawaii board of regents to assess fees for campus parking at an open meeting subject to chapter 92, Hawaii Revised Statutes, but exempt from rule-making public notice, public hearing, and gubernatorial approval requirements of chapter 91, Hawaii Revised Statutes.	HED/JUD, FIN
HB 2052 (HSCR4-10) Status	RELATING TO THE UNIVERSITY OF HAWAII. Repeals the sunset provision in Act 106, Session Laws of Hawaii 2008, to allow the University of Hawaii to continue transferring funds, other than general funds and University of Hawaii tuition and fees special funds, into the University of Hawaii commercial enterprises revolving fund to finance the establishment of new commercial enterprises, with certain exceptions, beyond June 30, 2011.	HED, FIN
HB 2053 (HSCR5-10) Status	RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND. Establishes the University of Hawaii capital improvements program project assessment special fund.	HED, FIN
HB 2054 (HSCR6-10) Status	RELATING TO THE UNIVERSITY OF HAWAII. Gives the University of Hawaii fiscal autonomy from the comptroller beyond June 30, 2011. Removes the time limit on the authority of the University of Hawaii to install a different accounting system. Extends the comptroller's authority to request the University of Hawaii to provide information for the preparation of income and expenditure statements. Extends the University of Hawaii's authority to submit proposed new forms or changes to forms for only uniform business and accounting forms for review and approval. Extends the University of Hawaii's chief financial officer's authority to approve assignment of moneys to assignees. Extends beyond June 30, 2011 the requirement for the University of Hawaii to report to the comptroller transactions involving moneys held outside of the state treasury by the University of Hawaii.	HED, FIN
HB 2641 (HSCR138-10) 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

Decision making to follow.

2:00 p.m. AGENDA: # 4

HB 1818, HD1 (HSCR373-10) Status	RELATING TO COGNITIVE RESTRUCTURING. Requires the Department of Public Safety to ensure that reentry/reintegration programs in Hawaii's correctional facilities combine cognitive behavioral theory with native Hawaiian holistic interventions that address domestic violence, addictions, self mastery through identity, and community connections for successful transitions back into the community.	PBS, HAW, FIN
HB 2266 (HSCR397-10) Status	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.	PBS, FIN
HB 2657 (HSCR355-10) Status	RELATING TO PUBLIC SAFETY. 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, FIN
HB 2092 (HSCR243-10) Status	RELATING TO PUBLIC SAFETY. Establishes the Reduced Ignition Propensity Cigarettes Program Special Fund and authorizes the establishment of staff positions for the state fire council to accomplish its duties and responsibilities.	PBS, FIN
HB 2692 (HSCR244-10) Status	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 to report to the legislature in 2011.	PBS, FIN
HB 2344, HD1 (HSCR159-10) Status	RELATING TO UNIFORM MAINTENANCE ALLOWANCE. Repeals the uniform maintenance allowance for enlisted personnel. Effective July 1, 2112.	EBM, FIN

Decision making to follow.

3:00 p.m. AGENDA: # 5

HB 1961, HD1 (HSCR275-10) Status	RELATING TO THE KAHO'OLAWA REHABILITATION TRUST FUND. Imposes a surcharge on customers of 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. Takes effect on July 1, 2020.	HAW/WLO, FIN
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[HB 2676, HD1 \(HSCR345-10\)](#) [Status](#) RELATING TO THE KAHO'OLAWE ISLAND RESERVE COMMISSION. HAW, EBM, FIN
Exempts contracts made by the Kaho'olawe Island Reserve Commission for the procurement of food or fuel products from the state procurement code. Effective January 1, 2112.

[HB 2832](#) [Status](#) RELATING TO TARO SECURITY. FIN
Directs the department of agriculture to seek funding for projects that increase the cultivation and use of non-GMO Hawaiian taro. Repealed on 06/30/2015.

Decision making to follow.

COMMITTEE ON HOUSING AND COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

Wednesday, February 24, 2010

9:00 a.m.

Conference Room 325; State Capitol

AGENDA:

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

[HB 2435](#) [Status](#) RELATING TO HOUSING. HSG/WLO
Granting temporary relief from county housing requirements as recommended by the construction industry task force to stimulate housing construction statewide.

9:05 a.m. AGENDA:

HSG only

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

[HB 2568 \(HSCR190-10\)](#) [Status](#) RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY. HSG
Reduces the quorum requirement for the board of directors of the Hawaii Public Housing Authority.