

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Wednesday, March 10, 2010

2:00 p.m.

Conference Room 325; State Capitol

AGENDA:

<u>SB 2701, SD1</u> <u>(SSCR2357)</u> <u>Status</u>	RELATING TO CONSUMER PROTECTION. Updates regulation of prepaid legal services plans. (SD1)	CPC, JUD
<u>SB 2772, SD2</u> <u>(SSCR2535)</u> <u>Status</u>	RELATING TO VETERINARY MEDICINE. Permits the board of veterinary medicine to revoke or suspend a license or fine a licensee for conduct or practice that violates recognized principles of veterinary medical ethics. (SD2)	CPC, JUD
<u>SB 2910</u> <u>(SSCR2536)</u> <u>Status</u>	RELATING TO REAL PROPERTY. Prohibits a foreclosing mortgagee or mortgagee who acquires a property from requiring that a buyer purchase title insurance or escrow services from any particular vendor as a condition of sale.	CPC, JUD
<u>SB 2921, SD1</u> <u>(SSCR2359)</u> <u>Status</u>	RELATING TO ESCROW DEPOSITORIES. Requires any person operating as an escrow depository as to property located within this State to be licensed by the commissioner of financial institutions. (SD1)	CPC, JUD
<u>SB 2809, SD2</u> <u>(SSCR2477)</u> <u>Status</u>	RELATING TO UTILITIES REGULATION. Appropriates moneys for the reorganization of the public utilities commission and the department of commerce and consumer affairs' division of consumer advocacy. Effective 7/1/2050. (SD2)	CPC, FIN
<u>SB 2878, SD1</u> <u>(SSCR2505)</u> <u>Status</u>	RELATING TO TRUSTEES. Authorizes trustees of revocable living trusts to base their reasonable compensation on the compensation levels allowed for trustees of estates. (SD1)	CPC, JUD
<u>SB 2842, SD2</u> <u>(SSCR2476)</u> <u>Status</u>	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. (SD2)	CPC, FIN

<u>SB 2220, SD1</u> <u>(SSCR2392)</u> <u>Status</u>	RELATING TO CONSTRUCTION SITES. Establishes a construction site inspection task force to be convened by the department of commerce and consumer affairs to discuss the potential advantages and drawbacks of investigating and inspecting construction sites for unlicensed contractors, illegal workers, and workplace safety violations. (SD1)	CPC, FIN
<u>SB 2165, SD1</u> <u>(SSCR2490)</u> <u>Status</u>	RELATING TO PRIVATE GUARDS. Establishes licensure requirements, including training, instruction, and continuing education for guards and individuals acting in a guard capacity. Directs the board of private detectives and guards to make rules. (SD1)	CPC, FIN
<u>SB 2501, SD1</u> <u>(SSCR2391)</u> <u>Status</u>	RELATING TO PUBLIC ACCOUNTANCY. Requires peer reviews at the time of renewal of certified public accountancy permits to practice. (SD1)	CPC, FIN
<u>SB 2399, SD1</u> <u>(SSCR2355)</u> <u>Status</u>	RELATING TO MIXED MARTIAL ARTS. Includes amateur mixed martial arts under the regulation of mixed martial arts by the department of commerce and consumer affairs. (SD1)	CPC, FIN

Decision making to follow.

COMMITTEE ON EDUCATION AND COMMITTEE ON HIGHER EDUCATION AND COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Wednesday, March 10, 2010
2:00 p.m.
Conference Room 309; State Capitol

AGENDA:

<u>SB 2122, SD1</u> <u>(SSCR2395)</u> <u>Status</u>	RELATING TO RESEARCH. Requires the DOE, UH, DLIR, and other appropriate state agencies to share data to support research that will improve educational and workforce outcomes and meet the longitudinal data requirements of the federal American Recovery and Reinvestment Act of 2009. Establishes a data governance and access committee. (SD1)	EDN/HED/LA B, FIN
<u>SB 2120, SD1</u> <u>(SSCR2366)</u> <u>Status</u>	RELATING TO THE CERTIFICATION OF PRINCIPALS AND VICE-PRINCIPALS. Requires the department of education to determine alternative routes to certification for school principals and vice-principals. Repeals the department of education's authority to waive, on a case-by-case basis, certain teacher certification and school-level experience requirements for vice-principal candidates. (SD1)	EDN/LAB, FIN

SB 2124, SD2 (SSCR2485) Status	RELATING TO THE HAWAII HURRICANE RELIEF FUND. Makes an appropriation from the Hawaii hurricane relief fund to restore the remaining public school instructional days for the 2009-2010 and 2010-2011 school years; provided that the moneys shall only be released upon completion of negotiations of parties necessary to execute the restoration of instructional days. Allocates a proportionate amount of the appropriation to charter schools. Requires unexpended funds from each school year to lapse to the Hawaii hurricane relief fund. (SD2)	EDN/LAB, CPC, FIN
SB 2346, SD1 (SSCR2367) Status	RELATING TO THE HAWAII TEACHER STANDARDS BOARD. Authorizes the Hawaii teacher standards board to delegate certain duties to the executive director or other designee. (SD1)	EDN/LAB, JUD
SB 2591, SD2 (SSCR2585) Status	RELATING TO THE HAWAII TEACHER STANDARDS BOARD. Implements recommendations for the Hawaii teacher standards board by requiring the board to include expenditure information in the annual report; authorizing the board to delegate to the executive director powers and duties; adding additional licensure renewal requirements and verification of meeting licensure renewal requirements; requiring the board to determine if fees shall be raised; requiring the board to develop a comprehensive plan for transferring nonessential functions and duties to other agencies; requiring the board to review its teacher license renewal process; and requiring the board and the department of education to clarify their respective powers, duties, responsibilities.	EDN/LAB, JUD
SB 2873, SD1 (SSCR2541) Status	RELATING TO CODE OF ETHICS. Exempts teachers from the code of ethics to allow teachers to provide instruction to current, future, or former students when special circumstances exist. Sunset 7/1/2012. (SD1)	EDN/LAB, JUD
SB 2434, SD1 (SSCR2570) Status	RELATING TO SALARIES. Sets the cap on the superintendent of education's salary to the salary of the highest paid school-, district-, or state-level administrator in the department. Sets the cap on the salary of the deputy superintendent, assistant superintendents, complex area superintendents, and state librarian at ninety per cent, eighty-five per cent, eighty per cent, and eighty per cent of the superintendent's salary, respectively. Takes effect 7/1/2050. (SD1)	EDN/LAB, FIN
SB 2790, SD1 (SSCR2492) Status	RELATING TO EDUCATION. Protects the health, safety, and well-being of children following the occurrence of a situation that may have caused physical, psychological, or emotional harm to children during a school activity. Takes effect 7/1/2050. (SD1)	EDN/LAB, JUD, FIN

Decision making to follow.

EDN only

2:30 p.m. AGENDA:

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| <p><u>SB 2589, SD2</u>
<u>(SSCR2619)</u>
<u>Status</u></p> | <p>RELATING TO CHARTER SCHOOLS.</p> <p>Requires the Department of Education to make available vacant school facilities or portions of school facilities for use by charter schools. Requires the charter school review panel to compile a prioritized list of charter schools that wish to use vacant school facilities or portions of school facilities. Makes changes to charter school funding. Requires the Charter School Review Panel (CSRP) to determine a clear process with rigorous criteria for the reauthorization of charter schools. Requires the CSRP to reauthorize charter schools no later than four years following the initial issue of the charter, and every four years thereafter. Requires the Charter School Administrative Office (CSAO) to withhold funds for its operational expenses, subject to certain requirements. Requires the CSAO to report annually to the CSRP individual and aggregate operational and instructional expenditures of charter schools. Requires per-pupil allocation checks paid by the CSAO to individual charter schools to be co-signed by the executive director of the CSAO and an agent of the CSRP. Repeals the cap on the number of charter schools. Effective 7/1/2050.</p> | <p>EDN, FIN</p> |
| <p><u>SB 2470, SD2</u>
<u>(SSCR2584)</u>
<u>Status</u></p> | <p>RELATION TO EDUCATION.</p> <p>Requires all public schools, including charter schools, to implement a minimum of two hundred days of classroom instruction, or an equivalent number of instructional hours, per school year. Effective 1/1/99.</p> | <p>EDN, FIN</p> |
| <p><u>SB 2570, SD1</u>
<u>(SSCR2539)</u>
<u>Status</u></p> | <p>PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD.</p> <p>Proposes a constitutional amendment to require voting members of the board of education to be appointed by the governor, with the advice and consent of the senate, as provided by law. (SD1)</p> | <p>EDN, JUD,
FIN</p> |

[SB 2571, SD2](#)
[\(SSCR2629\)](#)
[Status](#)

RELATING TO THE BOARD OF EDUCATION.
Establishes implementing provisions, in the alternative, for constitutional amendments that (1) change the method of selection of the board of education from election to appointment by the governor, and (2) authorize the board of education student member to vote on all matters before the board, except for those matters relating to fiscal and personnel issues, and requires the Hawaii student council to hold an election, with all secondary public schools participating, to elect the student member, upon ratification of appropriate constitutional amendments. (SD2)

EDN, JUD,
FIN

Decision making to follow.

COMMITTEE ON ECONOMIC REVITALIZATION, BUSINESS, & MILITARY AFFAIRS

Thursday, March 11, 2010
8:30 a.m.
Conference Room 312; State Capitol

AGENDA:

[HR 105](#)
[Status](#)

REQUESTING THE OFFICE OF VETERANS' SERVICES, ASSISTED BY THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF DEFENSE, TO DEVELOP A PLAN TO CREATE MEMORIALS TO THE VETERANS OF THE PERSIAN GULF WAR, THE AFGHANISTAN-IRAQ WAR, AND TO WOMEN VETERANS OF WORLD WAR II ON THE GROUNDS OF THE STATE CAPITOL NEAR THE KOREAN AND VIETNAM WAR MEMORIAL.

EBM, FIN

[HCR 169](#)
[Status](#)

REQUESTING THE OFFICE OF VETERANS' SERVICES, ASSISTED BY THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF DEFENSE, TO DEVELOP A PLAN TO CREATE MEMORIALS TO THE VETERANS OF THE PERSIAN GULF WAR, THE AFGHANISTAN-IRAQ WAR, AND TO WOMEN VETERANS OF WORLD WAR II ON THE GROUNDS OF THE STATE CAPITOL NEAR THE KOREAN AND VIETNAM WAR MEMORIAL.

EBM, FIN

[HCR 123](#)
[Status](#)

RECOGNIZING AEROSPACE AS A STRATEGIC AND TIMELY GROWTH INDUSTRY FOR HAWAII AND REQUESTING THE STATE ADMINISTRATION TO TAKE PROACTIVE, COORDINATED, AND SUSTAINED ACTION TO FULLY REALIZE THE SIGNIFICANT SCIENTIFIC, EDUCATIONAL, AND COMMERCIAL BENEFITS THE AEROSPACE INDUSTRY CAN BRING TO THE STATE.

EBM, FIN

<u>SB 2020</u> <u>(SSCR2399)</u> <u>Status</u>	RELATING TO REAL PROPERTY. Extends repeal date of Act 189, SLH 2009, to 6/30/2015.	EBM, JUD
<u>SB 2139, SD2</u> <u>(SSCR2432)</u> <u>Status</u>	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 or cremation and interment of the veteran's remains in a state veterans cemetery. (SD2)	EBM, FIN
<u>SB 2548, SD2</u> <u>(SSCR2578)</u> <u>Status</u>	RELATING TO INFORMATION TECHNOLOGY. Implements the information technology recommendations of Auditor's Report No. 09-06; establishes within the office of the governor a chief information officer and information technology steering committee to organize, manage, and oversee statewide information technology governance. Creates the shared services technology special fund to be funded by an unspecified percentage of central service fees. Effective 01/01/2099.	EBM, FIN
<u>SB 2831, SD1</u> <u>(SSCR2502)</u> <u>Status</u>	RELATING TO THE PROCUREMENT CODE. Makes permanent the requirements for withholding payment to a subcontractor effectuated by Act 175, Session Laws of Hawaii 2009. (SD1)	EBM, FIN
<u>SB 2843, SD2</u> <u>(SSCR2558)</u> <u>Status</u>	RELATING TO FLAGS. Recognizes and requires the prisoner of war/missing in action flag to be flown with the U.S. and Hawaiian flags on state department of defense buildings; effective 7/1/2040. (SD2)	EBM, JUD
<u>SB 2290, SD2</u> <u>(SSCR2623)</u> <u>Status</u>	RELATING TO ECONOMIC DEVELOPMENT. Amends the state private investment fund to direct its investment capital to venture capital funds that commit to equity investments in businesses located within the state and demonstrate ability to mentor entrepreneurs; authorizes an unspecified amount for tax credits to be used by the fund as collateral. Effective 07/01/2050.	EBM, FIN
<u>SB 2291, SD2</u> <u>(SSCR2607)</u> <u>Status</u>	RELATING TO ECONOMIC DEVELOPMENT. Requires the state procurement office to authorize reseller agreements in multi-state contracting agreements. Effective 7/1/50. (SD2)	EBM, FIN

[SB 2137, SD1](#) RELATING TO HEALTH CLUBS. EBM, CPC
[\(SSCR2559\)](#)
[Status](#) 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. Requires pro rata refund of fees. (SD1)

Decision making to follow.

COMMITTEE ON PUBLIC SAFETY

Thursday, March 11, 2010

9:00 a.m.

Conference Room 309; State Capitol

AGENDA:

[SB 2533, SD1](#) RELATING TO AN AUDIT OF CONTRACTS OF THE DEPARTMENT OF PBS, LMG,
[\(SSCR2479\)](#) PUBLIC SAFETY WITH THE CORRECTIONS CORPORATION OF FIN
[Status](#) AMERICA AND THE FEDERAL DETENTION CENTER.
Directs the auditor to conduct a financial and management audit of the Department of Public Safety's contract with the Corrections Corporation of America. (SD1)

[SB 2768, SD2](#) RELATING TO PAROLE. PBS, FIN
[\(SSCR2561\)](#)
[Status](#) Allows the Hawaii paroling authority to use a continuum of administrative sanctions when a parolee violates a term or condition of parole. (SD2)

[SB 2025, SD2](#) RELATING TO PAROLE. PBS, FIN
[\(SSCR2560\)](#)
[Status](#) Repeals provision to require annual review by the paroling authority of paroled prisoner who is not granted a final discharge and full pardon. Repeals provision to allow a paroled prisoner who enters military service of the U.S. to petition for final discharge from parole based on an honorable discharge from the military. (SD2)

[SB 2026, SD2](#) RELATING TO PAROLE. PBS, FIN
[\(SSCR2435\)](#)
[Status](#) Establishes a parole service fee. Establishes a parole service special fund. Specifies proportional deposits of the parole service fee into the parole services special fund and the crime victim compensation special fund.

[SB 2054, SD2](#) RELATING TO CIVIL DEFENSE. PBS, FIN
[\(SSCR2522\)](#)
[Status](#) Establishes within the civil defense agency a statewide communications interoperability coordinator. Effective 7/1/2050. (SD2)

[SB 2502, SD1](#) MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL PBS, FIN
[\(SSCR2431\)](#) FOR OPERATING EXPENSES.
[Status](#) Appropriates funds to the Hawaii civil air patrol for tsunami
operations in Hawaii. Effective 7/1/2110. (SD1)

[SB 2702, SD2](#) RELATING TO A MAJOR DISASTER TRUST ACCOUNT. PBS, FIN
[\(SSCR2430\)](#) Allows federal reimbursement moneys for disaster relief to be
[Status](#) deposited into a trust account for future disaster relief. Prohibits
lapsing into general fund. (SD2)

Decision making to follow.

PBS/WLO only

10:15 a.m. AGENDA:

[SB 950, SD2](#) RELATING TO ELECTRIC GUNS. PBS/WLO,
[\(SSCR2562\)](#) Authorizes law enforcement officers of the department of public JUD, FIN
[Status](#) safety and conservation and resources enforcement officers of the
department of land and natural resources to use electric guns and
related equipment while performing their duties. Effective 7/1/50.
(SD2)

Decision making to follow.

PBS/HLT only

10:45 a.m. AGENDA:

[SB 2213, SD2](#) RELATING TO COUNTIES. PBS/HLT,
[\(SSCR2480\)](#) Provides that each county has the power to establish compassion JUD, FIN
[Status](#) centers for the dispensing of medical marijuana. Requires that
compassion centers shall only provide service to qualified patients
and primary caregivers registered with the department of public
safety. Makes compassion centers subject to the general excise tax
by making inapplicable the exemption for amounts received from
sales of prescription drugs or prosthetic devices. Imposes a general
excise tax on marijuana sales. Eff 8/7/2012. (SD1)

Decision making to follow.

COMMITTEE ON HUMAN SERVICES

Thursday, March 11, 2010

9:15 a.m.

Conference Room 329; State Capitol

AGENDA:

Decision making only (heard on 03/08/10)

SB 2226, SD2 (SSCR2547) Status	RELATING TO SENIOR CITIZENS. Establishes a task force to develop an efficient, cost-effective process for creating and operating an identification database of services and at-risk senior citizens if they go missing. (SD2)	HUS, JUD, FIN
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HUS/HLT only

9:30 a.m. AGENDA:

SB 2287 (SSCR2498) Status	RELATING TO COUNTY ZONING FOR GROUP LIVING FACILITIES. Proposed HD1: Renders void as against public policy any county ordinance that prohibits a group living facility for the elderly and persons with disabilities from being located within any specified distance from another group living facility.	HUS/HLT, WLO
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Copies of the proposed HD1 are available in room 436 and on the Legislature's Web site: <http://www.capitol.hawaii.gov>.

SB 2469, SD2 (SSCR2586) Status	RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND. Appropriates moneys from the emergency and budget reserve fund to maintain levels of programs for education, human services, and health. Effective 7/1/2050.	HUS/HLT, FIN
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SB 2650, SD2 (SSCR2581) Status	RELATING TO THE DEPARTMENT OF HUMAN SERVICES. Proposed HD1: Part I requires medicaid contracts between the department of human services and medicaid healthcare insurance plan contractors to contain provisions affecting the reimbursement obligations in the policies between the medicaid healthcare insurance plan contractors and the home and community-based case management agencies. Prohibits reductions of reimbursements of more than 10%. Effective 01/01/2050. Part II prohibits the use of private contractors and vendors for intake and eligibility of welfare or public assistance services in Hawaii. Part III provides that certain statutes regarding nurse aides will preempt any other state law to the contrary.	HUS/HLT, FIN
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Copies of the proposed HD1 are available in room 436 and on the Legislature's Web site: <http://www.capitol.hawaii.gov>.

Decision making to follow.

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Thursday, March 11, 2010

10:00 a.m.

Conference Room 325; State Capitol

AGENDA:

[SB 1675, SD2](#) RELATING TO RENEWABLE ENERGY. EEP, CPC
[\(SSCR746\)](#) Proposed HD1: Provides a general excise tax exemption for
[Status](#) nonprofit organizations that install renewable energy technology
systems.

Copies of the proposed HD1 are available in room 317 and on the Legislature's Web site:

<http://www.capitol.hawaii.gov>.

Decision making to follow.

EEP/HSG only

10:05 a.m. AGENDA:

[SB 2817, SD1](#) RELATING TO SOLAR ENERGY DEVICES. EEP/HSG,
[\(SSCR2517\)](#) Clarifies that the rules of a private homeowners association or entity JUD
[Status](#) shall not impose conditions or restrictions that render a solar energy
device more than 25% less effective, increase the cost of
installation, maintenance, and removal of a solar energy device, or
require an encumbrance on title because of the placement of the
solar energy device. (SD1)

Decision making to follow.