

COMMITTEE ON CONSUMER PROTECTION & COMMERCE AND COMMITTEE ON JUDICIARY

Tuesday, March 16, 2010

2:00 p.m.

Conference Room 325; State Capitol

AGENDA:

- [SB 2529, SD2, HD1](#)
[\(HSCR727-10\)](#)
[Status](#) RELATING TO HEALTHCARE CLAIMS. HLT, CPC/JUD, FIN
Establishes a health care claims uniform reporting and evaluation task force to develop necessary policies and procedures to establish a health care claims uniform reporting and evaluation system. Effective July 1, 2050. (SB2529 HD1)
- [SB 2222, SD1, HD1](#)
[\(HSCR729-10\)](#)
[Status](#) RELATING TO PLANNED COMMUNITY ASSOCIATIONS. HSG, CPC/JUD, FIN
Conforms planned community association laws with respect to proxies to comparable provisions regulating condominium associations. States that a parliamentarian shall not be required to be present at association and board of directors meetings. (SB2222 HD1)

Decision making to follow.

JUD only

2:15 p.m. AGENDA:

- [SB 2116, SD2](#)
[\(SSCR2542\)](#)
[Status](#) RELATING TO INDEMNIFICATION OF COUNTY AGENCIES. JUD, FIN
Authorizes the governor to delegate to the superintendent of education the authority to agree to indemnify, defend, and hold harmless a county agency, its officers, agents, and employees, under certain circumstances, when the use of county property will be for a school purpose or function. (SD2)
- [SB 2534, SD2](#)
[\(SSCR2632\)](#)
[Status](#) RELATING TO BAIL. JUD, FIN
Requires law enforcement agencies to accept cash bonds, certified copies of pre-filed bonds, and original surety or own recognizance bonds when the court is closed, including during nights, weekends, and holidays. Specifies from whom bail may be accepted. Requires prompt release after acceptance of bail. Requires bond filing fee. (SD2)
- [SB 2150](#)
[\(SSCR2377\)](#)
[Status](#) RELATING TO APPELLATE JURISDICTION. JUD, FIN
Permanently establishes the jurisdictional responsibilities of the appellate courts.

<u>SB 2752, SD1</u> <u>(SSCR2618)</u> <u>Status</u>	RELATING TO TAX ADMINISTRATION. Provides for a cost recovery order issuable by the circuit court for investigation costs when a taxpayer is convicted of or pleads guilty or no contest to tax crimes.	JUD, FIN
<u>SB 930, HD1</u> <u>(HSCR1006)</u> <u>Status</u>	RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES. Provides for medical expenses and immunity from liability for licensed medical personnel providing volunteer medical services on behalf of the State or a county. Effective July 1, 2020. (SB930 HD1)	HLT, JUD, FIN
<u>SB 2726, SD2,</u> <u>HD1</u> <u>(HSCR728-10)</u> <u>Status</u>	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 non-violent petty misdemeanors (60 days) and non-violent misdemeanors (120 days). Effective July 1, 2025. (SB2726 HD1)	HLT, JUD, FIN
<u>SB 2937, SD1</u> <u>(SSCR2507)</u> <u>Status</u>	RELATING TO INFORMATION PRACTICES. Enacts an abuse of process law for vexatious requesters of public records. Effective January 1, 2050. (SD1)	JUD
<u>SB 2441, SD2</u> <u>(SSCR2608)</u> <u>Status</u>	RELATING TO ENDANGERED SPECIES. Establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony. Effective 7/1/50. (SD2)	WLO, 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 950, SD2,</u> <u>HD1</u> <u>(HSCR715-10)</u> <u>Status</u>	RELATING TO ELECTRIC GUNS. Authorizes law enforcement officers of the department of public 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 July 1, 2050. (HB950 HD1)	PBS/WLO, JUD, FIN
<u>SB 2863, SD2,</u> <u>HD1</u> <u>(HSCR709-10)</u> <u>Status</u>	RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD. Enables encumbrance of motor vehicle titles for outstanding judgments payable to the State or a county by allowing recordation in a county director of finance's "tax lien and encumbrance record" with an exemption for state or county agencies from paying the statutory fee. Provides certain exceptions. (SB2863 HD1)	TRN, JUD, FIN

<u>SB 2818, SD2, HD1 (HSCR713-10) Status</u>	RELATING TO ENVIRONMENTAL PROTECTION. Reduces the membership of the environmental council from 15 to 9 and establishes the environmental review special fund.	EEP/WLO/EBM, JUD, FIN
<u>SB 2249, SD1, HD1 (HSCR691-10) Status</u>	RELATING TO THE PENAL CODE. Makes it a class C felony to assault a water safety officer who is engaged in the performance of duty. (SB2249 HD1)	WLO, JUD
<u>SB 2081, SD2, HD1 (HSCR711-10) Status</u>	RELATING TO LITTER CONTROL. Increases the fine for littering. Requires moneys to be deposited into the county general fund for the county that imposed the fine or if the fine is imposed by the state, into the Environmental Management Special Fund (Special Fund). Authorizes moneys in the Special Fund to be used for enforcing the litter control law and criminal littering law. (SB2081 HD1)	EEP, JUD, FIN
<u>SB 2799, SD2 (SSCR2537) Status</u>	RELATING TO UNIFORM REAL PROPERTY TRANSFER ON DEATH. Adopts Uniform Real Property Transfer on Death Act. Allows owner of real property to designate beneficiaries to receive real property upon death of owner without requirements of probate or formalities of wills. Effective July 1, 2050. (SD2)	JUD, FIN
<u>SB 2716, SD2, HD1 (HSCR736-10) Status</u>	RELATING TO CHILD PROTECTIVE ACT. Establishes child protective provisions in the Hawaii Revised Statutes that are consistent with federal Title IV-E provisions. Effective July 1, 2050. (SB2716 HD1)	HUS, JUD, FIN
<u>SB 2045, SD1 (SSCR2512) Status</u>	RELATING TO CRIME. Establishes class A and B felony sexual human trafficking offenses, and provisions related to prosecution of the offenses. Effective July 1, 2050. (SD1)	JUD

Decision making to follow.

COMMITTEE ON HOUSING

Wednesday, March 17, 2010

9:00 a.m.

Conference Room 325; State Capitol

AGENDA:

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| <u>SB 2164, SD1</u>
<u>(SSCR2489)</u>
<u>Status</u> | RELATING TO CONDOMINIUMS.
Requires that the developer set aside a percentage of the initial sales price of each residential apartment in a condominium project to be used to fund the project's estimated replacement reserve fund. Requires disclosure of the cost of capital equipment installed in the project. Requires that notice of amendments to project documents be provided to owners, purchasers, and potential purchasers and that amendments that effect a material change trigger a purchaser's right of rescission. (SD1) | HSG, CPC |
| <u>SB 2593, SD1</u>
<u>(SSCR2568)</u>
<u>Status</u> | RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION.
Requires the Hawaii housing finance and development corporation to conduct periodic reviews of housing projects certified for a general excise tax exemption to determine whether the housing projects have met eligibility criteria required by law and rule. Effective 7/1/2050. (SD1) | HSG, FIN |
| <u>SB 2594, SD1</u>
<u>(SSCR2411)</u>
<u>Status</u> | RELATING TO HOUSING.
Adds a residency requirement for households in a newly constructed or moderately or substantially rehabilitated housing project developed by a qualified person or firm in order for that person or firm to be considered to receive a general excise tax exemption. Effective 7/1/2050. (SD1) | HSG, FIN |
| <u>SB 2595, SD1</u>
<u>(SSCR2574)</u>
<u>Status</u> | RELATING TO HOUSING.
Requires that the gross annual income of households in a housing project developed by a qualified person or firm be calculated according to the United States Department of Housing and Urban Development's method of calculation for determining eligibility for the federal housing choice voucher (section 8) program, in order for the person or firm to be considered to receive a general excise tax exemption. Effective 7/1/2050. (SD1) | HSG, FIN |
| <u>HCR 12</u>
<u>Status</u>
<u>HR 6</u>
<u>Status</u> | REQUESTING GOVERNMENT-FUNDED HOUSING AGENCIES TO AFFORD ELDERLY TENANTS IN PUBLIC AND SENIOR HOUSING WHO HAVE UNEXPECTEDLY BECOME THE PRIMARY CAREGIVERS OF THEIR GRANDCHILDREN-IN-CRISIS A REASONABLE TIME TO FIND APPROPRIATE HOUSING BEFORE THEY MAY BE EVICTED. | HSG, FIN |

[HCR 191](#)
[Status](#)
[HR 124](#)
[Status](#) URGING THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO ADOPT POLICIES THAT PROVIDE FULL DISCLOSURE OF TAX EXEMPTIONS IT CERTIFIES. HSG, FIN

[HCR 205](#)
[Status](#)
[HR 133](#)
[Status](#) URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO DEVELOP AND IMPLEMENT A SUSTAINABLE PLAN TO REPAIR ALL PUBLIC HOUSING UNITS IN NEED OF MAINTENANCE. HSG, FIN

[HCR 262](#)
[Status](#) REQUESTING THE ESTABLISHMENT OF THE WAIANAE COAST HOMELESSNESS TASK FORCE TO DEVELOP A COMPREHENSIVE PLAN TO ADDRESS THE IMMEDIATE, SHORT-, AND LONG-TERM NEEDS OF THE HOMELESS AND THOSE AT-RISK OF BECOMING HOMELESS. HSG, FIN

[HCR 269](#)
[Status](#) EXPRESSING LEGISLATIVE SUPPORT FOR THE RIGHT TO DISPLAY THE UNITED STATES FLAG. HSG, JUD

Decision making to follow.

9:05 a.m. AGENDA:

[HCR 261](#)
[Status](#)
[HR 189](#)
[Status](#) REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY TO AMEND ITS RULES TO ALLOW AN OCCUPANT FACING EVICTION FROM A STATE-FUNDED HOMELESS SHELTER TO REMAIN IN THE SHELTER PENDING AN APPEAL OF THE EVICTION. HSG, JUD

Decision making to follow.

HSG/WLO only

9:15 a.m. AGENDA:

[SB 2110, SD2](#)
[\(SSCR2425\)](#)
[Status](#) RELATING TO AFFORDABLE HOUSING. HSG/WLO, JUD
Expedites the construction of affordable housing units by requiring ministerial permits associated with the project to be issued by the state or county within sixty days of receipt of a permit application deemed to be complete by the receiving state or county agency. Effective 7/1/50. (SD2)

[SB 2111, SD2](#) RELATING TO AFFORDABLE HOUSING. HSG/WLO
[\(SSCR2426\)](#)
[Status](#) Shortens the time period within which counties may accept or reject requests for dedication of infrastructure for affordable housing to sixty days, commencing upon receipt by the appropriate county council of a complete application for dedication request, and subject to certain conditions. Effective 7/1/50. (SD2)

Decision making to follow.

COMMITTEE ON TRANSPORTATION

Wednesday, March 17, 2010

9:00 a.m.

Conference Room 309; State Capitol

AGENDA:

[SB 2759](#) RELATING TO DRIVER LICENSING. TRN, JUD
[\(SSCR2120\)](#)
[Status](#) Differentiate category four motor vehicles from commercial motor vehicles to clarify that category four motor vehicles do not include commercial motor vehicles as defined in section 286-2, HRS.

[SB 2754](#) RELATING TO COMMERCIAL DRIVER LICENSING. TRN, JUD
[\(SSCR2121\)](#)
[Status](#) Conform sections 286-240(g) and (h), HRS to the federal commercial driver licensing law to meet the requirements of 49 CFR Section 383.51(e) before September 4, 2010, as required by Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

[SB 2758](#) RELATING TO SAFETY INSPECTION OF MOTOR CARRIER TRN, FIN
[\(SSCR2381\)](#)
[Status](#) VEHICLES. Conform sections 286-207 and 286-209, HRS to be compatible to the Federal Motor Carrier Safety Regulations (FMCSR) and avoid any type of sanctions levied by the FMCSA.

[HCR 101/HR](#) REQUESTING THE COUNTY OF MAUI, IN CONJUNCTION WITH TRN, FIN
53 THE DEPARTMENT OF TRANSPORTATION, TO CONDUCT A
[Status](#) FEASIBILITY STUDY TO DETERMINE THE COST AND OTHER FACTORS RELATING TO THE CONSTRUCTION OF A FIXED-RAIL TRANSPORTATION SYSTEM CONNECTING THE KAHULUI-WAILUKU AREA, KIHEI, AND LAHAINA ON THE ISLAND OF MAUI.

HCR 137/HR 78 Status	URGING THE UNITED STATES CONGRESS TO AMEND TITLE 49 CODE OF FEDERAL REGULATIONS SECTION 383.3 TO ALLOW BOTH ACTIVE AND FORMER MILITARY PERSONNEL TO OBTAIN COMMERCIAL DRIVER'S LICENSES.	TRN, EBM
HCR 157/HR 95 Status	REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU TO IMPLEMENT A PEDESTRIAN FLAG SAFETY PROGRAM.	TRN, FIN
HCR 161/HR 99 Status	REQUESTING A STUDY OF MORNING TRAFFIC CONGESTION ON THE MEHEULA PARKWAY GOING ONTO THE H2 FREEWAY FROM MILILANI MAUKA.	TRN, FIN
HCR 164/HR 101 Status	REQUESTING A RECOMMENDATION ON INCREASED PENALTIES FOR THE OFFENSE OF HABITUALLY OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.	TRN, JUD
HCR 195/HR 128 Status	REQUESTING A COST-BENEFIT STUDY TO DETERMINE WHETHER LEASING INCOME CAN BE MAXIMIZED FROM AIRPORT AND HARBOR SPACE THROUGH THE USE OF RETAIL LEASING AGENTS.	TRN, LMG/FIN
HCR 196/HR 129 Status	REQUESTING A STUDY TO DETERMINE IF SAVINGS MAY BE ACHIEVED BY HAVING THE HIGHWAYS, HARBORS, AND AIRPORTS DIVISIONS SHARE CERTAIN COMMON FUNCTIONS.	TRN, LMG/FIN
HCR 198/HR 131 Status	REQUESTING A STUDY TO FORMULATE AN EQUITABLE AND OBJECTIVE MEASURE FOR DISTRIBUTING TRANSPORTATION TAX REVENUE AND FEDERAL FUNDING FOR AIRPORT, HARBOR, AND HIGHWAY PROJECTS TO THE COUNTIES.	TRN, LMG/FIN
HCR 206/HR134 Status	REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DETERMINE THE FEASIBILITY OF ESTABLISHING AND USING A SOLAR POWERED HIGHWAY LIGHTING SYSTEM ALONG HAWAII'S HIGHWAYS.	TRN, FIN
SCR 76 (SSCR2644) Status	REQUESTING A STUDY TO RECOMMEND STATUTORY AMENDMENTS TO ADDRESS THE SAFE AND PROPER OPERATION OF BICYCLES, MOPEDS, TWO-SEAT MOPEDS, SEGWAYS, HYBRID BICYCLES, AND POWERFUL MOPEDS.	TRN, JUD

Decision making to follow.

COMMITTEE ON AGRICULTURE

Wednesday, March 17, 2010

10:00 a.m.

Conference Room 312; State Capitol

AGENDA:

[SB 2236, SD2](#) RELATING TO INVASIVE SPECIES. AGR, JUD
[\(SSCR2465\)](#) Establishes fines for failing to pay, bill, or remit the inspection,
[Status](#) quarantine, and eradication fee. Effective 7/1/2050.

[SB 2523, SD2](#) RELATING TO AGRICULTURAL INSPECTIONS. AGR, FIN
[\(SSCR2466\)](#) Exempts bulk freight of foreign origin from the inspection,
[Status](#) quarantine, and eradication service fee and charge; effective
7/1/50. (SD2)

Decision making to follow.

Decision making only (heard on 03/12/10)

[SB 2527, SD2](#) RELATING TO AGRICULTURE. AGR, FIN
[\(SSCR2338\)](#) Amends the definition of "agricultural commodity" to include milk,
[Status](#) eggs, poultry, and livestock of the bovine, equine, swine, sheep,
or goat species and the carcasses or meat of those species.
Takes effect 7/1/2050. (SD2)

COMMITTEE ON HAWAIIAN AFFAIRS

Wednesday, March 17, 2010

10:00 a.m.

Conference Room 329; State Capitol

AGENDA:

[SB 2903, SD2](#) RELATING TO THE HAWAIIAN LANGUAGE COLLEGE. HED/EDN,
[\(HSCR701-10\)](#) Requires the department of education, the charter school HAW, FIN
[Status](#) administrative office, and the Hawaiian language college at the
University of Hawaii at Hilo to enter into an agreement regarding
the Hawaiian language college's functions related to
Nawahiokalani`opu`u school and other laboratory schools.
Effective 7/1/50. (SD2)

SB 633, SD1, HD1 (HSCR1269) Status	RELATING TO WATER. Increases the representation of homestead farmers on the Molokai irrigation system water users advisory board. Adds a DHHL ex officio member. Makes clarifying amendments. (SB633 HD1)	WLO/AGR, HAW
HCR 103 Status	EXPRESSING SUPPORT FOR, AND URGING PARTICIPATION IN, THE 6TH HEALING OUR SPIRIT WORLDWIDE GATHERING.	HAW, TCI
HR 54 Status	EXPRESSING SUPPORT FOR, AND URGING PARTICIPATION IN, THE 6TH HEALING OUR SPIRIT WORLDWIDE GATHERING.	HAW, TCI
HCR 118 Status	URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ADOPT AND IMPLEMENT NEW ADMINISTRATIVE RULES TO PROHIBIT A BENEFICIARY FROM APPLYING FOR A HAWAIIAN HOME LANDS LEASE IF THE PERSON ALREADY RECEIVED A LEASE AWARD AND SOLD, UNLESS THERE ARE COMPELLING OR PERSUASIVE REASONS FOR SELLING THE LEASE.	HAW, JUD
HR 66 Status	URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ADOPT AND IMPLEMENT NEW ADMINISTRATIVE RULES TO PROHIBIT A BENEFICIARY FROM APPLYING FOR A HAWAIIAN HOME LANDS LEASE IF THE PERSON ALREADY RECEIVED A LEASE AWARD AND SOLD, UNLESS THERE ARE COMPELLING OR PERSUASIVE REASONS FOR SELLING THE LEASE.	HAW, JUD
HCR 244 Status	REQUESTING THAT A LO'I BE ESTABLISHED ON THE GROUNDS OF THE STATE CAPITOL.	HAW, WLO, FIN
HR 172 Status	REQUESTING THAT A LO'I BE ESTABLISHED ON THE GROUNDS OF THE STATE CAPITOL.	HAW, WLO, FIN
HCR 245 Status	REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS WITH THE ASSISTANCE OF THE BERNICE PAUAHI BISHOP MUSEUM TO DEVELOP A PLAN TO IMPLEMENT REPLICAS OF HAWAIIAN HALE ON THE STATE CAPITOL LAWN SURROUNDED BY TROPICAL FOLIAGE FOR REST AREAS.	HAW, WLO, FIN
HR 173 Status	REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS WITH THE ASSISTANCE OF THE BERNICE PAUAHI BISHOP MUSEUM TO DEVELOP A PLAN TO IMPLEMENT REPLICAS OF HAWAIIAN HALE ON THE STATE CAPITOL LAWN SURROUNDED BY TROPICAL FOLIAGE FOR REST AREAS.	HAW, WLO, FIN
HCR 324 Status	URGING THE UNITED STATES CONGRESS TO RATIFY AND ADOPT THE UNITED NATIONS DECLARATION OF INDIGENOUS RIGHTS.	HAW, JUD

HR 243 Status	URGING THE UNITED STATES CONGRESS TO RATIFY AND ADOPT THE UNITED NATIONS DECLARATION OF INDIGENOUS RIGHTS.	HAW, JUD
HCR 313 Status	RECOGNIZING TRADITIONAL HAWAIIAN TATTOOING AS AN ART FORM.	HAW, TCI
HR 227 Status	RECOGNIZING TRADITIONAL HAWAIIAN TATTOOING AS AN ART FORM.	HAW, TCI
HCR 327 Status	URGING THE COUNTIES TO ADOPT NATIVE HAWAIIAN BUILDING CODES.	HAW, WLO
HR 246 Status	URGING THE COUNTIES TO ADOPT NATIVE HAWAIIAN BUILDING CODES.	HAW, WLO
HCR 332 Status	REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO REVISE ITS PRESENT POLICIES ON MATTERS OF SUCCESSORSHIP.	HAW, JUD
HR 251 Status	REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO REVISE ITS PRESENT POLICIES ON MATTERS OF SUCCESSORSHIP.	HAW, JUD
HCR 335 Status	URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO LEASE AVAILABLE LANDS FOR COMMERCIAL OR INDUSTRIAL USES TO NON-HAWAIIANS AT MARKET RATES.	HAW, FIN
HR 253 Status	URGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO LEASE AVAILABLE LANDS FOR COMMERCIAL OR INDUSTRIAL USES TO NON-HAWAIIANS AT MARKET RATES.	HAW, FIN

Decision making to follow.