### OFFICE OF THE SPEAKER TWENTY-FIFTH STATE LEGISLATURE

### **COMMITTEE REFERRALS**

### NO. 2 1st LEGISLATIVE DAY-JANUARY 20, 2010

#### Committee Abbreviations:

AGR - Agriculture HSG - Housing CPC - Consumer Protection & Commerce **HUS** - Human Services EBM - Economic Revitalization, Business, & JUD - Judiciary LAB - Labor & Public Employment Military Affairs LMG - Legislative Management EDN - Education EEP - Energy & Environmental Protection PBS - Public Safety

FIN - Finance

TCI - Tourism, Culture, & International Affairs

HAW - Hawaiian Affairs TRN - Transportation

**HED** - Higher Education WLO - Water, Land, & Ocean Resources

HLT - Health

### Committee REFERRAL

HB1929 RELATING TO COUNTIES. HLT, JUD

> Provides that each county has the power to establish medical marijuana dispensaries. Requires that medical marijuana dispensaries shall only provide service to qualified patients and primary caregivers registered with the department of public safety. Makes dispensaries subject to the general excise tax by making inapplicable the exemption for amounts received from sales of prescription drugs or prosthetic devices.

RELATING TO THE MEDICAL USE OF MARIJUANA. HB1930 PBS/HLT, JUD

> 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.

HB1931 RELATING TO COMMUNITY HEALTH CENTERS. HLT, FIN

> Appropriates moneys from the community health centers special fund to be used by community health centers in the State.

> Directs the administration and the department of health to release

funds to the community health centers.

		Committee <u>REFERRAL</u>
<u>HB1932</u>	RELATING TO FOOD LABELING. Provides penalties for the misbranding of fish or fish products that result in consumer illness. Creates the food misbranding special fund to support Department of Health inspectors investigating incidents of fish or fish products misbranding.	HLT, CPC/JUD, FIN
<u>HB1933</u>	PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 23, OF THE HAWAII CONSTITUTION TO DEFINE MARRIAGE AS BETWEEN A MAN AND A WOMAN. Constitutionally prohibits same sex marriage by defining a valid marriage as only between a man and a woman.	JUD, FIN
<u>HB1934</u>	RELATING TO PERSONAL RELATIONSHIPS. Extends benefits under the Hawaii employer-union benefit trust fund to reciprocal beneficiaries and allows reciprocal beneficiaries to jointly file state income tax returns. Allows reciprocal beneficiaries to live in the same community care foster family home. Amends definition of marriage.	JUD, FIN
<u>HB1935</u>	RELATING TO PUBLIC AGENCY MEETINGS.  Makes boards of the judicial branch subject to open meetings sunshine law in nonadjudicatory functions.	JUD
<u>HB1936</u>	RELATING TO FAMILY COURT. Establishes a program in the family court for the registration of child custody evaluators. Allows board of family court judges to adopt certification of child custody evaluators.	HUS, JUD, FIN
<u>HB1937</u>	RELATING TO CRIME.  Provides that patrons of prostitutes who are convicted of a first offense shall be required to pay a \$500 surcharge and complete an 8-hour educational and counseling program. Establishes a special fund to fund and administer the program.	JUD, FIN
<u>HB1938</u>	RELATING TO CRIME. Gives priority, regarding witness security and protection, to proceedings and investigations involving the prosecution of promoting prostitution. Provides that kidnapping offenses shall not be reduced to class B felonies if the offense involves unlawfully obtaining the labor or services of the kidnapped person. Increases the felony classifications for promoting prostitution in the first, second, and third degree.	JUD
<u>HB1939</u>	RELATING TO EMPLOYMENT RELATIONS.  Prohibits employers from discriminating against an employee or applicant for employment based upon the employee's or the applicant's status as a victim of domestic violence.	HUS/LAB, JUD

		Committee <u>REFERRAL</u>
<u>HB1940</u>	RELATING TO CRIME. Establishes class A, B, and C felony sexual human trafficking offenses and class A, B, and C felony labor trafficking offenses, and provisions related to prosecution of the offenses.	JUD
<u>HB1941</u>	RELATING TO TRANSPORTATION. Allows counties with a population greater than 500,000 to establish a pilot project to issue parking citations by electronic means. Allows rental car and U-drive vehicle companies to add traffic violation and parking citation fines to the final settlement of written lease agreements.	TRN, JUD
<u>HB1942</u>	RELATING TO VETERANS COURT. Establishes a temporary Hawaii Veterans Court within the Judiciary to help address prison overcrowding.	EBM, JUD, FIN
<u>HB1943</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 of the veteran's remains in a state veterans cemetery.	EBM, FIN
<u>HB1944</u>	RELATING TO HEALTH CLUBS. 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.	EBM, CPC
<u>HB1945</u>	RELATING TO LICENSE PLATES. Requires applicants for special member plates for military service to submit proof of honorable discharge from the military.	EBM, TRN
<u>HB1946</u>	RELATING TO THE HAWAII NATIONAL GUARD. Establishes the position of a School Liaison within the Hawaii National Guard and provides for and appropriates funds.	EBM, EDN, FIN
<u>HB1947</u>	RELATING TO TAXATION. 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 qualify ing deferred compensation plans to eligible retirement plans or individual retirement accounts.	LAB, FIN
<u>HB1948</u>	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

		Committee REFERRAL
<u>HB1949</u>	RELATING TO HIGHWAY SAFETY. Requires persons 85 years of age and older to pass a road test to renew their driver's license.	TRN, JUD
<u>HB1950</u>	RELATING TO MOTOR VEHICLES. Imposes penalties for throwing burning material from a motor vehicle.	TRN, JUD
<u>HB1951</u>	RELATING TO TAXATION. Establishes a \$45 income tax credit for beverage containers.	EEP, FIN
<u>HB1952</u>	RELATING TO MOTOR VEHICLES. Prohibits smoking in a motor vehicle in which a minor is present.	HLT/TRN, JUD
<u>HB1953</u>	RELATING TO TAXATION.  Imposes the general excise tax at the rate of 1.0% on the gross proceeds from the sale of real property less deductions for real estate salespersons' commissions and conveyance tax payments. Takes effect on 07/01/10 and sunsets on 06/30/15. Appropriates revenues for state programs and projects to accommodate land development and population growth resulting from land use plans and policies.	WLO, FIN
<u>HB1954</u>	RELATING TO EMPLOYMENT. Provides a tax credit for increases in the total wages paid by a taxpayer between 2009 and 2010.	EBM/LAB, FIN
<u>HB1955</u>	RELATING TO RENTAL HOUSING. Allows the moneys in the rental housing trust fund to be used for the repair and maintenance of rental housing projects through private contracts for fiscal year 2010-2011.	EBM/HSG, FIN
<u>HB1956</u>	RELATING TO INCOME TAX CREDITS.  Provided a tax credit for cost of construction and renovation of qualified hotel facilities and qualified shopping center facilities.	EBM/TCI, FIN
<u>HB1957</u>	RELATING TO CHILDREN AND YOUTH. Authorizes holding public events that celebrate Children and Youth Day to be held on state capitol grounds.	HUS, TCI, FIN
<u>HB1958</u>	RELATING TO VIOLENT CRIME. Enhances sentencing for certain violent crimes committed in, on, or near schools, school vehicles, or public parks.	JUD

#### **Committee** REFERRAL HB1959 RELATING TO FISHING. WLO, JUD Amends existing law prohibiting "shark finning" by making it a misdemeanor offense to harvest, land, or possess shark fins unless the fins were taken from a shark landed whole in the State. Imposes mandatory fines upon conviction in addition to existing civil sanctions. Establishes presumption regarding possession of shark fins not attached to the carcass. HB1960 RELATING TO MORTGAGE FORECLOSURES. CPC, JUD Requires the mortgagee in an alternate power of sale foreclosure procedure to attach a copy of the original, signed mortgage agreement and any amendments thereto to the notice of default. RELATING TO THE KAHO'OLAWE REHABILITATION HB1961 HAW/WLO, FIN 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. RELATING TO FOOD LABELING. HB1962 HLT, JUD, FIN Beginning 1/1/11 requires foods sold in the State that contain genetically engineered material to be labeled with a disclosure notice. RELATING TO HISTORIC PRESERVATION. HB1963 WLO, FIN Directs the department of land and natural resources to increase archaeological permit fees from \$50 to no less than \$1,000. Provides that permit fees collected shall be deposited into a special account within the Hawaii historic preservation special fund to cover the costs of managing the permits. Effective 7/1/10. HB1964 RELATING TO REPATRIATION. HAW, WLO, FIN Requires the repatriation of human remains, funerary objects, sacred objects, or objects of cultural patrimony subject to the Native American Graves Protection and Repatriation Act of 1990 to be conducted in consultation with the office of Hawaiian affairs and other entities or individuals. RELATING TO HISTORIC PRESERVATION. HB1965 EBM, WLO, JUD Requires an archaeological inventory survey prior to the sale or

offer of sale of any property in the State.

		Committee <u>REFERRAL</u>
<u>HB1966</u>	RELATING TO HISTORIC PRESERVATION.  Authorizes only an archaeologist who meets the minimum professional qualifications standards adopted by the Secretary of the Interior to execute documents or issue approvals on behalf of DLNR regarding archaeological activities of the state historic preservation division.	WLO, FIN
<u>HB1967</u>	RELATING TO HISTORIC PRESERVATION. Requires the prior written concurrence of the BLNR prior to any rezoning of land on the national or state register of historic places.	WLO, JUD
<u>HB1968</u>	RELATING TO HISTORIC PRESERVATION. Provides that any approval or acceptance of any historic inventory survey, mitigation plan, preservation plan interpretive plan shall lapse following the passage of ten years.	WLO, JUD
<u>HB1969</u>	RELATING TO HISTORIC PRESERVATION. Requires state land surveyor to prepare and file with bureau of conveyances survey map of an approved burial preservation or mitigation plan.	HAW/WLO, JUD, FIN
<u>HB1970</u>	RELATING TO INDIGENOUS PEOPLE DAY. Makes the second Monday in October also known as Indigenous People Day.	TCI
<u>HB1971</u>	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.  Provides that 5% of funds derived from the public land trust shall be expended by the department of Hawaiian home lands for development of farm and home ownership.	HAW, WLO, FIN
<u>HB1972</u>	RELATING TO THE STATEWIDE TRAFFIC CODE. Prohibits motor vehicles with a gross vehicle weight rating of 26,001 or more pounds from being driven in the far left lane of any roadway having three or more lanes of traffic proceeding in the same direction.	TRN, JUD
<u>HB1973</u>	RELATING TO DESECRATION.  Amends the state of mind for the offense of desecration of a burial site from intentional to negligent.	WLO, JUD
<u>HB1974</u>	RELATING TO COLLECTIVE BARGAINING. Restricts the duration of collective bargaining agreements to not less than four years.	LAB, FIN

		Committee <u>REFERRAL</u>
<u>HB1975</u>	RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.  Amends the definition of "deposit beverage" to include wine and hard spirits.	EEP/EBM, FIN
<u>HB1976</u>	RELATING TO TRANSPORTATION. Appropriates funds from the Rental Motor Vehicle Customer Facility Charge Special Fund to fund various car rental facility projects statewide.	TRN, FIN
<u>HB1977</u>	RELATING TO TRANSPORTATION.  Provides the Judiciary with sole discretion to settle, dispose of, and dismiss any unpaid judgment amount, fines, costs, and penalties owed by any operator or owner of a motor vehicle within the State of Hawaii as of the effective date of this Act, for an amount not less than what the operator or owner of the motor vehicle would have paid to the court or Judiciary prior to the entering of any such judgment due to traffic infractions.	JUD, FIN
<u>HB1978</u>	RELATING TO TOWING. Requires towing companies to be in operation twenty-four hours per day, seven days a week. Requires tow operators to maintain, at minimum, liability insurance coverage of \$1,000,000.	TRN, JUD
<u>HB1979</u>	RELATING TO TRANSIENT ACCOMMODATIONS TAX. Short form bill relating to transient accommodations tax.	TCI, FIN
<u>HB1980</u>	RELATING TO TRANSIENT ACCOMMODATIONS TAX. Short form bill relating to transient accommodations tax.	TCI, FIN
<u>HB1981</u>	RELATING TO PUBLIC SAFETY. Requires the Hawaii paroling authority to establish a medical release program for no-risk inmates who are permanently and totally disabled, terminally ill, or geriatric. Requires department of public safety to assess and refer inmates to the Hawaii paroling authority. Sets conditions for medical release.	PBS, JUD, FIN
<u>HB1982</u>	RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION. Repeals the Corrections Population Management Commission.	PBS
<u>HB1983</u>	RELATING TO CRIMINAL OFFENDERS. 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.	PBS, JUD

## Committee REFERRAL

HB1984 RELATING TO RENEWABLE ENERGY.

EEP/WLO, EBM,

FIN

Directs the department of business, economic development, and tourism and the department of land and natural resources to provide assistance to and coordinate with the Hawaii Natural Energy Institute at the University of Hawaii School of Ocean and Earth Science and Technology and, if necessary, Hawaii utility companies, to develop the clean energy scenario plan and to identify and designate a geographic area or areas in the waters of the State of Hawaii as renewable energy zones for the establishment of wave energy conversion platforms or hubs for the development of wave energy into a renewable energy source.

<u>HB1985</u> RELATING TO TAXATION.

FIN

Requires the Department of Taxation to provide the Legislature with certain annual and biennial reports.

HB1986 RELATING TO STATE BONDS.

FIN

Authorizes issuance of general obligation bonds. Makes findings required by Article VII, Section 13 of the Hawaii Constitution to declare that issuance of authorized bonds will not cause debt limit to be exceeded.

HB1987 RELATING TO FIREWORKS.

PBS, JUD, FIN

Establishes a cause of action to abate the illegal purchasing, selling, possession, setting off, igniting or discharging of fireworks. Allows the court to order the closure of any place used in violation of the fireworks law. Allows for the forfeiture of property used in violation of the fireworks law.

HB1988 PROPOSING AN AMENDMENT TO THE HAWAII

EDN, JUD, FIN

CONSTITUTION TO ALLOW THE GOVERNOR TO APPOINT THE MEMBERS OF THE BOARD OF EDUCATION AND THE SUPERINTENDENT OF EDUCATION UPON CONFIRMATION BY BOTH THE HOUSE OF REPRESENTATIVES AND THE SENATE. Proposes a constitutional amendment to Article X, Sections 2 and 3, of the Hawaii Constitution to allow the Governor to appoint

the members of the Board of Education and the Superintendent of Education upon the advice and consent of both the State

House of Representatives and the Senate.

### Committee REFERRAL

HB1989 RELATING TO EDUCATION. EDN, JUD, FIN Provides housekeeping amendments to election and education statutes to implement an amendment to the Hawaii Constitution that requires members of the Board of Education and the Superintendent of Education to be nominated and, upon the advice and consent of the State House of Representatives and the Senate, appointed by the Governor. HB1990 PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION JUD, FIN 2, OF THE HAWAII CONSTITUTION TO AUTHORIZE THE TEMPORARY ASSIGNMENT OF CIRCUIT COURT JUDGES TO THE DISTRICT COURT. Proposes a constitutional amendment to authorize temporary assignment of circuit judge to district court by the chief justice. HB1991 RELATING TO TRAFFIC ABSTRACT FEE. JUD. FIN Increases the fee for a traffic abstract from \$7 to \$10 and increases the amount of the fee deposited into the general fund from \$5 to \$8. RELATING TO THE INTERMEDIATE APPELLATE COURT. JUD HB1992 Permanently establishes intermediate appellate court judges' express authority to subpoena witnesses, compel the production of evidence, and administer oaths. RELATING TO APPELLATE JURISDICTION. HB1993 JUD, FIN Permanently establishes the jurisdictional responsibilities of the appellate courts. HB1994 RELATING TO APPELLATE JURISDICTION. JUD, FIN Expands category of cases directly appealable to Hawaii Supreme Court. Makes discretionary the transfer to supreme court of appeal involving question of imperative or fundamental public importance. Rescinds repeal of Act 202, SLH 2004. HB1995 RELATING TO DISTRICT COURT. JUD, FIN Authorizes the chief justice to temporarily assign a circuit judge to district court where a district judge is unavailable or for other reasons. Contingent upon ratification of related constitutional amendment. HB1996 RELATING TO THE DNA ANALYSIS FEE. JUD, FIN Extends DNA analysis fee requirement to defendants with deferred pleas and to felony offenders transferring into Hawaii under an interstate compact.

		Committee <u>REFERRAL</u>
<u>HB1997</u>	RELATING TO ADULT PROBATION RECORDS.  Authorizes disclosure of adult probation records to a defendant's doctor when substance use may compromise medical treatment and to law enforcement to report a crime or crime-related information.	JUD
<u>HB1998</u>	RELATING TO JUDICIARY FEES.  Authorizes the judiciary to pay a service fee to an electronic payment service provider and to pass the fee on to the customer.	JUD, FIN
<u>HB1999</u>	RELATING TO THE JUDICIARY. Authorizes appointment of judge or justice as Administrative Director of the Courts, who retains salary and benefits of judicial position.	JUD, FIN
<u>HB2000</u>	RELATING TO THE JUDICIARY. Appropriates funds to the Judiciary for FY 2010-2011.	JUD, FIN
<u>HB2001</u>	RELATING TO ADMINISTRATIVE LICENSE REVOCATION. Shifts costs of mailing administrative hearing request from the driver's license revocation office to the person requesting the hearing. Increases the administrative hearing fee from \$30 to \$50.	JUD, FIN
<u>HB2002</u>	RELATING TO HAWAIIAN ARTIFACTS. Requires the State to hold Hawaiian artifacts found on lands or under waters controlled by the State in trust for preservation and disposition.	HAW, WLO, FIN
<u>HB2003</u>	RELATING TO CAMPAIGN FINANCING. Updates, organizes, and clarifies current campaign financing laws.	JUD, FIN
<u>HB2004</u>	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
<u>HB2005</u>	RELATING TO BICYCLES AND MOPED FEES. Adds a fine as a penalty for having an unregistered bicycle or moped.	TRN, JUD, FIN

### **Committee** REFERRAL HB2006 RELATING TO WITNESSES. JUD. FIN Increases the per diem payments for out-of-state witnesses in criminal cases from \$110 to \$145. Provides an additional \$90 per diem payment for witnesses from any island other than the island on which the court is located, when that witness is required to stay overnight. RELATING TO THE RIGHTS OF VICTIMS. HB2007 HLT, JUD, FIN Amends crime victims' bill of rights to include notice or waiver of notice as to an offender's unfitness to stand trial, transfer to the state hospital or other psychiatric facility, or regaining fitness to proceed. Requires the department of health to provide notice of an offender's unauthorized absences. HB2008 RELATING TO DANGEROUS INSTRUMENTS. JUD Expands scope of offenses of terroristic threatening in the first degree and robbery in the first degree to include the use of a replica firearm. HB2009 RELATING TO DOMESTIC ABUSE ORDERS. HUS, JUD Allows a temporary restraining order to remain in effect for 90 days or until service of a protective order, whichever occurs first. Also amends law to provide that protective orders orally stated by the court on the record shall be effective upon service on the respondent. RELATING TO PARKING SPACES RESERVED FOR HB2010 HLT/TRN, JUD PERSONS WITH DISABILITIES. Clarifies that a violation is committed by a driver or registered owner of a vehicle. Allows citations to be handed to the violator or affixed to the vehicle if the vehicle is unattended. Clarifies that a citation may be mailed when the violator refuses the citation. RELATING TO SUBPOENAS. HB2011 JUD, FIN Authorizes overtime compensation for police officers who are subpoenaed to serve as a witness for the State during off-duty periods. Requires the State to reimburse the county 50% of the overtime compensation. RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. LAB, FIN HB2012 Replaces a public member on the Board of Trustees of the Employees' Retirement System with a member selected by the Council of Mayors.

		Committee REFERRAL
<u>HB2013</u>	RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND. Requires one trustee of the employer-union health benefits trust fund to be occupied by a representative appointed by the Hawaii council of mayors to represent county interests.	LAB, FIN
<u>HB2014</u>	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Segregates teachers from all other employees for determination of employer normal cost, accrued liability contributions, and annual contributions by the State and counties.	LAB, FIN
<u>HB2015</u>	RELATING TO COUNTIES.  Amends law to allow the personnel directors of Kauai, Maui, and Hawaii counties to be appointed and removed by either the merit appeals board or mayor of the county.	LAB
<u>HB2016</u>	RELATING TO COUNTIES. Requires that county police chiefs be appointed and removed as prescribed by each county's charter.	PBS
<u>HB2017</u>	RELATING TO COUNTIES.  Extends the power to appoint county liquor administrators to the county liquor control adjudication boards.	CPC
<u>HB2018</u>	RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND BOARD OF TRUSTEES. Adds an eleventh trustee to the board of trustees of the EUTF to represent county public employers.	LAB, FIN
<u>HB2019</u>	RELATING TO PARKS. Allows the governor to transfer the Mauna Kea and Hapuna Beach state recreational areas from the State to the county of Hawaii.	WLO, FIN
<u>HB2020</u>	RELATING TO COUNTIES. Expands county enforcement of various motor vehicle and traffic laws on private streets and roads to include laws relating to county vehicular taxes, motor vehicle safety responsibility, traffic violations, use of intoxicants while operating a vehicle, odometers, and motor vehicle insurance.	TRN, JUD
<u>HB2021</u>	RELATING TO PUBLIC LANDS.  Allows the board of land and natural resources to extend a public land lease for hotel or resort use up to 55 years if the board enters into a development agreement with the lessee for substantial improvements to the premises.	WLO/TCI, FIN

		Committee <u>REFERRAL</u>
<u>HB2022</u>	RELATING TO MOTOR VEHICLES. Repeals obsolete provisions relating to annual motor vehicle registration.	TRN, FIN
<u>HB2023</u>	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
<u>HB2024</u>	AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR 'ALIOMANU ROAD RECONSTRUCTION AND PROTECTION, KAPA'A NEW PARK (STADIUM) IMPROVEMENTS, OPEN SPACE/PARK LAND ACQUISITION, AND KILAUEA AGRICULTURAL PARK DEVELOPMENT FOR THE COUNTY OF KAUA'I. Authorizes the issuance of GO bonds for the County of Kauai.	FIN
<u>HB2025</u>	RELATING TO USE OF DEADLY FORCE. Exempts an actor from civil liability for injuries or damages resulting from the justifiable use of force in self-protection, protection of others, or the protection of property.	JUD
<u>HB2026</u>	RELATING TO DISASTER RELIEF.  Amends the General Appropriations Act of 2009 to change the expending agency for the gymnasium/civil defense shelter on the campus of Ka'u High and Pahala Elementary School on the Island of Hawaii from the Department of Education to the County of Hawaii.	FIN
<u>HB2027</u>	RELATING TO DISHONORED CHECKS. Clarifies that payees or holders in due course may assess a service charge up to \$30 for a dishonored check.	CPC
<u>HB2028</u>	RELATING TO GROUP LIFE INSURANCE. Requires insurance commissioner approval of the issuance of group life insurance policies that cover other than the listed groups. Expands group disability insurance to include groups other than the listed groups.	CPC

		Committee <u>REFERRAL</u>
<u>HB2029</u>	RELATING TO PROFESSIONS AND OCCUPATIONS. Repeals the regulatory programs for marriage and family therapists, dispensing opticians, occupational therapists, athlete agents, hearing aid dealers and fitters, and electrologists. Replaces the regulatory boards for Barbering and Cosmetology, and Speech Pathologists and Audiologists, with the Department of Commerce and Consumer Affairs.	HLT/HUS, CPC FIN
<u>HB2030</u>	RELATING TO INTERNET CALLER IDENTIFICATION. Establishes the offense of deceptive internet caller identification.	JUD
<u>HB2031</u>	RELATING TO CONTRACTORS.  Increases from one to three the number of electrical or plumbing apprentices that may be employed on a construction job site for each licensed electrical or plumbing worker.	LAB, CPC
<u>HB2032</u>	RELATING TO GOVERNMENT OPERATIONS. Repeals requirement for state agencies to report annually to legislature addressing the agency's goals, objectives, policies, and action plans.	FIN
<u>HB2033</u>	RELATING TO CONDOMINIUMS. Clarifies that any condominium developed after 7/1/06 is subject to chapter 514B, HRS; limits condominium maps to two dimensional renderings.	CPC, JUD
<u>HB2034</u>	RELATING TO WATER RIGHTS. Establishes that action may be brought directly before circuit court to enforce water rights pursuant to the provisions of chapter 664, HRS (boundaries, fences, ways, water rights).	WLO, JUD
<u>HB2035</u>	RELATING TO TAXATION. Establishes a wagering loss deduction for state income taxes. Applies retroactively beginning after December 31, 2008.	FIN
<u>HB2036</u>	RELATING TO EVIDENCE. Extends evidentiary presumptions regarding publications and legal opinions to those posted to government websites.	JUD
<u>HB2037</u>	RELATING TO NET ENERGY METERING. Increases the maximum allowable generating capacity of an eligible customer-generator from 50 kilowatts to 100 kilowatts. Increases the total allowable rated generating capacity produced by eligible customer-generators from 0.5% to 3% of a utility's peak demand or 15% of peak circuit demand for all distribution-level circuits of 12kV or lower.	EEP, CPC

		Committee <u>REFERRAL</u>
<u>HB2038</u>	RELATING TO STATE LOTTERY. Creates state education lottery commission to authorize entry into agreement with the Multi-State Lottery Association, the Mega Millions consortium, or both, operate and promote a Hawaii lottery as a member state of multistate lotteries operated by either or both of those organizations. Creates education fund to receive a certain percentage of lottery revenues.	EDN, JUD, FIN
<u>HB2039</u>	RELATING TO RENTAL PROPERTY MANAGERS.  Defines the term "rental property manager" and requires rental property managers who manage more than 3 dwelling units to register with the real estate commission.	HSG, CPC/JUD
<u>HB2040</u>	RELATING TO ANIMALS. Requires counties to delegate authority to county contracted agencies for seizure and impounding of unlicensed dogs as sole entity to investigate complaints of nuisance dog barking.	JUD
<u>HB2041</u>	RELATING TO LOCKSMITHS. Requires licensure for and regulation of locksmiths. Authorizes criminal history record checks.	CPC/JUD, FIN
<u>HB2042</u>	RELATING TO CONDOMINIUMS. Clarifies condominium laws related to proxy votes and information available to owners.	CPC/JUD
<u>HB2043</u>	RELATING TO HOURS OF WORK. Authorizes staggered work weeks for public employees.	LAB, FIN
<u>HB2044</u>	RELATING TO WASTE MANAGEMENT. Prohibits setting out items for bulky pick-up earlier than the evening before the scheduled pick-up day. Imposes a fine for violations.	EEP, JUD
<u>HB2045</u>	RELATING TO MOPEDS. Requires riders of mopeds to wear helmets and provides fines for violations.	TRN, JUD
<u>HB2046</u>	RELATING TO MOTOR SCOOTERS.  Prohibits dealers from selling new motor scooters with noise emissions exceeding a specified number of decibels. Adds motor scooters to noisy muffler law currently applicable to motorcycles and mopeds.	TRN/EEP, JUD
<u>HB2047</u>	RELATING TO LEAF BLOWERS. Bans the operation of leaf blowers in Hawaii.	EEP, JUD

Committee REFERRAL HB2048 RELATING TO SOLAR ENERGY. EEP/CPC, FIN Requires the public utilities commission to develop standards for the sale of solar energy systems manufactured and sold in the State. HB2049 RELATING TO RENTAL MOTOR VEHICLES. TRN, JUD Allows the lessor of a rental motor vehicle to report as a theft to the police or state sheriff any vehicle not returned after a time following the time for return as specified in the rental agreement. HB2050 RELATING TO TAXATION. **FIN** Requires the DOTAX to withhold state taxes for self-funded retirement plans. RELATING TO THE UNIVERSITY OF HAWAII. HB2051 HED/JUD, FIN 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. RELATING TO THE UNIVERSITY OF HAWAII. HB2052 HED, FIN 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. RELATING TO THE UNIVERSITY OF HAWAII CAPITAL HB2053 HED, FIN IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND. Establishes the University of Hawaii capital improvements program project assessment special fund.

### Committee REFERRAL

HB2054 RELATING TO THE UNIVERSITY OF HAWAII. HED, FIN

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.

<u>HB2055</u> RELATING TO THE UNIVERSITY OF HAWAII. HED, EBM, FIN

Exempts the University of Hawaii from Hawaii public

procurement code requirements.

HB2056 RELATING TO PHARMACIST LICENSURE. HLT, CPC

Broadens the practical experience requirements for a pharmacist license to include experience obtained in U.S. territories and the District of Columbia. Removes the requirement that supervision must take place in a pharmacy. Broadens the experience requirements to relate to the practice of pharmacy.

HB2057 RELATING TO PUBLIC PROCUREMENT. EBM, FIN

Requires a purchasing agency to hold a pre-bid conference. Requires parties that protest a contract award to have attended a

pre-bid conference.

HB2058 RELATING TO PUBLIC PROPERTY. EBM, FIN

Amends definition of the term "concession" to remove telecommunications operations. Exempts telecommunications operations from the Hawaii public procurement code.

HB2059 RELATING TO REGISTERED COVERED OFFENDERS. PBS, JUD

Limits the number of covered offenders required to be registered under chapter 846E, HRS, who may live together. Authorizes the counties to adopt ordinances regulating residences for

registered covered offenders.

		<u>REFERRAL</u>
<u>HB2060</u>	RELATING TO HUNTING. Permits aerial hunting only by authorized personnel in connection with emergency animal disease control or other purposes as ordered by a court. Requires the department of land and natural resources to consult with hunter advocacy groups before conducting an aerial hunt. Requires carcasses to be removed within 24 hours of the completion of an aerial hunt.	WLO, JUD
<u>HB2061</u>	RELATING TO CHILDREN.  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.	EBM/HUS, FIN
<u>HB2062</u>	RELATING TO BIRTH DEFECTS WARNING SIGNS. Requires establishments that serve alcoholic beverages to display a sign to warn customers of the risk of consuming alcohol during pregnancy. Establishes penalties.	HLT, CPC/JUD
<u>HB2063</u>	RELATING TO THE UNIVERSITY OF HAWAII.  Appropriates funds to assist candidates who enter the University of Hawaii's Doctoral Program in International Management.	HED, FIN
<u>HB2064</u>	RELATING TO GRAVE DESECRATION. Expands criminal offense of desecration to include the negligent desecration of a grave or place of burial.	WLO, JUD
<u>HB2065</u>	RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD.  Transfers the administrative assignment of the small business regulatory review board from the department of business, economic development, and tourism to the department of commerce and consumer affairs.	EBM/CPC, FIN
<u>HB2066</u>	RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-THIRD, THIRTY-FOURTH, AND THIRTY-SIXTH REPRESENTATIVE DISTRICTS. Appropriates funds for capital improvement projects for the benefit of the 33rd, 34th, and 36th representative districts.	FIN
<u>HB2067</u>	RELATING TO THE STATE BUDGET. Extends lapse date for appropriations for capital improvement projects that qualify as a grant, pursuant to chapter 42F, Hawaii Revised Statutes, from June 30, 2010, to June 30, 2011.	HUS/HLT, FIN

Committee

**Committee** REFERRAL HB2068 RELATING TO FIREWORKS. PBS, JUD Allows the counties to enact or adopt more restrictive fireworks ordinances or rules than the state law under fireworks law. RELATING TO COUNTIES. WLO/TCI, FIN HB2069 Authorizes counties to adopt ordinances imposing park dedication requirements on developers of transient accommodations. HB2070 RELATING TO EDUCATION. EDN/LAB, FIN Changes the terms of service for principals and vice principals from 12 months to 10 months. Returns principals and vice principals to 12-month terms of service if performance contracts for principals are established by the 2011-2012 school year. HB2071 RELATING TO EDUCATION. EDN, FIN Provides a specific set of student rights and creates a mechanism by which the Department of Education's success at upholding these rights may be monitored and improved upon. HB2072 RELATING TO DEPARTMENT OF EDUCATION FUNDS. EDN, FIN Allows the Department of Education to reprioritize and redistribute certain funds for purposes of restructuring. HB2073 RELATING TO THE DEPARTMENT OF EDUCATION. EDN, FIN Authorizes the department of education to make rules governing traffic and parking conditions on roadways and other areas under the jurisdiction of the department, including rules for the assessment of parking fees. Establishes the department of education parking revolving fund. Provides that parking fees collected by the school principal or designee shall be deposited to the credit of the school's nonappropriated local school fund account. RELATING TO THE CERTIFICATION OF PRINCIPALS HB2074 EDN/LAB, FIN 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 certain teacher certification and school-level experience requirements for vice-principal candidates on a case-by-case basis. HB2075 RELATING TO THE EARLY LEARNING COUNCIL. EDN, JUD Allows the early learning council to conduct meetings by teleconference. Sets out quorum requirements and public notice and participation requirements for teleconference meetings.

		REFERRAL
<u>HB2076</u>	RELATING TO RESEARCH. Requires the department of education, the University of Hawaii, and the department of labor and industrial relations 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.	EDN/HED/LAB, FIN
<u>HB2077</u>	RELATING TO EDUCATION. Adds age limits for public school students entering grades eleven and twelve.	EDN
<u>HB2078</u>	RELATING TO PUBLIC MEETINGS. Allows members of a board to participate in functions that all board members are invited to attend, subject to certain conditions. Defines "function" as any program, seminar, workshop, conference, session, summit, or event organized and conducted by an organization other than the board.	JUD
<u>HB2079</u>	RELATING TO WORKERS' COMPENSATION. Repeals the possibility of the director extending the due date for written decisions on the outcome of worker compensation claims.	LAB, FIN
<u>HB2080</u>	RELATING TO DRIVER LICENSING. Requires the examiner of drivers to design and implement a system for allowing license applicants to voluntarily indicate their blood type on a driver's license.	HLT, TRN
<u>HB2081</u>	RELATING TO PREMATURE INFANT HEALTH CARE. Requires the Department of Health to develop a plan to improve hospital discharge and follow-up care procedures for premature infants born earlier than 37 weeks gestational age to ensure standardized and coordinated processes are followed as premature infants leave the hospital.	HLT, FIN
<u>HB2082</u>	RELATING TO BOTTLED WATER. Requires all bottled water to be labeled with the date of bottling.	HLT, CPC/JUD
<u>HB2083</u>	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

Committee

### Committee REFERRAL

HB2084 RELATING TO THE FEDERAL DISPROPORTIONATE

HLT. FIN

SHARE HOSPITAL FUNDS.

Appropriates moneys for fiscal year 2010-2011 to match the federal disproportionate share hospital allowance allocated to the State; authorizes some appropriated funds to be used to obtain matching federal disproportionate share hospital allowance for prior fiscal year expenditures by the State.

HB2085 RELATING TO HEALTH.

HLT/HUS, FIN

Establishes limits on requests for proposals from health and human services providers for QUEST contracts that exceed \$100,000,000 and commence after the term of the agency director expires.

HB2086 RELATING TO HEALTH CARE DATA.

HLT, JUD

Ensures that appropriate health care entities are able to receive lab data in electronic format to facilitate the use and development of health care exchange networks.

HB2087 RELATING TO HEALTH.

HLT/HUS, CPC/JUD

Exempting QUEST plans from paying interest under the clean claims act when delays are due to non-payment by government

payers to QUEST plans.

<u>HB2088</u> RELATING TO THE LEGISLATIVE FEDERAL ECONOMIC FIN

STIMULUS PROGRAM OVERSIGHT COMMISSION.

Expands the responsibilities of the legislative federal economic stimulus program oversight commission by authorizing the commission to determine the total amount of stimulus funds the State qualifies for, has applied for, drawn down, and the distribution and uses; and to provide greater transparency by making information about the funds easily available to the

public.

HB2089 RELATING TO HEALTH INSURANCE.

HLT, CPC/JUD

Requires health insurers to: (1) report annually on how health insurance premiums are being spent; and (2) spend a minimum

amount of the premiums on medical expenses.

HB2090 RELATING TO MEDICAID REIMBURSEMENTS.

HLT/HUS, FIN

Requires medicaid reimbursement to hospitals for patients occupying acute-licensed beds who are on a waitlist for long-term care to be at least equal to the rate paid for acute care services; requires medicaid reimbursement to long-term care facilities for patients with medically complex conditions to be at least equal to the rate paid for subacute care; appropriates funds

for increased reimbursements.

		Committee <u>REFERRAL</u>
<u>HB2091</u>	RELATING TO MEDICAID ELIGIBILITY. Requires the department of human services to provide medicaid 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.	HUS/HLT, FIN
<u>HB2092</u>	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
<u>HB2093</u>	RELATING TO THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES. Directs the legislative reference bureau to analyze and report on the economic impacts on agencies, individuals and communities, as a result of the reduction in services for the department of health and human services statewide.	HLT/HUS, LMG, FIN
<u>HB2094</u>	RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH. Authorizes the issuance of SPRBs to assist Hawaii Pacific Health in financing, refinancing, and/or reimbursing costs related to the acquisition or construction of health care facilities.	HLT, FIN
<u>HB2095</u>	RELATING TO EMERGENCY PHYSICIANS. Provides a tax credit for emergency room physicians who work a minimum of 576 on-call hours in a state-approved emergency room.	HLT, FIN
<u>HB2096</u>	RELATING TO PRESCRIPTION DRUGS. Requires providers of accident or health and sickness insurance to base prescription drug coverage on a drug formulary or prior authorization requirements established and regularly updated by a drug formulary advisory board whose membership includes practicing physicians, pharmacists, and health care practitioners.	HLT, CPC
<u>HB2097</u>	RELATING TO HAWAII HEALTH SYSTEMS CORPORATION. Short form bill relating to Hawaii Health Systems Corporation.	HLT
<u>HB2098</u>	PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO THE DISPOSITION OF PROJECTED EXCESS REVENUES. Requires deposit of a portion of projected increases in general fund revenues to emergency and budget reserve fund established by law. Sets 7% as the percentage that triggers the disposition.	JUD, FIN

		Committee REFERRAL
<u>HB2099</u>	RELATING TO MINIMUM HOURLY WAGE. Increases the minimum hourly wage to \$8.50 per hour beginning July 1, 2010 and ending January 1, 2012. Adjusts the minimum hourly wage thereafter in accordance with consumer price index.	LAB/EBM, FIN
<u>HB2100</u>	RELATING TO WAGES AND HOURS OF EMPLOYEES ON SERVICE CONTRACTS. Extends little Davis-Bacon rights regarding prevailing wages to employees on service contracts with governmental contracting agencies.	LAB, FIN
<u>HB2101</u>	RELATING TO CUSTOMER SERVICE.  Directs the ombudsman to develop and implement a pilot program using informed customers to investigate customer service at state agencies.	LMG, FIN
<u>HB2102</u>	RELATING TO CONTRACTORS. Requires identification of licensed individuals performing electrical and plumbing work on a construction job site.	LAB, CPC
<u>HB2103</u>	RELATING TO COLLECTIVE BARGAINING. Authorizes nonsupervisory legislative employees to unionize through the card check and expedited bargaining process.	LAB, LMG, FIN
<u>HB2104</u>	RELATING TO AGRICULTURE.  Directs public utilities to establish discounted rates for electricity for agricultural activities located in agricultural districts.	EEP/AGR, CPC
<u>HB2105</u>	RELATING TO HISTORIC PRESERVATION.  Amends law to require that the state historic preservation officer be appointed from a list of at least 3 nominees submitted by the board of land and natural resources. Requires that the list of nominees be developed in consultation with the appropriate Hawaii and historic preservation organizations. Establishes qualifications of the officer.	WLO, FIN
<u>HB2106</u>	RELATING TO CONSERVATION.  Provides that a conservation plan is void if there is a subsequent change in the use of the land. Provides that exemptions to ordinances that were based on the approved conservation plan shall be void.	WLO, JUD

		Committee REFERRAL
<u>HB2107</u>	RELATING TO THE LAND USE COMMISSION. Requires office of planning to represent all state departments and agencies in proceedings on a petition to land use commission to amend district boundaries, unless departments and agencies have been admitted as a separate party. Requires petitioner of an approved petition to file annual reports on the status of the subject project and compliance with conditions, if any, of an approved petition.	WLO, JUD
<u>HB2108</u>	RELATING TO HOLIDAYS. Repeals Buddha Day, Bahai New Year's Day, and Bodhi Day.	TCI
<u>HB2109</u>	RELATING TO REVENUES FROM THE LEASING OF STATE WATERS. Transfers revenue from the leasing of state marine waters from the special land and development fund to the general fund.	WLO, FIN
<u>HB2110</u>	RELATING TO PLANNED COMMUNITY ASSOCIATIONS. Permits members of planned community associations to make electronic recordings of association meetings for personal use.	HSG, CPC/JUD
<u>HB2111</u>	RELATING TO OUTDOOR ADVERTISING. Allows the counties to regulate vehicle wraps that are used for outdoor advertising.	EEP, JUD
<u>HB2112</u>	RELATING TO EXCHANGE ACCOMMODATION. Regulates the profession of exchange accommodation.	CPC/JUD, FIN
<u>HB2113</u>	RELATING TO CONSERVATION OUTREACH. Requires the department of land and natural resources in cooperation with the department of transportation to establish and maintain kiosks at each airport with information on the State's fragile ecosystem and how to protect it.	EEP, TRN, FIN
<u>HB2114</u>	RELATING TO FIREWORKS. Temporarily allows counties to enact ordinances or adopt rules regulating fireworks that are more restrictive than state law. Repeal and reenactment on 6/30/12.	PBS, JUD
<u>HB2115</u>	RELATING TO CRIMINAL TRESPASS.  Provides for a maximum fine of \$10,000 for criminal trespass in the second degree on agricultural lands.	AGR, JUD
<u>HB2116</u>	RELATING TO NATIVE HAWAIIANS. Reduces from 50% to 25% the amount of blood quantum needed to qualify for Hawaiian Homes leases and certain services of the office of Hawaiian affairs.	HAW, FIN

# Committee REFERRAL

HB2117 RELATING TO TAXATION.

WLO, FIN

Imposes a 1% general excise tax surcharge on any commercial activity that utilizes the State's ocean resources. Also, establishes a special fund for the surcharge to finance the activities of the division of conservation and resource enforcement.

<u>HB2118</u> RELATING TO CORRECTIONS.

PBS, JUD

Allows an inmate to receive "earned time" credit to reduce the

length of a prison sentence.

HB2119 RELATING TO BIOFUEL FACILITIES.

EEP, FIN

Expands the facility tax credit to include biofuels, amends the allowable tax credit to be equal to 40 cents per gallon of biofuel produced, amends the definition of nameplate capacity, requires qualifying facility to be located within the State and utilize locally sourced feedstock for at least 75% of its production output, restricts certified credits in the aggregate in the initial 4

years of availability.