

OFFICE OF THE SPEAKER
TWENTY-FIFTH STATE LEGISLATURE

COMMITTEE REFERRALS

NO. 4
3rd LEGISLATIVE DAY-JANUARY 22, 2010

Committee Abbreviations:

AGR - Agriculture	HSG - Housing
CPC - Consumer Protection & Commerce	HUS - Human Services
EBM - Economic Revitalization, Business, & Military Affairs	JUD - Judiciary
EDN - Education	LAB - Labor & Public Employment
EEP - Energy & Environmental Protection	LMG - Legislative Management
FIN - Finance	PBS - Public Safety
HAW - Hawaiian Affairs	TCI - Tourism, Culture, & International Affairs
HED - Higher Education	TRN - Transportation
HLT - Health	WLO - Water, Land, & Ocean Resources

		<u>Committee REFERRAL</u>
HB2256	RELATING TO TAXATION. Imposes a 6.2% income tax surcharge on an individual's gross income, for purposes of FICA, in excess of FICA's maximum withholding amount.	FIN
HB2257	RELATING TO UNEMPLOYMENT INSURANCE BENEFITS. Authorizes an individual that is attached to a regular employer who is not offering work to still receive unemployment insurance benefits even if that individual voluntarily or involuntarily separates from part-time employment.	LAB, FIN
HB2258	RELATING TO FAMILY LEAVE INSURANCE. Creates a family leave insurance fund to be administered by DLIR under the workers' compensation statute. Amends the definition of injuries covered under the workers' compensation statute to include family leave.	LAB, HUS, FIN

**Committee
REFERRAL**

HB2259	RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN. Makes the director of human resources development one of two ex officio members and deletes the requirement to serve as the chairperson; requires the five public employee members to be elected by the employee-beneficiaries of the deferred compensation plan; deletes appointment by the governor and advice and consent of the senate; requires rules to be adopted.	LAB, FIN
HB2260	RELATING TO QUEST HEALTH CARE PAYMENTS. Restores adult dental care under QUEST.	HUS/HLT, FIN
HB2261	RELATING TO INFANT AND TODDLER CHILD CARE CENTERS. Allows the Department of Human Services to adopt rules to implement a standardized set of procedures accommodating complaints and grievances against infant and toddler child care centers.	HUS, JUD, FIN
HB2262	RELATING TO PRESIDENT BARACK OBAMA DAY. Designates August 4 as President Barack Obama Day.	TCI, JUD
HB2263	RELATING TO HIGHWAY SAFETY. Permits a provisional licensee to obtain a driver's license at age 18 even if the person has held the provisional license for less than 6 months.	TRN, JUD
HB2264	RELATING TO HISTORIC PLACES. Requires the state historic places review board to record in the bureau of conveyances or land court any property listed on the national register or Hawaii register of historic places.	WLO, JUD, FIN
HB2265	RELATING TO FAMILY COURTS. Amends custody and visitation criteria and procedure to specify what courts shall consider in determining the best interest of the child.	HUS, JUD
HB2266	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

**Committee
REFERRAL**

HB2267	RELATING TO PUBLIC CHARTER SCHOOLS. Requires the Department of Education to provide an early and equitable distribution of grant moneys received to the Hawaii Charter School Administrative Office when charter school enrollment numbers were used to secure federal grants.	EDN, FIN
HB2268	RELATING TO RECIPROCAL BENEFICIARIES. Extends the same benefits, protections, and responsibilities of spouses in a marriage to reciprocal beneficiaries.	JUD
HB2269	RELATING TO UNEMPLOYMENT COMPENSATION. Extends the exclusion of real estate salespersons from the Unemployment Insurance laws to massage therapists, chiropractors, and yoga practitioners at health, beauty, and wellness salons and spas provided that remuneration is based solely upon commissions.	LAB, FIN
HB2270	RELATING TO PUBLIC LANDS. Changes system of selection for the recreation-residence use leases in state parks and forest reserves in counties with a population of less than 100,000 from an action to a lottery.	WLO, FIN
HB2271	RELATING TO EXPLOSIVES. Prohibits dry ice bombs.	PBS, JUD
HB2272	RELATING TO EXCESSIVE SPEEDING. Authorizes the court, in its discretion, to order forfeiture of a defendant's vehicle if it was used in the commission of the excessive speeding offense and in at least two prior excessive speeding convictions.	TRN, JUD
HB2273	RELATING TO CIVIL SERVICE. Specifies which veterans qualify for civil service hiring preference.	EBM/LAB, FIN
HB2274	RELATING TO THE WIRELESS ENHANCED 911 FUND. Requires an independent audit of the wireless enhanced 911 fund annually. Specifies that the audit shall include information on the status of projects undertaken or planned by public safety answering points. Specifies that the results of the audit shall be included in the board's annual report to the legislature.	PBS, CPC, FIN
HB2275	RELATING TO SENTENCING. Permits certain non-violent repeat offenders convicted of drug possession to be sentenced to alternative programs instead of to prison.	PBS, JUD, FIN

**Committee
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HB2276	RELATING TO PUBLIC SAFETY. Requires bills to amend or create new offenses, or to change parole or probation procedures, to be accompanied by a correctional impact statement. Requires assistance of the corrections population management commission to prepare corrections population impact.	PBS, LMG, FIN
HB2277	RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL. Authorizes the issuance of special purpose revenue bonds for Kaimuki Christian School.	EDN, FIN
HB2278	RELATING TO MORTGAGE LOAN ORIGINATION. Allows the commissioner of financial institutions to regulate, license, examine, and enforce laws regulating mortgage loan originators and mortgage loan originator companies. Repeals chapter 454, HRS effective January 1, 2011. Effective date of sections 29, 33, 34, and 35 is upon approval. Effective date of all other provisions is July 1, 2010.	CPC/JUD, FIN
HB2279	RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM. Requires redemption centers to accept and properly dispose of plastic bottle tops and caps.	EEP, EBM
HB2280	RELATING TO THE HOMELESS. Assists the homeless in reuniting with their families. Creates the parks for homeless special fund.	HSG/WLO, FIN
HB2281	RELATING TO ELDERLY HOUSING. Increases the minimum age requirement for all persons residing in elderly housing from 55 to 62 years except for spouses and domestic partners.	HSG, FIN
HB2282	RELATING TO ARTIFICIAL TRANS FAT. Restricts public schools from serving foods containing artificial trans fat.	HLT, EDN
HB2283	RELATING TO PUBLIC PROCUREMENT. Requires government purchasers to follow ethical principles in matters relating to procurement.	EBM, FIN
HB2284	RELATING TO REAL PROPERTY. Extends repeal date of Act 189, SLH 2009, to 6/30/2010.	EBM, JUD

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HB2285	RELATING TO ESTATE AND TRANSFER TAX. Retains the State's ability to "pick-up" the state death tax credit as it existed in the Internal Revenue Code before the enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001.	FIN
HB2286	RELATING TO CAPTIVE INSURANCE COMPANIES. Amends the frequency of statutorily required captive insurance company examinations from once every three years to once every five years, unless otherwise required by the Insurance Commissioner. Requires risk retention captive insurance companies to undergo examination within three years of formation. Eliminates reference to a repealed provision on minimum surplus requirements for captive insurance companies. Requires protected cell accounts established by sponsored captive insurance companies to be operated only under the forms of business organizations authorized by the Insurance Commissioner.	CPC
HB2287	RELATING TO THE PETROLEUM INDUSTRY. Repeals the petroleum industry information reporting requirements, the petroleum industry monitoring, analysis, and reporting program, and the PIMAR special fund.	EEP, CPC, FIN
HB2288	RELATING TO PRIVATE TRANSFER FEES. Prohibits the imposition of fees for a future transfer of real property. Specifies exceptions.	WLO, CPC/JUD
HB2289	RELATING TO GIFT CERTIFICATES. Extends the minimum expiration period for gift certificates from two to five years and requires issuers to honor gift certificates during this period. Defines "service fee".	EBM, CPC
HB2290	RELATING TO AGRICULTURE. Establishes an agriculture inspection and certification special fund under the department of agriculture. Requires that special fund moneys be used for inspecting, certifying, weighing, classifying, or grading of agricultural products to be exported from or shipped within the State.	AGR, FIN
HB2291	RELATING TO MEASUREMENT STANDARDS. Establishes the weights and measurements special fund. Requires the board of agriculture to adopt or amend rules to impose or increase fees authorized to be charged under chapter 486, Hawaii Revised Statutes.	AGR, FIN

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REFERRAL**

HB2292	<p>RELATING TO FARM PRODUCE. Establishes a farm produce dealers special fund. Requires fees for the certification of farm produce dealers and other moneys to be deposited into the special fund. Requires expenditures from the special fund to be made for the farm produce dealers licensure program.</p>	AGR, FIN
HB2293	<p>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 and fringe benefit costs that were previously paid from the general fund. Requires report to the legislature. Takes effect on 7/1/2010 and sunsets on 6/30/2015.</p>	AGR, FIN
HB2294	<p>RELATING TO AGRICULTURE. Makes various amendments to the agricultural inspection and biosecurity laws, including the following: (1) changes the designation of the pest inspection, quarantine, and eradication service fee to a "tax", (2) makes the department of taxation responsible for collecting that tax, (3) requires the deposit of fees and fines relating to agricultural inspections into the pest inspection, quarantine, and eradication fund, and (4) repeals the certification services revolving fund, permit revolving fund, and microorganism revolving fund and transfers the moneys in those funds into the pest inspection, quarantine, and eradication fund.</p>	AGR, FIN
HB2295	<p>RELATING TO MOTOR VEHICLE SAFETY. Prohibits the sale of new and unused tires that were manufactured more than six years prior to the date of the sale.</p>	TRN, CPC/JUD
HB2296	<p>RELATING TO CRIME. Amends drivers license revocation provision to require a lifetime revocation when a driver is convicted of manslaughter involving the operation of a vehicle. Requires license revocation of five to ten years when a driver is convicted for negligent homicide in the first degree. Allows for up to two years of imprisonment when a convicted defendant is sentenced to probation for manslaughter.</p>	TRN, JUD
HB2297	<p>RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES. Allows the use of sun screening materials that are applied to a certain portion of motor vehicle windshields and are in compliance with federal law.</p>	TRN, JUD/CPC

**Committee
REFERRAL**

HB2298	RELATING TO HARBORS. Amends conditions under which a vessel authorized to moor in Kewalo Basin is allowed to moor in Honolulu Harbor.	TRN/WLO, FIN
HB2299	RELATING TO ENERGY. Authorizes the Public Utilities Commission to provide incentives to electric utilities that purchase and install dynamic voltage regulation technologies that reduce energy consumption, improve grid efficiency, and are at least 99% efficient across at least 90% of the load curve.	EEP, CPC
HB2300	MAKING AN APPROPRIATION FOR THE MAINTENANCE OF DOMESTIC VIOLENCE SHELTERS. Appropriates general funds for domestic violence shelters.	HUS, JUD, FIN
HB2301	RELATING TO TRANSFER OF STATE HIGHWAYS. Creates a pilot project to transfer jurisdiction of state highways in Maui county from the state department of transportation to the Maui department of transportation.	TRN, FIN
HB2302	RELATING TO INFORMATION TECHNOLOGY. Transfers responsibilities for developing and implementing statewide technology policies from the Department of Accounting and General Services to the Department of Commerce and Consumer Affairs. Creates the position of chief information officer. Creates and funds the shared services technology special fund.	CPC, FIN
HB2303	RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIRST REPRESENTATIVE DISTRICT. Appropriates funds for capital improvement projects for the benefit of the 21st representative district.	FIN
HB2304	RELATING TO LICENSURE. Requires at least half of all elevator mechanics at a construction job site to be licensed and requires elevator mechanics, electricians, and plumbers to wear their licenses at the job site.	CPC
HB2305	RELATING TO HAWAII INSTITUTE FOR EDUCATIONAL PARTNERSHIPS. Repeals law establishing the Hawaii institute for educational partnerships.	HED/EDN, FIN

**Committee
REFERRAL**

HB2306	RELATING TO SALARIES. Repeals the salary caps of the superintendent, state librarian, and other state and complex area leadership positions specified under section 302A-621, Hawaii Revised Statutes.	EDN/LAB, FIN
HB2307	RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-THIRD REPRESENTATIVE DISTRICT. Appropriates funds for capital improvement projects for the benefit of the 43rd representative district.	FIN
HB2308	MAKING AN APPROPRIATION FOR A TEN CLASSROOM BUILDING FOR JAMES CAMPBELL HIGH SCHOOL. Authorizes an appropriation for a ten classroom building for James Campbell High School.	FIN
HB2309	RELATING TO THE DISPOSITION OF CONVICTED DEFENDANTS. Applies sentencing of repeat offenders guidelines to the offense of habitually operating a vehicle under the influence of an intoxicant.	TRN, JUD
HB2310	RELATING TO EDUCATION. Indemnifies department of education employees who intervene to prevent criminal activities of students on or off campus during or after school hours.	EDN, JUD, FIN
HB2311	RELATING TO PLANNED COMMUNITY ASSOCIATIONS. Allows for the use of flag poles to display the flag of the United States or of the State on the premises of single-family residential dwellings or townhouses that are part of a planned community. Allows reasonable restrictions on the use of flag poles for aesthetic purposes.	HSG, JUD/CPC
HB2312	RELATING TO NATUROPATHIC MEDICINE. Removes the authority of the board of naturopathic medicine to establish examination standards for minor office procedures and a naturopathic formulary.	HLT, CPC
HB2313	RELATING TO TAXATION. Repeals the income tax provision that requires the reporting of gambling winnings but not losses.	FIN

**Committee
REFERRAL**

HB2314	RELATING TO THE DEPARTMENT OF EDUCATION. Requires the department of education to increase fees charged for services provided by the office of school facilities and support services to cover at least 50% of the cost of those services. Exempts the school meals program from the increase in fees.	EDN, FIN
HB2315	RELATING TO THE UNIVERSITY OF HAWAII SCHOOL OF TRAVEL INDUSTRY MANAGEMENT. Establishes a school of travel industry management at the University of Hawaii at Manoa that is separate and independent of any school or college of business administration established by the university.	TCI, HED, FIN
HB2316	RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-NINTH REPRESENTATIVE DISTRICT. Appropriates funds for capital improvement projects for the benefit of the 29th representative district.	FIN
HB2317	RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS. Authorizes the use of moneys from the works of art special fund for state foundation on culture and the arts staff costs; sunsets June 30, 2015.	TCI, LAB, FIN
HB2318	RELATING TO THE HOMELESS. Establishes a 5-year housing first pilot program to be developed by the Hawaii public housing authority and the department of human services for homeless individuals who are chronically addicted or mentally ill.	HSG/WLO, HLT/HUS, FIN
HB2319	RELATING TO HOUSING. Restricts state low-income housing leases to no more than 5 years, unless otherwise excepted.	HSG, FIN
HB2320	RELATING TO RENEWABLE ENERGY TECHNOLOGIES. Authorizes an owner to assign the renewable energy technologies income tax credit to a system seller or installer.	EEP, FIN
HB2321	RELATING TO ENERGY. Requires the department of education to incorporate alternative energy designs into the construction of new schools and major renovations at existing schools for which planning and design begins on or after July 1, 2010.	EDN, EEP, FIN

**Committee
REFERRAL**

HB2322	RELATING TO ENVIRONMENTAL PROTECTION. Transfers the office of environmental quality control and the environmental council from the department of health to the department of land and natural resources. Reduces the membership of the environmental council from 15 to 7. Requires the director of the office of environmental quality control to seek advice from and assist the council on environmental quality matters and to perform environmental outreach and education. Requires the office of environmental quality control to maintain an electronic communication system. Gives rulemaking authority to the environmental council. Requires the director of the office of environmental quality control to prepare an annual report assessing system effectiveness. Requires the environmental council to serve in advisory capacity to the governor. Creates the environmental review special fund. Directs the director of the office of environmental quality control to establish reasonable administrative fees for the environmental review process.	EEP/WLO/EBM, JUD
HB2323	RELATING TO NET ENERGY METERING. Allows eligible customer-generators to carry over unused credits for excess electricity from previous months until exhausted.	EEP, CPC
HB2324	RELATING TO RENEWABLE ENERGY. Requires that by 2015 a minimum of two per cent of each utility's renewable portfolio standard be from biofuel or from agricultural producers.	EEP/AGR, CPC
HB2325	RELATING TO RENEWABLE ENERGY. Authorizes DLNR rules to allow renewable energy facilities in state conservation districts.	WLO/EEP
HB2326	RELATING TO THE OFFICE OF INFORMATION PRACTICES. Requires each state and county department to designate a freedom of information public liaison for freedom of information inquiries involving Hawaii's freedom of information laws (chapter 92 and 92F); requires office of information practices to provide training to the departmental freedom of information public liaisons.	JUD, FIN
HB2327	RELATING TO ETHICS. Codifies the standards for evaluation of whether a gift is a violation of the ethics code; the reasonable reliance on past published opinions by the ethics commission and legislators and employees; and a reconsideration process in which a violator may seek reconsideration from an ethics commission decision.	LMG, JUD

		<u>Committee REFERRAL</u>
<u>HB2328</u>	RELATING TO INFORMATION PRACTICES. Amends the appointment process for the director of the office of information practices to require a list of nominees to be submitted to the governor by the judicial council, rather than allowing the director to be directly appointed by the governor.	JUD
<u>HB2329</u>	RELATING TO THE LEGISLATIVE BROADCAST PROGRAM. Establishes that criteria for selecting proceedings to be broadcast by the legislative broadcast program shall be related to matters of public interest.	LMG, FIN
<u>HB2330</u>	RELATING TO EMERGENCY MEETINGS. Requires concurrence from office of information practices rather than attorney general for board to hold emergency meeting for unanticipated event.	JUD
<u>HB2331</u>	RELATING TO TAXES AND FEES. Sets a three-year time limit on all legislatively imposed taxes and fees, excepting the income tax. Requires reports from departments and agencies evaluation of the fiscal impacts and economic benefits of statutorily required taxes and fees.	EBM, FIN
<u>HB2332</u>	RELATING TO FIREWORKS. Prohibits the use of all fireworks in Hawaii, except for public displays or for religious or ceremonial occasions.	TCI, PBS, JUD
<u>HB2333</u>	RELATING TO HAWAII'S ECONOMY. Directs the Hawaii tourism authority to contract with independent agencies to conduct an independent study of the State's economy. Appropriates funds.	TCI/EBM, FIN
<u>HB2334</u>	RELATING TO LIQUOR. Repeals the prohibition on providing a premium or free goods of intoxicating liquor or other merchandise in connection with the sale of intoxicating liquor.	EBM, CPC
<u>HB2335</u>	RELATING TO THE FAIR ACCESS TO MEDICAL CARE ACT. Establishes health care treatment advisory panel which shall review health insurance rate filings to ensure that rates incorporate appropriate levels of health care treatment. Makes appropriation from compliance resolution fund.	HLT, CPC, FIN

**Committee
REFERRAL**

HB2336	RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS. Requires professional employer organizations to become certified by the department labor and industrial relations. Allocates responsibility for compliance with relevant labor laws between professional employer organizations and client companies. Establishes regulatory requirements.	LAB/EBM, CPC, FIN
HB2337	RELATING TO KAKAAKO. Repeals the Kakaako community development district under the Hawaii community development authority and transfers functions to the City and County of Honolulu and department of land and natural resources.	WLO, FIN
HB2338	RELATING TO LAND USE. Streamlines the boundary amendment process for petitions submitted by the counties which are consistent with adopted county plans.	WLO/EEP, JUD, FIN
HB2339	RELATING TO TAXATION. Provides a renter's income tax credit financed by the counties through the State.	HSG, JUD, FIN
HB2340	RELATING TO TRANSIENT ACCOMMODATIONS TAX. Requires DOTAX to share transient accommodations records with a requesting county. Also requires the counties to share with DOTAX, information on illegal bed and breakfast and transient vacation rental establishments.	TCI, FIN
HB2341	RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS. Amends or repeals various provisions of the Hawaii Revised Statutes and the Session Laws of Hawaii for the purpose of correcting errors and references, clarifying language, and deleting obsolete or unnecessary provisions.	JUD
HB2342	RELATING TO A STATE LOTTERY. Creates state lottery, state lottery commission, and state lottery account. Deposits certain percentages of lottery revenues into the lottery administrative account administered by the commission and into the education fund administered by the department of education.	EDN, JUD, FIN

**Committee
REFERRAL**

HB2343	RELATING TO GENERAL EXCISE TAX. Temporarily increases rate of general excise tax from 4% to 5% from 07/01/2010 to 06/30/2012.	FIN
HB2344	RELATING TO UNIFORM MAINTENANCE ALLOWANCE. Repeals the uniform maintenance allowance for enlisted personnel.	EBM, FIN
HB2345	RELATING TO HARBORS. Transfers jurisdiction of the Lahaina and Maalaea small boat harbors within the county of Maui from the department of land and natural resources to the department of transportation.	WLO/TRN, FIN
HB2346	RELATING TO TRANSPORTATION. Amends the definition of "bicycle" to include a bicycle powered by an electric motor.	TRN, JUD
HB2347	RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING. Removes the twenty-year limit for state parasailing permits.	WLO, FIN
HB2348	RELATING TO A VETERANS' MEMORIAL. Provides for the development of veterans' memorials to honor the veterans of the Persian Gulf War, Operation Desert Storm, Afghanistan-Iraq War, as well as for women veterans of World War II.	EBM, FIN
HB2349	RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL. Extends protection from assault and terroristic threatening to emergency room personnel.	HLT, JUD
HB2350	RELATING TO LIMITED BENEFIT HEALTH INSURANCE. Excludes limited benefit health insurance from provisions of chapter 431:10A enacted after July 1, 2010.	HLT, CPC
HB2351	RELATING TO VETERANS. Requires an applicant for a veteran's license plate to include a copy of the applicant's most recent discharge paper or separation document that indicates an honorable discharge or general (under honorable conditions) discharge from active duty.	EBM, TRN

**Committee
REFERRAL**

HB2352	RELATING TO TAXATION. Adopts amendments to Hawaii tax laws to implement the streamlined sales and use tax agreement. Effective when the State becomes a party to the Streamlined Sales and Use Tax Agreement.	EBM, FIN
HB2353	RELATING TO DOMESTIC VIOLENCE. Provides emergency, nonrecurring benefits for victims of domestic or sexual violence and expands current provisions for unemployment insurance, emergency leaves of absence, and insurance protections.	HUS/HLT, LAB, CPC/JUD, FIN
HB2354	RELATING TO INSURANCE FRAUD. Requires individuals, entities, and insurers to cooperate with insurance fraud investigations. Bars restitution for failure to cooperate.	CPC, JUD
HB2355	RELATING TO CHILD CARE. Imposes a maximum child care subsidy of \$500 per month per child and authorizes the department of human services to amend its guidelines for determining eligibility for child care subsidies.	HUS, FIN