

OFFICE OF THE SPEAKER
TWENTY-FIFTH STATE LEGISLATURE

COMMITTEE REFERRALS

NO. 33
23rd LEGISLATIVE DAY-MARCH 3, 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>
SB1062, SD1	RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS. Requires professional employer organizations to register with the insurance commissioner. Specifies requirements for registration. Requires bond. (SD2)	LAB/EBM, CPC, FIN
SB2001, SD1	RELATING TO TAXATION. Establishes a waiver program to exempt a taxpayer's wagering winnings legally acquired outside of the State during a consecutive 5-day period.	FIN
SB2007, SD1	RELATING TO BUDGETARY POWERS. Clarifies the budgetary powers of the legislature and the executive branches of government.	FIN

**Committee
REFERRAL**

SB2019, SD1	RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING. Removes the twenty-year limit for thrill craft and parasailing permits; changes the five-year permit to a one-year permit; adds as a condition for renewal that the permit holder be in compliance with any conditions required by the department in response to community or other complaints filed with the department; effective 7/1/2040. (SD1)	WLO, FIN
SB2020	RELATING TO REAL PROPERTY. Extends repeal date of Act 189, SLH 2009, to 6/30/2015.	EBM, JUD
SB2050	RELATING TO VOCATIONAL REHABILITATION IN WORKERS' COMPENSATION LAW. Requires a provider in its rehabilitation plan to determine if modified or other work with the same employer represents suitable gainful employment.	LAB/EBM, FIN
SB2102, SD2	RELATING TO PRESCRIPTION DRUGS. Requires providers of accident or health and sickness insurance to base prescription drug coverage a drug formulary or prior authorization requirements established and regularly updated by a drug formulary advisory board whose membership includes a majority of Hawaii resident practitioners. Effective 7/1/50. (SD2)	HLT, CPC
SB2107, SD1	RELATING TO HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND. Conforms to medicare law the definition of "dependent-beneficiary" in the employer-union health benefits trust fund law relating to disabled individuals. (SD1)	LAB, FIN
SB2108, SD1	RELATING TO HOUSING. Increases from one to two the minimum number of members on the board of directors of the Hawaii public housing authority (HPHA) who are directly assisted by HPHA under the federal low-rent public housing or federal section 8 tenant-based housing assistance payments program and expands that requirement to also include those who have been formerly assisted by HPHA under those federal programs. (SD1)	HSG

**Committee
REFERRAL**

SB2117, SD1	RELATING TO EDUCATION. Repeals the school-level minor repair and maintenance account. Requires the DOE to annually report to the director of finance and the legislature the total amount of funds in the school-level minor repair and maintenance special fund that will carry over to the following fiscal year. (SD1)	EDN, FIN
SB2120, SD1	RELATING TO THE CERTIFICATION OF PRINCIPALS AND VICE-PRINCIPALS. Requires the department of education to determine alternative routes to certification for school principals and vice-principals. Repeals the department of education's authority to waive, on a case-by-case basis, certain teacher certification and school-level experience requirements for vice-principal candidates. (SD1)	EDN/LAB, FIN
SB2122, SD1	RELATING TO RESEARCH. Requires the DOE, UH, DLIR, and other appropriate state agencies to share data to support research that will improve educational and workforce outcomes and meet the longitudinal data requirements of the federal American Recovery and Reinvestment Act of 2009. Establishes a data governance and access committee. (SD1)	EDN/HED/LAB, FIN
SB2141, SD1	RELATING TO MEDICAL CANNABIS. Increases the amount of cannabis that constitutes an adequate amount by allowing a qualifying patient to possess ten cannabis plants and five ounces of cannabis at any given time. Makes identification of the site where cannabis is grown confidential. Prohibits the department of public safety from requiring that a certifying physician be the patient's primary care physician. Prohibits certifying physicians from naming or describing a patient's particular debilitating condition. Increases the permissible ratio of patients to caregivers by allowing a caregiver to grow cannabis for no more than four patients. (SD1)	PBS/HLT, JUD
SB2149	RELATING TO THE INTERMEDIATE APPELLATE COURT. Permanently establishes intermediate appellate court judges' express authority to subpoena witnesses, compel the production of evidence, and administer oaths.	JUD
SB2150	RELATING TO APPELLATE JURISDICTION. Permanently establishes the jurisdictional responsibilities of the appellate courts.	JUD, FIN
SB2151, SD1	RELATING TO APPELLATE JURISDICTION. Expands category of cases directly appealable to Hawaii supreme court. Rescinds repeal of Act 202, SLH 2004. (SD1)	JUD, FIN

**Committee
REFERRAL**

SB2157, SD1	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. Authorizes administrative director of the courts to permit administrative driver's license hearings to be held in a county other than the county of arrest and to permit hearings by electronic means. Increases the administrative hearing fee from \$30 to \$40. (SD1)	JUD, FIN
SB2159	RELATING TO TRAFFIC ABSTRACT FEE. 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.	JUD, FIN
SB2163, SD2	RELATING TO THE PRACTICE OF NURSING. Defines the practice of nursing; directs the state board of nursing to adopt certain provisions of the NCSBN Model Nursing Practice Act and Model Nursing Administrative Rules; delineates the scope of practice for registered nurses, licensed practical nurses, and advanced practice registered nurses; repeals Hawaii Administrative Rules relating to prescriptive authority for advanced practice registered nurses and amends the definition of "advanced practice nurse with prescriptive authority" to reflect this. (SD2)	HLT, CPC
SB2173, SD1	RELATING TO STATE BONDS. 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.	FIN
SB2174	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Replaces a public member on the Board of Trustees of the Employees' Retirement System with a member selected by the Council of Mayors.	LAB, FIN
SB2183, SD1	RELATING TO DOMESTIC ABUSE ORDERS. 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. Effective July 1, 2050. (SD1)	HUS, JUD
SB2188	RELATING TO DENTISTRY. Redefines the practice of dentistry to include teeth whitening.	HLT, CPC

		<u>Committee REFERRAL</u>
<u>SB2220, SD1</u>	RELATING TO CONSTRUCTION SITES. Establishes a construction site inspection task force to be convened by the department of commerce and consumer affairs to discuss the potential advantages and drawbacks of investigating and inspecting construction sites for unlicensed contractors, illegal workers, and workplace safety violations. (SD1)	CPC, FIN
<u>SB2222, SD1</u>	RELATING TO PLANNED COMMUNITY ASSOCIATIONS. Conforms planned community association laws with respect to proxies to comparable provisions regulating condominium property regimes. (SD1)	HSG, CPC/JUD, FIN
<u>SB2268, SD1</u>	RELATING TO SPECIAL FUNDS. Includes special funds in the auditor's review of revolving and trust funds. (SD1)	LMG, FIN
<u>SB2323</u>	RELATING TO EMPLOYMENT SECURITY. Removes definitions requiring online posting of workers' availability and prohibiting all department of labor and industrial relations' rules, current and future, that require posting of workers' availability online.	LAB, EBM, FIN
<u>SB2325, SD1</u>	RELATING TO CONTRACTORS. Requires identification of licensed individuals performing electrical, plumbing, and elevator mechanic work on a construction job site. (SD1)	LAB, CPC
<u>SB2343, SD1</u>	RELATING TO INSURANCE COVERAGE FOR MAMMOGRAMS. Prohibits an insurer from requiring a doctor's referral for annual mammograms for covered individuals over forty years old. (SD1)	HLT, CPC
<u>SB2346, SD1</u>	RELATING TO THE HAWAII TEACHER STANDARDS BOARD. Authorizes the Hawaii teacher standards board to delegate certain duties to the executive director or other designee. (SD1)	EDN/LAB, JUD
<u>SB2358, SD1</u>	RELATING TO TRANSPORTATION ENERGY INITIATIVES. Provides that high occupancy vehicle lanes may be used by electric vehicles capable of driving at least fifty-five miles per hour, regardless of the number of occupants. (SD1)	TRN, EEP, JUD

**Committee
REFERRAL**

SB2386	RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND. Establishes the University of Hawaii capital improvements program project assessment special fund.	HED, FIN
SB2389	RELATING TO THE UNIVERSITY OF HAWAII. Repeals the sunset provision in Act 106, Session Laws of Hawaii 2008, to allow the University of Hawaii to continue transferring funds, other than general funds and University of Hawaii tuition and fees special funds, into the University of Hawaii commercial enterprises revolving fund to finance the establishment of new commercial enterprises, with certain exceptions, beyond June 30, 2011.	HED, FIN
SB2390, SD2	RELATING TO PHARMACIST LICENSURE. 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. (SD2)	HLT, CPC
SB2394	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
SB2399, SD1	RELATING TO MIXED MARTIAL ARTS. Includes amateur mixed martial arts under the regulation of mixed martial arts by the department of commerce and consumer affairs. (SD1)	CPC, FIN
SB2400, SD1	RELATING TO FUNDS. Corrects a typographical error in the title of section 37-46, Hawaii Revised Statutes, relating to transfers of non-general funds to the general fund. Effective 7/1/50. (SD1)	FIN
SB2401, SD1	RELATING TO STATE FINANCES. Clarifies the role of the director of finance with respect to maintaining books and records. Effective 1/1/50. (SD1)	FIN

		<u>Committee REFERRAL</u>
<u>SB2402, SD1</u>	RELATING TO TAXATION. Clarifies the law with respect to comfort letters issued by the department of taxation. Effective 12/31/2100. (SD1)	FIN
<u>SB2409</u>	RELATING TO MARINE LIFE CONSERVATION DISTRICTS. Requires that any conditions on permits issued for the taking of marine life or boating and coastal activities in marine life conservation districts shall be adopted pursuant to administrative procedures.	EBM, WLO, JUD
<u>SB2440</u>	RELATING TO THE BOARDS OF WATER SUPPLY. Allows for additional authorized personnel to disburse funds of the board of water supply.	WLO, FIN
<u>SB2473, SD1</u>	RELATING TO HOUSING. Allows grandchildren of elderly housing project residents to temporarily reside with the residents in certain family crisis situations. Affords residents evicted for raising grandchildren-in-crisis in their housing project units, priority status to return to project housing. (SD1)	HSG, FIN
<u>SB2487, SD1</u>	RELATING TO HISTORIC PRESERVATION. Amends law to require that the state historic preservation officer be appointed from a list of at least three nominees submitted by the board of land and natural resources; requires that the list of nominees be developed in consultation with the appropriate Native Hawaiian and historic preservation organizations; establishes qualifications of the officer that meet those of the Secretary of Interior; effective 7/1/2040. (SD1)	WLO, FIN
<u>SB2501, SD1</u>	RELATING TO PUBLIC ACCOUNTANCY. Requires peer reviews at the time of renewal of certified public accountancy permits to practice. (SD1)	CPC, FIN
<u>SB2520, SD1</u>	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT. Authorizes the native Hawaiian lessees of Hawaiian homestead land to sublease a portion of their land to renewable energy producers. (SD1)	HAW, EEP
<u>SB2532</u>	RELATING TO SUSTAINABILITY. Incorporates the definitions, guiding principles, and goals of the Hawaii 2050 sustainability task force report into the Hawaii state planning act, codified as chapter 226.	WLO/EEP, TCI/EBM/AGR, FIN

**Committee
REFERRAL**

<u>SB2547, SD1</u>	<p>RELATING TO SMALL BOAT HARBORS. Requires small boat harbor commercial vessel permittees who, in the course of providing an excursion between state boating facilities, disembark fare-paying passengers with the expectation that they will enter upon any public or quasi-public real property during the course of their excursion, to comply with all rules and regulations applicable to these areas. Effective 7/1/50. (SD1)</p>	WLO
<u>SB2549, SD1</u>	<p>RELATING TO EMPLOYMENT SECURITY. Amends the appropriation from the UI trust fund and the amounts allocated to the workforce investment boards on the islands of Oahu, Maui, Kauai, and Hawaii; amends the appropriation to be used by the workforce development council; repeals the appropriation allocated to the department of labor and industrial relations for administrative expenses. Effective 7/1/2050. (SD1)</p>	LAB, FIN
<u>SB2564, SD1</u>	<p>RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION. Defines "confidential witness statement" and clarifies the allowable uses of factual matters obtained by the Hawaii civil rights commission during an investigation. (SD1)</p>	LAB, JUD, FIN
<u>SB2566</u>	<p>RELATING TO MEDICAL AND REHABILITATION BENEFITS. Clarifies that a physician or surgeon may conduct diagnostic testing or engage in a one-time consultation for a subspecialty diagnostic evaluation and treatment recommendations from a board certified or licensed specialist.</p>	LAB, CPC, FIN
<u>SB2594, SD1</u>	<p>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)</p>	HSG, FIN
<u>SB2597</u>	<p>RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY. Clarifies that the Hawaii Employers Mutual Insurance Company shall not have any additional third-party duty nor incur any additional liability toward members or beneficiaries beyond that explicitly created by statute. Makes housekeeping amendments.</p>	LAB, CPC/JUD
<u>SB2601, SD1</u>	<p>RELATING TO ATHLETIC TRAINERS. Requires athletic trainers to register with the department of commerce and consumer affairs. (SD1)</p>	TCI, CPC, FIN

**Committee
REFERRAL**

SB2610	RELATING TO CONVEYANCE TAX. Requires the director of taxation to provide the administrator of each county's real property assessment division with an image of all certificates of conveyances filed with the bureau of conveyances.	WLO, FIN
SB2643, SD1	RELATING TO GENERAL EXCISE TAX. Makes permanent the general excise tax exemptions for condominium common expenses paid by managers, submanagers, and suboperators, and for hotel employee expenses paid by hotel operators and timeshare projects. Clarifies the maximum allowable tax exemption. (SD1)	FIN
SB2646, SD1	RELATING TO HAWAII SURFING RESERVES. Designates Waikiki and certain area of the north shore of Oahu as Hawaii surfing reserves; effective 7/1/2040. (SD1)	EBM/TCI, WLO
SB2695, SD1	RELATING TO NON-GENERAL FUNDS. Addresses the fiscal year 2009-2010 budget shortfall by transferring to the general fund a total of \$ in excess balances from certain special funds.	FIN
SB2697, SD1	RELATING TO INSURANCE. Modernizes Insurance Code. Effective 7/1/50. (SD1)	CPC/JUD
SB2698, SD2	RELATING TO INSURANCE. Mandates the offer of health insurance coverage for dependents up to age 27 at the option of the parents. (SD2)	HLT, CPC
SB2700, SD1	RELATING TO THE DENTAL LICENSURE EXAMINATION. Provides the board of dental examiners to accept either the ADEX examination or the CRDTS examination for licensure. Eff. date July 1, 2050. (SD1)	HLT, CPC
SB2701, SD1	RELATING TO CONSUMER PROTECTION. Updates regulation of prepaid legal services plans. (SD1)	CPC, JUD
SB2715	RELATING TO PETROLEUM INDUSTRY REPORTING. Suspends the Petroleum Industry Monitoring, Analysis, and Reporting Program until it is reinstated by the Legislature. Transfers unexpended and unencumbered moneys in the Petroleum Industry Monitoring, Analysis, and Reporting Special Fund to the general fund.	EEP, CPC, FIN

		<u>Committee REFERRAL</u>
<u>SB2740</u>	RELATING TO SAINT DAMIEN DE VEUSTER DAY. Changes the Father Damien DeVeuster Day on April 15 of each year to the Saint Damien de Veuster Day on May 10 of each year.	TCI
<u>SB2749, SD1</u>	RELATING TO TAX CREDITS. Provides for the statutory ordering of income tax credits, which requires the claiming of refundable credits first, followed by nonrefundable credits.	FIN
<u>SB2758</u>	RELATING TO SAFETY INSPECTION OF MOTOR CARRIER 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.	TRN, FIN
<u>SB2771, SD1</u>	RELATING TO KALAUPAPA. Transfers ownership and management of Kalawao county from DOH and DLNR to DHHL when there is no longer any person receiving care for Hansen's disease living in Kalaupapa; authorizes DHHL to accept the transfer, provided DHHL transfers that land to the native Hawaiian sovereign entity upon recognition; prohibits Maui county from zoning authority in Kalawao county. Effective 7/1/50. (SD1)	HAW/HLT, WLO, FIN
<u>SB2779</u>	RELATING TO MEDICAL PROCEDURES. Requires that patients be informed of the amount of radiation exposure to the patient prior to obtaining consent to an x-ray or computed tomography scan.	HLT, JUD
<u>SB2788, SD1</u>	RELATING TO CABLE TELEVISION SYSTEMS. Authorizes the director of the department of commerce and consumer affairs to require cable franchise operators to conduct a review and develop a technology upgrade plan every five years during the franchise agreement and to take any action indicated by the review. (SD1)	CPC/JUD, FIN
<u>SB2803, SD1</u>	RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL. Establishes a student advisory group to assist the regents candidate advisory council (RCAC) with recruitment and make recommendations on the qualifications of the candidates for the student member position. Shortens the time during which an individual is ineligible for appointment to the RCAC due to past service on the executive council of the University of Hawaii student caucus. (SD1)	HED

**Committee
REFERRAL**

SB2811, SD2	<p>RELATING TO PHARMACIES. Requires all pharmacies and remote dispensing pharmacies to have the capacity to accommodate electronic prescriptions. Requires all pharmacies and dispensing pharmacies to maintain prescription records electronically. Effective 7/1/50. (SD2)</p>	HLT, CPC
SB2825, SD1	<p>RELATING TO STATE FUNDS. Clarifies that the 5-year limitation for short-term investments also applies to the underlying securities of those investments.</p>	FIN
SB2866, SD1	<p>RELATING TO SPECIAL PURPOSE REVENUE BONDS. Requires an applicant for a special purpose revenue bond to apply for pre-authorization certification from the department of budget and finance 3 months prior to the legislative session in which the applicant seeks the bond authorization. Sets out requirements for the pre-authorization certification for each type of bond.</p>	FIN
SB2898, SD1	<p>RELATING TO DIVERSION PROGRAM FOR CHEMICALLY DEPENDANT NURSES. Amends requirements for diversion programs for chemically dependent nurses to allow the board of nursing to recognize alternative program sponsors. Clarifies disciplinary and reporting requirements. (SD1)</p>	HLT, CPC
SB2921, SD1	<p>RELATING TO ESCROW DEPOSITORIES. Requires any person operating as an escrow depository as to property located within this State to be licensed by the commissioner of financial institutions. (SD1)</p>	CPC, JUD
SB2936, SD1	<p>RELATING TO SHIPPING CONTAINER INSPECTIONS. Authorizes the department of transportation, department of defense, and department of agriculture to inspect shipping containers for non-fireworks explosives. Eff 7/1/2525. (SD1)</p>	TRN/PBS, AGR, JUD
SB2957, SD1	<p>RELATING TO THE ENVIRONMENT. Provides an exemption from environmental assessment requirements for actions that protect, preserve, or enhance native species, native habitat, or native ecosystem functions. Requires the department of land and natural resources to make a determination of whether the exemption should be applicable after a public notice is published for at least thirty days. Effective 7/1/50. (SD1)</p>	EEP/WLO, JUD