

OFFICE OF THE SPEAKER  
TWENTY-FIFTH STATE LEGISLATURE

**COMMITTEE REFERRALS**

---

**NO. 36**  
**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

---

		<b><u>Committee REFERRAL</u></b>
<a href="#"><u>SB950, SD2</u></a>	RELATING TO ELECTRIC GUNS. Authorizes law enforcement officers of the department of public safety and conservation and resources enforcement officers of the department of land and natural resources to use electric guns and related equipment while performing their duties. Effective 7/1/50. (SD2)	PBS/WLO, JUD, FIN
<a href="#"><u>SB2025, SD2</u></a>	RELATING TO PAROLE. Repeals provision to require annual review by the paroling authority of paroled prisoner who is not granted a final discharge and full pardon. Repeals provision to allow a paroled prisoner who enters military service of the U.S. to petition for final discharge from parole based on an honorable discharge from the military. (SD2)	PBS, FIN

**Committee  
REFERRAL**

<a href="#"><u>SB2030, SD2</u></a>	<p>RELATING TO HEALTH. Exempts QUEST plans from paying interest under the clean claims act when delays are due to non-payment by government payers to QUEST plans. Requires the State to pay interest on late payments to health care plans related to QUEST. Appropriates funds from the hurricane reserve trust fund to pay for medicaid coverage for Compact of Free Association migrants and authorizes the expenditure of matching federal funds.</p>	HLT/HUS, CPC, FIN
<a href="#"><u>SB2052, SD2</u></a>	<p>RELATING TO FIREWORKS. Imposes a consumer fireworks tax at the wholesale level. Clarifies definition of "cultural" to include religious events held in the State. Increases fireworks permit fees. Dedicates fireworks permit fees to counties for law enforcement purposes. Increases fines for violation. Requires department of taxation to report on a plan to impose tax on retail sales of fireworks. Effective 7/1/2050.</p>	TCI/PBS, JUD, FIN
<a href="#"><u>SB2068, SD2</u></a>	<p>RELATING TO EARLY EDUCATION. Removes the provisions requiring the department of education to establish and maintain a public school junior kindergarten program.</p>	EDN, FIN
<a href="#"><u>SB2100, SD2</u></a>	<p>RELATING TO HEALTH CARE DATA. Ensures that authorized persons are able to receive lab data in electronic format to facilitate the use and development of health care exchange networks. (SD2)</p>	HLT, JUD
<a href="#"><u>SB2109, SD2</u></a>	<p>RELATING TO LOW-INCOME HOUSING. Establishes a program for granting low-income housing tax credit loans in lieu of low-income housing tax credits administered by the Hawaii housing finance and development corporation. Authorizes issuance of general obligation bonds to fund the loans. Applies to qualified low-income buildings placed in service after 12/31/2010. Effective 7/1/2050.</p>	HSG, FIN
<a href="#"><u>SB2143, SD2</u></a>	<p>RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS. Authorizes the use of moneys from the works of art special fund for specific state foundation on culture and the arts personnel costs; deletes exclusion from the one per cent amount; requires an annual report to the governor and the legislature; use of the fund for personnel costs sunsets June 30, 2013; effective July 1, 2050.</p>	TCI, FIN

**Committee  
REFERRAL**

[SB2144, SD2](#)

RELATING TO ECONOMIC DEVELOPMENT.

EBM/TCI, FIN

Part I transfers the television and film industry activities and responsibilities and special fund under the department of business, economic development, and tourism to the Hawaii tourism authority and establishes the Hawaii film office under the authority; authorizes the Hawaii film office to administer the tax credits under section 235-17, Hawaii Revised Statutes; deletes unnecessary provisions; part II amends the Hawaii community-based economic development revolving fund uses to require that moneys in the revolving fund be used to fund the community-based economic development program and enterprise zone program operational and staff costs.

[SB2145, SD1](#)

RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD.

EBM/CPC, FIN

Transfers the small business regulatory review board from the department of business, economic development, and tourism to the department of commerce and consumer affairs; authorizes the board to employ and set the salary of a small business advocate; and authorizes the expenses of the board to be funded entirely from the compliance resolution fund. (SD1)

[SB2156, SD2](#)

RELATING TO THE JUDICIARY.

JUD, FIN

Authorizes appointment of judge or justice as Administrative Director of the Courts for no more than two years, and allows the appointed person to retain the salary and benefits of the judicial position. Effective 7/1/2099.

[SB2169, SD2](#)

RELATING TO SHARK FINS.

EBM, WLO, JUD

Prohibits the possession, sale, and distribution of shark fins in the State; repeals the ban on the practice of shark finning. Effective date 7/1/50. (SD2)

[SB2172, SD2](#)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL.

EDN, FIN

Authorizes the issuance of special purpose revenue bonds for Kaimuki Christian School. Effective 07/01/50.

**Committee  
REFERRAL**

<a href="#">SB2182, SD1</a>	RELATING TO PARKING SPACES RESERVED FOR PERSONS WITH DISABILITIES. Clarifies that a violation is committed by a driver or registered owner of a vehicle; exempts lessors of rental or U-drive vehicles who provide contact information for the lessee or pay a lesser administrative fee; 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. (SD1)	HLT/TRN, JUD
<a href="#">SB2187, SD1</a>	RELATING TO THE HAWAII TOURISM AUTHORITY. Authorizes the Hawaii Tourism Authority to maintain the confidentiality of competitively sensitive information. Preserves certain autonomy provisions of Act 58, SLH 2004. (SD1)	TCI, FIN
<a href="#">SB2256, SD1</a>	RELATING TO THE DEPARTMENT OF EDUCATION. Authorizes the DOE to adopt rules governing traffic and parking conditions on roadways and areas under the jurisdiction of the DOE, including rules for the assessment of parking fees. Provides that parking fees collected shall be deposited into the same fund into which fees and charges collected for the use of school facilities are deposited; provided that parking fees collected by a school shall be deposited to the credit of that school's nonappropriated local school fund account. (SD1)	EDN, FIN
<a href="#">SB2257, SD2</a>	RELATING TO ELECTRONIC WARRANT VOUCHERS. Allows the department of education, department of accounting and general services, and the University of Hawaii to accept electronically mailed warrant vouchers for bills of materials, supplies, and incidentals as original documentation, the receipt of which authorizes payment to be made to each individual to whom the State is indebted. Effective 1/1/2099.	EDN/HED, FIN
<a href="#">SB2291, SD2</a>	RELATING TO ECONOMIC DEVELOPMENT. Requires the state procurement office to authorize reseller agreements in multi-state contracting agreements. Effective 7/1/50. (SD2)	EBM, FIN
<a href="#">SB2336, SD2</a>	RELATING TO THE DEPARTMENT OF EDUCATION. Requires the department of education to periodically report to the legislature information on non-core programs. Requires the board of education to close an existing school prior to opening a new school.	EDN, FIN

**Committee  
REFERRAL**

<a href="#">SB2349, SD2</a>	RELATING TO EXTRACURRICULAR ACTIVITIES. Allows home-schooled students to participate on an equal basis in extracurricular activities offered at the public school they would otherwise be required to attend if they meet certain requirements. Requires DOE to consult with the Athletic Directors and Coaches Association of Hawaii during its rulemaking process. Takes effect 07/01/2050.	EDN, FIN
<a href="#">SB2357, SD2</a>	RELATING TO RENEWABLE ENERGY. Requires gas utility companies to annually report to the public utilities commission information on the use of renewable energy resources. Defines feedstock, total feedstock, and non-petroleum feedstock. (SD2)	EEP, CPC
<a href="#">SB2369, SD2</a>	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. Effective 7/1/2050. (SD1)	LAB/HUS, CPC/JUD, FIN
<a href="#">SB2372, SD2</a>	RELATING TO SUNRISE REVIEWS. Clarifies that the statutorily required auditor's review of new regulatory measures does not interfere with the legislature's constitutional legislative function and may be waived under specified circumstances. Effective 07/01/2050.	CPC, LMG, FIN
<a href="#">SB2378, SD2</a>	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS. Provides for the election of the office of Hawaiian affairs board members through a system of nonpartisan primary and general elections to begin with the 2014 elections. Effective 7/1/2050. (SD2)	HAW, JUD, FIN
<a href="#">SB2405, SD2</a>	RELATING TO TAXATION. Adopts amendments to Hawaii tax laws to implement the streamlined sales and use tax agreement. Effective 1/1/2099.	FIN
<a href="#">SB2431, SD2</a>	RELATING TO EDUCATION. Directs the department of education to create an internet-based, publicly accessible system for reporting student test scores and other indices of the performance of students and of the public education system. Effective 7/1/2050.	EDN, FIN

**Committee  
REFERRAL**

<a href="#">SB2434, SD1</a>	<p>RELATING TO SALARIES.</p> <p>Sets the cap on the superintendent of education's salary to the salary of the highest paid school-, district-, or state-level administrator in the department. Sets the cap on the salary of the deputy superintendent, assistant superintendents, complex area superintendents, and state librarian at ninety per cent, eighty-five per cent, eighty per cent, and eighty per cent of the superintendent's salary, respectively. Takes effect 7/1/2050. (SD1)</p>	EDN/LAB, FIN
<a href="#">SB2441, SD2</a>	<p>RELATING TO ENDANGERED SPECIES.</p> <p>Establishes the crime of intentional or knowing taking of a Hawaiian monk seal as a class C felony. Effective 7/1/50. (SD2)</p>	WLO, JUD
<a href="#">SB2451, SD2</a>	<p>RELATING TO EDUCATION.</p> <p>Requires remote schools to be allocated funds using categorical allotments, rather than through the weighted student formula. Defines a remote school as any public school that is a high school located at least a one-hour drive away from the next nearest high school or a high school located on the island of Lanai, Molokai, or Niihau. Effective 7/1/2050.</p>	EDN, FIN
<a href="#">SB2452, SD2</a>	<p>RELATING TO TRANSPORTATION OF SCHOOL CHILDREN.</p> <p>Requires the DOE to provide or subsidize the cost of suitable transportation to and from school for K-12 students or students in special education classes at public schools, except those in the Honolulu departmental district.</p>	EDN, FIN
<a href="#">SB2469, SD2</a>	<p>RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND.</p> <p>Appropriates moneys from the emergency and budget reserve fund to maintain levels of programs for education, human services, and health. Effective 7/1/2050.</p>	HUS/HLT, FIN
<a href="#">SB2470, SD2</a>	<p>RELATION TO EDUCATION.</p> <p>Requires all public schools, including charter schools, to implement a minimum of two hundred days of classroom instruction, or an equivalent number of instructional hours, per school year. Effective 1/1/99.</p>	EDN, FIN

**Committee  
REFERRAL**

[SB2472, SD2](#)

**RELATING TO MORTGAGE FORECLOSURES.**

Requires thirty days written notice of the mortgagee's intent to foreclose and make the mortgagor aware of the availability of mortgage counseling; requires a foreclosing mortgagee to, upon the mortgagor's request, provide a copy of the promissory note and mortgage documents before initiating foreclosure proceedings; and clarifies that seventy per cent of an appraisal or banker's price opinion is a fair and reasonable public sale price. Effective 7/1/2050. (SD2)

CPC/JUD

[SB2488, SD2](#)

**RELATING TO RENEWABLE ENERGY.**

Requires electric utilities to compensate net metering surplus customer-generators for excess electricity at the end of the twelve-month period; increases customer-generator capacity to two megawatts; permits existing net-metered customers to remain with the net metering program regardless of available alternatives; increases the total allowable generating capacity produced by customer-generators to 15% of that distribution feeder's penetration level or the penetration level that triggers additional technical study, as determined by the PUC, whichever is higher; increases the maximum number of kilowatts a customer-generator system may have before public utilities commission approval for safety and performance standards is required; directs the PUC to determine the net surplus compensation rate. Effective 7/1/50. (SD2)

EEP, CPC

[SB2543, SD2](#)

**RELATING TO TECHNOLOGY.**

Requires the director of commerce and consumer affairs, in conjunction with expanded digital cable programming and services, promote and encourage telework; establishes a telework promotion and broadband assistance advisory council; establishes a work group to develop procedures for streamlined permitting functions applicable to development of broadband services or technology; requires department of commerce and consumer affairs to report annually to the legislature on expenditures of federal moneys for broadband facilities, services, equipment, or contracts. Effective 07/01/2050.

EBM/CPC, FIN

[SB2545, SD2](#)

**RELATING TO INTOXICATING LIQUOR.**

Authorizes liquor commissions to regulate BYOB establishments by issuance of permits. Requires adoption of rules regarding permit applications, fees, and renewals. Authorizes liquor commission to enforce liquor laws regarding BYOB establishments. Allows customers to bring home an unfinished bottle of wine that the customer brought into the establishment. Prohibits restrictions on hours of consumption on unlicensed premises. Effective 7/1/20. (SD2)

EBM, CPC/JUD

**Committee  
REFERRAL**

[SB2548, SD2](#)

RELATING TO INFORMATION TECHNOLOGY.

Implements the information technology recommendations of Auditor's Report No. 09-06; establishes within the office of the governor a chief information officer and information technology steering committee to organize, manage, and oversee statewide information technology governance. Creates the shared services technology special fund to be funded by an unspecified percentage of central service fees. Effective 01/01/2009.

EBM, FIN

[SB2567, SD1](#)

RELATING TO EDUCATION.

Requires the DOE to approve one set of teaching materials, that are consistent with Race to the Top fund selection criteria, to be used by all public schools, except upon approval of a waiver; require standards-based curriculum to include the set of teaching materials; collaborate with certain organizations to select and approve the set of teaching materials; and report findings to the legislature. (SD1)

EDN, FIN

[SB2571, SD2](#)

RELATING TO THE BOARD OF EDUCATION.

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

EDN, JUD, FIN

[SB2575, SD2](#)

RELATING TO HOUSING.

Creates an anti-speculation capital gains tax on profits from the sale of real property held for less than twenty-four months, with exceptions. Directs revenues to be deposited equally in general fund and rental housing trust fund. Effective 7/1/2050.

HSG, FIN

[SB2576, SD2](#)

RELATING TO HOUSING.

Requires new residential developments by the Hawaii housing finance and development corporation in school impact districts to be subject to all statutes, ordinances, charter provisions, and rules relating to school impact fees and school impact districts. Effective 07/01/2009.

HSG/WLO, EDN,  
FIN



**Committee  
REFERRAL**

<a href="#">SB2591, SD2</a>	<p>RELATING TO THE HAWAII TEACHER STANDARDS BOARD.</p> <p>Implements recommendations for the Hawaii teacher standards board by requiring the board to include expenditure information in the annual report; authorizing the board to delegate to the executive director powers and duties; adding additional licensure renewal requirements and verification of meeting licensure renewal requirements; requiring the board to determine if fees shall be raised; requiring the board to develop a comprehensive plan for transferring nonessential functions and duties to other agencies; requiring the board to review its teacher license renewal process; and requiring the board and the department of education to clarify their respective powers, duties, responsibilities.</p>	EDN/LAB, JUD
<a href="#">SB2592, SD2</a>	<p>RELATING TO THE GENERAL EXCISE TAX.</p> <p>Allows a general excise tax exemption to qualified persons or firms who receive rental income on newly constructed or moderately or substantially rehabilitated housing projects from households that meet certain residency and annual income criteria. Effective 7/1/2050.</p>	HSG, FIN
<a href="#">SB2593, SD1</a>	<p>RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION.</p> <p>Requires the Hawaii housing finance and development corporation to conduct periodic reviews of housing projects certified for a general excise tax exemption to determine whether the housing projects have met eligibility criteria required by law and rule. Effective 7/1/2050. (SD1)</p>	HSG, FIN
<a href="#">SB2595, SD1</a>	<p>RELATING TO HOUSING.</p> <p>Requires that the gross annual income of households in a housing project developed by a qualified person or firm be calculated according to the United States Department of Housing and Urban Development's method of calculation for determining eligibility for the federal housing choice voucher (section 8) program, in order for the person or firm to be considered to receive a general excise tax exemption. Effective 7/1/2050. (SD1)</p>	HSG, FIN
<a href="#">SB2614</a>	<p>RELATING TO EXCESSIVE SPEEDING.</p> <p>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.</p>	TRN, JUD

**Committee  
REFERRAL**

<a href="#"><u>SB2650, SD2</u></a>	RELATING TO THE DEPARTMENT OF HUMAN SERVICES. Requires medicaid contracts between the department of human services and medicaid healthcare insurance plan contractors to contain provisions affecting the reimbursement obligations in the policies between the medicaid healthcare insurance plan contractors and the home and community-based case management agencies. Prohibits reductions of reimbursements of more than 10%. Effective 01/01/2050.	HUS/HLT, FIN
<a href="#"><u>SB2710, SD2</u></a>	RELATING TO BOARD MEETINGS. Expands the ability of a board or commission to facilitate public meetings through interactive conference technology. Eff 7/1/2050. (SD2)	JUD, FIN
<a href="#"><u>SB2768, SD2</u></a>	RELATING TO PAROLE. Allows the Hawaii paroling authority to use a continuum of administrative sanctions when a parolee violates a term or condition of parole. (SD2)	PBS, FIN
<a href="#"><u>SB2797, SD2</u></a>	RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS. Extends authority for voluntary employees' beneficiary association (VEBA) trusts to July 1, 2012. Retains amendments unrelated to VEBA made to sections 89-6 and 89-9, Hawaii Revised Statutes, since the enactment of Acts 202 and 245, Session Laws of Hawaii 2005, upon the repeal and reenactment of those sections on the sunset date of Act 245 (2005). Effective 6/30/2050.	LAB/EDN, FIN
<a href="#"><u>SB2807, SD2</u></a>	PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE TAX REBATE REQUIREMENT. Proposes a constitutional amendment to article VII, section 6 of the state constitution to authorize the legislature to determine whether excess funds should be used as tax refunds or tax credits to taxpayers of the State or diverted to the State's emergency and budget reserve fund. (SD2)	JUD, FIN

**Committee  
REFERRAL**

<a href="#">SB2849, SD2</a>	RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND. Adds three new sections on selection of benefit plan carriers, fiduciary duties, and liability for breach of fiduciary duty; exempts the Hawaii employer-union health benefits trust fund from the requirement to use the attorney general; increases the members of the board of trustees from ten to twelve and changes membership and terms; authorizes the board to retain an attorney who is independent of the attorney general as legal advisor; transfers the fund from the department of budget and finance to the department of human resources development. Requires biennial reports to the legislature. Sunsets on July 1, 2015.	LAB, FIN
<a href="#">SB2859, SD2</a>	RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT. Increases the grounds for license revocations. Takes effect 7/1/2050. (SD2)	CPC, JUD
<a href="#">SB2887, SD2</a>	RELATING TO TAXATION. Amends income tax code regarding the withholding of tax on the disposition of real property by nonresident persons.	FIN
<a href="#">SB2889</a>	RELATING TO EDUCATION. Transfers all land and facilities thereon used by the department of education to operate the Keakealani outdoor education center to the Volcano school of arts and sciences.	EDN, WLO, FIN
<a href="#">SB2942, SD2</a>	RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION. Abolishes Aloha Tower development corporation. Transfers the ATDC to the Hawaii community development authority. Transfers harbors modernization group to the department of transportation. Places commercial harbors modernization plan under the harbors modernization group. Makes appropriation. Effective upon approval.	TRN, WLO, FIN
<a href="#">SB2960</a>	RELATING TO THE DEPARTMENT OF EDUCATION. Restructures the department of education into two major divisions – the academic achievement division and the administration division – and establishes two senior deputy superintendent positions to head the divisions.	EDN, FIN