

OFFICE OF THE SPEAKER
TWENTY-FIFTH STATE LEGISLATURE

COMMITTEE REFERRALS

NO. 65
47th LEGISLATIVE DAY-APRIL 12, 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

**Committee
RE-REFERRAL**

HB415, HD2, SD2	RELATING TO PUBLIC SAFETY. Directs the auditor to conduct a financial and management audit of the Department of Public Safety's contract with the Corrections Corporation of America and the federal detention center in Honolulu. Effective 1/1/2050.	PBS, FIN
HB865, HD1, SD1	RELATING TO TRANSPORTATION. Creates a pilot project to transfer maintenance functions of state highways from the state department of transportation to counties with populations that are divided among at least three islands. Creates a state and county transportation working group to establish a plan of implementation. Requires a report to legislature. Effective 7/1/2050. Sunsets 12/31/2016.	TRN, WLO, FIN

**Committee
RE-REFERRAL**

HB921, HD1, SD2	RELATING TO PUBLIC LANDS. Allows 999-year homestead leases to be assigned to land trusts that are created for purposes of managing and holding the homestead leasehold estate for the benefit of the lessee and lessee's family members. Allows trustee of land trust to assume obligations of lessee. (SD2)	WLO, HAW, FIN
HB979, HD1, SD1	RELATING TO THE ENVIRONMENT. Uses certain special funds to support invasive species control and mitigation and to promote reforestation and sediment run-off mitigation. Effective 07/01/2050. (SD1)	WLO/EEP, FIN
HB1015, HD1, SD2	RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND. Temporarily enables the department of Hawaiian home lands to begin construction on affordable housing projects without having the full and final amount of the capital costs on hand at the beginning of the project. Effective 7/1/09; repealed 6/30/11. (SD2)	HAW, WLO, FIN
HB1554, SD1	RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY. Allows the chairperson of the Hawaiian homes commission and the director of city and county of Honolulu department of planning and permitting to designate a representative to serve on HCDA; amends the criteria for approval by the HCDA of substitute reserved housing projects to be constructed within and outside of the geographic boundaries of the authority's jurisdiction. (SD1)	WLO/HSG/HAW
HB1684, HD2, SD2	RELATING TO INVASIVE SPECIES. Prevents and reduces the intentional introduction and spread of invasive species by establishing and revising penalties appropriate to the harm caused by the intentional introduction and spread of invasive species to the economy, natural environment, and the health and lifestyle of Hawaii's people. Effective September 14, 2047. (SD2)	AGR/EEP, TRN, JUD
HB1987, HD2, SD2	RELATING TO FIREWORKS. Amends definition of "import" to include fireworks that are labeled or designated as samples, even if not intended for retail sale. 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. Effective September 14, 2047. (SD2)	PBS, JUD, FIN

**Committee
RE-REFERRAL**

HB2056, HD1, SD1	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. (SD1)	HLT, HED, CPC
HB2061, HD1, SD2	RELATING TO CHILDREN. Statutorily establishes a process by which the family court can resolve matters regarding custody and visitation for service members of the United States armed forces, armed forces reserves, and national guard whose military duties require temporary absences. Effective September 14, 2047. (SD2)	HUS, EBM, FIN
HB2087, HD1, SD2	RELATING TO HEALTH. Requires health insurers to promptly pay claims for services to medicaid recipients, by repealing the exemption for medicaid claims from the clean claims law. Requires the State to pay interest on delayed payments. Authorizes expenditures from the hurricane reserve trust fund and matching American Recovery and Reinvestment Act funds. Takes effect 7/1/2010.	HLT/HUS, CPC/JUD, FIN
HB2288, HD1, SD2	RELATING TO PRIVATE TRANSFER FEES. Prohibits the imposition of fees for a future transfer of real property. Specifies exceptions. Effective upon approval. (SD2)	CPC/JUD, WLO
HB2290, HD2, SD1	RELATING TO AGRICULTURE. Protects agriculturally suitable lands on Oahu (lands with productivity ratings of "A" or "B"); provides for mandatory extension of agricultural leases; effective July 1, 2050. (SD1)	AGR/WLO, JUD, FIN
HB2318, HD2, SD1	RELATING TO THE HOMELESS. Establishes the housing first special fund. Authorizes the Hawaii public housing authority to implement housing first programs and services, as the authority deems appropriate for clientele who would most likely benefit and succeed from housing first programs, and subject to the availability of existing funds or housing first special fund moneys. Takes effect 7/1/2020 and sunsets 7/30/2016. (SD1)	HSG/WLO, HLT/HUS, FIN

Committee
RE-REFERRAL

<u>HB2381, HD2, SD2</u>	<p>RELATING TO TAXATION.</p> <p>Part I ensures that claimants who receive GET exemptions continue to meet all criteria necessary to receive the exemptions. Increases the transparency of the process of approving and certifying certain GET exemptions. Adds a residency requirement for households in certain housing projects to qualify rental income from those households to be GET exempt. Amends the method of calculating the gross annual income of households to qualify certain persons or firms for a GET exemption. Part II provides a temporary tax credit for residential construction and remodeling projects. Requires a report to the legislature comparing the impact on jobs and the state budget for various tax credit schemes. Sunsets 12/31/2013. Effective 7/1/2020.</p>	EBM, HSG, FIN
<u>HB2741, HD1, SD2</u>	<p>RELATING TO SMALL BOAT HARBORS.</p> <p>Adjusts fees for permittees of vessels that are used for a place of principal habitation in state small boat harbors; requires a permittee of certain commercial fishing vessels to pay a fee two times the moorage fee of a recreational vessel; allows a person to transfer stock or interest in a corporation or business entity operating a commercial fishing vessel while allowing the corporation or business entity to retain its mooring permit under certain circumstances; and defines "commercial fishing activity". Effective 7/1/2050.</p>	WLO, FIN
<u>HB2832, HD1, SD2</u>	<p>RELATING TO TARO SECURITY.</p> <p>Requires the taro security and purity task force to implement the recommendations in their report submitted pursuant to Act 211, Session Laws of Hawaii 2008, and submit a final report on implementation prior the convening of the regular session of 2015. Effective 7/1/50.</p>	AGR/WLO, HAW, FIN
<u>HB2923, HD2, SD2</u>	<p>RELATING TO PUBLIC LANDS.</p> <p>Establishes procedures for the department of Hawaiian home lands for purpose of determining the disposition of lands for commercial and multipurpose projects. Limits extension of leases to not longer than 20 years, to be granted only once. Specifies disposition of proceeds. Requires DHHL to submit annual report to legislature and the U.S. Dept. of Interior. Specifies 20 per cent of revenues generated from lease agreements and land use instruments to be deposited into the Native Hawaiian rehabilitation fund. Effective 7/1/50.</p>	WLO/TCI, HAW, FIN

		<u>Committee RE-REFERRAL</u>
<u>SB1062, SD1, HD1</u>	RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS. Requires professional employer organizations to register with the insurance commissioner. Specifies requirements for registration. Requires bond. Effective July 1, 2020. (SB1062 HD1)	LAB/EBM, CPC, FIN
<u>SB1315, SD2, HD2</u>	RELATING TO CONSERVATION AND RESOURCES ENFORCEMENT PROGRAM. Establishes the Conservation and Resources Enforcement Special Fund administered by the Department of Land and Natural Resources to enforce natural, cultural, and historic resources protection laws and rules. Effective July 1, 2020. (SB1315 HD2)	WLO, PBS, FIN
<u>SB2116, SD2, HD2</u>	RELATING TO INDEMNIFICATION OF COUNTY AGENCIES. Requires the Governor to delegate to the Superintendent of Education the authority to agree to indemnify, defend, and hold harmless a county agency, its officers, agents, and employees, under certain circumstances, when the use of county property will be for a school purpose or function. Effective date July 1, 2020. (SB2116 HD2)	JUD, EDN, FIN
<u>SB2124, SD2, HD1</u>	RELATING TO THE HAWAII HURRICANE RELIEF FUND. Makes an appropriation from the Hawaii hurricane relief fund to restore instructional days for the 2009-2010 and 2010-2011 school years; provided that the moneys shall only be released upon completion of negotiations of parties necessary to execute the restoration of instructional days. Allocates a proportionate amount of the appropriation to charter schools. Requires unexpended funds from each school year to lapse to the Hawaii hurricane relief fund. (SB2124 HD1)	EDN/LAB, CPC, FIN
<u>SB2378, SD2, HD1</u>	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 July 1, 2050. (SB2378 HD1)	JUD, HAW, FIN
<u>SB2390, SD2, HD2</u>	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. (SB2390 HD2)	HLT, HED, CPC

Committee
RE-REFERRAL

<u>SB2395, SD2, HD1</u>	<p>RELATING TO THE BUDGET.</p> <p>Extends the repeal date of the Voluntary Employees' Beneficiary Association Trust Pilot Program (VEBA) to December 31, 2010. Appropriates funds for positions for the Hawaii Employer-Union Health Benefits Trust Fund (EUTF). Appropriates funds for costs associated with the transition from VEBA to EUTF. (SB2395 HD1)</p>	LAB, FIN
<u>SB2400, SD1, HD1</u>	<p>RELATING TO FUNDS.</p> <p>Makes emergency appropriations for the Office of Elections and the Elections Commission. (SB2400 HD1)</p>	JUD, FIN
<u>SB2493, SD2, HD1</u>	<p>RELATING TO USE OF TOBACCO SETTLEMENT FUNDS.</p> <p>Extends sunset date in Act 264, relating to tobacco fund settlement, for continued use by John A. Burns School of Medicine. Requires reporting by the Department of Health and the University of Hawaii. (SB2493 HD1)</p>	HLT/HED, FIN
<u>SB2494, SD2, HD2</u>	<p>RELATING TO INSURANCE.</p> <p>Requires EUTF health benefits plans to allow enrollees to continue the same prescription drug coverage for current enrollees, and applies this provision retroactively to the 2009 EUTF open enrollment period. Prohibits the Department of Human Services from requiring its approval for a Medicaid or QUEST health plan to deliver services through telehealth, and from requiring in-person health care visits to qualify telehealth services for coverage under these health plans.</p>	HLT, LAB, CPC, FIN
<u>SB2532, HD1</u>	<p>RELATING TO SUSTAINABILITY.</p> <p>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. (SB2532 HD1)</p>	WLO/EEP, TCI/EBM/AGR, FIN
<u>SB2570, SD1, HD2</u>	<p>PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD.</p> <p>Amends the Hawaii Constitution to provide for a Board of Education whose members are to be appointed by the Governor, as provided by law, and to remove the nonvoting student member. (SB2570 HD2)</p>	EDN, JUD, FIN

Committee
RE-REFERRAL

<u>SB2571, SD2, HD2</u>	RELATING TO THE BOARD OF EDUCATION. Requires the members of the Board of Education to be nominated and, with the advice and consent of the Senate, appointed by the Governor from lists of qualified candidates presented to the Governor by the Board of Education Selection Advisory Council. Effective July 1, 2020. (SB2571 HD2)	EDN, JUD, FIN
<u>SB2643, SD1, HD1</u>	RELATING TO GENERAL EXCISE TAX. Caps and removes the sunset date of the GET exemption for certain hotel and timeshare association transactions. Effective July 1, 2020. Sunsets January 1, 2014. (SB2643 HD1)	TCI, CPC, FIN
<u>SB2807, SD2, HD2</u>	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 Hawaii 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. (SB2807 HD2)	FIN, JUD
<u>SB2883, SD1, HD2</u>	RELATING TO EMPLOYMENT PRACTICES. Makes it an unlawful practice for any employer or labor organization to bar or discharge from employment, withhold pay from, or demote an employee because the employee legitimately uses accrued and available sick leave. Limited to employers with one hundred or more employees and a collective bargaining agreement. Exempts cases where an employee is unable to fulfill essential job functions. Effective July 1, 2020. (SB2883 HD2)	LAB, JUD, FIN
<u>SB2885, SD2, HD1</u>	RELATING TO HEALTH SAVINGS ACCOUNTS. Establishes a Task Force to evaluate the current state of health savings accounts options in Hawaii's health insurance market and to explore ways to expand access to these accounts in Hawaii. Effective July 1, 2050. (SB2885 HD1)	HLT, LAB, FIN