

THE SENATE
THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2013

[COMMITTEE ON WAYS AND MEANS](#)

Senator David Y. Ige, Chair
Senator Michelle N. Kidani, Vice-Chair

MEASURES DEFERRED TO WEDNESDAY, FEBRUARY 27, 2013

DATE: Wednesday, February 27, 2013
TIME: 9:00 AM
PLACE: Conference Room 211
State Capitol
415 South Beretania Street

DECISION MAKING ON THE FOLLOWING MEASURE(S):

SB715 SD1 (SSCR73) Status and Testimony	RELATING TO AGRICULTURE. Exempts non-agricultural parks lands leased to the agribusiness development corporation from section 166E-8, HRS, under certain conditions. Allows department of agriculture to negotiate and enter into leases with the agribusiness development corporation. (SD1)	AGL/WTL, WAM
SB382 (SSCR26) Status and Testimony	RELATING TO FUEL TAX REVENUES. Permits the county of Hawaii to appropriate the county's share of fuel tax revenue for the maintenance of substandard private subdivision roads that are used by the public. Provides that neither the State nor the county shall be required to install infrastructure improvements if the roads are thereafter sold to a private entity. Sunsets 6/30/18.	PSM/TIA, WAM
SB937 SD1 (SSCR284) Status and Testimony	RELATING TO HAWAII FOOD RESILIENCY. Develops a food resiliency initiative program, including a new branch in the department of agriculture, a task force, and appropriations. (SD1)	AGL, WAM
SB991 SD1 (SSCR367) Status and Testimony	RELATING TO PROCUREMENT. Exempts the purchase of fresh meats and produce and animals and plants by any governmental body from the Hawaii Public Procurement Code. (SD1)	AGL/EGH, WAM



[SB239 SD1](#)
[\(SSCR199\)](#)
[Status and Testimony](#)

RELATING TO EDUCATION.

EDU, WAM

Moves the framework for establishing an annual conference of secondary school students from chapter 317, HRS, to chapter 302A, HRS. Removes the governor's authority to appoint members of the student conference committee. Authorizes the superintendent or the superintendent's designee to select the public school members of the student conference committee. Authorizes a representative of the Hawaii Association of Independent Schools to select the members of the student conference committee from schools represented by the Hawaii Association of Independent Schools. Clarifies that the student conference advisory committee will provide guidance to the student conference committee in carrying out its purpose and duties. Repeals the mandatory legislator and department of education membership and instead clarifies that the department of education shall maintain guidelines and procedures for selecting the student conference advisory committee. Clarifies that the annual student conference is subject to program and funding limitations and removes the three day limit. Repeals the requirement for an evaluation report on student conference proceedings. Repeals chapter 317, HRS. (SD1)

[SB244 SD1](#)
[\(SSCR277\)](#)
[Status and Testimony](#)

RELATING TO EDUCATION.

EDU/JDL, WAM

Requires charter schools to complete an annual independent financial audit. Requires the state public charter school commission (commission) to develop procedures for conducting criminal history checks of persons who are employed or seeking employment in any position that places them in close proximity to children. Specifies enrollment requirements. Authorizes the commission to make facilities funding requests to the legislature. Requires the commission to determine criteria for distribution of facilities funding. Specifies when an employer or potential employer may use criminal history information to terminate or deny employment. Requires commission members to disclose to the commission a list of all charter schools in which the member is an employee, governing board member, vendor, contractor, agent, or representative and disqualifies members from voting on or participating in the discussion of such matters. Authorizes the commission to hire employees without regard to chapters 76 and 89, HRS. Removes the requirement that a nonprofit organization that governs a conversion charter school make minimum annual contributions to the charter school. Makes other amendments to chapter 302D, HRS, for purposes of clarity and consistency. Effective 7/1/2050. (SD1)



SB1095 SD1 (SSCR133) Status and Testimony	<p>RELATING TO EARLY CHILDHOOD EDUCATION.</p> <p>Establishes the early childhood education program within the early learning system. (SD1)</p>	EDU, WAM
SB463 SD1 (SSCR438) Status and Testimony	<p>RELATING TO FILM AND DIGITAL MEDIA INDUSTRY DEVELOPMENT.</p> <p>Extends the motion picture, digital media, and film production income tax credit from 01/01/2016 to 01/01/2023. Repeals the credit ceiling per qualified production. Increases in the credit amount from 15% to 20% in a county with a population over 700,000, and from 20% to 25% in a county with a population of 700,000 or less. Creates a tax credit for qualified digital media infrastructure projects in West Oahu or the most populous island in a county with a population of 100,000 to 150,000, from 7/1/13 to 1/1/16. Requires analysis and reporting by the Department of Business, Economic Development, and Tourism on the effectiveness of the qualified digital media infrastructure tax credit. Provides for recapture of the digital media infrastructure tax credits. (SD1)</p>	EGH/TEC, WAM
SB750 SD1 (SSCR436) Status and Testimony	<p>RELATING TO DIGITAL MEDIA INFRASTRUCTURE.</p> <p>Establishes a media infrastructure tax credit for qualified media infrastructure projects in West Oahu or on the most populous island in a county with a population between 100,000 and 150,000. Provides for recapture of the media infrastructure tax credit in certain circumstances. (SD1)</p>	EGH/TEC, WAM
SB71 SD1 (SSCR85) Status and Testimony	<p>MAKING AN APPROPRIATION FOR PUBLIC SAFETY PROGRAMS.</p> <p>Makes appropriation to the department of public safety to contract with community-based non-profit organizations to provide education, mentoring, restorative circles, farming, artisan skills, cognitive behavioral therapy, and cultural healing services to inmates and former inmates who are under the custody and control of the department of public safety or the Hawaii paroling authority. (SD1)</p>	PSM, WAM
SB987 (SSCR225) Status and Testimony	<p>RELATING TO IMPACT FEES.</p> <p>Requires the assessment of impact fees prior to issuance of a water meter and requires that impact fees be collected in full before or upon issuance of the water meter.</p>	PSM, WAM



SB390 SD1 (SSCR231) Status and Testimony	<u>RELATING TO SOCIAL SERVICES.</u> <u>Appropriates funds to be expended by the department of human services for non-school hour positive youth programs, an UPLINK administrator in the department of education, and other UPLINK staffing needs. (SD1)</u>	<u>HMS, WAM/EDU</u> [Measure added on 2/22/2013]
SB1340 SD1 (SSCR299) Status and Testimony	<u>RELATING TO FOSTER CARE.</u> <u>Establishes the young adult voluntary foster care program to care for and supervise eligible foster youth until their twenty-first birthdays. Takes effect 1/1/2014. (SD1)</u>	<u>HMS, WAM/JDL</u> [Measure added on 2/22/2013]
SB624 SD1 (SSCR415) Status and Testimony	<u>RELATING TO THE UNIVERSITY OF HAWAII.</u> <u>Prohibits the expenditure of moneys deposited into the University of Hawaii tuition and fees special fund on administrative salaries at the University of Hawaii. (SD1)</u>	<u>HRE, WAM</u> [Measure added on 2/22/2013]
SB967 SD1 (SSCR416) Status and Testimony	<u>RELATING TO THE UNIVERSITY OF HAWAII.</u> <u>Requires the board of regents to submit to the legislature for approval salary range proposals equal to or in excess of two times the governor's salary prior to recruiting for such positions. (SD1)</u>	<u>HRE, WAM</u> [Measure added on 2/22/2013]
SB1360 (SSCR138) Status and Testimony	<u>RELATING TO GENERAL EXCISE TAX.</u> <u>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.</u>	<u>THA/CPN, WAM</u> [Measure added on 2/22/2013]
SB69 SD1 (SSCR334) Status and Testimony	<u>RELATING TO FIREARMS.</u> <u>Requires county police departments to fingerprint, photograph, and perform background checks on individuals who wish to register a firearm that was procured out-of-state. Authorizes the police departments to assess a fee for conducting a fingerprint check and specifies the amount of the fee. Appropriates funds to the county police departments to develop gun safety programs, including offering gun safety education and training; performing extensive background checks for mental health concerns for certain individuals wishing to register guns; and initiating a gun buy-back program. (SD1)</u>	<u>PSM, WAM</u> [Measure added on 2/22/2013]



[SB17 SD1](#)
[\(SSCR345\)](#)
[Status and Testimony](#)

RELATING TO FOSSIL FUELS.
Adds new definition of "fossil fuel" to and amends definition of "distributor" in section 243-1, HRS. Amends section 243-3.5, HRS, to levy the environmental response, energy, and food security tax on liquid or gaseous fossil fuels. Repeals sunset date of Act 151, Session Laws of Hawaii 2012, as amended by Act 253, Session Laws of Hawaii 2007. Makes appropriations out of the (1) energy security special fund, (2) agricultural development special fund, and (3) environmental response special fund. (SD1)

ENE, WAM
[Measure added on 2/22/2013]

[SB623 SD1](#)
[\(SSCR346\)](#)
[Status and Testimony](#)

RELATING TO RENEWABLE ENERGY.
Establishes tax credits for solar energy property, wind energy property, competitive bid solar energy property, and competitive bid wind energy property. Requires the department of taxation and department of business, economic development, and tourism to report tax credits claimed under section 235-12.5, Hawaii Revised Statutes. (SD1)

ENE, WAM
[Measure added on 2/22/2013]

[SB46 SD1](#)
[\(SSCR406\)](#)
[Status and Testimony](#)

RELATING TO EDUCATION.
Establishes the post-secondary education commission within the department of commerce and consumer affairs. Creates the framework for authorizing private post-secondary educational institutions in the State. Repeals sections 304A-3151, 304A 3152, 304A-3153, and 304A-3154, relating to the establishment of the post-secondary education commission within the University of Hawaii. Creates the post-secondary education authorization subaccount of the compliance resolution fund established pursuant to section 26-9(o), Hawaii Revised Statutes. Repeals chapter 446E, HRS, governing non-accredited degree granting institutions and makes these institutions subject to state authorization requirements on July 1, 2015. Requires the post-secondary education commission to report to the legislature. Makes an appropriation for four full-time equivalent (4.0 FTE) permanent positions at the department of commerce and consumer affairs. (SD1)

HRE/CPN, WAM
[Measure added on 2/22/2013]



[SB1384 SD1](#)
[\(SSCR423\)](#)
[Status and Testimony](#)

RELATING TO THE UNIVERSITY OF HAWAII.
Amends section 304A-1005, HRS, to: (1) Limit the board of regents to appointing only one university general counsel; (2) Require the board of regents to have direct oversight over the university counsel and prohibit the board of regents from delegating this responsibility to the president of the university; (3) Require the general counsel's compensation to be capped at the level of compensation of the attorney general; (4) Require the university general counsel to report directly to the board of regents; and (5) Allow the board of regents to contract with independent attorneys solely in cases where the university general counsel and attorney general each acknowledge a lack of sufficient expertise. Requires contracted attorneys to consult with and work in conjunction with the attorney general. Effective 07/01/50. (SD1)

HRE/JDL, WAM
[Measure added on 2/22/2013]

[SB1385](#)
[\(SSCR403\)](#)
[Status and Testimony](#)

RELATING TO THE UNIVERSITY OF HAWAII.
Requires the board of regents of the University of Hawaii to undergo annual training on board policies and procedures, chapter 92, Hawaii's sunshine law, and chapter 92F, Hawaii's open records law. Requires the board of regents to receive certification that the regent successfully completed the training. Provides that the certification may include passing a test on the training's subject matter. Requires members of the board of regents to be removed from office if they do not meet the annual training requirements more than once during their term.

HRE/JDL, WAM
[Measure added on 2/22/2013]



[SB1388 SD1](#)
[\(SSCR407\)](#)
[Status and Testimony](#)

RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII.
Reduces the number of members of the board of directors of the research corporation of the University of Hawaii from ten to eight members. Reduces the number of members of the board of regents who must be members of the board of directors from five to two. Specifies the qualifications of the five members to be selected by the governor. Adds the vice president for research of the University of Hawaii system as an ex officio member of the board of directors. Amends section 304A-3005, HRS, to provide that the research corporation's exemption from the procurement requirements of chapter 103D, HRS, shall not apply to construction contracts for which the estimated value of state funds to be used is an unspecified dollar amount or more. Removes the university president's authority to serve as the president of the research corporation. Authorizes the board of directors to employ an executive director of the research corporation. Caps the executive director's salary at twice the salary of the highest paid head of a department within the executive branch. Effective 7/1/2050. (SD1)

HRE/EGH/JDL,
WAM
[Measure added on
2/22/2013]

[SB1194 SD1](#)
[\(SSCR150\)](#)
[Status and Testimony](#)

RELATING TO TRANSIENT ACCOMMODATIONS TAX.
Eliminates the sunset of the transient accommodations tax rate of 9.25 per cent, and decreases amounts to be distributed to the convention center enterprise special fund, the tourism special fund, and the counties. Eliminates the daily transient accommodations tax for complimentary accommodations. Eliminates the temporary cap on funds allocated to the tourism special fund. (SD1)

THA, WAM
[Measure added on
2/22/2013]

[SB51 SD1](#)
[\(SSCR219\)](#)
[Status and Testimony](#)

RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.
Requires the department of land and natural Resources and the Sand Island Business Association to negotiate an even, fair, and equitable exchange of Sand Island Industrial Park property for other private properties, to be completed on or before June 30, 2014. Appropriates funds for construction of amenities included in a long-term comprehensive master plan for Sand Island. Appropriates funds to the state parks division of the department of land and natural resources for general management and administrative costs of the state parks division. (SD1)

WTL, WAM
[Measure added on
2/22/2013]

No testimony will be accepted.



FOR AMENDED NOTICES: Measures that have been deleted are stricken through and measures that have been added are underscored. If a measure is both underscored and stricken through, that measure has been deleted from the agenda.

FOR FURTHER INFORMATION, PLEASE CONTACT THE COMMITTEE CLERK AT 808-586-6230.

