

OFFICE OF THE SPEAKER
TWENTY-SEVENTH STATE LEGISLATURE

COMMITTEE REFERRALS

NO. 4
5th LEGISLATIVE DAY-THURSDAY, JANUARY 24, 2013

Committee Abbreviations:

AGR - Agriculture	LAB - Labor & Public Employment
CPC - Consumer Protection & Commerce	LMG - Legislative Management
EDB - Economic Development & Business	OMH - Ocean, Marine Resources, & Hawaiian Affairs
EDN - Education	PBS - Public Safety
EEP - Energy & Environmental Protection	TOU - Tourism
FIN - Finance	TRN - Transportation
HED - Higher Education	VMI - Veterans, Military, & International Affairs, & Culture and the Arts
HLT - Health	WAL - Water & Land
HSG - Housing	
HUS - Human Services	
JUD - Judiciary	

		<u>Committee REFERRAL</u>
HB669	RELATING TO OCEAN RECREATION. Amends the definition of "thrill craft". Limits number of vessels that parasail and thrill craft permit holders are allowed to operate per permit.	OMH, CPC
HB670	RELATING TO CHECK CASHING. Prohibits persons from engaging in the business of check cashing without a registration issued by the commissioner of financial institutions.	CPC, FIN
HB671	RELATING TO PUBLIC SAFETY. Prohibits a general engineering and general building contractor from doing any work that requires it to act as a specialty contractor in an area the general contractor is not licensed to operate.	CPC

**Committee
REFERRAL**

[HB672](#)

RELATING TO HEALTH.

Requires cigarettes and tobacco products to be stored for sale behind a counter. Requires advertisements that promote or encourage the purchase or use of cigarettes or tobacco products to be placed twenty-five feet away from children's products, toys, cookies, candy, ice cream, gum, or snacks. Requires advertisements that promote or encourage the purchase or use of cigarettes or tobacco products to be placed four feet off the floor. Permits exceptions for retail tobacco stores, bars, or establishments where the minimum age for admission is eighteen. Includes electronic cigarettes under the definition of tobacco products.

HLT, CPC

[HB673](#)

RELATING TO PESTICIDES.

Requires the Department of Agriculture (DOA) to establish and implement a pesticide use reporting system in the State, including investigations of health complaints by the Department of Health. Requires users of pesticides to report usage to DOA. Permits DOA to impose a fee to recover costs.

AGR, HLT, FIN

[HB674](#)

RELATING TO EDUCATION.

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. 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.

EDN, FIN

[HB675](#)

RELATING TO EDUCATION.

Promotes awareness of the definition and characteristics of dyslexia and other similar learning disorders. Requires DOE to provide professional development to teachers relating to students with dyslexia. Requires the Hawaii teachers standards board to establish licensure standards for reading specialists.

EDN, FIN

		<u>Committee REFERRAL</u>
<u>HB676</u>	RELATING TO DISCRIMINATION. Prohibits discrimination in real property transactions based on lawful source of income.	CPC, JUD
<u>HB677</u>	RELATING TO CLAIMS AGAINST THE STATE. Requires the threshold amount for which settlements for claims against the State must be approved by the legislature to be adjusted annually for inflation.	JUD, FIN
<u>HB678</u>	RELATING TO EDUCATION. Limits electronic communication between a teacher and a student to those resources and systems made available through Department of Education networks. Prohibits specified electronic communication between certain teachers and students.	EDN, CPC/JUD
<u>HB679</u>	MAKING AN APPROPRIATION FOR THE NATIVE HAWAIIAN CENTER OF EXCELLENCE. Appropriates \$700,000 for the Native Hawaiian Center of Excellence. Effective July 1, 2013.	OMH, FIN
<u>HB680</u>	RELATING TO TAXATION. Imposes conveyance tax on the transfer or conveyance of a controlling interest of an entity with an interest in realty in Hawaii. Exempts certain transfers. Imposes conveyance tax on certain transfers of real property at the lowest rate. Effective January 1, 2014.	CPC, FIN
<u>HB681</u>	RELATING TO SCHOOL PRINCIPALS. Requires DOE to employ principals through performance-based contracts. Exempts principals from collective bargaining rights.	LAB, EDN, FIN
<u>HB682</u>	RELATING TO COLLECTIVE BARGAINING. Excludes public school principals from collective bargaining. Clarifies that school administrative services assistants are not excluded from bargaining units.	LAB, EDN, FIN
<u>HB683</u>	RELATING TO COMPENSATION FOR TEACHERS. Authorizes unilateral differential pay for special education teachers, teachers of subjects with shortages of qualified teachers, and teachers in schools with geographic or environmental difficulties.	LAB, EDN, FIN
<u>HB684</u>	RELATING TO EDUCATION. Allows a teacher to exclude from the classroom any student who engages in disruptive or threatening behavior.	EDN, JUD

**Committee
REFERRAL**

HB685	RELATING TO GAMBLING. Amends various definitions in the gambling law to clarify that gambling includes playing or entering sweepstakes or other contests of chance played to win something of value, where the wager consists of an incidental purchase of goods or services.	JUD
HB686	RELATING TO THE HONOLULU INTERNATIONAL AIRPORT. Changes the name of the Honolulu International Airport to the Daniel K. Inouye - Honolulu International Airport.	TRN, FIN
HB687	RELATING TO ELECTRIC VEHICLES. Appropriates funds to the DOT to study and develop a training program regarding the potential risks involved and precautionary measures needed for emergency personnel who are called to emergency situations involving an electric vehicle.	TRN/PBS, FIN
HB688	RELATING TO COPPER THEFT. Provides state and county entities and employees immunity from liability for any injuries from electrical shock sustained by a person who commits or attempts to commit copper theft of state or county property.	JUD
HB689	RELATING TO THE METROPOLITAN PLANNING ORGANIZATION. Adds the executive director of HART to the MPO policy committee.	TRN
HB690	RELATING TO MOTOR VEHICLE INSURANCE. Increases the minimum liability coverage from \$20,000 to \$50,000 per person and the aggregate limit from \$40,000 to \$100,000 per accident for motor vehicle insurance policies.	TRN, CPC/JUD
HB691	RELATING TO TAXATION. Requires payors of non-wage payments for construction services to report the payments to the department of taxation and the provider of construction services.	LAB, FIN
HB692	RELATING TO HARBORS. Authorizes department of transportation to issue revenue bonds for capital improvement projects for harbor improvements.	TRN, FIN

**Committee
REFERRAL**

HB693	<p>RELATING TO REAL ESTATE APPRAISERS. Requires real estate appraisers, acting as arbitrators, to record arbitration awards, the records of the awards, if separately issued, and any supplementary, dissenting, or explanatory opinions with the bureau of conveyances within 90 days of the determination of the award and its notification to the parties.</p>	CPC
HB694	<p>RELATING TO TAXATION. Repeals the temporary increase in income tax rates established by Act 60, SLH 2009, one year ahead of schedule by changing the sunset date of the increased tax rates from 12/31/2015 to 12/31/2014.</p>	FIN
HB695	<p>RELATING TO ELECTRICIANS AND CONTRACTORS. Exempts out-of-state electricians performing high-voltage electrical work for a public utility from licensing laws for electricians and from quotas governing contractors on construction sites who employ individuals performing electrical work.</p>	CPC
HB696	<p>RELATING TO THE OFFICE OF THE LIEUTENANT GOVERNOR. Permits a lieutenant governor whose legal residence is on an island other than Oahu who is required to remain away from the island of the lieutenant governor's legal residence but within the State overnight or longer while on official business to receive an allowance to cover personal expenses such as transportation, board, lodging, and incidental expenses, that is to be separate from the lieutenant governor's salary.</p>	FIN
HB697	<p>MAKING APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS. Makes appropriation for the public employment cost items of and cost adjustments for employees of legislative agencies.</p>	FIN
HB698	<p>RELATING TO TAXATION. Amends the motion picture, digital media, and film production income tax credit by (1) adding additional work and infrastructure incentive credits; (2) establishing a qualified persons crew training and advancement program rebate; (3) requiring the payment of a fee to apply for the tax credit; (4) increasing the cap amount of the tax credit; and (5) requiring that a waiver be granted to include the wages of nonresident crew in qualified production costs. Sunset 01/01/2018.</p>	FIN

**Committee
REFERRAL**

HB699	RELATING TO MARIJUANA. Authorizes persons 21 years of age or older to consume or possess limited amounts of marijuana for personal use. Provides for the licensing of marijuana cultivation facilities, product manufacturing facilities, safety testing facilities, and retail stores. Applies an excise tax on transactions between marijuana establishments.	JUD, FIN
HB700	RELATING TO MANDATORY REPORTING REQUIREMENTS. Amends the definition of child abuse or neglect to include acts or omissions of any person or legal entity. Clarifies reporting duty to be based on a reasonable suspicion. Expands medical personnel's duty to report to include reporting injuries suffered by a victim of labor trafficking or prostitution.	HUS, JUD
HB701	RELATING TO WASTE DISPOSAL. Requires the department of health to develop and implement a voucher system for the collection and disposal of vehicle tires; appropriates funds. Effective July 1, 2013.	EEP, CPC, FIN
HB702	RELATING TO ENVIRONMENTAL REHABILITATION. Establishes a special fund to collect and administer ten per cent of moneys received from fines and penalties assessed from environmental violations for rehabilitation projects.	EEP, FIN
HB703	RELATING TO MEMORIALS. Establishes the Coastal Memorials Task Force to, among other things, develop standards to regulate the practice of erecting coastal memorials.	WAL/OMH, FIN
HB704	RELATING TO HEALTH. Repeals the definition of large cigar and adds a new definition of premium cigar. Changes the tax rate on sales of tobacco products and premium cigars.	HLT, FIN
HB705	RELATING TO HEALTH. Establishes an emergency services patient advocate program to provide assistance to and advocate on behalf of individuals receiving emergency medical care. Makes an appropriation for the administrative costs related to establishing and carrying out the duties of the program.	HLT, FIN
HB706	RELATING TO FUEL TAX. Authorizes Hawaii county to use the fuel tax revenue for repair and maintenance of substandard private subdivision roads in Hawaii county. Effective July 1, 2013.	TRN, FIN

**Committee
REFERRAL**

HB707	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS. Short form bill relating to the Department of Hawaiian Home Lands.	OMH
HB708	RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS. Short form bill relating to the Office of Hawaiian Affairs.	OMH
HB709	RELATING TO OCEAN RESOURCES. Short form bill relating to ocean resources.	OMH
HB710	RELATING TO FISHPONDS. Requires the Department of Land and Natural Resources, Department of Health, and Office of Planning to streamline the permitting process and facilitate the restoration of Hawaiian fishponds. Requires DLNR to submit a report of findings and recommendations.	WAL/OMH, FIN
HB711	RELATING TO THEFT. Increases the threshold value of property or services from \$300 to \$750 under the offense of theft in the second degree.	PBS, JUD
HB712	RELATING TO CREDIT PROTECTION. Authorizes the parent or legal guardian of a minor child to place a security freeze on the minor child's credit report.	CPC, JUD
HB713	RELATING TO SOCIAL MEDIA. Prohibits employers from requiring employees and applicants for employment from disclosing social media usernames or passwords.	LAB, JUD
HB714	RELATING TO MOTOR VEHICLE REGISTRATION. Establishes the veterans services special fund. Authorizes applicants for a motor vehicle certificate of registration to designate a donation to the fund.	VMI, TRN, FIN
HB715	RELATING TO EDUCATION. Requires the DOE to adopt rules requiring a teacher, official, or other employee of the department to report an act of harassment, intimidation, or bullying or an act of cyberbullying to the principal of the school at which the victim is a student.	EDN, JUD

**Committee
REFERRAL**

HB716	RELATING TO THE DISCIPLINARY AUTHORITY OF THE BOARD OF PUBLIC ACCOUNTANCY. Clarifies that the board of public accountancy may take over one or more disciplinary actions against any person for violations of accountancy regulatory law, and increases the amount of the administrative fine that may be imposed for any violation.	CPC, JUD
HB717	RELATING TO INFORMATION PRACTICES. Removes records of complaints as a type of information that is subject to disclosure as public documents.	JUD
HB718	RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING. Establishes qualifications for "nonresident military spouses" eligible for expedited procedures for professional and vocational licensing by endorsement or reciprocity, and temporary licensing. Establishes requirements for nonresident military spouses to maintain licenses and requires reporting of changes in status or circumstances that may affect licensure.	VMI, CPC
HB719	RELATING TO EDUCATION. Appropriates funds to the Hawaii educational policy center to conduct research and policy analysis on education issues.	HED/EDN, FIN
HB720	RELATING TO CERTIFICATES OF REGISTRATION. Repeals the requirement to keep a certificate of registration within the vehicle for which it is registered.	TRN, CPC
HB721	RELATING TO HEALTH. Requires health insurers, mutual benefit societies, and health maintenance organizations to provide health care coverage and benefits for autism spectrum disorders beginning after 12/31/2013.	CPC, FIN
HB722	RELATING TO HEALTH. Requires cigarettes and tobacco products to be stored for sale behind a counter in certain establishments.	HLT, CPC
HB723	RELATING TO HEALTH. Requires registration of and regulates practices of pharmacy benefit management companies. Authorizes periodic audits of pharmacies that submit claims to pharmacy benefit management companies.	HLT, CPC, FIN

**Committee
REFERRAL**

HB724	RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SECOND REPRESENTATIVE DISTRICT. Appropriates funds for capital improvement projects in the 2nd representative district. Effective July 1, 2013.	FIN
HB725	RELATING TO HIGHER EDUCATION. Appropriates \$350,000 to the University of Hawaii to hire a program coordinator and a technical support staff member for the proposed international flight training center and associated degree programs at the University of Hawaii at Hilo and Hawaii community college.	HED, FIN
HB726	RELATING TO FILM AND DIGITAL MEDIA INDUSTRY DEVELOPMENT. 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.	FIN
HB727	RELATING TO THE UNIVERSITY OF HAWAII. Bases University of Hawaii general funding on a student-weighted formula.	HED, FIN
HB728	RELATING TO NET ENERGY METERING. Authorizes group net metering among electric utility customers beginning 7/1/2014. Directs the PUC to adopt rules for group net metering.	EEP, CPC
HB729	RELATING TO INTERNATIONAL AFFAIRS. Short form bill relating to International Affairs.	VMI
HB730	RELATING TO MOTOR VEHICLE INSPECTION STATIONS. Establishes monetary penalties for improperly conducting inspections at official vehicle inspection stations.	TRN, FIN
HB731	RELATING TO CONSERVATION. Prohibits the taking of uhu within state marine waters.	OMH, JUD
HB732	RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE EIGHTEENTH REPRESENTATIVE DISTRICT. Appropriates funds for capital improvement projects for the benefit of the 18th representative district. Effective July 1, 2013.	FIN

**Committee
REFERRAL**

HB733	RELATING TO LABELING OF GENETICALLY ENGINEERED WHOLE FOOD. Requires labeling of certain genetically engineered food products.	AGR, EDB, FIN
HB734	RELATING TO THE PROTECTION OF TARO LANDS. Amends land use classifications to add taro lands to unique agricultural lands. Requires retention of supporting structures for taro fields. Adds growth and perpetuation of taro and crops native to Hawaii to agricultural planning policies. Effective July 1, 2013.	AGR, WAL
HB735	RELATING TO TARO SECURITY. Prohibits the development, testing, propagation, release, importation, planting, or growing of genetically engineered Hawaiian taro in the State. Establishes limited prohibitions on the engineering, testing, and cultivation of non-Hawaiian taro in the State. Effective July 1, 2013, and repeals on June 30, 2018.	AGR, OMH, FIN
HB736	RELATING TO TRANSPORTATION. Requires the Department of Transportation to plan, design, and construct a shared-use pathway along the mauka side of Kahekili Highway. Requires start of construction no later than . Appropriates funds. Effective July 1, 2013.	TRN, FIN
HB737	RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST AGRICULTURAL ENTERPRISES. Assists agricultural enterprises in the State by authorizing the State to issue special purpose revenue bonds for their benefit. Contingent upon ratification of constitutional amendment authorizing the State to issue special purpose revenue bonds and use the proceeds from the bonds to assist agricultural enterprises.	AGR, FIN
HB738	RELATING TO LAND USE. Requires the counties to allow the construction of accessory dwelling units on lots where a residential dwelling unit is permitted.	HSG, WAL
HB739	RELATING TO STATE FUNDS. Prohibits grants of subsidies or awards of contracts for outreach services, public housing projects, or the administration of state low-income public housing projects unless the grants or contracts are made to a nonprofit organization and none of the salaries or collective salaries of the officers or employees of the nonprofit organization exceeds a 75% of the salary of the director of human services.	FIN

**Committee
REFERRAL**

HB740	RELATING TO OPEN CONTAINERS OF INTOXICATING LIQUORS IN PUBLIC HOUSING. Prohibits the possession or storage of an open container holding intoxicating liquor on any sidewalk or common area within any public housing project under the jurisdiction of the Hawaii public housing authority	HSG, JUD
HB741	RELATING TO THE DEFINITION OF PUBLIC HOUSING PROJECT. Expands the definition of "public housing projects" to include all potential properties that could be managed by a public housing agency under HUD regulations.	HSG, JUD
HB742	RELATING TO PUBLIC HOUSING. Authorizes the Hawaii public housing authority to delete from its accounts receivable records, accounts for vacated units in state low-income public housing projects that are delinquent for at least 90 days.	HSG, FIN
HB743	RELATING TO PUBLIC EMPLOYEES. Permits public employees limited paid leave for academic calendared activities. Increases the hours of paid leave for individual education-related activities. Increases the number of paid leaves for education-related activities permitted per calendar year.	LAB, FIN
HB744	RELATING TO STUDENT BIAS. Expands the prohibition against student bias based on sex in educational or recreational programs receiving financial assistance from or using facilities of the state or county by adding race, religion, and sexual orientation.	EDN, JUD
HB745	RELATING TO LEAVE. Authorizes family school leave for employees of employers who employ an unspecified number of employees, provided certain requirements are met, so that employees may participate in their children's school activities. Prohibits employers from discharging or otherwise discriminating against an employee for taking family school leave. Allows for a civil penalty in an amount equal to three times the amount of the employee's lost wages and benefits in certain circumstances.	LAB, FIN
HB746	RELATING TO ELECTION OBSERVERS. Specifies the purposes of the elections observer program and the duty of the chief election officer to implement and maintain the program.	JUD, FIN

		<u>Committee REFERRAL</u>
<u>HB747</u>	RELATING TO AGRICULTURE. Exempts from the general excise tax amounts received for the slaughter and processing of poultry and livestock.	AGR, FIN
<u>HB748</u>	PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO AUTHORIZE THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST AGRICULTURAL ENTERPRISES. Proposes an amendment to the Hawaii constitution to authorize the State to issue special purpose revenue bonds and use the proceeds from the bonds to assist agricultural enterprises.	AGR, JUD, FIN
<u>HB749</u>	RELATING TO WORKFORCE DEVELOPMENT. Establishes the Hawaii Agriculture Workforce Advisory Board to promote agricultural self-sufficiency in the State. Appropriates funds to establish and support the Hawaii Agriculture Workforce Advisory Board. Effective July 1, 2013.	AGR, FIN
<u>HB750</u>	RELATING TO THE HAWAII ISLAND TECHNOLOGY EXCHANGE INSTITUTE. Establishes the Hawaii island technology exchange institute administratively attached to University of Hawaii at Hilo through a collaboration between UH Hilo and Hawaii Community College.	HED, FIN
<u>HB751</u>	RELATING TO SADDLE ROAD. Renames saddle road as the Daniel K. Inouye legacy highway.	TRN, FIN
<u>HB752</u>	RELATING TO EDUCATION. Expands the membership of the Board of Education. Establishes within the Board of Education a system of transparency, public participation, and collaboration when dealing with members of the board and the general public. Effective July 1, 2013.	EDN, JUD, FIN
<u>HB753</u>	RELATING TO VOLUNTARY WELLNESS PROGRAMS. Authorizes healthcare insurers, employers, and Medicaid programs to offer voluntary wellness programs to their participants. Protects confidentiality of personal health information obtained due to participation in the wellness program.	HLT, CPC, FIN
<u>HB754</u>	RELATING TO HEALTH. Requires a county to investigate and notify the Department of Health if a report is made about a possible nuisance involving air pollution. Defines air-polluting nuisances. Gives the Director of Health the authority to enter and investigate reports of air-polluting nuisances.	EEP, HLT, JUD

**Committee
REFERRAL**

HB755	RELATING TO COVENANTS. Authorizes the counties to enact ordinances or adopt rules to enforce covenants that run with the land and impose standards regarding use, maintenance, landscaping, and setbacks.	WAL, JUD
HB756	RELATING TO RENEWABLE ENERGY. Provides a graduated reduction of rates for the renewable energy technologies tax credit for various types of renewable energy properties. Requires an annual report from Department of Taxation and a 2017 study from the Department of Business, Economic Development and Tourism. Applies to taxable years after December 31, 2012.	EEP, CPC, FIN
HB757	RELATING TO ENERGY INDEPENDENCE. Establishes renewable energy portfolio standards for 2040 and 2050, setting goal of energy independence for Hawaii's electricity sector by 2050.	EEP, CPC
HB758	RELATING TO ARBITRATION. Allows an arbitrator to award costs in addition to attorney's fees and other reasonable expenses of arbitration if the award authorized by law in a civil action involves a comparable, rather than same, claim.	JUD, FIN
HB759	RELATING TO PUBLIC UTILITIES. Limits electric public utilities to delivering electricity. Prohibits acquisition of electricity by an electric public utility power purchase agreement with an affiliated entity. Requires electric public utilities to purchase lowest cost, nonfossil fuel generated electricity prior to purchasing fossil fuel generated electricity. Requires PUC to establish a statewide electricity rate for utilities held by the same holding company. Exempts utilities qualifying as a cooperation under section 501(c)(12) of the IRC. Prioritizes geothermal as a replacement for fossil fuel.	EEP, CPC
HB760	RELATING TO THE ENVIRONMENT. Requires lessors of rental motor vehicles to include an option to the lessee in the motor vehicle agreement to contribute a sum to the Department of Land and Natural Resources for the preservation and protection of the environment commencing on July 1, 2015.	TRN/EEP, FIN

Committee
RE-REFERRAL

HB60	RELATING TO EDUCATION. Amends the definition of "student instructional hours" for elementary and secondary schools.	EDN, FIN
HB104	PROPOSING A CONSTITUTIONAL AMENDMENT RELATING TO THE CONSERVATION, CONTROL AND DEVELOPMENT OF RESOURCES. Proposes an amendment to article XI of the Hawaii State Constitution to include game animals on state lands as resources to be managed and conserved by the State.	WAL, JUD, FIN
HB119	PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION REGARDING THE FREEDOM OF SPEECH. Proposes a constitutional amendment to provide that freedom of speech applies only to natural persons.	JUD, FIN
HB233	RELATING TO COMMERCIAL DOG BREEDERS. Establishes licensing requirements and minimum standards of care for commercial dog breeders. Effective 07/01/2013.	EDB, JUD/CPC