OFFICE OF THE SPEAKER TWENTY-NINTH STATE LEGISLATURE

COMMITTEE REFERRALS

NO. 7 6TH LEGISLATIVE DAY-JANUARY 26, 2018

Committee Abbreviations:

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

Committee REFERRAL

		REFERRAL
<u>HB2073</u>	RELATING TO URBAN REDEVELOPMENT. Authorizes a local redevelopment agency to contract with a developer for construction of non-residential uses on public land within a redevelopment area. Exempts construction of works or improvements of a redevelopment project from General Excise and Use Taxes.	WAL, FIN
<u>HB2074</u>	RELATING TO OFFENSES AGAINST PROPERTY RIGHTS. Enhances sentencing for defendants convicted of committing an offense under chapter 708 against a nonprofit entity.	JUD
<u>HB2075</u>	RELATING TO ENERGY. Authorizes the Hawaii Technology Development Corporation to provide 50% matching grants to Hawaii awardees of alternative energy research grants from the Office of Naval Research. Makes appropriations.	EDB/EEP, FIN

		Committee REFERRAL
<u>HB2076</u>	RELATING TO HUNTING. Establishes the Hawaii Apprentice Hunting License Program and its requirements and restrictions.	WAL, FIN
<u>HB2077</u>	RELATING TO EMPLOYEE TRAINING. Establishes the public employees training program to provide training to state employees. Allocates 1% of collective bargaining increases to the public employees training program.	LAB, FIN
<u>HB2078</u>	RELATING TO CYBERSECURITY. Authorizes and provides funding for the Hawaii Technology Development Corporation to participate in and contribute funding for the development of a Hawaii cyber ecosystem and related aspects of cybersecurity.	EDB, FIN
<u>HB2079</u>	RELATING TO EDUCATION. Clarifies budgetary funding, including weighted student formula funding, for public school special education services, personnel, and other costs.	EDN, FIN
<u>HB2080</u>	RELATING TO TECHNOLOGY DEVELOPMENT. Appropriates funds for grants to participants in software application challenges so that the proofs of concept created during the challenges can be developed into prototypes suitable for local and state government. Appropriates funds. Requires matching funds.	EDB, FIN
<u>HB2081</u>	RELATING TO THE ROSE-RINGED PARAKEET. Appropriates funds to the department of land and natural resources to provide assistance and supplemental funding to the National Wildlife Research Center of the U.S. Department of Agriculture to conduct pilot field studies to evaluate control tools and develop a management plan to reduce the rose-ringed parakeet population on Kauai.	AGR, FIN
<u>HB2082</u>	RELATING TO THE UNIVERSITY OF HAWAII PROMISE PROGRAM. Establishes the University of Hawaii Promise Program to provide scholarships for the unmet direct cost needs of qualified students pursuing an undergraduate degree in registered nursing, elementary or secondary education, and civil engineering and enrolled at any campus of the University of Hawaii system. Appropriates funds to establish and implement the program.	HED, FIN
<u>HB2083</u>	RELATING TO TAXATION. Amends the excise tax rate on large cigars.	HHS, FIN

		Committee <u>REFERRAL</u>
<u>HB2084</u>	RELATING TO THE HAWAII TECHNOLOGY DEVELOPMENT CORPORATION. Requires reporting on providing outreach and mentorship to innovative small businesses on the neighbor islands. Appropriates funds for the Hawaii Technology Development Corporation to continue providing support on the Neighbor Islands.	EDB, FIN
<u>HB2085</u>	RELATING TO PRIVATE PROPERTY. Authorizes the owner of a residential dwelling to enter abutting private property to complete repairs or maintenance to the entering owner's dwelling under certain conditions.	JUD, FIN
<u>HB2086</u>	RELATING TO INTERNATIONAL YOGA DAY. Designates June 21 of each year as International Yoga Day.	HHS, FIN
<u>HB2087</u>	RELATING TO MENTAL HEALTH FACILITIES. Requires electronic tracking of certain patients who are allowed outside a psychiatric facility.	HHS/PBS, JUD
<u>HB2088</u>	RELATING TO CORRECTIONAL FACILITIES. Requires any new correctional facility constructed in the State to include a structure designed to securely house patients adjudged not responsible for a felony offense due to physical or mental disease, disorder, or defect.	HHS, PBS, FIN
<u>HB2089</u>	RELATING TO TUITION ASSISTANCE. Permits the Adjutant General to extend the University of Hawaii tuition assistance awards to qualified retired Hawaii National Guard enlisted persons, warrant officers, and company grade officers.	VMI, HED, FIN
<u>HB2090</u>	RELATING TO VIETNAM WAR VETERANS. Designates 3/29 of each year as Vietnam War Veterans Day in Hawaii.	VMI, FIN
<u>HB2091</u>	RELATING TO HOMELAND SECURITY. Establishes the Hawaii State Fusion Center (Center) as a program under the Office of Homeland Security and establishes the position of Hawaii State Fusion Center Director who shall be state-funded, responsible to the Director of Homeland Security, and accountable to manage the operations of the Center.	VMI/PBS, FIN
<u>HB2092</u>	RELATING TO COURT PROCEEDINGS. Provides that the Legislature shall have standing to intervene in any court proceeding involving a claim based upon a constitutional or statutory provision.	JUD, FIN

Committee REFERRAL HB2093 RELATING TO THE REGENTS CANDIDATE ADVISORY HED, FIN COUNCIL. Expands the candidate advisory council for the board of regents of the University of Hawaii from seven to eight members to make the member of the Association of Emeritus Regents of the University of Hawaii a voting member. Specifies term conditions. HB2094 RELATING TO EMERGENCY MANAGEMENT. WAL/PBS, JUD, Establishes within the Hawaii Emergency Management Agency FIN an emergency management watershed team, which shall have the authority to access any state, county, or private real property within the State for the limited purpose of clearing the mouth of any stream in preparation for the imminent approach of a hurricane. Appropriates funds. HB2095 RELATING TO THE ENVIRONMENT. EEP, AGR, FIN Authorizes the agribusiness development corporation to enter into contracts with private businesses to remove select municipal solid waste, glass, and food and green waste from the waste stream for use in other business sectors, including agriculture, construction, and energy production. RELATING TO EMERGENCY MANAGEMENT. HB2096 WAL/PBS, FIN Establishes the emergency hazard flood mitigation special fund. Appropriates moneys into the special fund. Appropriates moneys from the special fund for emergency flood mitigation equipment. HB2097 RELATING TO LIFEGUARDS. LAB, FIN Appropriates \$1,000,000 to the Department of Land and Natural Resources to hire lifeguards to monitor state and county beach parks. RELATING TO SMALL BOAT HARBORS. HB2098 WAL/OMH, FIN Authorizes the Board of Land and Natural Resources to transfer to the Kahoolawe Island Reserve Commission the Board's duties to operate, administer, manage, and maintain the Kihei Small Boat Harbor. Authorizes the Kahoolawe island reserve commission to undertake those duties.

Requires the Department of Agriculture to conduct a feasibility study on the establishment of ag-tech zones within the City and

RELATING TO AGRICULTURE.

study on the establishment of ag-tech zones within the City and County of Honolulu. Appropriates funds for conducting the

AGR, EDB, FIN

feasibility study.

HB2099

		<u>REFERRAL</u>
<u>HB2100</u>	RELATING TO CANNABIS. Authorizes the counties to adopt ordinances to legalize cannabis cultivation, possession, sale, transfer, and use for persons over the age of twenty-one. Clarifies that penal code provisions pertaining to drug and intoxicating compounds offenses do not apply to counties that have adopted ordinances legalizing cannabis and adopted administrative rules to regulate cannabis.	PBS, JUD, FIN
<u>HB2101</u>	RELATING TO THE HAWAII ASSOCIATION OF CONSERVATION DISTRICTS. Makes an appropriation to the Department of Land and Natural Resources for the operational expenses and staffing costs of the Hawaii Association of Conservation Districts.	WAL, FIN
<u>HB2102</u>	RELATING TO NUTRIENT CYCLING. Establishes and appropriates funds for a regional nutrient cycling pilot program on Maui. Requires DOA to report on the efficacy of the pilot project.	EEP, AGR, FIN
<u>HB2103</u>	RELATING TO PESTICIDES. Requires the department of agriculture, in collaboration with the department of health, to create a restricted use pesticide amnesty program and provide restricted use pesticide amnesty bins within each county for the anonymous and proper disposal of illegal or unused restricted use pesticides.	EEP, FIN
<u>HB2104</u>	RELATING TO RAT LUNGWORM DISEASE. Appropriates funds to the University of Hawaii at Hilo for programs, studies, and activities related to the prevention and eradication of rat lungworm disease.	HHS, HED, FIN
<u>HB2105</u>	RELATING TO AGRICULTURE. Appropriates funds to the Department of Agriculture for the establishment and administration of the Agriculture Grant Program to support local food production in the State.	AGR, FIN
<u>HB2106</u>	RELATING TO ENVIRONMENTAL PROTECTION. Requires all environmental assessments and environmental impact statements prepared pursuant to chapter 343, HRS, to include consideration of sea level rise based on the most recent scientific data available regarding sea level rise.	EEP, OMH, FIN

Committee

REFERRAL HB2107 RELATING TO ENVIRONMENTAL PROTECTION. EEP, FIN Establishes the Plastic Free Hawaii Initiative Program with the mission to eliminate plastic waste impacting native species and polluting the State's environment. Establishes the Plastic Free Hawaii Advisory Council to collect data regarding plastic pollution and provide recommendations to eliminate plastic waste. Appropriates funds. HB2108 RELATING TO THE ISSUANCE OF SPECIAL PURPOSE EEP/EDB, FIN REVENUE BONDS TO ASSIST A SEAWATER AIR CONDITIONING PROJECT IN HAWAII. Extends the authorization to issue special purpose revenue bonds to assist Kaiuli Energy, LLC, with the financing of the planning, design, and construction of a seawater air conditioning district cooling facility and chilled water distribution system. HB2109 RELATING TO SOLAR WATER HEATERS. EEP, CPC, FIN Requires that solar water heater variances be signed by the architect or mechanical engineer attesting to the need for the variance. Requires that any tankless water heater installed instead of a solar water heater be energy efficient. Requires that the individual who would pay for the energy costs sign the application for a solar water heater variance. HB2110 RELATING TO RESILIENCY. EEP, CPC, FIN Directs the public utilities commission to establish a microgrid services tariff or tariffs to encourage and facilitate the development and use of energy resilient microgrids. RELATING TO ELECTIONS. HB2111 JUD, FIN Requires the Auditor to randomly select and conduct an information systems and operations audit of three races for public office in each statewide primary and general election. RELATING TO THE PUBLIC UTILITIES COMMISSION. HB2112 EEP, CPC, FIN Requires the Public Utilities Commission to order decreases in electric utility rates when certain federal tax rate decreases are enacted that apply to electric utilities. Requires the Commission to order customer refunds for the excess profits generated between the effective date of the federal tax rate change and the effective date of the Commission's order to decrease rates. RELATING TO EDUCATION. HB2113 LAB, HED, FIN Directs the Department of Human Resources Development to provide University of Hawaii tuition grants to students who commit to future employment with the State. Appropriates

Committee

moneys.

		Committee REFERRAL
<u>HB2114</u>	RELATING TO COLLECTIVE BARGAINING. Provides that negotiations over the implementation of management decisions affecting the terms and conditions of employment that are subject to collective bargaining are not precluded from collective bargaining negotiations.	LAB, FIN
<u>HB2115</u>	RELATING TO AGRICULTURE. Appropriates funds to the department of labor and industrial relations for the K-12 agriculture workforce development pipeline initiative.	LAB/AGR, EDN, FIN
<u>HB2116</u>	RELATING TO MEDICAL COVERAGE. In the event of a controverted workers' compensation claim, requires an injured employee's private health care plan to pay for or provide medical care, services, and supplies; provided that when the claim is accepted, the employer shall reimburse the private health care plan and injured employee. In the event of an accepted claim for leukemia, multiple myeloma, non-Hodgkin's lymphoma, or certain cancers by a firefighter with five or more years of service, requires an employer to be liable for 137 per cent of medical care, services, and supplies.	LAB, CPC, FIN
<u>HB2117</u>	RELATING TO STANDARDIZED TESTING. Limits the number of standardized tests a student shall take in a school year. Requires the board of education to conduct a statewide survey of school administrators and teachers to determine the time spent on preparing for standardized tests and the impact of preparation time on the quality of instruction.	LAB, EDN, FIN
<u>HB2118</u>	RELATING TO CONDOMINIUMS. Allows a condominium board to borrow money for the installation of equipment for the health and safety of residents in the event of a legislative mandate without the consent of owners where at least twenty percent of owners reside outside of the United States.	HSG, FIN
<u>HB2119</u>	RELATING TO TAXATION. Establishes an income tax exemption on the first \$10,000 of income derived from tips received by a tipped employee.	LAB, FIN
<u>HB2120</u>	RELATING TO WIND ENERGY FACILITIES. Requires a wind energy facility owner, the owner of the land, or the department of land and natural resources to be responsible for facility decommissioning and provides for recovery of costs.	EEP, WAL, CPC

HB2121 RELATING TO WOMEN IN TECHNOLOGY AT THE

EDB/HED, FIN

UNIVERSITY OF HAWAII.

Establishes a Center for Women in Technology within the University of Hawaii, Department of Information and Computer Sciences.

HB2122 RELATING TO THE HAWAII COMMUNITY

WAL, FIN

DEVELOPMENT AUTHORITY.

Clarifies the interests that must be represented by members of the HCDA representing community development districts. Requires the senate president and the speaker of the house of representatives to nominate representatives of the several community development districts to the HCDA, and requires those representatives to be nominated only as a resident representative or a small business owner or nonprofit organization representative, but not both.

<u>HB2123</u> RELATING TO TRANSIT-ORIENTED DEVELOPMENT

HSG/TRN, WAL, FIN

ZONES.

Requires the Hawaii Community Development Authority to develop a transit-oriented development zone improvement program to foster infrastructure development by strategically investing in public facilities. Appropriates funds to HCDA for staff necessary to develop and manage the transit-oriented development zone improvement program.

HB2124 RELATING TO WATER.

WAL/EEP, FIN

Establishes watershed areas designated by the Department of Land and Natural Resources as part of the conservation district. Requires the Department of Land and Natural Resources to plan and coordinate the use of watershed areas.

HB2125 RELATING TO PRESCRIPTION DRUGS.

HHS, CPC

Requires every pharmacy to accept for disposal the return of any unused, remaining, or expired prescription drug that the

pharmacy previously dispensed.

HB2126 RELATING TO HEALTH INSURANCE.

HHS, CPC, FIN

Ensures certain benefits under the federal Affordable Care Act are preserved under Hawaii law, including: extending dependent coverage for adult children up to 26 years of age; prohibiting health insurance entities from imposing a preexisting condition exclusion; and prohibiting health insurance entities from using an individual's gender to determine premiums or contributions.

HB2127 RELATING TO HEALTH CARE.

HHS, CPC, FIN

Requires health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for a comprehensive category of reproductive health services, drugs, devices, products, and procedures. Requires the department of human services to establish and administer a program to reimburse the cost of medically appropriate services, drugs, devices, products, and procedures for individuals who can become pregnant and who would be eligible for medical assistance but for their citizenship status. Prohibits discrimination in the provision of reproductive health care services. Appropriates funds to the department of human services.

HB2128 RELATING TO VICTIMS OF SEXUAL VIOLENCE.

HHS, CPC, FIN

Requires that health insurance policies include coverage for clinical victim support services for victims of sexual violence and abuse who suffer from mental disorders.

HB2129 RELATING TO DOMESTIC VIOLENCE.

JUD, FIN

Amends the offense of abuse of family or household members to provide for felony, misdemeanor, and petty misdemeanor penalties. Expands the family court's jurisdiction over certain enumerated offenses committed against family or household members. Repeals the prohibition on deferred acceptance of guilty or no contest pleas in cases involving abuse of family or household members. Requires that no-contact and stay-away orders issued during the pendency of a criminal case or as a condition of probation be enforced regardless of whether the defendant signed a written acknowledgment of the order, provided that the defendant was informed on the record of the terms and conditions of the order in open court. Requires that no-contact and stay-away orders issued during the pendency of trial cases involving abuse of family or household members or certain enumerated offenses be automatically converted after the defendant's conviction to a new protective order that shall remain in effect for a fixed reasonable period as the court deems appropriate, unless the victim or witness requests otherwise.

HB2130 RELATING TO AUTOMATIC RESTRAINING ORDERS.

JUD, FIN

Automatically imposes a restraining order upon parties filing for annulment, divorce, or separation to preserve the financial assets of the parties and their dependents.

<u>HB2131</u> RELATING TO SEXUAL ASSAULT.

JUD. FIN

Creates a Hawaii Sexual Assault Response Team to address the manner in which sexual assault evidence collection kits are processed and tracked, and to ensure that victims of sexual assault are informed of their rights under the law. Requires annual reports to the Attorney General on the status of sexual assault evidence collection kits and annual summary reports by the Attorney General to the legislature. Appropriates funds. Effective 7/1/19.

HB2132 RELATING TO ADDRESS CONFIDENTIALITY.

JUD, FIN

Establishes the address confidentiality program to help survivors of domestic abuse, sexual assault, and stalking to relocate and keep their addresses confidential. Appropriates funds.

HB2133 RELATING TO POLICE DEPARTMENTS.

JUD

Clarifies that citizen complaints against a police officer alleging acts of domestic abuse against a family or household member on the part of the police officer shall not be required to be filed as a notarized or sworn written statement.

HB2134 RELATING TO VIOLATION OF PRIVACY.

JUD

Establishes threatening to violate privacy as a misdemeanor offense. Expands the offense of violation of privacy in the first degree to specifically include disclosure of revenge pornography. Establishes violation of privacy of a minor, including disclosure of revenge pornography, as a felony offense. Requires that recordings that violate privacy be sealed by the court and be made confidential.

HB2135 RELATING TO DOMESTIC VIOLENCE.

HHS, JUD, FIN

Provides that funds received from the federal government for the purpose of addressing domestic violence and moneys from the Emergency Medical Services Special Fund shall not be distributed to a law enforcement agency or emergency medical services agency whose policies, procedures, and training for personnel and supervisors do not formally require lethality assessments and safety planning with victims of domestic violence. Takes effect 7/1/2020.

HB2136 RELATING TO FAMILY LEAVE.

LAB, FIN

Establishes a family leave insurance program, which requires employees and employers to make contributions into an insurance fund to be used to provide employees with family leave insurance benefits in order to care for a designated person. Appropriates funds to implement the program.

<u>HB2137</u> RELATING TO EQUAL PAY.

LAB, JUD

Prohibits prospective employers from requesting or considering a job applicant's wage or salary history as part of an employment application process or compensation offer. Prohibits enforced wage secrecy and retaliation or discrimination against employees who disclose, discuss, or inquire about their own or coworkers' wages.

HB2138 RELATING TO PROTECTION OF CHILDREN.

JUD, FIN

Amends various provisions of the HRS to increase protections for child victims of sex trafficking, prostitution, and commercial exploitation by increasing penalties for offenders and habitual offenders. Among other things, amends the offense of sex trafficking to impose criminal liability on a person who solicits a minor for prostitution and by imposing strict liability with respect to the age of the minor.

HB2139 RELATING TO DISCRIMINATION IN EDUCATION.

EDN/HED, JUD,

Prohibits discrimination on the basis of sex, including gender identity or expression, or sexual orientation, in any state educational program or activity, or in any educational program or activity that receives state financial assistance. Takes effect

1/1/2019.

HB2140 RELATING TO RETIREMENT ALLOWANCE OPTIONS.

LAB. FIN

FIN

Corrects inconsistent terminology in statutory provisions relating to beneficiaries of retirement benefits dying prior to the death of the retirant.

HB2141 RELATING TO CONDOMINIUMS.

CPC, FIN

Amends definitions for "common elements" and "limited common elements" under the State's condominium laws. Specifies that determinations of common elements and limited common elements under an original declaration supersede determinations of common elements and limited common elements under any restated declaration. Requires a vote or written consent of the owners, rather than resolution adopted by the board of directors, when restating the declaration and bylaws, except for determinations of common elements and limited common elements. Limits the board of directors to requiring the submission of one-time only affidavits, when condominium owners request certain association documents.

HB2142 RELATING TO AFFORDABLE HOUSING.

HSG/TRN, WAL, FIN

Requires a percentage of units in a housing development on public land or real property in a county-designated transit-oriented development zone and under the control of the Board of Land and Natural Resources, the Hawaii Housing Finance and Development Corporation, or the Hawaii Community Development Authority to be sold or rented to low-income residents. Applies only to transfers of a leasehold interest in the public land or real property.

Committee RE-REFERRAL

HB1630 RELATING TO ELEVATOR MECHANICS.

LAB, CPC, FIN

Amends requirements for apprenticeship and licensure of elevator mechanics and adds provisions relating to examination, license renewals, continued competency, scope of work, and remote interaction.

HB1648 RELATING TO CONTRACTORS.

LAB, CPC, FIN

Authorizes specialty contractors to perform work outside the scope of their licenses when that work is subordinate to another contractor and directly related to and necessary for the project.

HB1821 RELATING TO FIRE SAFETY.

LAB/HSG, CPC,

Requires the interior finishes of any new dwelling unit and FIN

common area in buildings that are forty feet in height or greater to be covered with fire retardant coatings.

RELATING TO PUBLIC ACCOUNTANCY.

IAC, CPC, FIN

Establishes procedures for an out-of-state individual licensed as a certified public accountant or certain accountancy firms to be granted practice privileges in this State by the board of public accountancy if the licensee or firm meets certain qualifications and requirements for substantial equivalency. Makes conforming amendments to the laws relating to public accountancy to reflect practice privileges. Takes effect on 1/1/2019.

<u>HB1875</u> RELATING TO SPECIALTY CONTRACTORS.

LAB, CPC, FIN

Requires the Contractors License Board to adopt rules to define "incidental and supplemental to the performance of work" and to set the percentage of a craft or trade in which a specialty contractor may engage without a license while performing work in a craft or trade for which the contractor is licensed.

HB1870