

HOUSE OF REPRESENTATIVES
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021

COMMITTEE ON FINANCE

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NOTICE OF HEARING

DATE: Wednesday, March 31, 2021
TIME: 2:30 p.m.
PLACE: VIA VIDEOCONFERENCE
Conference Room 308
State Capitol
415 South Beretania Street

THE STATE CAPITOL IS CLOSED TO THE PUBLIC DURING THE ONGOING COVID-19 PANDEMIC

Please note that the committee members will participate remotely via videoconference.
Click [here](#) to submit testimony and to testify remotely.

A live stream link of all House Standing Committee meetings will be available online
shortly before the scheduled start time.

Click [here](#) for the live stream of this meeting via YouTube.
Click [here](#) for select hearings broadcast live on 'Ōlelo Community Media for cable TV.

A G E N D A #2

[SB 855, SD1](#)
[\(HSCR980\)](#)
[Status](#)

RELATING TO COFFEE PEST CONTROL.
Extends the sunset date for the coffee berry borer pesticide subsidy program to 6/30/2023 and the program manager position, including the position's civil service and collective bargaining laws exemption, to 6/30/2024. Provides that no single coffee grower shall receive more than \$12,000 for each pest per year in subsidies between 6/30/2021, and 7/01/2023. Requires the department of agriculture to compile a list of certain pesticides. Effective 7/1/2050. (SD1)

AGR, FIN

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SB 668, SD1, HD1 (HSCR1482) Status	<p>RELATING TO AGRICULTURE.</p> <p>Part I: Requires the State to regulate all agricultural imports and inspections. Establishes the air cargo pest inspection, quarantine, and eradication fund. Part II: Renames the agricultural development and food security special fund as the land-, aquaculture-, freshwater-, or sea-based food development and food security special fund and expands the scope of the special fund to include land-, aquaculture-, freshwater-, or sea-based food production. (HD1)</p>	<p>AGR, FIN</p>
SB 496, SD2, HD1 (HSCR1434) Status	<p>RELATING TO AGRICULTURE.</p> <p>Requires the department of agriculture, in cooperation with the office of the governor, to identify the top ten fruit and vegetable imports to the State that may be commercially grown by farmers in Hawaii and recommend ways to increase their production. Effective 7/1/2050. (HD1)</p>	<p>AGR, ECD, FIN</p>
SB 219, SD2, HD2 (HSCR1503) Status	<p>RELATING TO CRIMES ON AGRICULTURAL LANDS.</p> <p>Imposes extended terms of imprisonment for certain offenses against property rights committed when on agricultural land. Appropriates funds to the department of the attorney general to establish a statewide agricultural theft task force. Effective 5/6/2137. (HD2)</p>	<p>AGR, JHA, FIN</p>
SB 664, SD1, HD1 (HSCR1498) Status	<p>RELATING TO PUBLIC SAFETY.</p> <p>Authorizes the department of public safety to develop a new Oahu community correctional center. Appropriates funds for the Hawaii correctional system oversight commission. Effective 5/6/2137. (HD1)</p>	<p>CMV, JHA, FIN</p>
SB 320, HD1 (HSCR1399) Status	<p>RELATING TO TAX RETURN PREPARERS.</p> <p>Requires each tax return preparer to have a valid preparer tax identification number issued by the Internal Revenue Service and to furnish the preparer's tax identification number on any return or claim for refund prepared for compensation if required by DOTAX. Establishes penalties for failure to comply with the preparer tax identification number requirements. Beginning in calendar year 2022, establishes continuing education requirements for tax return preparers. Requires the board of public accountancy to adopt rules regarding continuing education, including compliance procedures and penalties for violations. Provides that tax return preparers shall not be liable for penalties prior to January 1, 2022. Effective 1/1/2050. (HD1)</p>	<p>CPC, FIN</p>
SB 599, SD1, HD1 (HSCR1397) Status	<p>RELATING TO MASSAGE THERAPISTS.</p> <p>Beginning 7/1/2024, requires massage therapy licensees to complete twelve hours of continuing education within the two-year period preceding the renewal date, of which two hours shall include first aid, cardiopulmonary resuscitation, or other emergency related courses. Effective 1/1/2050. (HD1)</p>	<p>CPC, FIN</p>
SB 766, HD1 (HSCR1484) Status	<p>RELATING TO MOTOR CARRIER PENALTIES.</p> <p>Allows a penalty of up to \$5,000 for the fourth or subsequent violations of the motor carrier law within one calendar year. Effective 1/1/2050. (HD1)</p>	<p>CPC, FIN</p>

SB 1101, SD2, HD1 (HSCR1407) Status	<p>RELATING TO HURRICANE PREPAREDNESS.</p> <p>Establishes the safe home program to provide matching and nonmatching grants for installation of wind resistive devices to single-family, owner-occupied, residential properties in certain circumstances. Allocates a portion of the moneys earned through interest from the hurricane reserve trust fund for grants under the safe home program. Creates a temporary position within the insurance division of the department of commerce and consumer affairs to implement and administer the safe home program. Appropriates funds. Effective 7/1/2050. (HD1)</p>	CPC, FIN
SB 1104, HD1 (HSCR1404) Status	<p>RELATING TO THE CONTRACTORS RECOVERY FUND.</p> <p>Increases the monetary amount an injured homeowner may recover from the contractors recovery fund. Effective 1/1/2050. (HD1)</p>	CPC, FIN
SB 1098, SD1, HD1 (HSCR1401) Status	<p>RELATING TO THE REGULATORY AUTHORITY OF THE INSURANCE COMMISSIONER.</p> <p>Adopts certain provisions of the National Association of Insurance Commissioners' Producer Licensing Model Act, Public Adjuster Licensing Model Act, Reinsurance Intermediary Model Act, and Independent Adjuster Licensing Model Guidelines to provide consistency and promote efficiency in processing insurance licensing fees, applications, certificates, registrations, and renewals. Effective 1/1/2050. (HD1)</p>	CPC, FIN
SB 1096, SD1, HD1 (HSCR1400) Status	<p>RELATING TO INSURANCE.</p> <p>Institutes various consumer protections with regard to public adjusters, including requiring contractual terms and disclosures and granting a right to rescind. Imposes a standard of conduct on various entities. Authorizes the insurance commissioner to waive or modify certain fees by order. Reinstates the right to an administrative hearing and appeal from an order. Amends the Hawaii joint underwriting plan board of governors. Lowers the minimum nonforfeiture interest rate. Clarifies that rewards under wellness programs do not qualify as prohibited rebates. Effective 1/1/2050. (HD1)</p>	CPC, FIN
SB 1100, SD1, HD2 (HSCR1479) Status	<p>RELATING TO INSURANCE DATA SECURITY.</p> <p>Enacts the National Association of Insurance Commissioners' Insurance Data Security Model Law to establish insurance data security standards for Hawaii insurance licensees. Effective 7/1/2050. (HD2)</p>	CPC, JHA, FIN
SB 513, SD1, HD2 (HSCR1455) Status	<p>RELATING TO THE ENFORCEMENT OF LAWS.</p> <p>Establishes an expeditious adjudication system for the processing of fireworks infractions. Increases the fireworks display permit fee and the fine for certain fireworks violations. Clarifies what constitutes a separate violation. Increases the penalty for removing or extracting the pyrotechnic contents. Authorizes the sheriff division to enforce the fireworks control law. Requires the attorney general to establish an explosion detection technology working group. Requires the department of public safety to develop and implement a web-based reporting tool for illegal fireworks. Appropriates funds. Effective 5/6/2137. (HD2)</p>	CPC, JHA, FIN

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SB 1342, SD1, HD1 (HSCR1478) Status	<p>RELATING TO ILLEGAL GAMBLING.</p> <p>Includes under the offense of promoting gambling in the first degree the act of engaging in activities in which a persons receives or entertains other persons as guests with the intent of advancing gambling activity on real property. Effective 1/1/2050. (HD1)</p>	CPC, JHA, FIN
SB 819, SD2, HD2 (HSCR1426) Status	<p>RELATING TO THE HOSPITAL SUSTAINABILITY PROGRAM.</p> <p>Extends the hospital sustainability program through 6/30/2024. Increases the maximum fee for inpatient care services to five and one-half per cent. Increases the amount of time hospitals have to pay the hospital sustainability fee from thirty days to sixty days. Increases the pool of medicaid services that can be used for matching purposes. Appropriates moneys. Effective 7/1/2060. (HD2)</p>	HHH, CPC, FIN
SB 324, SD1, HD1 (HSCR1489) Status	<p>RELATING TO THE PRACTICE OF MEDICINE.</p> <p>Clarifies the definition of the practice of medicine to provide uniformity of practice for both medical physicians and osteopathic physicians. Effective 7/1/2060. (HD1)</p>	HHH, CPC, FIN
SB 827, SD2, HD1 (HSCR1420) Status	<p>RELATING TO BREAST CANCER SCREENING.</p> <p>Expands coverage of breast cancer screening and imaging to include an annual mammogram for a woman of any age with an above average risk for breast cancer, risk factor screening for women ages thirty or older, and additional supplemental imaging for any woman, regardless of age, as deemed medically necessary by an applicable American College of Radiology guideline. Requires the auditor to conduct an impact assessment report and make a report to the legislature. Effective 7/1/2060. (HD1)</p>	HHH, CPC, FIN
SB 1127, SD1, HD1 (HSCR1389) Status	<p>MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES.</p> <p>Makes an emergency appropriation from the general revenues of the State of Hawaii for fiscal year 2020-2021 to address the budget shortfall for the general support for the general assistance program (HMS 204) in the department of human services. Effective 7/1/2060. (HD1)</p>	HHH, FIN

[SB 589, SD2, HD2](#)
[\(HSCR1492\)](#)
[Status](#)

RELATING TO THE UNIVERSITY OF HAWAII.
Establishes the University of Hawaii cancer center in statute as the cancer research center of Hawaii, an organized research unit to conduct cancer research. Requires the director of the cancer center to be appointed by the board of regents upon recommendation of the provost of UH-Manoa and with the concurrence of the UH president. Requires the director of the cancer center and the dean of the John A. Burns school of medicine to report and be accountable to the provost of UH-Manoa. Requires funds expended from the tuition and fees special fund or research and training revolving fund for the John A. Burns school of medicine or cancer center to be used for research and research-related purposes only. Repeals the sunset provision in Act 38, SLH 2017, to make permanent certain provisions relating to technology transfer by UH. Makes the innovation and commercialization initiative program permanent by repealing the sunset provision in Act 39, SLH 2017. Extends the authority of the UH president to act as UH's chief procurement officer for procurement contracts under chapter 103D, HRS, by repealing the sunset provision in Act 42, SLH 2018. Requires UH to develop and implement a plan for the John A. Burns school of medicine and cancer center to achieve greater operational efficiencies, reduce duplication of services, and share administrative functions to the maximum degree practicable. Requires the UH president to submit a report on the progress of the plan to the legislature prior to the 2023 regular session. Effective 7/1/2060. (HD2)

HHH, HET, FIN

[SB 386, SD1, HD2](#)
[\(HSCR1480\)](#)
[Status](#)

RELATING TO THE DETENTION OF A MINOR IN AN ADULT JAIL OR LOCKUP.
Requires a family court to make findings, after a hearing and in writing, before a minor can be transferred to an adult jail or lockup or be permitted sight or sound contact with adult offenders, subject to certain circumstances. Requires the circuit court to commit all convicted offenders under eighteen to Hawaii youth correctional facilities in cases where the court deems the sentence more suitable. Effective 7/1/2060. (HD2)

HHH/CMV, JHA,
FIN

[SB 1039, SD1, HD1](#)
[\(HSCR1474\)](#)
[Status](#)

MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.
Makes appropriations and approves payments for claims against the State, its officers, and its employees. Effective 7/1/3021. (HD1)

JHA, FIN

[SB 412, HD1](#)
[\(HSCR1338\)](#)
[Status](#)

RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.
Clarifies implied consent law to make an exception for giving a breath, blood, or urine test pursuant to a search warrant or any other basis permissible under the Constitution of the State of Hawaii and state law. Excludes habitually operating a vehicle under the influence of an intoxicant from qualifying for deferred acceptance of guilty plea or nolo contendere plea. Effective 7/1/3021. (HD1)

JHA, FIN

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<u>SB 765, SD2, HD1</u> <u>(HSCR1472)</u> <u>Status</u>	RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT. Establishes sentencing guidelines for highly intoxicated drivers. Requires that ignition interlock devices be installed on all vehicles operated by a person upon license revocation. Increases the license revocation period and extends the applicable lookback periods. Amends the penalties for operating a vehicle under the influence of an intoxicant. Effective 7/1/3021. (HD1)	JHA, FIN
<u>SB 630, SD1, HD1</u> <u>(HSCR1341)</u> <u>Status</u>	RELATING TO CHILD SUPPORT ENFORCEMENT. Establishes that every judgment for child support is enforceable until paid in full. Effective 7/1/3021. (HD1)	JHA, FIN
<u>SB 384, HD1</u> <u>(HSCR1448)</u> <u>Status</u>	RELATING TO TAX APPEALS. Clarifies that filing fees for tax appeals are nonrefundable and that no deposits are required for tax appeals. Effective 7/1/3021. (HD1)	JHA, FIN
<u>SB 1409, SD2, HD1</u> <u>(HSCR1477)</u> <u>Status</u>	RELATING TO TRAINING IN NATIVE HAWAIIAN RIGHTS. Prohibits newly appointed or reappointed council, board, and commission members from serving if the member has not completed, within the requisite time, the required training course related to native Hawaiian and Hawaiian rights. Require OHA and DLNR to compile an annual report of members who have failed to complete their training course requirement. Require OHA to record the training courses and make the recordings available to those who were unable able to attend the training course. Effective 7/1/3021. (HD1)	JHA, FIN
<u>SB 873, SD1, HD1</u> <u>(HSCR1342)</u> <u>Status</u>	RELATING TO CONTESTED CASES. Authorizes contested case hearings to use interactive conference technology. Effective 7/1/3021. (HD1)	JHA, FIN
<u>SB 1260, SD1, HD1</u> <u>(HSCR1481)</u> <u>Status</u>	RELATING TO CRIMINAL PRETRIAL REFORM. Eliminates the use of monetary bail and requires defendants to be released on their own recognizance for traffic offenses; violations; and nonviolent petty misdemeanor, misdemeanor, and class C felony offenses, with certain exceptions. Effective 7/1/3021. (HD1)	JHA, FIN
<u>SB 969, SD2, HD1</u> <u>(HSCR1473)</u> <u>Status</u>	RELATING TO ANIMAL FUR PRODUCTS. Beginning July 1, 2021, prohibits the manufacture or importation for sale of certain animal fur products in the State. Beginning December 1, 2021, prohibits the sale, offer for sale, display for sale, trade, or otherwise distribution of certain animal fur products in the State. Effective 7/1/2050. (HD1)	JHA, FIN
<u>SB 294, SD1, HD1</u> <u>(HSCR1337)</u> <u>Status</u>	RELATING TO PROPERTY FORFEITURE. Restricts civil asset forfeiture to cases involving the commission of a felony offense where the property owner has been convicted of the underlying felony offense, subject to certain circumstances. Directs any forfeiture proceeds to the general fund. Amends the allowable expenses for moneys in the criminal forfeiture fund. Amends the requirements for the attorney general to adopt rules and report on the Hawaii omnibus criminal forfeiture act. Effective 7/1/3021. (HD1)	JHA, FIN

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[SB 385, SD1, HD2](#)
[\(HSCR1470\)](#)
[Status](#)

RELATING TO THE UNIFORM TRUST CODE.
Enacts the 2018 Uniform Trust Code. Repeals the Uniform Trustees' Powers Act, Uniform Prudent Investor Act, and laws regarding trust administration under the Uniform Probate Code. Effective 1/1/2050.
(HD2)

JHA, CPC, FIN

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least **24 hours** prior to the hearing. Testimony received after this time will be stamped late and left to the discretion of the chair to consider. While every effort will be made to incorporate all testimony received, materials received on the day of the hearing or improperly identified or directed, may not be processed.

Testimony submitted will be placed on the legislative website. This public posting of testimony on the website should be considered when including personal information in your testimony.

The chair may institute a per-testifier time limit.

Committees meeting in the morning must adjourn prior to the day's Floor Session. Therefore, due to time constraints, not all testifiers may be provided an opportunity to offer verbal comments. However, remote testifiers' written submissions will be considered by the committee.

Please refrain from profanity or uncivil behavior. Violations may result in ejection from the hearing without the ability to rejoin.

The House will not be responsible for bad connections on the testifier's end.

For general help navigating the committee hearing process, please contact the Public Access Room at (808) 587-0478 or par@capitol.hawaii.gov.

The cable TV broadcast and/or live stream of this meeting will include closed captioning. If you require other auxiliary aids or services to participate in the public hearing process (i.e. interpretive services (oral or written) or ASL interpreter) or are unable to submit testimony via the website due to a disability, please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

Click [here](#) for a complete list of House Guidelines for public testimony.

For more information, please contact the Committee Clerk at 586-6200

Rep. Sylvia Luke
Chair

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