

THE SENATE  
THE THIRTY-FIRST LEGISLATURE  
REGULAR SESSION OF 2022

COMMITTEE ON WAYS AND MEANS  
Senator Donovan M. Dela Cruz, Chair  
Senator Gilbert S.C. Keith-Agaran, Vice Chair

COMMITTEE ON JUDICIARY  
Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair

NOTICE OF DECISION MAKING

DATE: Wednesday, March 2, 2022  
TIME: 9:30 A.M.  
PLACE: Conference Room 211 & Videoconference  
TIMESLOT: WAM

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

This policy is subject to change and may be adjusted based on evolving COVID-19 guidelines.  
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A live stream of all Senate Standing Committee meetings will be available on the [Senate YouTube Channel](#).

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A G E N D A

The following measure(s) were previously heard in their respective subject matter committees:

<a href="#">SB 1046, SD1</a> <a href="#">(SSCR413)</a> <a href="#">Status &amp; Testimony</a>	RELATING TO LAW ENFORCEMENT. Clarifies membership and certain powers and duties of the Law Enforcement Standards Board, establishes new deadlines for the completion of board responsibilities, and provides appropriate funds and resources to enable the board to accomplish its mission. (SD1)	PSM, WAM/JDC
<a href="#">SB 1105, SD1</a> <a href="#">(SSCR190)</a> <a href="#">Status &amp; Testimony</a>	RELATING TO THE MORTGAGE LOAN RECOVERY FUND. Allows a person aggrieved by the fraud, misrepresentation, or deceit of a mortgage loan originator company licensee to receive restitution payment upon a final court order. Repeals fees paid by mortgage loan originator companies and their branch office locations to the Mortgage Loan Recovery Fund. Provides the Commissioner of Financial Institutions with the authority to consider applications to recover from the fund. (SD1)	CPN, WAM/JDC

**SB 2068, SD1**

(SSCR2174)

Status &  
Testimony

RELATING TO LAND MANAGEMENT.

Repeals certain board approval requirements for transfers of certain public lands classified for agricultural use by the Department of Land and Natural Resources to the Department of Agriculture. Clarifies lands classified for agricultural use to include intensive agricultural, special livestock, and pasture uses. Requires the Department of Agriculture to accept the transfer of lands in pasture use by the Department of Agriculture. Retains the Department of Agriculture's authority to determine the manner of transferring non-agricultural park lands. Requires the Department of Agriculture, prior to offering a lease, to inquire with the Department of Land and Natural Resources regarding any easements required for access to landlocked forest reserves or other assets on the lands subject to the lease. Requires approval from the Board of Land and Natural Resources and the Board of Agriculture before removing pasture lands for reforestation, or other public purposes. Requires the Department of Land and Natural Resources Division of Forestry and Wildlife to submit a realistic and funded action plan for reforestation on current pasture lands. Requires a one-year notice to land lessees or permittees prior to approved withdrawal. (SD1)

WTL/AEN,  
WAM/JDC

**SB 2378**

(SSCR2176)

Status &  
Testimony

RELATING TO THE TAXATION BOARD OF REVIEW.

Adjusts membership of the State Taxation Board of Review to three paid, full-time members, and sets a two-member quorum. Establishes compensation schedule for board members. Authorizes board members to validate board actions by a majority of the members who heard the appeal. Clarifies that board meetings are contested case hearings and provides notice requirements. Clarifies the legal and evidentiary framework the board may use in reaching its decisions.

GVO, WAM/JDC

**SB 2379, SD1**

(SSCR2177)

Status &  
Testimony

RELATING TO THE SPECIAL ENFORCEMENT SECTION.

Allows the Special Enforcement Section to examine any sector of Hawaii's economy, initiate civil investigations, and refer and recommend cases or examinations of segments of the economy to the Office Audit and Field Audit branches of the Department of Taxation for auditing. (SD1)

GVO, WAM/JDC

**SB 2398, SD1**

(SSCR2629)

Status &  
Testimony

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

Creates the Pulehunui Community Development District to allow for planning, development, and maintenance of public lands in Pulehunui, Maui. Amends the Hawaii Community Development Authority membership to include the Director of the Department of Business, Economic Development, and Tourism and the Director of the Office of Planning and Permitting of each county, or their designee, in which a community development district is located. Amends community representatives on each board from three to two at-large members. Establishes membership for quorum on matters related to the Pulehunui Community Development District. (SD1)

EET/WTL,  
WAM/JDC

<p><b><a href="#">SB 2583, SD1</a></b>  <a href="#">(SSCR2536)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO PUBLIC LANDS.  Exempts lands set aside by the Governor to the Hawaii Housing and Finance Development Corporation from classification as public land subject to Department of Land and Natural Resources management; provided that the lands are not ceded lands. (SD1)</p>	<p>HOU/WTL,  WAM/JDC</p>
<p><b><a href="#">SB 3039, SD1</a></b>  <a href="#">(SSCR2455)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO PURCHASES OF HEALTH AND HUMAN SERVICES.  Requires cost or pricing analysis for purchases of health and human services. Adds definition of "policy board." Increases the small purchase threshold for purchases of health and human services. Authorizes heads of purchasing agencies to issue requests for statement of qualifications and to establish lists of qualified providers for treatment purchase of services. Abolishes the Community Council for health and human services. Effective 7/1/2050. (SD1)</p>	<p>GVO/HMS,  WAM/JDC</p>
<p><b><a href="#">SB 3124, SD1</a></b>  <a href="#">(SSCR2566)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR COSTS RESULTING FROM THE RELEASE OF PETROLEUM FROM THE RED HILL BULK FUEL STORAGE FACILITY.  Makes an emergency appropriation to the Department of Health for response activities and enforcement relating to the petroleum leaks at the Red Hill Bulk Fuel Storage Facility. (SD1)</p>	<p>HTH/AEN,  WAM/JDC</p>
<p><b><a href="#">SB 3133, SD1</a></b>  <a href="#">(SSCR2322)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO DISPOSITION OF PUBLIC LANDS BY NEGOTIATION.  Includes leases for commercial, industrial, and hotel or resort purposes eligible for disposition by negotiation pursuant to section 171-59(b), Hawaii Revised Statutes. Takes effect 7/1/2050. (SD1)</p>	<p>WTL, WAM/JDC</p>
<p><b><a href="#">SB 3142</a></b>  <a href="#">(SSCR2400)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO THE WORKERS' COMPENSATION LAW.  Amends the title of chapter 386, part V, subpart C, Hawaii Revised Statutes (HRS), to add reserve public safety law enforcement officers, and amends section 386-181, HRS, to include reserve public safety law enforcement officers to the list of volunteer occupations covered under the workers' compensation law. Allows reserve public safety law enforcement officers who are injured under the conditions specified in section 386-3, HRS, to receive workers' compensation. Adds reserve public safety law enforcement officers to the list of volunteers who are covered under the conditions for computing average weekly wages.</p>	<p>LCA/PSM,  WAM/JDC</p>
<p><b><a href="#">SB 3183, SD1</a></b>  <a href="#">(SSCR2519)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO DIGITAL IDENTIFICATION.  Requires the Director of Transportation to establish and implement a digital identification pilot program. Effective 1/1/2050. (SD1)</p>	<p>TRS/GVO,  WAM/JDC</p>

**SB 3237, SD1**

[\(SSCR2216\)](#)

[Status & Testimony](#)

RELATING TO CHILD WELFARE SERVICES.

Expands the investigative power of the Department of Human Services to include: children who have been adopted or have been placed in legal guardianship, whose adoptive families or legal guardians are receiving federal or state financial assistance; and children in the foster care system for whom there is a pending petition for adoption or an adoption decree has been issued but has not yet been placed in the custody of the adoption petitioner. Requires the Department of Human Services to submit a report to the Legislature on the impact of expanding home visits to families receiving adoption assistance or legal guardianship assistance before the convening of the Regular Session of 2027. Establish a two-year Crisis Mobile Outreach Team Pilot Program within the Department of Health to expand and support existing crisis response services and programs for at-risk youth. Requires the Department of Health's Child and Adolescent Mental Health Division to submit a report to the Legislature on its findings and recommendations arising from the pilot program before the Regular Session of 2024. Appropriate funds to the Departments of Human Services and Health. Repeals the pilot program on 6/30/2024. Effective 12/31/2050. (SD1)

HMS, WAM/JDC

**SB 3347, SD1**

[\(SSCR2442\)](#)

[Status & Testimony](#)

RELATING TO THE RIGHT TO EXIT THE SEX TRADE.

Establishes within the Department of Human Services a one-year pilot program to provide a basic monthly income of \$2,000 for a period of up to one year to qualified adults who are verified victims of sex trafficking and are seeking to exit the sex trade. Requires report to the Legislature before Regular Session of 2023. Appropriates funds. Effective 12/31/2050. (SD1)

HMS, WAM/JDC

**SB 3350, SD1**

[\(SSCR2280\)](#)

[Status & Testimony](#)

RELATING TO PROCUREMENT.

Requires that any procurement change order that increases the contract cost by more than fifty per cent or substantially increases the scope of work be considered a new contract for procurement purpose. Effective 7/1/2050. (SD1)

GVO, WAM/JDC

**SB 2143, SD1**

[\(SSCR2656\)](#)

[Status & Testimony](#)

RELATING TO BOARD MEETINGS.

Defines "board packet" and requires each state board to make its board packets publicly available at least forty-eight hours prior to the board meeting, but only if the board uses board packets. (SD1)

GVO, JDC/WAM

**SB 2172, SD1**

[\(SSCR2061\)](#)

[Status & Testimony](#)

RELATING TO UNDERGROUND FUEL STORAGE TANKS.

Prohibits issuance of future underground fuel storage tanks mauka of the underground injection control line as defined by the Department of Health beginning July 1, 2022. Prohibits operation of and renewal of underground fuel storage tank permits located mauka of the underground injection control line as defined by the department of health beginning January 1, 2023. Defines underground fuel storage tank as any fuel tank or tank facility and associated infrastructure that is or includes field constructed tanks, or that has a capacity of over one hundred thousand gallons. Effective 7/1/2050. (SD1)

HTH/AEN,  
JDC/WAM

<p><b><a href="#">SB 2181, SD1</a></b>  <a href="#">(SSCR2030)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO SCHOOLS.  Requires certain unlicensed but accredited private schools to annually submit health and safety documentation to the Hawaii Council of Private Schools, or Catholic Schools Hawaii, as the case may be, to meet the definition of "private schools" under the compulsory attendance law. (SD1)</p>	<p>EDU, JDC/WAM</p>
<p><b><a href="#">SB 2183, SD1</a></b>  <a href="#">(SSCR2333)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO DEPARTMENT OF EDUCATION RESIDENCY REQUIREMENTS.  Exempts certain Department of Education employees from state residency requirement under certain circumstances. (SD1)</p>	<p>EDU, JDC/WAM</p>
<p><b><a href="#">SB 2189</a></b>  <a href="#">(SSCR2029)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO THE BOARD OF EDUCATION.  Removes the governor's authority to select the chairperson of the board of education. Authorizes a majority of the members of the board to elect a chairperson from among the members of the board. Removes requirement that the chairperson be an at-large member.</p>	<p>EDU, JDC/WAM</p>
<p><b><a href="#">SB 2207, SD1</a></b>  <a href="#">(SSCR2443)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS.  Adds a representative of a LGBTQ+ focused organization to be included as a member on the Hawaii Interagency Council on Homelessness. (SD1)</p>	<p>HMS, JDC/WAM</p>
<p><b><a href="#">SB 2298, SD1</a></b>  <a href="#">(SSCR2458)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO WAGES.  Increases the penalty for employers who knowingly fail to pay the wages of their employees in accordance with the State's wage and hour law and payment of wages and other compensation law, to a class C felony. Adds a minimum penalty of \$500 per violation. Effective 7/1/2050. (SD1)</p>	<p>LCA, JDC/WAM</p>
<p><b><a href="#">SB 2305</a></b>  <a href="#">(SSCR2079)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO THE COMPREHENSIVE OFFENDER REENTRY SYSTEM.  Clarifies that the comprehensive offender reentry system provides programs and services that result in the timely release of inmates on parole when the minimum term, rather than the maximum term, has been served by the inmate.</p>	<p>PSM, JDC/WAM</p>
<p><b><a href="#">SB 2384, SD1</a></b>  <a href="#">(SSCR2180)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO HAWAII PRODUCTS PREFERENCE.  Amends the procurement preference for Hawaii products to only apply to agricultural goods, value-added products, and commodities. (SD1)</p>	<p>GVO, JDC/WAM</p>
<p><b><a href="#">SB 2433</a></b>  <a href="#">(SSCR2081)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO OFFENDER REENTRY PROGRAMS.  Requires the Department of Public Safety to expand existing model programs to make more quality correctional education courses available to interested inmates. Requires the Department of Public Safety to reward inmates who participate in or complete correctional education programs while incarcerated with subsidized health insurance, housing, or tuition after release. Expands existing vocational and work furlough programs and establishes earn and learn apprenticeships which allow eligible inmates to work towards licensure under supervised apprenticeships while getting paid. Appropriates funds.</p>	<p>PSM, JDC/WAM</p>

<p><b><u>SB 2600, SD1</u></b>  <u>(SSCR2561)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO UNDERGROUND STORAGE TANKS.  Prohibits issuance of future underground storage tanks mauka of the underground injection control line as defined by the Department of Health beginning July 1, 2022. Prohibits operation of and renewal of underground storage tank permits located mauka of the underground injection control line as defined by the Department of Health beginning January 1, 2023. (SD1)</p>	<p>HTH/AEN,  JDC/WAM</p>
<p><b><u>SB 2607</u></b>  <u>(SSCR2115)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO INDEPENDENT LEGAL COUNSEL.  Allows the Department of Hawaiian home lands to retain independent legal counsel as needed. Authorizes the Department of Hawaiian home lands to use the services of the Attorney General as needed and when the interests of the State and the Department of Hawaiian Home Lands are aligned. Provides that funds owed to independent legal counsel shall be paid by the State.</p>	<p>HWN, JDC/WAM</p>
<p><b><u>SB 2667, SD1</u></b>  <u>(SSCR2473)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO AFFORDABLE HOUSING.  Extends the deadline for the Hawaii Housing Finance and Development Corporation to renegotiate an existing, or issue a new, ground lease for the Front Street Apartments affordable housing project before the corporation's requirement to initiate condemnation proceedings is triggered by five years. (SD1)</p>	<p>HOU, JDC/WAM</p>
<p><b><u>SB 2748, SD1</u></b>  <u>(SSCR2439)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.  Requires the Department of Health to submit a request, as allowed by federal code, to the United States Department of Education to allow parents of children with a disability to continue receiving early intervention services after the child turns three years of age and until the child enters kindergarten. Appropriates funds to the Department of Health to plan, prepare, and implement the Part C option. Effective 1/1/2050. (SD1)</p>	<p>HTH/HMS,  JDC/WAM</p>
<p><b><u>SB 2817</u></b>  <u>(SSCR2028)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO EDUCATION ANNUAL REPORT REQUIREMENTS.  Repeals certain Department of Education annual reporting requirements.</p>	<p>EDU, JDC/WAM</p>
<p><b><u>SB 2987</u></b>  <u>(SSCR2303)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO CRIMES ON AGRICULTURAL LANDS.  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.</p>	<p>AEN, JDC/WAM</p>
<p><b><u>SB 3044, SD1</u></b>  <u>(SSCR2269)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO TOBACCO MANUFACTURER QUALIFIED ESCROW FUNDS.  Provides a mechanism to assign non-participating tobacco manufacturers' qualified escrow account balances to the State. Provides a mechanism for the financial institution acting as the escrow agent of the qualified escrow account to petition the courts to authorize transfer of funds to the State when the qualified escrow account is abandoned. (SD1)</p>	<p>CPN, JDC/WAM</p>

<p><a href="#"><u>SB 3086</u></a>  <a href="#"><u>(SSCR2257)</u></a>  <a href="#"><u>Status &amp; Testimony</u></a></p>	<p>RELATING TO CYBERSECURITY.  Updates and provides clarification to reflect the existence of the Hawaii State Cybersecurity Program, which is administered by the Hawaii Office of Homeland Security. Eliminates the state cybersecurity, economic, education, and infrastructure security coordinator position.</p>	<p>PSM, JDC/WAM</p>
<p><a href="#"><u>SB 3114, SD1</u></a>  <a href="#"><u>(SSCR2070)</u></a>  <a href="#"><u>Status &amp; Testimony</u></a></p>	<p>RELATING TO MARRIAGE LICENSES.  Repeals fees related to obtaining a license to solemnize civil marriage ceremonies to conform to requirements of religious and judicial marriage performers. (SD1)</p>	<p>HTH, JDC/WAM</p>
<p><a href="#"><u>SB 3127, SD1</u></a>  <a href="#"><u>(SSCR2528)</u></a>  <a href="#"><u>Status &amp; Testimony</u></a></p>	<p>RELATING TO WORKFORCE DEVELOPMENT BOARDS.  Renames the Hawaii Workforce Development Council as the Hawaii Workforce Development Board. Requires the Governor to appoint an Executive Director of the Board from a list of three nominees submitted by the Board. Prohibits members of the Hawaii Workforce Development Board and local workforce development boards from engaging in any activity determined by the Governor to constitute a conflict of interest as provided in the federal Workforce Innovation and Opportunity Act of 2014 or chapter 84, Hawaii Revised Statutes. (SD1)</p>	<p>LCA, JDC/WAM</p>
<p><a href="#"><u>SB 3293, SD1</u></a>  <a href="#"><u>(SSCR2543)</u></a>  <a href="#"><u>Status &amp; Testimony</u></a></p>	<p>RELATING TO ASSISTANCE FOR PERSONS COMPLETING A TERM OF IMPRISONMENT.  Establishes within the Department of Human Services a four-year pilot program to provide housing and child care vouchers to qualified applicants who will soon complete, or have recently completed, a term of imprisonment as a sentenced offender, and who have or will have sole or primary custody of one or more children under the age of eighteen. Income tax credit to employers who employ qualified program participants for up to two years after the qualified program participant is released from a correctional facility. Requires reports to the Legislature. Appropriates funds. (SD1)</p>	<p>HMS/PSM,  JDC/WAM</p>
<p><a href="#"><u>SB 3324, SD1</u></a>  <a href="#"><u>(SSCR2670)</u></a>  <a href="#"><u>Status &amp; Testimony</u></a></p>	<p>RELATING TO INFRASTRUCTURE MAINTENANCE IN HOUSING SUBDIVISIONS.  Establishes a working group to address the problem of infrastructure repair and maintenance in planned housing subdivisions that do not have compulsory community associations. Effective 7/1/2050. (SD1)</p>	<p>GVO/TRS,  JDC/WAM</p>

**Decision making meeting only, no oral testimony will be accepted.**

Persons wishing to submit written testimony may do so up to 24 hours prior to the hearing. Click [here](#) to submit written testimony.

**All testimony received by the Hawai'i Senate is posted on the Hawai'i Legislature's website, which is accessible to the public. Please do not include private information that you do not want disclosed to the public.**

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), please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

**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 CALL THE COMMITTEE CLERK AT (808) 586-6800.

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Senator Karl Rhoads  
Chair

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Senator Donovan M. Dela Cruz  
Chair