THE SENATE THE TWENTY-FOURTH LEGISLATURE REGULAR SESSION OF 2008

COMMITTEE ON WAYS AND MEANS

Senator Rosalyn H. Baker, Chair Senator Shan S. Tsutsui, Vice Chair

NOTICE OF DECISION MAKING

DATE:	Friday, February 22, 2008
TIME:	11:00 a.m.
	[Note: The Committee will take a recess for
	lunch, if necessary, then reconvene.]
PLACE:	Conference Room 211
	State Capitol
	415 South Beretania Street

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<u>The following bills were previously heard in their respective subject matter committees.</u> For this decision-making, only written comments will be accepted; no oral testimony will be accepted.

<u>SB 2035, SD1</u>	RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MAUI PREPARATORY ACADEMY. Authorizes the issuance of special purpose revenue bonds for Maui	EDU, WAM
(SSCR2048)	Preparatory Academy. (SD1)	
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2164, SD2</u>	RELATING TO EDUCATION. Establishes the Hawaii charter school facilities fund for funding the repair, maintenance, and other facilities needs of charter schools.	EDU, EDT, WAM
(SSCR2539)	Appropriates funds for the Hawaii charter school facilities fund. (SD2)	
Testimony		
<u>Status</u>		
<u>SB 2472, SD1</u>	RELATING TO EDUCATION. Authorizes the issuance of special purpose revenue bonds for Mohala Pua School, doing business as the Honolulu Waldorf School. (SD1)	EDU, WAM
(SSCR2015)		
Testimony		
<u>Status</u>		
<u>SB 2482, SD1</u>	RELATING TO THE HAWAI'I INSTITUTE OF MARINE BIOLOGY.	EDU, WAM
(SSCR2112)	Extends the lapse date of the funds provided for the planning, design, and construction of a modern laboratory and office complex on	
Testimony	Coconut Island. (SD1)	
<u>Status</u>		



<u>SB 2652, SD1</u>	RELATING TO EDUCATION. Provides for periodic wage adjustments for substitute teachers that are comparable to the wage adjustments negotiated for teachers in barracinian unit 5 and appropriates funds therefore (CD1)	EDU/JDL, WAM
(SSCR2142) Testimony	bargaining unit 5 and appropriates funds therefor. (SD1)	
<u>Status</u>		
<u>SB 2660, SD2</u>	RELATING TO COLLEGE SAVINGS PROGRAMS. Provides an annual maximum deduction of \$5,000 per individual or \$10,000 for a married couple filing jointly against their taxable income	EDU, EDT, WAM
(SSCR2533)	for contributions made to a section 529 college savings program in	
Testimony	calendar year 2008 and beyond. Establishes a \$75,000 cap on the total tax deduction per college savings account. (SD2)	
<u>Status</u>		
<u>SB 2663, SD1</u>	RELATING TO THE HAWAII TEACHER STANDARDS BOARD. Changes the composition of the Hawaii teacher standards board to include seven licensed teachers regularly engaged in teaching	EDU, WAM
(SSCR2283)	members; defines the term "teachers regularly engaged in teaching";	
<u>Testimony</u>	and clarifies nominating procedures for board members. Appropriates funds for data/information management efforts of the board. Requires	
<u>Status</u>	the Hawaii teacher standards board to include in its annual report to the governor and the legislature information on income and expenditures and supporting data. (SD1)	
<u>SB 2668, SD1</u>	RELATING TO THE UNIVERSITY OF HAWAII. Requires the submission of candidates' names for the regents candidate advisory council within sixty days following the notification of a	EDU, WAM
(SSCR2264) Testimony Status	vacancy. Clarifies the requirement of the submission of the names of the candidates to the governor. Makes confidential certain information received or maintained by the regents candidate advisory council; provided that information concerning an applicant that is subsequently appointed by the governor to the board of regents shall be disclosed as provided by law. Requires candidates to reside in the geographic area which the candidate represents. Appropriates funds for an administrative position to support regents candidate advisory council operations. Requires the governor to notify the regents candidate advisory council of vacancies on the board of regents in a timely manner. (SD1)	
<u>SB 2675, SD1</u>	RELATING TO THE UNIVERSITY OF HAWAII. Authorizes the transfer of all university funds, with the exception of general funds and tuition funds, into the University of Hawaii	EDU, WAM
(SSCR2113)	commercial enterprises revolving fund. (SD1)	
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2677</u>	RELATING TO COMPTROLLER SUPERVISION OF ACCOUNTS. Limits the University of Hawaii duty to preaudit all proposed payments to those that amount to \$10,000 or more.	EDU, WAM
(SSCR2115)		
Testimony		
<u>Status</u>		



<u>SB 2680</u> (SSCR2139)	RELATING TO WORKERS' COMPENSATION. Provides for workers' compensation coverage for students participating in school-approved work-based learning programs sponsored by the department of education or the University of Hawaii.	EDU/JDL, WAM
Testimony		
Status		
<u>SB 2877, SD1</u>	RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN.	EDU/IGM/JDL, WAM
(SSCR2390)	Establishes a task force to study the Interstate Compact on Educational Opportunity for Military Children and other issues relating to the	
<u>Testimony</u>	educational needs of military children. (SD1)	
<u>Status</u>		
<u>SB 3250, SD1</u>	RELATING TO THE UNIVERSITY OF HAWAII. Requires the University of Hawaii to develop a system of institutional financial performance incentives. (SD1)	EDU, WAM
(SSCR2260)		
Testimony		
<u>Status</u>		
<u>SB 3251, SD2</u>	RELATING TO EDUCATION. Establishes a task force to study the adequacy of funding for education in the State and to develop estimates and methods for meeting funding	EDU, EDT, WAM
(SSCR2532) Testimony	needs. Requires reports to the legislature and appropriates funds for the task force. (SD2)	
Status		
<u>SB 3252, SD1</u>	RELATING TO TEACHERS.	EDU, WAM
	Addresses the teacher shortage problem in the State through various initiatives. Appropriates funds to address the problem. (SD1)	
<u>(SSCR2259)</u>		
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2026, SD1</u>	RELATING TO TIME SHARE PLANS. Exempts the offer or sale of a time share interest from the time share law if the offer or sale is for an additional interest in the same time	CPH/TSG, WAM
<u>(SSCR2319)</u>	share plan to an existing owner. Exempts a time share developer or an	
Testimony	affiliated entity under common ownership from registration if they are selling a time share interest in a time share plan located outside of	
<u>Status</u>	Hawaii to an individual who currently owns a time share interest that was purchased from that developer or affiliated entity. (SD1)	
<u>SB 2191, SD1</u>	RELATING TO PUBLIC UTILITIES. Requires the public utilities commission to study one priority region	CPH, WAM
(SSCR2372)	for each county statewide to develop with input from the utilities a plan for the undergrounding of overhead utility lines for health and safety	
Testimony	purposes. Funds for the study shall be appropriated out of the public utilities special fund. (SD1)	
<u>Status</u>	•	



<u>SB 2294, SD1</u>	RELATING TO KAKAAKO. Increases the reserved housing requirement for a planned development with a height of more than forty-five feet or a floor area that equals or	CPH, WAM
(SSCR2453)	exceeds 1.5 times the lot area for such development in the Kakaako	
<u>Testimony</u>	community development district, mauka area. (SD1)	
<u>Status</u>		
<u>SB 2313</u>	RELATING TO INSURANCE. Expands the authority of the insurance division's insurance fraud investigations unit under the department of commerce and consumer	CPH, WAM
(SSCR2224)	affairs to prevent, investigate, and prosecute insurance fraud beyond	
Testimony	motor vehicle insurance cases to all lines of insurance except workers' compensation.	
<u>Status</u>		
<u>SB 2315, SD1</u>	RELATING TO INSURANCE. Recognizes that a reciprocal insurer and its attorney-in-fact shall be considered as a single entity for tax purposes and not be subject to	CPH, EDT, WAM
(SSCR2510)	general excise taxes in order to avoid the effect of double taxation.	
Testimony	(SD1)	
<u>Status</u>		
<u>SB 2501, SD2</u>	RELATING TO THE RENTAL MOTOR VEHICLE SURCHARGE TAX.	CPH, EDT, WAM
(SSCR2528)	Repeals the \$2 a day rate of the rental motor vehicle surcharge tax, in effect from September 1, 1999, to August 31, 2008; changes the \$3 a day rate to an unspecified amount. (SD2)	
<u>Testimony</u>	ady face to an unspecified amount. (5D2)	
<u>Status</u>		
<u>SB 2555, SD1</u>	RELATING TO SUSTAINABILITY. Creates a department of planning and sustainability by combining the office of planning, commission on water resource management, energy	CPH, WAM
(SSCR2377)	resources coordinator responsibilities, land use commission, office of	
Testimony	environmental quality control, and Hawaii community development authority. (SD1)	
<u>Status</u>		
<u>SB 2783, SD1</u>	RELATING TO LOSS MITIGATION. Includes earthquake resistive devices in the loss mitigation grant program. Directs the insurance commissioner to develop criteria for	CPH, WAM
(SSCR2183)	earthquake resistive devices. Appropriates moneys to the loss	
<u>Testimony</u>	mitigation grant fund. Effective 07/01/50. (SD1)	
<u>Status</u>		
<u>SB 2864, SD1</u>	RELATING TO INSURANCE. Requires the insurance commissioner to conduct a study of the adequacy of health plan reimbursements to providers. (SD1)	CPH/HTH, WAM
(SSCR2361)		
Testimony		

<u>Status</u>



<u>SB 2958, SD1</u>	RELATING TO ENHANCED 911 SERVICES FOR MOBILE PHONES.	CPH, WAM
(SSCR2233)	Decreases from \$0.66 to \$0.43 per month the surcharge customers pay on each mobile phone for E911 emergency mobile phone services.	
Testimony	(SD1)	
Status		
<u>SB 3010, SD1</u>	RELATING TO RESIDENTIAL MORTGAGE PRACTICES. Repeals the law on mortgage brokers and solicitors under chapter 454, Hawaii Revised Statutes, and replaces it with a statute that provides for	CPH, WAM
(SSCR2457)	regulation of mortgage brokers and loan originators by the division of	
<u>Testimony</u>	financial institutions. (SD1)	
<u>Status</u>		
<u>SB 3011, SD1</u>	RELATING TO INSURANCE. Allows the Insurance Division to include a 3-month reserve in the calculation of Compliance Resolution Fund (CRF) assessments in	CPH, WAM
(SSCR2234)	order to ensure continued operations of the Division at the end of the	
<u>Testimony</u>	fiscal year. (SD1)	
<u>Status</u>		
<u>SB 3023, SD1</u>	RELATING TO INSURANCE. Authorizes the creation and regulation of special purpose financial	CPH, WAM
(SSCR2378)	captive insurance companies (SPFCIC). Establishes confidentiality provisions applicable to captives, including SPFCICs. Provides clarity	
Testimony	on sponsored captive insurance companies. (SD1)	
Status		
<u>SB 3030, SD1</u>	RELATING TO MIXED MARTIAL ARTS. Establishes a fee structure to fund mixed martial arts regulation. (SD1)	CPH, WAM
(SSCR2235)		
Testimony		
Status		
<u>SB 2041</u>	RELATING TO HEALTH. Appropriates funds to match federal funding for the disproportionate share hospital allowance.	HSP/HTH, WAM
(SSCR2068)	share nospital anowance.	
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2150, SD1</u>	RELATING TO ADULT PROTECTION. Expands the adult protective services law by extending protections to vulnerable adults. Appropriates funds to the department of human	HSP/JDL, WAM
(SSCR2366)	services. (SD1)	
<u>Testimony</u>		
<u>Status</u>		



<u>SB 2151, SD1</u>	RELATING TO LONG-TERM CARE OMBUDSMAN. Expands the long-term care ombudsman program by adding three additional ombudsman positions, one for each neighboring county.	HSP, WAM
(SSCR2087)	(SD1)	
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2214, SD1</u>	RELATING TO BRIDGE TO HOPE PROGRAM. Expands the bridge to hope program to enable all heads of household in the first-to-work program to pursue education beyond the federal	HSP, WAM
(SSCR2098)	limit of one year of vocational education. (SD1)	
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2219, SD1</u>	RELATING TO PUBLIC ASSISTANCE. Expands QUEST coverage for post-pregnancy interconception care to up to six months. Appropriates funds for this purpose. (SD1)	HSP, WAM
(SSCR2211)		
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2226, SD1</u>	MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON FATHERHOOD. Appropriates funds for the state commission on fatherhood. (SD1)	HSP, WAM
(SSCR2073)		
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2246, SD1</u>	RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH. Extends the timeframe in which a former foster youth may apply for a	HSP, WAM
(SSCR2148)	higher education board allowance. Provides former foster youth who	
<u>Testimony</u>	are between the ages of 22 and 26 years of age as of July 1, 2008, and who are already attending a higher education institution, the	
<u>Status</u>	opportunity to apply for a higher education board allowance within a year; increases the maximum age for the benefit with a maximum benefit length of 60 months. (SD1)	
	benefit length of oo monuls. (SD1)	
<u>SB 2259, SD1</u>	RELATING TO PSYCHOTROPIC MEDICATION. Improves access to psychotropic medication for all participants in QUEST medical plans by making the law that authorizes QUEST	HSP/HTH, WAM
(SSCR2069)	coverage for such medications permanent. (SD1)	
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2790, SD1</u>	RELATING TO PERINATAL CARE. Appropriates funds for the perinatal clinic within the UH medical school department of obstetrics, gynecology, and women's health to	HSP, WAM
(SSCR2272)	help women with a history of substance abuse. (SD1)	
<u>Testimony</u>		
<u>Status</u>		



<u>SB 2857, SD1</u>	RELATING TO HOME CARE AGENCIES. Requires home care agencies to be licensed by the department of health; appropriates funds. (SD1)	HSP, WAM
(SSCR2472)		
<u>Testimony</u>		
<u>Status</u>		
<u>SB 1488, SD1</u>	RELATING TO CORRECTIONAL INDUSTRIES. Increases temporary exempt positions under correctional industries program. (SD1)	PBS/JDL, WAM
(SSCR2503)		
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2082, SD1</u>	RELATING TO PUBLIC SAFETY. Appropriates funds to the department of public safety to develop a plan by July 1, 2008, to return as many as possible of the female Hawaii	PBS, WAM
(SSCR2340)	prisoners incarcerated in mainland prisons back to Hawaii by July 1,	
<u>Testimony</u>	2009. (SD1)	
<u>Status</u>		
<u>SB 2083, SD1</u>	RELATING TO THE SUPERVISION OF ADULT OFFENDERS. Increases the membership of and appropriates funds for a full-time	PBS/JDL, WAM
(SSCR2502)	coordinator position for the state council for interstate adult offender supervision; authorizes the judiciary to assess a fee on parolee and	
<u>Testimony</u>	probationer's prison transfer applications; and establishes one full-time coordinator position under the judiciary. (SD1)	
<u>Status</u>	coordinator position under the judiciary. (3D1)	
<u>SB 2342, SD1</u>	RELATING TO THE AUDITOR. Requires the auditor to conduct performance audits of private prisons on the mainland that house Hawaii prisoners. Makes appropriation.	PBS, WAM
(SSCR2345)	(SD1)	
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2546, SD1</u>	RELATING TO OFFENDER REENTRY. Makes clarifying amendments to chapter 353H, Hawaii Revised	PBS, WAM
(SSCR2504)	Statutes, relating to the offender reentry program. Makes establishing the program mandatory. (SD1)	
Testimony		
Status		
<u>SB 3109, SD1</u>	RELATING TO THE CORRECTIONAL PROGRAM REVOLVING FUND.	PBS, WAM
(SSCR2348)	Repeals the correctional program revolving fund which has never been used by the department of public safety and has no funds in it. (SD1)	
Testimony		
Status		



<u>SB 2039, SD1</u>	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Provides for a one time lump sum payment for retirees at least 75 years of age who have been in retirement at least 20 years. Makes	JDL, WAM
<u>(SSCR2414)</u>	appropriation. (SB2039 SD1)	
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2262, SD1</u>	RELATING TO HEALTH. Extends the sunset date to 7/1/2011, for voluntary employees' beneficiary association trusts pilot program established pursuant to Act	JDL, WAM
(SSCR2441)	245, Session Laws of Hawaii 2005, as amended. (SB2262 SD1)	
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2493</u>	MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS. Provides fund authorizations and appropriations for salary increases for	JDL, WAM
<u>(SSCR2294)</u>	unit 5 employees for fiscal year 2008-2009.	
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2710, SD1</u>	RELATING TO THE RE-EMPLOYMENT OF RETIREES. Allows a county to hire state or county government employees retired	JDL/IGM, WAM
(SSCR2484)	at least a year for labor shortage or critical to fill positions. Requires county employers to pay employer contributions. (SB2710 SD1)	
Testimony		
<u>Status</u>		
<u>SB 2779</u>	RELATING TO LABOR. Clarifies the circumstances under which the governor may suspend statutes relating to wages and hours on public works projects.	JDL, WAM
(SSCR2293)	surfaces relating to wages and nours on public works projects.	
<u>Testimony</u>		
<u>Status</u>		
<u>SB 2876</u>	RELATING TO EMPLOYMENT SECURITY. Appropriates funds for fiscal year 2007-08 in Reed Act funds for services of the unemployment insurance and workforce development	JDL, WAM
(SSCR2295)	divisions.	
<u>Testimony</u>		
<u>Status</u>		
<u>SB 3004, SD1</u>	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Requires government employers to provide information to the ERS	JDL, WAM
(SSCR2399)	electronically. Provides for direct deposit of refunds and other lump sum payments. Clarifies that contributions for unpaid leaves are	
Testimony	required for service credit. Conforms provision re compensation of	
Status	ERS member on military leave to USERRA. (SD1)	



<u>SB 3005, SD1</u>	RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM.	JDL, WAM
(SSCR2398)	Repeals the provisions that (1) make ERS membership by elective officers optional and (2) allow elective officers and judges to withdraw	
Testimony	from ERS membership by nominally retiring even though they remain	
Status	in office. Provides for service by retirants as elective officers without suspension of retirement benefits. (SB3005 SD1)	
Status	suspension of remement benefits. (SD3003 SD1)	
<u>SB 3088</u>	RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD.	JDL, WAM
(SSCR2296)	Authorizes the Labor and Industrial Relations Appeals Board (Board) to employ a hearings officer, as well as to allow that hearings officer to	
Testimony	hold a hearing, in order for the Board to expedite hearings on certain	
Status	workers' compensation matters.	
<u>SB 3228</u>	RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES.	JDL/HTH, WAM
(SSCR2401)	Adjusts pension amounts for retired patient employees of Hansen's	
Testimony	disease facilities; provides for annual increase to be paid to deceased retired patient employees' estates.	
<u>Status</u>		
<u>SB 2625, SD1</u>	RELATING TO TRANSPORTATION.	ENE/TIA/EDU,
(SSCR2323)	Appropriation for the Hawaii energy policy forum to conduct a study on energy-efficient transportation strategies at the University of Hawaii. (SD1)	WAM
Testimony		
Status		
<u>SB 2225, SD2</u>	RELATING TO HOUSING.	CPH/HSP, EDT,
	Appropriates funds for various homeless and housing programs and projects. Repeals sunset date for allocation of conveyance tax to the	WAM
<u>(SSCR2523)</u>	rental housing trust fund. Provides funding for various public housing and housing $Eff 7/1/2050$ (CD2)	
<u>Testimony</u>	and homeless programs. Eff. 7/1/2050. (SD2)	
<u>Status</u>		
<u>SB 2560</u>	RELATING TO AFFORDABLE HOUSING. Establishes a self-help housing technical assistance trust fund under the	CPH, WAM
(SSCR2079)	Hawaii housing finance and development corporation to provide funding for technical assistance costs generated by self-help housing	
Testimony	projects. Makes an appropriation into the fund and authorizes the	
	moneys to be expended to carry out the purposes of the fund.	
<u>Status</u>		
<u>SB 2980</u>	RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM. Provides an increase in Hula Mae multifamily revenue bond authority	CPH, WAM
(SSCR2184)	from \$400 million to \$500 million to provide financing assistance for	
<u>Testimony</u>	the development and preservation/rehabilitation of affordable housing.	
<u>Status</u>		



<u>SB 3174, SD1</u>	RELATING TO AFFORDABLE HOUSING.	CPH/HSP, WAM
	Extends sunset of allocation of conveyance tax to the rental housing	
	trust fund; makes appropriation in general obligation bonds for	
(SSCR2137)	dwelling unit revolving fund; makes appropriation for expedited third	
Testimes	party review of affordable projects. Authorizes the issuance of general	
<u>Testimony</u>	obligation bonds for the planning, development, and construction of	
Status	affordable housing in cooperation with nonprofit and private	
	developers. (SD1)	

FOR ALL MEASURES LISTED ABOVE ONLY <u>WRITTEN COMMENTS</u> SHOULD BE SUBMITTED.

Persons wishing to testify should submit testimony in one of the following ways at least 24 hours prior to the hearing:

- In person: 1 copy of their testimony to the committee clerk, Room 210, State Capitol.
- By fax: Testimony may be faxed if less than 5 pages in length, to the Senate Sergeant-At-Arms Office at 586-6659 or 1-800-586-6659 (toll free for neighbor islands), at least 24 hours prior to the hearing. When faxing, please indicate to which committee the testimony is being submitted and the date and time of the hearing.
- By Email: Testimony may be emailed if less than 5 pages in length, to <u>testimony@capitol.hawaii.gov</u>. Please indicate to which committee the testimony is being submitted and the date and time of the hearing. Email sent to individual offices or any other Senate office will not be accepted.

If you require special assistance or auxiliary aids or services to participate in the public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the committee clerk 24 hours prior to the hearing so arrangements can be made.

Please note: Documents made available through the Testimony hyperlink(s) above may not be posted until the start of the hearing.

<u>Public Folder</u>. A folder labeled "Public Folder" containing the measures and testimonies for the hearing will be available for shared use by members of the public.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT 586-6800.

Senator Rosalyn H. Baker Chair

