

OFFICE OF THE SPEAKER
TWENTY-SIXTH STATE LEGISLATURE

COMMITTEE REFERRALS

NO. 8
5th LEGISLATIVE DAY-JANUARY 25, 2012

Committee Abbreviations:

AGR - Agriculture	HSG - Housing
CPC - Consumer Protection & Commerce	HUS - Human Services
CUA - Culture & the Arts	INT - International Affairs
EDN - Education	JUD - Judiciary
EEP - Energy & Environmental Protection	LAB - Labor & Public Employment
ERB - Economic Revitalization & Business	LMG - Legislative Management
FIN - Finance	PBM - Public Safety & Military Affairs
HAW - Hawaiian Affairs	TOU - Tourism
HED - Higher Education	TRN - Transportation
HLT - Health	WLO - Water, Land, & Ocean Resources

		<u>Committee REFERRAL</u>
HB2639	RELATING TO HIGHER EDUCATION. Amends the University of Hawaii college-credit equivalency program to include service in the United States armed forces. Requires the program to develop a learning assessment to determine eligibility.	PBM, HED, FIN
HB2640	RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIRST REPRESENTATIVE DISTRICT. Authorizes issuance of general obligation bonds and appropriates funds for capital improvement projects in the 21st representative district.	FIN
HB2641	RELATING TO ELECTRIC VEHICLES. Limits the length of free parking time available to electric vehicles parked on city, state or county governmental property.	TRN, EEP, FIN

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REFERRAL**

HB2642	RELATING TO FIREWORKS. Corrects the definition of "display fireworks". Restricts the importation of display fireworks to amounts necessary for a permitted display, except for qualified importers of certain fireworks. Amends fireworks shipment documentation requirements. Amends labeling requirements for imported display fireworks.	PBM, FIN
HB2643	RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-FIFTH, THIRTY-SEVENTH, FORTIETH, FORTY-FIRST, AND FORTY-SECOND REPRESENTATIVE DISTRICTS. Appropriates funds for capital improvement projects for schools in the thirty-fifth, thirty-seventh, fortieth, forty-first, and forty-second representative districts. Effective July 1, 2012.	FIN
HB2644	RELATING TO THE PUBLIC UTILITIES COMMISSION. Requires the Public Utilities Commission to implement best practices in the areas of regulatory frameworks, rules and procedures, and information technology and public access. Appropriates funds to implement best practices.	CPC, FIN
HB2645	RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS. Adds powers and duties to the director of labor and industrial relations regarding the registration and regulation of professional employer organizations. Authorizes various penalties for noncompliance with chapter 373L, HRS. Establishes the professional employer special fund to manage the registration of professional employer organizations. Amends certain definitions in chapter 373L, HRS, to make them consistent with definitions in chapter 373K, HRS.	ERB, CPC/JUD, FIN
HB2646	RELATING TO THE PUBLIC UTILITIES COMMISSION. Requires payment to public utilities commissioners who reside on an island other than Oahu of per diem allowance and weekly round trip airfare.	CPC, FIN
HB2647	RELATING TO THE ETHANOL FACILITY TAX CREDIT. Repeals the Ethanol Facility Tax Credit. Effective July 1, 2012.	EEP, FIN
HB2648	RELATING TO ETHANOL. Repeals the statutory provision requiring that gasoline sold in the State for use in motor vehicles contain ten per cent ethanol by volume. Effective July 1, 2012.	TRN, EEP

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HB2649	RELATING TO THE STATEWIDE TRAFFIC CODE. Authorizes the counties to implement a vehicle boot program to place a vehicle boot on vehicles of an owner with outstanding motor vehicle violations until those violations are resolved.	TRN, JUD, FIN
HB2650	RELATING TO THE FOUNDATION ON CULTURE AND THE ARTS. Provides an option on tax returns and motor vehicle registration applications for a donation to the Foundation on Culture and the Arts. Establishes a Foundation on Culture and the Arts Donation Special Fund.	CUA, TRN, FIN
HB2651	RELATING TO NOISE. Authorizes the county liquor commissions to adopt rules and use exclusively the dBC weighting system for the purpose of community noise control.	EEP, CPC
HB2652	RELATING TO PUBLIC, EDUCATIONAL, OR GOVERNMENTAL ACCESS FACILITIES. Requires the DCCA director to designate separate access organizations for each of the 3 components of PEG access: public, educational, and governmental.	CPC, FIN
HB2653	RELATING TO TELECOMMUNICATIONS. Exempts the upgrading of existing wireless broadband facilities from state and county permitting processes. Requires State and counties to give final approval for new wireless infrastructure within 120 days and approve permits for new wireless infrastructure within 45 days. Effective 7/1/12 to 1/1/17.	ERB, CPC, FIN
HB2654	RELATING TO TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES. Establishes the Hawaii communications commission in DBEDT. Transfers functions relating to telecommunications from the PUC to the Hawaii communications commission. Also transfers functions relating to cable services from DCCA to the Hawaii communications commission. Makes an appropriation.	ERB, CPC, FIN
HB2655	RELATING TO LABOR. Directs the DLIR to establish a state-funded training program to expand the workforce investment activities administered by the DLIR under the federal Workforce Investment Act. Makes an appropriation.	LAB, FIN

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HB2656	RELATING TO AIR POLLUTION CONTROL. Requires all crematoriums operating without air pollution control permits and which were constructed prior to March 20, 1972, to submit permit applications to the department of health by December 31, 2012.	EEP, FIN
HB2657	RELATING TO AIR POLLUTION CONTROL. Clarifies that emissions from crematories constitute air pollutants. Requires director of health to establish ambient air quality standards specifically for crematories.	EEP, FIN
HB2658	RELATING TO CORPORATIONS. Extends applicability of an action plan of a merger or share exchange to publicly traded corporations, in certain circumstances.	ERB
HB2659	RELATING TO INTOXICATING LIQUOR. Amends section 281-78(b), HRS, to clarify that a licensee who timely suppresses unlawful activity, including by means of detaining and reporting an offender to the police, from occurring on the licensed premises shall not be in violation of that section.	ERB, CPC
HB2660	RELATING TO TRANSIT ENHANCEMENTS. Provides that a county surcharge adopted by ordinance and levied on state general excise or use tax may be used to fund transit enhancements.	TRN, FIN
HB2661	RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND. Requires the department of budget and finance to conduct a study to reform the Hawaii employer-union health benefits trust fund. Requires the department to submit the study to the governor, legislature, and board of trustees of the trust fund before the convening of the 2014 regular session. Appropriates \$100,000 in FY 2012-13 for the study.	LAB, FIN
HB2662	RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES AND CLARIFYING LANGUAGE. Amends various provisions of the Hawaii Revised Statutes and the Session Laws of Hawaii for the purpose of correcting errors and references and clarifying language.	JUD

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HB2663	<p>RELATING TO PUBLIC UTILITIES. Includes a high-voltage electric transmission cable system for interisland transmission of electricity in the definition of "public utility", regardless of whether the electricity is generated using nonfossil fuels, provided that the PUC finds that regulation is in the public interest.</p>	EEP, CPC, FIN
HB2664	<p>RELATING TO HEALTH CARE COORDINATION. Establishes a public-private partnership in a county with a population between 100,000 and 170,000; partnership to develop an integrated system to deliver health care across the spectrum of care; partnership to work at addressing the current crisis in acute care.</p>	HLT, FIN
HB2665	<p>RELATING TO STROKE TREATMENT. Establishes a statewide stroke system of care by designating primary stroke centers and acute stroke capable centers; defines emergency services training and transport protocols; establishes a stroke registry working group; requires health insurance coverage for telemedicine services; and establishes a stroke system of care task force.</p>	HLT, CPC, FIN
HB2666	<p>RELATING TO AGRICULTURAL LAND. Includes lands with the presence of agricultural production or dedicated agricultural infrastructure as a priority land for public acquisition. Authorizes agricultural lands that are reviewed and approved for easement funding by the ADC to have first priority for funding from the land conservation fund.</p>	AGR/WLO, FIN
HB2667	<p>RELATING TO AGRICULTURE. Authorizes the department of agriculture to lease land under its jurisdiction to qualified farmers at a reduced rate for food production. Requires the department of agriculture to adopt rules pursuant to chapter 91, HRS, to administer and implement the lease program.</p>	AGR, FIN
HB2668	<p>RELATING TO AGRICULTURE. Amends important agricultural land tax credit to allow an additional fifteen per cent credit for drought mitigation and change the tax credit cap from \$7,500,000 per year to \$5,000,000 per year for the 2012 tax year and \$7,000,000 per year for the 2013, 2014, and 2015 tax years. Creates a livestock feed tax credit for 2013. Creates feed development tax credit program from January 1, 2013, to December 31, 2015.</p>	AGR, FIN

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HB2669	RELATING TO ENERGY. Creates an income tax credit for development and construction costs for qualifying biofuel production facilities. Repeals 1/1/2017. Defines "oil refinery". Clarifies that an environmental assessment is required for an action proposing the expansion of an existing oil refinery.	EEP, FIN
HB2670	RELATING TO ENERGY. Establishes the negotiated partner approach pilot program for energy savings contracts, which allows agencies to forego requests for proposals and negotiate directly with qualified vendors. Requires the pilot program to be operational from 7/1/12 to 6/30/14.	EEP, FIN
HB2671	RELATING TO SUSTAINABILITY. Requires the office of planning to convene a workgroup for sustainability guidelines, establish benchmarks for measuring sustainability progress, and coordinate sustainability progress made by the State and counties. Authorizes the office of planning to contract for a coordinator or facilitator.	WLO/EEP/AGR, HED, FIN
HB2672	RELATING TO THE OVERTHROW OF THE HAWAIIAN KINGDOM. Establishes a commission within the Office of Hawaiian Affairs to recognize and commemorate the native Hawaiians who signed the Petition Against Annexation. Specifies that funding for the operations of the petition against annexation memorial commission shall be provided by the office of Hawaiian affairs. Effective July 1, 2012.	HAW, FIN
HB2673	RELATING TO TOURISM. Provides individuals occupying transient accommodations with the ability to donate \$1 to the Department of Land and Natural Resources for the State Park System. Authorizes acceptance of donations into the State Parks Special Fund.	TOU, WLO, FIN
HB2674	RELATING TO HUMAN SERVICES. Makes an appropriation for medicaid eligibility worker 3 medicaid eligibility I workers, 2 medicaid eligibility II workers, and 1 medicaid eligibility III worker.	HUS, FIN
HB2675	RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-NINTH REPRESENTATIVE DISTRICT. Authorizes the issuance of GO bonds and appropriates funds for CIP in the 49th representative district.	FIN

		<u>Committee REFERRAL</u>
<u>HB2676</u>	RELATING TO HUMAN SERVICES. Appropriates funds for DHS to restore staff positions on Maui, Lanai, and Molokai that were eliminated during the 2010-2011 fiscal year. Effective 7/1/12.	HUS, FIN
<u>HB2677</u>	RELATING TO TAXATION. Requires the sale of specified digital goods to be subject to the general excise tax; defines terms included as specified digital goods.	ERB, FIN
<u>HB2678</u>	RELATING TO EARNED INCOME TAX CREDIT. Establishes a state earned income tax credit for taxable years beginning after December 31, 2012.	HUS, FIN
<u>HB2679</u>	RELATING TO ANIMAL CRUELTY. Extends procedures for impoundment and forfeiture for cruelty to animal offense to equines to the same extent as pet animals.	JUD
<u>HB2680</u>	RELATING TO LEAVES OF ABSENCE. Requires certain private employers to allow employees to take paid leaves of absence for organ, bone marrow, or peripheral blood stem cell donation. Requires the employer to restore the employee returning from leave to the same or equivalent position. Establishes a private right of action for employees seeking enforcement of provisions.	HLT, LAB/ERB, JUD
<u>HB2681</u>	RELATING TO ELECTRIC GUNS. Repeals the requirement that the Conservation and Resources Enforcement Program of the Department of Land and Natural Resources meet law enforcement accreditation or recognition standards of the Commission on Accreditation for Law Enforcement Agencies prior to using or obtaining electric guns, related equipment, and training. Effective July 1, 2012.	PBM, WLO, FIN
<u>HB2682</u>	RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS. Authorizes the Department of Land and Natural Resources to regulate the commercial use of state waters and marine resources. Effective July 1, 2012.	WLO, FIN
<u>HB2683</u>	RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FIFTH REPRESENTATIVE DISTRICT. Appropriates funds for capital improvement projects for the benefit of the 45th representative district. Effective July 1, 2012.	FIN

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HB2684	RELATING TO THE ZIPPER LANE. Requires the Department of Transportation to conduct a feasibility study on the extension of the zipper lane westward from Waipahu toward Kapolei, west of the Kunia on-ramp. Appropriates funds for the study. Effective July 1, 2012.	TRN, FIN
HB2685	RELATING TO HUMAN SERVICES. Raises the asset limit for public assistance programs from \$5,000 to \$10,000.	HUS, FIN
HB2686	RELATING TO CIVIL LIABILITY. Exempts the owners of private property from liability for injury, death, loss, or damage suffered by another if the person was allowed on the premises due to an emergency, unless it was intentionally inflicted or occurred by the gross negligence of the private property owner or an agent of the private property owner.	PBM, JUD
HB2687	RELATING TO THE ENVIRONMENT. Establishes the Community Response Account into which shall be deposited one-half of the fines and penalties collected under sections 342H-9 and 342-10 from the Environmental Response Revolving Fund. Specifies that where a county individually, or the State and a county jointly, initiates and conducts an investigation resulting in the imposition and collection of a fine or penalty, pursuant to section 342H-30(c), Hawaii Revised Statutes, the fine or penalty shall be distributed as follows: (1) one-third to the county department where the investigation was initiated and conducted; (2) one-third into the Environmental Response Revolving Fund; and (3) one-third into the Community Response Account. Effective July 1, 2012.	EEP, JUD, FIN
HB2688	RELATING TO VEHICLES. Amends the scope of offenses relating to negligent injury by broadening the offenses' application to include negligent injuries caused by mopeds and vessels.	TRN, JUD
HB2689	RELATING TO GEOTHERMAL ENERGY. Exempts slim hole wells from chapter 343, HRS, and establishes specific environmental safety requirements for slim hole wells. Defines "slim hole well" and "large hole well".	EEP/WLO, FIN

**Committee
REFERRAL**

HB2690	RELATING TO GEOTHERMAL RESOURCES. Differentiates between "geothermal resources exploration" and "geothermal resources development" for purposes of mining leases and exploration permits. Designates "geothermal resources exploration" and "geothermal resources development" as permitted uses in all state land use districts and conservation district zones. Repeals geothermal resource subzone provisions under state land use law. Exempts geothermal resources exploration from environmental assessment and environmental impact statement requirement.	EEP/WLO, FIN
HB2691	RELATING TO GEOTHERMAL DEVELOPMENT. Requires state land that is designated as a geothermal resource subzone to be reserved for geothermal development. Requires leases of state land that is designated as a geothermal resource subzone to be processed as both a land lease and a mining lease. Requires an open bidding process for leases of state land designated as a geothermal resource subzone for electricity production. Establishes the geothermal development special fund.	EEP/WLO, FIN
HB2692	RELATING TO HOMEOWNERSHIP. Establishes the Homeownership Initiative Pilot Program which allows eligible employees to withdraw funds from their employees' retirement system accounts, to be used exclusively for a down payment on a qualifying multifamily residential property that will be used as a primary residence.	HSG, LAB, FIN
HB2693	RELATING TO STUDENT HEALTH. Authorizes trained school personnel to administer epinephrine to a student believed to be having an anaphylactic emergency, with the written authorization of the student's parent or guardian and medical certification that epinephrine may be administered to the student. Requires schools to maintain a supply of epinephrine for anaphylactic emergencies.	HLT, EDN, JUD
HB2694	RELATING TO THE STATE BUDGET. Changes the means of financing for renovations to the Maunaloa Bay launch ramp facility from revenue bonds to general obligation bonds.	WLO, FIN
HB2695	RELATING TO LIFE INSURANCE POLICIES. Establishes a task force to determine the feasibility of using viatical settlements and accelerated death benefits as potential funding sources for long-term care services.	HLT, CPC, FIN

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HB2696	RELATING TO LONG-TERM CARE INSURANCE. Establishes a task force to determine the feasibility of establishing a limited, mandatory, public long-term care insurance program.	HLT/HUS, CPC, FIN
HB2697	RELATING TO RESIDENTIAL CARE. Establishes the residential care facility reform task force until 6/30/2013 to determine the feasibility of a single agency overseeing all aspects of residential care facilities in the State. Report to the legislature.	HLT/HUS, FIN
HB2698	RELATING TO ELECTIONS. Makes defamation in campaign material a misdemeanor offense.	JUD
HB2699	RELATING TO SMOKING. Prohibits smoking in certain rented units and condominium units. Requires some condominium associations, if not prohibited by bylaws or articles of incorporation, to adopt bylaws or rules that prohibit smoking in certain areas.	HLT, CPC
HB2700	RELATING TO CAMPAIGN SPENDING. Amends public funding pilot project for county of Hawaii county council elections to raise the program cap, repeal the requirement of a minimum fund amount, extend the period for signature collection, clarify provision of matching funds, and to clarify that the formula to determine the amount of funds given to a publicly funded candidate is based on the prior two general elections actually held for the county council seat in that district.	JUD, FIN
HB2701	RELATING TO DOMESTIC RELATIONS. Amends various statutory provisions to reconfirm and clarify the original intent of Act 1 (2011) that civil union partners shall have all the same rights, benefits, protections, and responsibilities under law as are granted to those who contract, obtain a license, and are solemnized pursuant to chapter 572. Makes various housekeeping amendments to statutes to assist with the implementation and interpretation of Act 1, including with respect to public employee benefits, property held as tenants by the entirety, establishment of parent-child relationships, and adoption.	JUD
HB2702	RELATING TO BEACHES. Prohibits the operation of motorized vehicles on beaches.	WLO, JUD

**Committee
REFERRAL**

HB2703	RELATING TO FOOD SELF-SUFFICIENCY. Creates a new chapter in the Hawaii Revised Statutes requiring the Department of Agriculture to develop a food sustainability standard to promote local food production to help diversify the local economy.	AGR, FIN
HB2704	RELATING TO THE ENVIRONMENT. Requires lessors of rental motor vehicles to include an option in each motor vehicle rental agreement for a lessee to elect to contribute a sum to the State to preserve and protect the environment. Effective July 1, 2014.	TRN, EEP, FIN
HB2705	RELATING TO NEGOTIABLE INSTRUMENTS. Repeals UCC definition of "person entitled to enforce".	CPC/JUD
HB2706	RELATING TO EDUCATION. Appropriates funds for three permanent positions and operating expenses for Ho'okulaiwi: 'Aha Ho'ona'auao 'Oiwī (the center for Native Hawaiian and indigenous education) within the University of Hawaii at Manoa.	HAW, HED, FIN
HB2707	RELATING TO CRIMINAL DEFAMATION. Establishes the offense of criminal defamation. Imposes enhanced penalties, including mandatory minimum terms of imprisonment, for offenses committed against certain persons.	JUD
HB2708	RELATING TO COLLECTION REMEDIES FOR ASSOCIATIONS. Establishes an alternate power of sale process for condominium and planned community associations. Revises provisions on condominium liens for unpaid assessments and establishes similar provisions for planned community associations. Specifies the jurisdiction of the circuit courts over actions to foreclose association liens.	CPC/JUD, FIN
HB2709	RELATING TO HIGHWAYS. Exempts the State and counties from laws or rules that require the performance of construction or improvements upon a private highway if it has been surrendered to the State or a county and the legislature or county council adopts a legislative measure accepting the surrender.	TRN, FIN
HB2710	RELATING TO CONSTRUCTION OF LAWS. Repeals law providing that the terms "or" and "and" have the meaning of the other or of both.	JUD

		<u>Committee REFERRAL</u>
HB2711	RELATING TO A LIVING WAGE FOR WORKERS ON SERVICE CONTRACTS. Requires contractors with public contracts greater than \$5,000: (1) to pay their employees wages that provide an annual income equal to the poverty guidelines for Hawaii published by the federal DHHS, or a greater amount; and (2) to allow their employees to have access to and join labor organizations.	LAB, FIN
HB2712	RELATING TO STATE EQUIPMENT. Requires state departments to attempt to sell or donate office equipment to schools, nonprofits, or salvage businesses before disposal.	ERB, FIN
HB2713	RELATING TO CITIZENS MARINE PATROL. Requires the DLNR to establish a citizen marine patrol program. Appropriates an unspecified amount to establish the program.	WLO, FIN
HB2714	RELATING TO STATE HISTORIC PRESERVATION. Short form bill relating to state historic preservation.	HAW
HB2715	RELATING TO MAULI OLA. Amends the Hawaii Revised Statutes relating to Maui Ola (native health).	HAW
HB2716	RELATING TO NATIVE HAWAIIANS. Short form bill relating to native Hawaiians.	HAW
HB2717	RELATING TO HAWAIIAN LANDS. Short form bill relating to Hawaiian lands.	HAW
HB2718	RELATING TO THE AINA. Short form bill relating to the aina.	HAW
HB2719	RELATING TO COMMUNITY ASSOCIATIONS. Short form bill relating to community associations.	HSG
HB2720	RELATING TO HOMELESSNESS. Short form bill relating to homelessness.	HSG
HB2721	RELATING TO HOUSING. Short form bill relating to housing.	HSG
HB2722	RELATING TO HOUSING. Short form bill relating to housing.	HSG
HB2723	RELATING TO HOUSING. Short form bill relating to housing.	HSG

Committee
RE-REFERRAL

[HB2306](#)

RELATING TO CHAPTER 328J, HAWAII REVISED
STATUTES.

Permits bars and nightclubs with liquor licenses to allow
smoking by posting "smoking permitted" signs and provides that
no county ordinance shall prohibit or restrict smoking in these
establishments. Effective 1/1/13.

ERB, JUD

[HB2308](#)

RELATING TO AIRLINES.

Establishes and appropriates funds for a reimbursement program
for airlines that add a new direct flight route to Hawaii. Sunsets
12/31/13.

TRN, TOU/ERB,
FIN