

OFFICE OF THE SPEAKER
TWENTY-SIXTH STATE LEGISLATURE

COMMITTEE REFERRALS

NO. 65
49th LEGISLATIVE DAY-APRIL 16, 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

Committee
RE-REFERRAL

[HB280, HD1, SD2](#)

RELATING TO AGRICULTURE.

AGR, JUD, FIN

Makes the offense of false labeling as to the geographic origin of Hawaii-grown green coffee a class C felony. Authorizes the department of agriculture to adopt administrative rules relating to the inspection and documentation of the geographic origin of Hawaii-grown green coffee beans. Removes the requirement that all Hawaii-grown green coffee beans shall be inspected and certified by the Department of Agriculture unless otherwise specified by rules of the Department. Requires that no Hawaii-grown green coffee beans shall be shipped outside the area of their geographic origin unless they have been marked with or contain a documentation of geographic origin approved by the department of agriculture. (SD2)

**Committee
RE-REFERRAL**

<u>HB283, HD1, SD2</u>	RELATING TO STATE FUNDS. Authorizes the transfer during fiscal year 2012-2013 of \$ from the agricultural loan revolving fund to the pest inspection, quarantine, and eradication fund. Appropriates \$ for a program to control and eradicate the coffee berry borer. Effective July 1, 2025. (SD2)	AGR, FIN
<u>HB1033, HD1, SD2</u>	RELATING TO PUBLIC FINANCE. Establishes the clean energy special account within the energy security special fund. Requires proceeds from the special account to be expended pursuant to legislative appropriation to finance qualified clean economy projects that meet certain criteria. Protects any proprietary information that may be received by the department of business, economic development, and tourism from a clean economy project entity or company. Requires the director of finance to submit a report to the legislature. Requires the director of business, economic development, and tourism to include certain information relating to qualified clean energy projects as part of the energy resource coordinator's annual report to the legislature. Effective 07/01/2050. (SD2)	FIN, EEP, CPC
<u>HB1181, HD1, SD1</u>	RELATING TO GOVERNMENT. Brings laws relating to false claims to the State and to the counties into compliance with the federal False Claims Act in order to meet federal requirements that state laws provide the same or greater protections as those established under section 1909 of the Social Security Act. (SD1)	FIN, JUD
<u>HB1295, HD3, SD2</u>	RELATING TO BUSINESS. Establishes unlicensed contracting activity as a misdemeanor offense; establishes habitual unlicensed contracting activity and unlicensed contractor fraud as felonies. Requires that each day of unlicensed contracting activity be deemed a distinct and separate offense under certain conditions. Exempts a previously licensed licensee who inadvertently fails to maintain licensing requirements from the newly created offenses. Establishes monetary penalties. Effective 07/01/2112. (SD2)	ERB, JUD/CPC, FIN
<u>HB1398, HD1, SD1</u>	RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY. Authorizes the Hawaii public housing authority to develop public housing projects under a partnership or development agreement with a private party. Provides exemptions from chapters 103 and 103D if not prohibited by federal law or regulation. Requires annual report to the legislature. Effective 7/1/2030. (SD1)	HSG, WLO, FIN

**Committee
RE-REFERRAL**

[HB1984, SD1](#)

RELATING TO HAWAIIAN LANGUAGE.

HAW, ERB

Designates the month of February as "Olelo Hawaii Month" to celebrate and encourage the use of Hawaiian language. Requires that all letterheads, documents, symbols, and emblems of the State and other political subdivisions include accurate and appropriate Hawaiian names and language. Establishes references for accurate, appropriate, and authentic Hawaiian names and words, including proper Hawaiian spelling and punctuation. (SD1)

[HB2004, HD2, SD2](#)

RELATING TO TRANSPORTATION.

TRN, JUD, FIN

Creates the misdemeanor offense of deception of a consumer in transportation services for hire under certain specified circumstances. Provides for penalties including impoundment of vehicle and forfeiture. (SD2)

[HB2078, HD2, SD2](#)

RELATING TO TAXATION.

TOU, CPC, FIN

Requires any owner who resides without the State or on another island from where the transient accommodation is located to designate an agent residing on the same island where the transient accommodation is located, as required under the landlord-tenant code; defines duties of designated agent. Requires relevant information about owners of the transient accommodation to be provided to the department of taxation for enforcement purposes. Requires the counties to provide the department of taxation with relevant owner information about every transient accommodation permitted by the respective counties annually. Requires specific information to be included in transient accommodations contracts, written rental agreements, advertisements, and solicitations. Requires the department of taxation to include certain information on its website. Subjects persons or entities who wilfully fail to supply certain information to existing penalties under the tax code. (SD2)

[HB2113, HD1, SD1](#)

RELATING TO FIRE PROTECTION.

PBM, JUD, FIN

Bans the ignition, possession, selling, offering for sale, and use of aerial luminaries. (SD1)

Committee
RE-REFERRAL

<u>HB2121, HD2, SD1</u>	RELATING TO RENEWABLE ENERGY. Increases maximum allowable customer-generator capacity for net energy metering systems to two megawatts if the generating facility is sited on property owned or controlled by the State of Hawaii. Increases maximum allowable customer-generator capacity for net energy metering systems to one megawatt for all other systems. Takes effect on July 1, 2013, and repeals if the public utilities commission issues an order or decision earlier pursuant to docket 2007-0176 or 2011-0206, which relate to the implementation of the intragovernmental wheeling of electricity and the reliability standards for certain electric companies, respectively. (SD1)	EEP, CPC, FIN
<u>HB2227, HD1, SD2</u>	RELATING TO BIRTH CERTIFICATES. Requires the department of health to establish new birth certificates for persons whose gender differs from the gender designation on the person's original birth certificate, under certain conditions. Effective July 1, 2050. (SD2)	HLT, JUD, FIN
<u>HB2302, HD2, SD1</u>	RELATING TO CAPITAL IMPROVEMENT PROJECTS. Appropriates an unspecified dollar amount out of general obligation bonds to the Hawaii public housing authority for renovating uninhabitable public housing units. Effective July 1, 2030. (SD1)	HSG, ERB/LAB, FIN
<u>HB2524, HD2, SD2</u>	RELATING TO THE REGULATION OF TELECOMMUNICATIONS AND CABLE TELEVISION SERVICES. Establishes the communications commission within the DCCA; directs the commission to regularly study the regulatory framework and provisions governing telecommunications carriers and cable operators to develop and update comprehensive policies and recommendations for administrative and statutory changes to further the deployment of broadband services; promote the interests of the State; and provide incentives, expedite procedures, and establish policies to increase investment in and further the deployment of broadband infrastructure within the State; requires two demonstration projects to expedite permitting for broadband infrastructure; requires 1/1/2013 status report to the legislature on the outcomes of the demonstration projects to expedite permitting processes for the construction of broadband infrastructure, and recommended legislation to streamline regulation of telecommunications carriers and cable operators in the State by 1/1/2014. Appropriates funds. (SD2)	LMG, ERB, CPC, FIN

**Committee
RE-REFERRAL**

<u>HB2526, HD2, SD2</u>	RELATING TO REPORTING REQUIREMENTS FOR TELECOMMUNICATIONS AND CABLE TELEVISION PROVIDERS. Beginning 3/1/2013, requires reporting by telecommunications and cable television providers to the department of commerce and consumer affairs and requires confidentiality for certain information and reports submitted. (SD2)	CPC, ERB, FIN
<u>HB2529, HD1, SD1</u>	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS. Exempts expenditures less than \$100,000 from the Hawaiian home operating fund, Hawaiian home receipts fund, Hawaiian home trust fund, native Hawaiian rehabilitation fund, and Hawaiian home administration account from the Hawaii public procurement code. Requires the Department of Hawaiian Home Lands to submit an annual report to the legislature. Repeals on June 30, 2015. (SD1)	HAW, ERB, FIN
<u>HB2553, HD2, SD2</u>	RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES. Requires the Disability and Communication Access Board to charge fees to defray expenses of reviewing construction plans to ensure compliance with state and federal law relating to accessibility. Establishes a fee schedule. Effective 1/1/2013. (SD2)	WLO, HLT, FIN
<u>HB2681, HD1, SD1</u>	RELATING TO ELECTRIC GUNS. Requires no later than June 30, 2018, 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, Inc. in the use of electric guns. (SD1)	PBM, WLO, FIN
<u>HB2682, HD1, SD1</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 07/01/2012. (SD1)	WLO, ERB, FIN

**Committee
RE-REFERRAL**

<u>HB2760, HD2, SD2</u>	RELATING TO TRAFFIC SAFETY. Prohibits use of mobile electronic devices while operating a motor vehicle or commercial motor vehicle. Clarifies complete streets statute to reference DOT budget requests for highway design to include complete streets policy. Authorizes DOT to engineer highways maximize safety for pedestrians while crossing streets. Allows DOT to install roundabouts. Authorizes DOT to select eight projects to include roundabouts and flexible design standards. Incorporates electric motor bicycles into definition of bicycle in section 249-1 and 291C-1, HRS. Prohibits transport of certain bicycles on public buses. Prohibits use of mopeds on bikeways, bicycle lanes, and paths. Effective 07/01/2050. (SD2)	TRN, JUD, FIN
<u>HB2776, HD2, SD2</u>	RELATING TO LIABILITY INSURANCE. Requires operators of adult foster homes, adult residential care homes, assisted living facilities, and expanded adult residential care homes to carry liability insurance to cover the operations of the care home. Exempts care home operators operating under a contract with either the Department of Health or Department of Human Services who are in compliance with the liability insurance coverage requirements under the contract. Effective 01/01/50. (SD2)	HLT/HUS, JUD, FIN
<u>HB2806, HD2, SD2</u>	RELATING TO NATIVE HAWAIIANS. Establishes the aha moku advisory committee within DLNR. Establishes a quorum requirement for island burial councils. Makes an appropriation. (SD2)	HAW, WLO, FIN
<u>HB2848, HD3, SD2</u>	RELATING TO PUBLIC SAFETY. Requires department of public safety to plan for a model wellness center that employs native Hawaiian cultural practices on state land and to submit a report to the legislature prior to the 2013 legislative session. Creates a work release pilot program on the Big Island to allow certain incarcerated individuals to work on community projects that benefit the local community and the State. Repeals pilot program on 06/30/15. Effective 07/01/50. (SD2)	PBM, HAW, WLO, FIN
<u>HB2872, HD3, SD2</u>	RELATING TO AEROSPACE HIGH TECHNOLOGY DISTRICTS. Authorizes the establishment of an aerospace high technology district in Hilo. Provides tax incentives to qualified businesses. Repeals 6/30/2022. (SD2)	ERB, WLO, FIN

Committee
RE-REFERRAL

HB2875, SD2	RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM. Requires the DOE to develop annual assessments in the Hawaiian language in language arts and mathematics to be administered to students in grades three through six of the DOE's Hawaiian language immersion program and in science to be administered to students in grade four of the DOE's Hawaiian language immersion program. Requires the DOE, with the Hawaiian language community, to establish procedures for the development of the assessments. Report to the 2013 legislature. Makes an appropriation. Effective 7/1/2050. (SD2)	HAW, EDN, FIN
SB580, SD2, HD2	RELATING TO AQUATIC LIFE. Requires monitoring and reporting on the two existing marine life conservation districts on Maui. Establishes statutorily the Division of Aquatic Resources under the Department of Land and Natural Resources. Effective July 1, 2030. (SB580 HD2)	WLO, JUD, FIN
SB1142, SD2, HD1	RELATING TO AGRICULTURE. Authorizes the Department of Agriculture to establish a program to audit and certify that producers are following good agricultural practices. Specifies that the program is voluntary for producers. Requires the charge of fees and expenses. Establishes an Agricultural Practices Audit and Certification Revolving Fund for the Program. Appropriates funds to the Department of Agriculture and the counties for statewide bee hive research. Effective January 20, 2020. (SB1142 HD1)	AGR, FIN
SB1197, SD2, HD2	RELATING TO ENERGY. Authorizes the Public Utilities Commission (PUC) to establish a grid reliability rate surcharge to electric utility companies to encourage the negotiation of new or existing power purchase agreements with renewable energy producers that do not contain an avoided cost rate and generally eliminate curtailment. Authorizes PUC to provide a higher rate of return to an electric utility company for capital investments made to support the integration of new renewable energy based power generation facilities. Effective July 1, 2030. (SB1197 HD2)	EEP, EDN, FIN
SB1276, SD2, HD2	RELATING TO INSURANCE. Prohibits any state entity from establishing a basic health program pursuant to the federal Patient Protection and Affordable Care Act without the enactment of authorizing legislation. Authorizes the Insurance Division of DCCA to prepare a feasibility study on the basic health program. (SB1276 HD2)	CPC, HUS, FIN

**Committee
RE-REFERRAL**

[SB2247, SD2, HD1](#)

RELATING TO PUBLIC SAFETY.

Allows electronic communication service providers to divulge the contents of a communication to law enforcement agencies, public safety agencies, and public safety answering points under certain emergency circumstances. (SB2247 HD1)

JUD, PBM, CPC

[SB2248, SD2, HD3](#)

RELATING TO PUBLIC SAFETY.

Requires the Department of Public Safety (DPS) to assess and refer inmates to the Hawaii Paroling Authority (HPA) for possible medical release. Provides that an inmate in DPS's custody shall be eligible to be considered for medical release if the inmate meets specified criteria under certain procedures. Requires HPA to set reasonable conditions on an inmate's medical release, and to promptly order an inmate returned to custody of DPS to await a revocation hearing if HPA receives credible information that an inmate has failed to comply with any reasonable condition set upon the inmate's release. Effective July 1, 2030. (SB2248 HD3)

PBM, HLT, JUD,
FIN

[SB2341, SD2, HD2](#)

RELATING TO LAND USE.

Repeals the prohibition on ordinances that allow overnight accommodations in agricultural districts. Authorizes agricultural tourism activities, including overnight accommodations of twenty-one days or less, within a county with a population greater than one hundred thousand people, but less than one hundred fifty thousand people; provided that the county has adopted ordinances regulating agricultural tourism. Effective July 1, 2112. (SB2341 HD2)

AGR/ERB, WLO,
TOU

[SB2378, SD1, HD1](#)

RELATING TO LEGACY LANDS.

Requires nonprofit land conservation organizations to provide, in addition to a conservation easement, a deed restriction or covenant, as a condition to the receipt of funds under the legacy land program. Requires the Board of Land and Natural Resources to be made a full or partial owner of any conservation provided by a state or county agency or nonprofit land conservation organization as a condition for receipt of funding under the legacy lands program. Allows for the exemption of the easement requirements by the board. Requires applicants for legacy land funds to submit the project's public benefit and to consult with the staff of the Department of Land and Natural Resources, the Department of Agriculture, the Agribusiness Development Corporation, and the Public Land Development Corporation. Effective July 1, 2030. (SB2378 HD1)

WLO, AGR, FIN

**Committee
RE-REFERRAL**

SB2419, SD2, HD3	RELATING TO PERSONAL INFORMATION. Allows the scanning and retention of personal information contained in a Hawaii identity card or driver's license for limited purposes only. Effective January 7, 2059. (SB2419 HD3)	TRN, ERB, JUD, CPC
SB2489, SD2, HD2	RELATING TO THE MILITIA. Allows the Adjutant General to order the National Guard into active service for nonemergency purposes that are necessary and attendant to the mission of the Department of Defense. Expands the powers of the Governor and Governor's designee in calling the National Guard into active duty. Expands the rights granted to National Guard members to incorporate rights granted under the Servicemembers Civil Relief Act and the Uniformed Services Employment and Reemployment Rights Act. Effective July 1, 2012. (SB2489 HD2)	PBM, ERB, FIN
SB2506, SD2, HD1	RELATING TO CIVIL IDENTIFICATION. Transfers the non-driver's, or civil, identification program from the Department of the Attorney General to the Department of Transportation. Requires civil identification cards to be issued by the examiners of drivers in each county to comply with the federal REAL ID Act of 2005, P.L. 109-13, by January 1, 2013. Effective January 1, 2013. (SB2506 HD1)	TRN, JUD, FIN
SB2632, SD1, HD1	RELATING TO FEE TIME SHARE INTERESTS. Requires all fee time share interests to be recorded in the regular system rather than the land court. Streamlines the procedure for the office of the assistant registrar to update the certificates of title for all remaining fee time share interests as part of the deregistration process. Effective July 1, 2030. (SB2632 HD1)	TOU, WLO, CPC/JUD, FIN
SB2640, SD1, HD1	RELATING TO WASTEWATER. Allows counties to permit the use of an otherwise authorized individual wastewater treatment system when it pre-dates a county-operated wastewater treatment system and the county determines that allowing the individual wastewater treatment system is fair and equitable. Requires counties to adopt rules or ordinances no later than December 31, 2013. Effective January 7, 2059. (SB2640 HD1)	JUD, EEP, WLO
SB2748, SD1, HD1	RELATING TO UNCLAIMED PROPERTY. Requires holders of unclaimed property to remit all property with their November 1 report and corrects references to the Unclaimed Property Trust Fund. Effective January 9, 2059. (SB2748 HD1)	JUD, CPC, FIN

**Committee
RE-REFERRAL**

SB2790, SD1, HD1	RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS. Extends the repeal date in Act 187, SLH 2010, to continue the pilot project that enables the Department of Hawaiian Home Lands to begin housing and other projects without having the full amount of the cost of the projects on hand at the start of the project. Requires report to the Legislature prior to the convening of the 2013, 2014, and 2015 Regular Sessions on the status of the pilot project. Repeals the requirement that 15 percent of the revenues from the time of extension of a commercial or multipurpose project lease of Hawaiian home lands be deposited into the Native Hawaiian Rehabilitation Fund. Requires all revenues from commercial or multipurpose leases to be deposited into the Hawaiian Home Administration Account. (SB2790 HD1)	HAW, WLO, FIN
SB2798, SD1, HD1	RELATING TO INSURER REQUIREMENTS. Requires all private health insurers operating in Hawaii to share with the department of human services, a listing of their members for medicaid eligibility determination. (SB2798 HD1)	HUS, CPC, FIN
SB2816, SD1, HD1	RELATING TO HOSPITAL LICENSING. Permits the department of health the option of recognizing full accreditation by the Joint Commission on Accreditation of Healthcare Organizations as evidence of hospital compliance with all licensing inspections for the duration of the accreditation. Effective July 1, 2030. (SB2816 HD1)	HLT, FIN
SB2947, SD2, HD2	RELATING TO TAXATION. Establishes monetary awards for whistleblowers for a Department of Taxation administrative or judicial action. Authorizes the Director of Taxation to appoint an administrative appeals officer. Prohibits certain penalties from being added to tax underpayments on which certain other penalties are already imposed. Requires all advertisements and solicitations for transient accommodations to display the registration identification number or the website address containing the registration identification number. Effective July 1, 2112. (SB2947 HD2)	ERB, JUD, FIN
SB2967, SD2, HD1	RELATING TO COLLECTIVE BARGAINING. Creates a new bargaining unit (14) for ocean safety officers and water safety officers employed by the State or counties effective July 1, 2030. (SB2967 HD1)	LAB, PBM, FIN

Committee
RE-REFERRAL

[SB3001, SD2, HD2](#)

RELATING TO WILDLIFE.

Prohibits the interisland transfer, transport, and release after transport of wild or feral deer, with certain exceptions.

Establishes mandatory fines. Effective January 7, 2059.

(SB3001 HD2)

WLO, JUD, FIN

[SB3053, SD2, HD2](#)

RELATING TO NATIVE HAWAIIANS.

Establishes aha moku advisory committee within the Department of Land and Natural Resources. Makes an appropriation.

Effective July 1, 2030. (SB3053 HD2)

HAW, WLO, FIN