

OFFICE OF THE SPEAKER
TWENTY-SEVENTH STATE LEGISLATURE

COMMITTEE REFERRALS

NO. 55
FIFTIETH LEGISLATIVE DAY-MONDAY, APRIL 14, 2014

Committee Abbreviations:

AGR - Agriculture	LAB - Labor & Public Employment
CPC - Consumer Protection & Commerce	LMG - Legislative Management
EDB - Economic Development & Business	OMH - Ocean, Marine Resources, & Hawaiian Affairs
EDN - Education	PBS - Public Safety
EEP - Energy & Environmental Protection	TOU - Tourism
FIN - Finance	TRN - Transportation
HED - Higher Education	VMI - Veterans, Military, & International Affairs, & Culture and the Arts
HLT - Health	WAL - Water & Land
HSG - Housing	
HUS - Human Services	
JUD - Judiciary	

		<u>Committee RE-REFERRAL</u>
HB493, HD1, SD2	RELATING TO ANIMAL CRUELTY. Establishes the offense of the unlawful sale or trade of ivory products for any person who imports, sells, offers to sell, or possesses with the intent to sell any ivory product and creates exemptions for the sale or trade of ivory products. Effective 7/1/2050. (SD2)	JUD, FIN
HB849, HD2, SD2	RELATING TO EMERGENCY MANAGEMENT. Recodifies Hawaii's emergency management statutes by updating the statutes, clarifying the relationship between the state and county emergency management agencies, and delineating the emergency management functions and powers of the Governor and mayors. Effective 7/1/2050. (SD2)	PBS/VMI, JUD, FIN

**Committee
RE-REFERRAL**

<u>HB866, HD2, SD2</u>	RELATING TO SEWER SYSTEMS SERVICING ON HAWAIIAN HOME LANDS. Clarifies counties' ownership of and responsibility for certain existing sewer systems and facilities servicing Hawaiian Home Lands. Requires the counties to accept dedication or license of and responsibility for certain other sewer systems and facilities servicing Hawaiian Home Lands. Effective 7/1/2050. (SD2)	WAL, OMH, FIN
<u>HB1280, HD2, SD1</u>	RELATING TO PUBLIC SAFETY. Requires the board of directors of the high technology development corporation to create a first responders technology campus and cyber security command center. Designates certain properties to be included in the park. Appropriates funds. Effective July 1, 2050. (SD1)	PBS, JUD, FIN
<u>HB1288, HD1, SD1</u>	RELATING TO ORDER OF SUCCESSION. Clarifies that the successor to the Office of Lieutenant Governor, when the Office of Lieutenant Governor becomes vacant, must be a member of the same political party as the Governor. Clarifies the order of succession if the Lieutenant Governor is temporarily absent from the State or temporarily disabled. Effective 7/1/2050. (SD1)	JUD, FIN
<u>HB1706, HD1, SD1</u>	RELATING TO ILLEGAL PARKING UPON BIKEWAYS. Sets a minimum fine of \$200 for parking a vehicle on a bicycle lane or pathway. Effective 7/1/2050. (SD1)	TRN, JUD, FIN
<u>HB1796, HD2, SD1</u>	RELATING TO EDUCATION. Prohibits the use of seclusion in public schools. Establishes conditions and procedures for the use of restraint in public schools. Requires collection and review of data. Requires reports to the legislature. Makes an appropriation. Effective August 26, 2151. (SD1)	EDN, JUD, FIN
<u>HB1823, HD1, SD1</u>	RELATING TO PUBLIC LANDS. Requires mediation in disputes regarding the fair market value or fair market rental of public lands. Provides for binding arbitration in the event of unsuccessful mediation. Effective 7/1/2050. (SD1)	WAL, CPC/JUD, FIN
<u>HB1966, HD1, SD2</u>	RELATING TO PUBLIC EMPLOYEES. Requires the State Auditor to review the current civil service exemption process and recommend procedures, guidelines, and criteria to ensure that the civil service exemption process is used appropriately and only in extraordinary circumstances. Requires the State Auditor to submit a report to the legislature prior to the regular session of 2015. Effective 7/1/2050. (SD2)	LAB, FIN

**Committee
RE-REFERRAL**

HB1993, SD2	<p>RELATING TO DOMESTIC VIOLENCE. Requires a police officer to make reasonable inquiry of a victimized or potentially victimized family member and witnesses, if applicable, and order a person to leave the premises for a no-contact period of forty-eight hours, regardless of whether the police officer has reasonable grounds to believe there was physical abuse or harm inflicted or that there is probable danger of further abuse or harm. Makes the commission of an act of physical abuse in the presence of a family or household member who is a minor under the age of fourteen a class C felony. Effective 7/1/2050. (SD2)</p>	HUS, JUD, FIN
HB2012, HD2, SD2	<p>RELATING TO CONSUMER PROTECTION. Prohibits the sale of tickets to an exhibition, game, concert, and other events at prices greater than the sum of the price printed on the ticket, any lawful taxes collected, and any reasonable charge for services. Specifies that no ticket sales for events in Hawaii shall commence before 8:00 a.m. Hawaiian standard time or before the primary ticket seller commences ticket sales, whichever is later. Specifies requirements for tickets sold or offered for sale by or through an internet website. Establishes requirements for disclosures relating to fees and taxes and number of available tickets. Establishes remedies. Makes the circumvention of online ticket purchases through the use of illicit computer software a misdemeanor. Effective 7/1/2112. (SD2)</p>	CPC, FIN
HB2031, SD1	<p>RELATING TO CONTINUING EDUCATION FOR MARRIAGE AND FAMILY THERAPISTS. Requires licensed marriage and family therapists to complete a minimum of forty-five hours of continuing education courses, including six hours in ethics courses, during each licensing renewal period, for the period beginning 1/1/2017, and thereafter. Effective 7/1/2050. (SD1)</p>	CPC, FIN
HB2074, SD1	<p>RELATING TO VETERANS. Authorizes the issuance of GO bonds for the construction of a long-term care facility for veterans contingent upon the receipt of federal funds. Effective 7/1/2050. (SD1)</p>	VMI, HLT, FIN
HB2147, HD1, SD2	<p>RELATING TO CONCESSIONS. Exempts the airport and stadium authority operation of concessions for electronic communication services and solely for advertising from the public concession bidding process. Effective 7/1/2050. (SD2)</p>	TRN, CPC, FIN

**Committee
RE-REFERRAL**

<u>HB2217, HD2, SD1</u>	RELATING TO WORKFORCE DEVELOPMENT. Authorizes DLIR to establish working groups to identify high growth industries and workforce needs and to develop training programs. Appropriates unspecified funds. Effective 1/20/2050. (SD1)	LAB, EDB, FIN
<u>HB2246, HD1, SD1</u>	RELATING TO MENTAL HEALTH. Provides for a court-based relief program for persons federally prohibited from owning a firearm based on a finding of mental illness or civil commitment. Requires the courts to provide information relating to involuntary civil commitments to the Hawaii Criminal Justice Data Center to disclose to the Federal Bureau of Investigation National Instant Criminal Background Check System database for gun control purposes. (SD1)	JUD, FIN
<u>HB2273, SD2</u>	RELATING TO THE MOTOR VEHICLE MECHANIC CERTIFICATION PROGRAM. Authorizes the Motor Vehicle Repair Industry Board to enter into agreements with entities, educational institutions, or other organizations, as necessary, in addition to the University of Hawaii, to ensure that motor vehicle mechanics' knowledge of motor vehicle repairs are current and in line with industry standards. Effective 7/1/2050. (SD2)	TRN, CPC, FIN
<u>HB2333, HD2, SD1</u>	RELATING TO THE STATEWIDE INTEGRATED SEX OFFENDER TREATMENT PROGRAM. Requires the Statewide Integrated Adult Sex Offender Treatment Program to employ a best practices philosophy for the treatment of adult sex offenders. Directs the Program to develop standards and guidelines for the assessment, evaluation, treatment, and supervision of adult sex offenders. Identifies the Program's coordinating body as the "Adult Sex Offender Management Team". Effective 7/1/2050. (SD1)	PBS, JUD, FIN
<u>HB2365, HD1, SD1</u>	RELATING TO THE STATE FIRE COUNCIL. Authorizes the state fire council to: (1) Establish statewide qualifications and procedures for testing, certifying, and credentialing individuals who conduct maintenance testing of fire extinguishers, fire protection systems, and fire alarm systems; and (2) Implement a statewide system to promote the effective use of fire and life safety resources. Effective 7/1/2050. (SD1)	PBS, CPC, FIN
<u>HB2481, HD1, SD2</u>	RELATING TO THE HAWAII HIGH IMPACT CENTER FOR COMMERCIALIZATION. Establishes the Hawaii high impact center for commercialization in the high technology development corporation. Makes an appropriation. Effective 1/20/2050. (SD2)	EDB, HED, FIN

**Committee
RE-REFERRAL**

HB2490, HD2, SD2	RELATING TO JUVENILE JUSTICE. Enhances the juvenile justice system by concentrating secure bed space on serious juvenile offenders. Strengthens disposition, adjustment, diversion, and services available for juvenile offenders to ensure family court judges, court staff, departmental staff, and service providers have the tools needed to keep youth safely and effectively in their communities. Increases interagency collaboration. Establishes a temporary Juvenile Justice Oversight Advisory Council. Makes an unspecified appropriation. Effective 7/1/2030. (SD2)	HUS, JUD, FIN
HB2581, HD3, SD2	RELATING TO INSURANCE. Establishes and appropriates funds for the state innovation waiver task force to develop a plan for applying for a state innovation waiver under the federal Patient Protection and Affordable Care Act. Requires the task force to submit two interim reports and a final report to the legislature. Effective 7/1/2050. (SD2)	HLT, CPC, FIN
HB2654, HD1, SD2	RELATING TO VICTIM RESTITUTION. Clarifies the court's authority to specify the time and manner of restitution payments, by requiring that a payment schedule must be at least 25% of all moneys earned, new deposits, and credits to an inmate's individual account. Applies to orders for restitution entered after the effective date of this Act. Effective 7/1/2030. (SD2)	JUD, FIN
SB2042, HD1	RELATING TO CULTURAL EXCHANGES BETWEEN HAWAII AND PUERTO RICO. Establishes the Puerto Rican Exchange Commission to coordinate a cultural exchange program between Hawaii and Puerto Rico to honor and recognize the contributions of the Puerto Rican people and commemorate the arrival of the first Puerto Ricans to Hawaii. (SB2042 HD1)	VMI, TOU, FIN
SB2057, SD2, HD1	RELATING TO THE NURSING FACILITY SUSTAINABILITY PROGRAM. Continues the Nursing Facility Sustainability Program by extending its sunset date, updating the referral dates, and appropriating funding out of the nursing facility sustainability program special fund for fiscal year 2014-2015. (SB2057 HD1)	HUS, HLT, FIN

**Committee
RE-REFERRAL**

<u>SB2194, SD1, HD2</u>	<p>RELATING TO HEALTH. Requires birthing facilities to perform a pulse oximetry test or other medically accepted screening on newborns to screen for critical congenital heart defects. Appropriates funds to DOH for a screening program and to the Hawaii Health Systems Corporation to conduct screenings. Establishes the Hawaii Employer-Union Health Benefits Trust Fund Captive Insurance Company to effectively manage the administration and financing of the current and potential future other post employee benefit obligations of the state and county governments. (SB2194 HD2)</p>	HLT, CPC, FIN
<u>SB2241, SD1, HD2</u>	<p>RELATING TO THE PROTECTION OF TARO. Prohibits the Board of Land and Natural Resources, in declaring residential development areas and acquiring lands therein, from disturbing wetland taro lands and infrastructure on undeveloped lands. Establishes a fourth class--taro lands classification for public lands. Permits structures for lo'i taro fields in the agricultural district. Establishes growth and perpetuation of traditional Hawaiian crops as a goal of the State Planning Act. Authorizes BLNR, with the Taro Security and Purity Task Force, to create an inventory of taro lands. (SB2241 HD2)</p>	AGR, WAL, FIN
<u>SB2274, SD1, HD1</u>	<p>RELATING TO SUSTAINABLE LIVING. Establishes a permit that exempts sustainable living research and sites from certain county codes, ordinances, and rules. Appropriates funds. Effective July 1, 2050. (SB2274 HD1)</p>	WAL, EEP, FIN
<u>SB2294, SD2, HD1</u>	<p>RELATING TO IRRIGATION. Authorizes the issuance of GO bonds and appropriates funds for capital improvements to irrigation systems and associated agricultural management facilities. (SB2294 HD1)</p>	AGR, WAL, FIN
<u>SB2300, SD1, HD1</u>	<p>RELATING TO FIRE PROTECTION. Authorizes the State Fire Council to: (1) Establish statewide qualifications and procedures for testing, certifying, and credentialing individuals who conduct maintenance and testing of portable fire extinguishers, fire protection systems, and fire alarm systems; and (2) Implement a statewide system to promote the effective use of fire and life safety resources. (SB2300 HD1)</p>	PBS, CPC

**Committee
RE-REFERRAL**

SB2368, SD1, HD1	RELATING TO THE PROTECTION OF CHARITABLE ASSETS. Grants oversight authority to the attorney general over charitable assets regardless of the form in which they are held. Authorizes the attorney general to enforce the application of the charitable asset to prevent or remedy the misapplication, diversion, waste, or breach of duty in management of a charitable asset. Effective December 21, 2112. (SB2368 HD1)	CPC, JUD, FIN
SB2436, SD2, HD1	RELATING TO COMMUNITY PLANNING. Establishes the transit-oriented development advisory committee to make recommendations about sustainable development projects close to transit. Effective July 1, 2050. (SB2436 HD1)	TRN, WAL, FIN
SB2465, SD2, HD2	RELATING TO CONTINUING EDUCATION FOR PSYCHOLOGISTS. Requires psychologists in the State, beginning July 1, 2016, to complete a minimum of 18 credit hours of continuing education courses for each licensing renewal biennium. (SB2465 HD2)	HLT, CPC, FIN
SB2483, SD1, HD1	RELATING TO CONDOMINIUM ASSOCIATIONS. Clarifies that a condominium association may assess unpaid common fees against any purchaser who purchases a delinquent unit in a foreclosure. Specifies that a condominium board may only fill board vacancies temporarily until a duly noticed election. Effective July 1, 2014. (SB2483 HD1)	CPC, JUD, FIN
SB2490, SD2, HD2	RELATING TO CONTINUING COMPETENCY FOR NURSES. Requires licensed registered nurses and licensed practical nurses to submit evidence of continuing competency at each renewal period, beginning on July 1, 2017. (SB2490 HD2)	HLT, CPC, FIN
SB2495, SD3, HD1	RELATING TO ELECTRONIC SMOKING DEVICES. Prohibits the use of electronic smoking devices in enclosed public areas and other specified locations under Chapter 328J, Hawaii Revised Statutes. Effective July 1, 2050. (SB2495 HD1)	HLT, CPC, FIN
SB2577, SD2, HD2	RELATING TO NATUROPATHIC PHYSICIANS. Requires naturopathic physicians to carry liability insurance, be subject to data collection, and complete a minimum of 35 hours of continuing education courses, including a minimum of 15 hours of pharmacology, during each licensing renewal biennium, beginning December 31, 2017. (SB2577 HD2)	HLT, CPC, JUD

**Committee
RE-REFERRAL**

SB2809, SD1, HD1	<p>RELATING TO UTILITIES REGULATION.</p> <p>Aligns statutory language regarding utility ratemaking with widely accepted utility ratemaking principles and ratemaking practices already applied in Hawaii by allowing utilities in the State the opportunity to earn a fair return on utility property that is "used and useful" for public utility purposes. Effective July 1, 2112. (SB2809 HD1)</p>	EEP, CPC, FIN
SB2817, SD2, HD1	<p>RELATING TO SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT.</p> <p>Requires a mortgage loan originator company to be open during specified regular business hours to the public and for examination or investigation by the commissioner. Deletes exemptions for individuals facilitating mortgage loans for their family members and family property. Clarifies that a branch manager may not oversee more than one branch office or principal place of business. Excludes certain information included in NMLS from confidentiality provisions of the law. (SB2817 HD1)</p>	CPC, FIN
SB2853, SD2, HD2	<p>RELATING TO DEVELOPMENTAL DISABILITIES ADULT FOSTER HOMES.</p> <p>Permits exemptions from two-resident limit for certified adult foster homes for adults with developmental or intellectual disabilities by waiver and for foster children who turn 18. Permits dual certification as child and adult foster home to accommodate children who turn 18 or specific children. (SB2853 HD2)</p>	HLT, JUD, FIN
SB3024, SD2, HD1	<p>RELATING TO THE TRANSIENT ACCOMMODATIONS TAX.</p> <p>Allocates \$3,000,000 to the Special Land and Development Fund from the Transient Accommodations Tax revenues, of which an unspecified amount will be allocated to the Conservation and Resources Enforcement Special Fund. Effective July 1, 2050. (SB3024 HD1)</p>	TOU, WAL, FIN

Committee
RE-REFERRAL

[SB3042, SD2, HD1](#)

RELATING TO LIQUOR LICENSE CLASSES.

Removes thirty-thousand-barrel per year manufacturing cap for malt beverages for class 14 brewpub licensees. Increases the manufacturing limit for class 16 winery licensees to not more than twenty thousand barrels of wine on the licensee's premises during the license year. Establishes a new class 18 liquor license class for small craft producer pubs. Prohibits brewpubs from selling intoxicating liquor from class 1 manufacturer licensees for consumption on the premises. Makes conforming amendments relating to liquor license classes and federal labeling and bottling requirements. Effective December 21, 2112. (SB3042 HD1)

CPC, FIN

[SB3103, SD2, HD1](#)

RELATING TO ENHANCED 911 SURCHARGES.

Establishes an unspecified prepaid wireless E911 surcharge imposed on retail transactions of prepaid wireless telecommunications service at the point of sale. Allows sellers to deduct and retain three per cent of the surcharge that is collected. Effective July 1, 2050. (SB3103 HD1)

PBS, CPC, FIN