

THE SENATE  
THE TWENTY-NINTH LEGISLATURE  
REGULAR SESSION OF 2017

COMMITTEE ON JUDICIARY AND LABOR  
Senator Gilbert S.C. Keith-Agaran, Chair  
Senator Karl Rhoads, Vice Chair

COMMITTEE ON WAYS AND MEANS  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

NOTICE OF DECISION MAKING

DATE: Thursday, March 30, 2017  
TIME: 9:50 a.m.  
PLACE: Conference Room 211  
State Capitol  
415 South Beretania Street

A G E N D A

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

<p><b><u>HB 83, HD1, SD1</u></b> <u>____(SSCR1082)</u> <u>____Status &amp; Testimony.</u></p>	<p>RELATING TO HOMELESSNESS. Requires the Hawaii interagency council on homelessness, in conjunction with and advisement of the department of human services and department of land and natural resources, to establish a working group to examine and develop recommendations related to the establishment of safe zones for persons experiencing homelessness. Requires the working group to submit a report to the legislature. Appropriates funds to support the working group. Takes effect 7/1/2075. (SD1)</p>	<p>HMS, JDL/WAM</p>
<p><b><u>HB 165, HD1, SD1</u></b> <u>____(SSCR1069)</u> <u>____Status &amp; Testimony.</u></p>	<p>RELATING TO PUBLIC MEETINGS. Requires board packets be made available for public inspection and provide notice of the availability of board packets. Requires boards to allow oral testimony to be presented on agenda items separately and at the time the item is first brought up for discussion at the meeting. Establishes notice and disclosure requirements for emergency meetings. Clarifies notice filing requirements, allows electronic mailing of meeting notices, and requires electronic posting of meeting notices, cancellation notices, and meeting minutes. Effective 7/1/2050. (SD1)</p>	<p>GVO, JDL/WAM</p>
<p><b><u>HB 306, HD2, SD1</u></b> <u>____(SSCR1030)</u> <u>____Status &amp; Testimony.</u></p>	<p>RELATING TO CONTINUOUS ALCOHOL MONITORING FOR REPEAT OFFENDERS. Requires persons charged for operating a vehicle under the influence of an intoxicant or habitually operating a vehicle under the influence of an intoxicant to be fitted with a continuous alcohol monitoring device if the person: (1) is a repeat intoxicated driver; or (2) is currently pending criminal investigation or prosecution for one or more prior charges of operating a vehicle under the influence of an intoxicant or habitually operating a vehicle under the influence of an intoxicant. Establishes a process for certain persons to receive financial relief for the cost of the monitoring devices. Takes effect on 1/7/2050. (SD1)</p>	<p>TRE, JDL/WAM</p>

<p><b><a href="#">HB 463, HD1</a></b>  <a href="#">(SSCR1115)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO HAWAII STATE IDENTIFICATION CARDS.  Allows any satellite city hall in any county with a population of more than seven hundred thousand persons to issue Hawaii state identification cards. Requires a report to the legislature. (HB463 HD1)</p>	<p>PSM/TRE, JDL/WAM</p>
<p><b><a href="#">HB 573, HD1, SD1</a></b>  <a href="#">(SSCR1092)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO PROCUREMENT.  Provides a bidder of a public works construction project with two hours after the closing of bids to clarify and correct certain information regarding subcontractors. Prohibits bid shopping and bid peddling for the competitive sealed bidding process. Effective 7/1/2055. (SD1)</p>	<p>GVO, JDL/WAM</p>
<p><b><a href="#">HB 845, HD2, SD1</a></b>  <a href="#">(SSCR1116)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO IDENTIFICATION.  Requires the Department of Public Safety, in collaboration with county and state agencies, and, upon request of the inmates, to issue civil identification cards to inmates and to assist inmates in obtaining the inmates' birth certificate, social security card, and other relevant identification necessary for successful reentry into society. Requires the Department of Public Safety to initiate the process of assisting inmates released to work furlough, extended furlough, or community placement programs at least ninety days prior to the inmates' release. Effective 7/1/2050. (SD1)</p>	<p>PSM, JDL/WAM</p>
<p><b><a href="#">HB 847, HD1</a></b>  <a href="#">(SSCR1128)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO UNIVERSITY OF HAWAII RESEARCH.  Establishes the Innovation and Commercialization Initiative Program to expressly give the University of Hawaii the legal authority to create, promote, and participate in new economic enterprises and expand workforce opportunities based on inventions and discoveries generated by or at the University. (HB847 HD1)</p>	<p>HRE/ETT, JDL/WAM</p>
<p><b><a href="#">HB 1081, HD2, SD1</a></b>  <a href="#">(SSCR929)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO CITATIONS FOR BEAUTY CULTURE VIOLATIONS.  Authorizes the issuance of a citation for specific violations of beauty culture laws by licensees and permittees. Sets forth a process for licensees and permittees to contest the citation and provides for the assessment of fines for each violation. (SD1)</p>	<p>CPH, JDL/WAM</p>
<p><b><a href="#">HB 1130, HD1</a></b>  <a href="#">(SSCR1041)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO EMPLOYMENT PRACTICES.  Authorizes the Department of Public Safety to administer lie detector and psychological tests to determine the suitability of candidates for corrections employment. (HB1130 HD1)</p>	<p>PSM, JDL/WAM</p>
<p><b><a href="#">HB 1135, HD1, SD1</a></b>  <a href="#">(SSCR956)</a>  <a href="#">Status &amp; Testimony</a></p>	<p>RELATING TO PUBLIC SAFETY.  Amends Act 139, Session Laws of Hawaii 2012, to make permanent certain provisions of the Justice Reinvestment Initiative relating to pretrial risk assessments, parole, and parole hearings. Creates standards and procedures for income-withholding for purposes of enforcing restitution orders. Clarifies the priority of income withholding orders. Amends the definition of "debt" relating to the recovery of money owed to the State to include court-ordered restitution subject to civil enforcement. Extends victims' access to adult probation records to include access to payment compliance records. Requires that any bail posted by a defendant be applied toward payment of any court-ordered restitution in the same case. Takes effect 7/1/2050. (SD1)</p>	<p>PSM, JDL/WAM</p>

<p><b><u>HB 1179, HD2, SD1</u></b>  <u>____(SSCR1029)</u>  <u>____Status &amp; Testimony</u></p>	<p>RELATING TO HOUSING.  Expands the types of rental housing projects that can be exempt from general excise taxes. Allows the terms of collective bargaining agreements and associated provisions to be deemed the prevailing wages and terms serving as the basis of compliance with chapter 104, Hawaii Revised Statutes, for the construction of certain rental housing projects. Effective 7/1/2030. (SD1)</p>	<p>HOU, JDL/WAM</p>
<p><b><u>HB 1195, HD1, SD1</u></b>  <u>____(SSCR1102)</u>  <u>____Status &amp; Testimony</u></p>	<p>RELATING TO HOMELESSNESS.  Appropriates funds to the Department of Health and Department of Human Services, including the Office of Youth Services, to provide homeless outreach services and rental subsidies to reduce and prevent homelessness. Takes effect on 7/1/2075. (SD1)</p>	<p>HMS, JDL/WAM</p>
<p><b><u>HB 1229, HD1, SD1</u></b>  <u>____(SSCR1036)</u>  <u>____Status &amp; Testimony</u></p>	<p>RELATING TO PROCUREMENT.  Requires public procurement construction bids to list subcontractors and joint contractors only for contracts with an unspecified total value; provided that bids lacking this list may be accepted if in the State's best interest and the value of the work to be performed by the joint contractor or subcontractor is equal to or less than an unspecified per cent of the total bid amount. Effective 7/1/2050. (SD1)</p>	<p>GVO, JDL/WAM</p>
<p><b><u>HB 1245, HD2, SD1</u></b>  <u>____(SSCR1144)</u>  <u>____Status &amp; Testimony</u></p>	<p>RELATING TO CEMETERIES.  Limits liability for persons maintaining or repairing cemetery grounds. Requires the director of commerce and consumer affairs, in consultation with the comptroller, to develop strategies for repair and maintenance of Sunset Memorial Park in Pearl City, Oahu. Requires report to Legislature. (SD1)</p>	<p>CPH, JDL/WAM</p>
<p><b><u>HB 1488, HD1, SD1</u></b>  <u>____(SSCR1114)</u>  <u>____Status &amp; Testimony</u></p>	<p>RELATING TO MEDICAL MARIJUANA.  Amends the definition of "adequate supply" of marijuana to include seven marijuana seedlings. Amends the definition of "debilitating medical condition" to include lupus, epilepsy, multiple sclerosis, arthritis, and autism as conditions that qualify for the legal use of medical marijuana. Amends the definition of the term "transport" to allow qualified patients and primary caregivers to transport up to one gram of medical marijuana for laboratory testing under certain conditions. Limits each location used to cultivate marijuana to use by five qualifying patients. Authorizes primary caregivers to cultivate marijuana for qualifying patients until December 31, 2020. Adds considerations for establishing marijuana testing standards and selecting additional dispensary licensees. Allows DOH to consider whether existing dispensary licensees shall be allowed to increase plant count, increase the number of production centers, or increase the number of retail dispensing locations. Requires retention of video security recordings of production centers and dispensaries for 45 days. Extends civil service exemptions and interim rulemaking authority to 2020. Authorizes an alternate medical marijuana dispensary tracking system for use when the DOH computer tracking system in nonfunctional and requires DOH to report to the legislative oversight working group. Effective 7/1/2050. (SD1)</p>	<p>CPH, JDL/WAM</p>

**HB 1499, HD1, SD1**(SSCR1099)Status & Testimony

## RELATING TO CONDOMINIUM ASSOCIATIONS.

Parts I through IV: clarifies the process, including payment obligations, mediation requirements, and triggers for further default, where a condominium unit owner and association reach a payment plan to resolve a nonjudicial foreclosure; establishes procedures that provide condominium owners with the right to submit disputed legal fees, penalties or fines, late fees, lien filing fees, or other charges, except for common expense assessments, to the mediation process prior to payment; and makes conforming amendments. Part V: expands the scope of the condominium education trust fund to cover voluntary binding arbitration between interested parties; amends the conditions that mandate mediation and exceptions to mandatory mediation. (SD1)

CPH, JDL/WAM

**HB 1536, HD2**(SSCR971)Status & Testimony

## RELATING TO IRRIGATION.

Clarifies that the BOA has the power to acquire property by eminent domain for the construction and maintenance of water facilities that convey, distribute, and transmit water for agricultural uses, but not for domestic use. Amends the definition of "public utility" to exclude entities that convey, transmit, and distribute nonpotable water and any board of water supply that manages, controls, and operates the waterworks of a county for the purpose of supplying water to the public in that county. (HB1536 HD2)

AEN/CPH, JDL/WAM

**HB 423, HD2, SD1**(SSCR1155)Status & Testimony

## RELATING TO FILM AND DIGITAL MEDIA INDUSTRY DEVELOPMENT.

Requires that to qualify for the tax credit, a production must provide evidence of recognition, ability to understand, and efforts to respect and comply with cultural and environmental sensitivities in sensitive locations; including employing or contracting for the services of cultural resources or historical, cultural, or language experts to advise the production. Requires that to qualify for the tax credit a production must agree that if the production claims a credit of more than \$8,000,000, the production will provide an advanced screening of the finished product in the county of the island in which the majority of the production took place. Clarifies that qualified expenditures are required to be expended within this State. Amends Act 88, Session Laws of Hawaii 2006, to extend the sunset date from 1/1/2019, to 1/1/24. Requires DBEDT to submit an annual report to the legislature regarding the activities and expenditures of the tax credit. Clarifies that no rule shall be adopted to expand the scope of the tax credit where the rule conflicts with legislative intent. Requires DBEDT to conduct a financial audit of every film production in the State. Requires DBEDT, in collaboration with Department of Taxation, to submit to the governor and the legislature a report on the number of jobs created in the State and the fiscal impact of every film production receiving the tax credit in the State; provided that each report shall be independently verified and audited for accuracy. Effective 7/1/2050. (SD1)

ETT, WAM/JDL

**HB 930, SD1**(SSCR1061)Status & Testimony

## RELATING TO EDUCATION.

Creates and appropriates funds for Erin's Law Task Force to review policies, programs, and curricula for educating public school students about sexual abuse and sex trafficking prevention, and report recommendations for the establishment of a program to educate public school children on sexual abuse prevention through age appropriate curricula. (SD1)

EDU, WAM/JDL

**[HB 1382, HD1](#)**[\(SSCR1038\)](#)[Status & Testimony](#)

## RELATING TO PROCUREMENT.

Assists small business in the state procurement process by establishing a temporary small business assistance initiative, small business advisory group, small business office, and small business procurement coordinator position within the state procurement office. Appropriates funds. (HB1382 HD1)

**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 to the Senate Committee on Judiciary and Labor.

Click [here](#) to submit written testimony to the Senate Committee on Ways and Means.

**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.

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

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808) 586-7344.

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Senator Jill N. Tokuda  
Chair

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Senator Gilbert S.C. Keith-Agaran  
Chair