

THE SENATE
THE TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2015

COMMITTEE ON WAYS AND MEANS

Senator Jill N. Tokuda, Chair
Senator Ronald D. Kouchi, Vice Chair

NOTICE OF DECISION MAKING

DATE: Friday, February 27, 2015
TIME: 1:00 PM
PLACE: Conference Room 211
State Capitol
415 South Beretania Street

A G E N D A

The following measures were previously heard in their respective standing committees:

<u>SB 40, SD2</u> <u>(SSCR524)</u> <u>Status & Testimony</u>	RELATING TO LICENSING. Establishing the behavior analyst program within the department of commerce and consumer affairs. Establishes licensing requirements for behavior analysts. Appropriates funds for the implementation of the behavior analyst program. (SD2)	CPN, WAM
<u>SB 1028, SD1</u> <u>(SSCR227)</u> <u>Status & Testimony</u>	RELATING TO THE HAWAII HEALTH CONNECTOR. Aligns state law with certain provisions of the Affordable Care Act by requiring qualified health plans in the connector to contract with federally-qualified health centers and utilize payment methodology as specified in the federal Social Security Act. Retains current financial and service benefits of the Hawaii health connector. Enhances the availability of services through the connector. Authorizes the State of Hawaii to guarantee debentures issued by the connector. Specifies the Hawaii hurricane relief fund shall be authorized to guarantee, approve, and oversee the issuance of the debentures by the connector. Effective 07/01/2050. (SD1)	CPN, WAM
<u>SB 1341, SD1</u> <u>(SSCR180)</u> <u>Status & Testimony</u>	RELATING TO THE STATE AFFORDABLE CARE ACT INNOVATION WAIVER. Provides resources to develop a waiver from certain provisions of the federal Patient Protection and Affordable Care Act of 2010. Appropriates funds. (SD1)	CPN, WAM
<u>SB 1032, SD1</u> <u>(SSCR82)</u> <u>Status & Testimony</u>	RELATING TO CHAPTER 245, HAWAII REVISED STATUTES. Expands the definition of "tobacco products". Increases the license fee for persons engaged as a wholesaler or dealer of cigarettes or tobacco products. Increases the retail tobacco permit fee for retailers engaged in the retail sale of cigarettes and tobacco products. Effective January 1, 2016. (SD1)	CPN, WAM



<p><u>SB 1220, SD1</u> <u>(SSCR80)</u> <u>Status & Testimony</u></p>	<p>RELATING TO CHAPTER 245, HAWAII REVISED STATUTES. Expands the definition of "tobacco products" to include any product containing nicotine, but not containing tobacco. Imposes an excise tax equal to eighty per cent of the wholesale price of any tobacco product, other than large cigars, sold by a wholesaler or dealer on and after January 1, 2016, whether or not sold at wholesale, or if not sold then at the same rate upon the use by the wholesaler or dealer. Requires any increase in the excise tax rate imposed on cigarettes or little cigars on or after 1/1/2016 to trigger an automatic excise tax increase on other tobacco products, other than large cigars, on or after 1/1/2016. Requires the additional moneys collected under the excise tax to be deposited to the credit of the Hawaii cancer research special fund. (SD1)</p>	<p>CPN, WAM</p>
<p><u>SB 1093, SD1</u> <u>(SSCR39)</u> <u>Status & Testimony</u></p>	<p>RELATING TO MORTGAGE SERVICERS. Clarifies mortgage servicer requirements under chapter 454M, Hawaii Revised Statutes, including licensing requirements, crediting of payments, escrows for payment of taxes and insurance, payoff statements, delinquencies and loss mitigation efforts, borrower complaints, fee disclosures, record maintenance, assignment of servicing rights, and prohibited activities. Establishes bonding requirements. (SD1)</p>	<p>CPN, WAM</p>
<p><u>SB 1262, SD1</u> <u>(SSCR225)</u> <u>Status & Testimony</u></p>	<p>RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT. Permits the commissioner of financial institutions to make a finding to adjust the assessed mortgage loan recovery fund fee once the mortgage loan recovery fund reaches its target balance. (SD1)</p>	<p>CPN, WAM</p>
<p><u>SB 1094, SD1</u> <u>(SSCR178)</u> <u>Status & Testimony</u></p>	<p>RELATING TO INSURANCE. Makes various updates to title 24 of the Hawaii Revised Statutes, relating to insurance, including: making fees consistent for applications and services provided by the insurance division of the department of commerce and consumer affairs to purchasing groups, foreign risk retention groups, insurers subject to chapter 431, HRS, fraternal benefit societies, mutual benefit societies, health maintenance organizations, and dental insurers; enabling the insurance division to recover certain administrative costs associated with the applications process and services provided by the division; and making housekeeping amendments. (SD1)</p>	<p>CPN, WAM</p>
<p><u>SB 1178, SD1</u> <u>(SSCR102)</u> <u>Status & Testimony</u></p>	<p>RELATING TO HEALTH. Increases the authorized benefit for acupuncture treatments allowed under personal injury protection benefits provided through motor vehicle insurance. Ties increases in payments for acupuncture treatments in with annual increases, if any, to the medicare economic index. Effective July 1, 2020. (SD1)</p>	<p>CPN, WAM</p>
<p><u>SB 1096, SD1</u> <u>(SSCR53)</u> <u>Status & Testimony</u></p>	<p>RELATING TO ON-BILL PROGRAMS. Exempts electric utilities acting as billing and collections agents for an on-bill program from various state taxes and state laws regulating financial institutions, escrow depositories, or collection agencies. Effective July 1, 2020. (SD1)</p>	<p>CPN, WAM</p>



<p>SB 359 (SSCR136) Status & Testimony</p>	<p>RELATING TO THE ENVIRONMENTAL RESPONSE, ENERGY, AND FOOD SECURITY TAX. Increases the amount of the environmental response, energy, and food security tax collections to be deposited into the environmental response revolving fund, energy security special fund, and agricultural development and food security special fund. Makes permanent: (1) the renaming of the environmental response tax to the environmental response, energy, and food security tax; (2) the establishment of the agricultural development and food security special fund; (3) amendments to the environmental response revolving fund and energy security special fund; and (4) allocations of the environmental response, energy, and food security tax to the environmental response revolving fund, energy security special fund, energy systems development special fund, and agricultural development and food security special fund.</p>	<p>ENE/AGL, WAM</p>
<p>SB 1050, SD1 (SSCR267) Status & Testimony</p>	<p>RELATING TO ENERGY. Establishes the community-based renewable energy program, which allows the public utilities commission to establish a tariff that allows all electric utility customers to obtain an interest in a portion of an eligible renewable energy project that is providing electricity to the electric utility and receive compensation for the energy provided to the electric utility. (SD1)</p>	<p>ENE/CPN, WAM</p>
<p>SB 1150 (SSCR58) Status & Testimony</p>	<p>RELATING TO TAXATION. Amends session law to repeal the sunset provision relating to the tax on naphtha fuel sold for use in a power generating facility, thereby making the amendments made by Act 103, Session Laws of Hawaii 2007, permanent.</p>	<p>ENE, WAM</p>
<p>SB 349, SD1 (SSCR70) Status & Testimony</p>	<p>RELATING TO TAXATION. Establishes a renewable fuels production tax credit and repeals the ethanol facility tax credit. Allows qualifying taxpayers to claim a refundable income tax credit equal to 20 cents per seventy six thousand British thermal units of renewable fuel, capped at \$3,000,000 per year for up to five years. Caps the credit at \$12,000,000 per year in aggregate. Requires the department of business, economic development, and tourism to certify all tax credits and submit a report regarding the production and sale of renewable fuels to the governor and legislature each year. Directs the department of taxation to create forms for the tax credit. Applies to taxable years beginning after December 31, 2015. (SD1)</p>	<p>ENE, WAM</p>
<p>SB 1051, SD1 (SSCR195) Status & Testimony</p>	<p>RELATING TO FUEL CELL ELECTRIC VEHICLES. Expands the definition of electric vehicles to include fuel cell electric vehicles for purposes of parking exemptions, HOV lane use, registration, and required parking spaces in places of public accommodation. (SD1)</p>	<p>ENE/TRA/GVO, WAM</p>



<p><u>SB 710</u> (SSCR83) Status & Testimony</p>	<p>RELATING TO THE STATE INTEGRATED SOLID WASTE MANAGEMENT PLAN. Appropriates funds to the department of health to support the revision of the state integrated solid waste management plan.</p>	<p>ENE, WAM</p>
<p><u>SB 498, SD1</u> (SSCR520) Status & Testimony</p>	<p>RELATING TO WASTE MANAGEMENT. Beginning July 1, 2015, requires that all state and county agency contracts and private entity contracts that include disposal of liquid or solid waste that require disposal in a permitted waste facility to provide a receipt that the waste was received and disposed of at a permitted waste facility before payment is made for those contractual services. (SD1)</p>	<p>ENE/GVO/PSM, WAM</p>
<p><u>SB 1260</u> (SSCR431) Status & Testimony</p>	<p>RELATING TO RECYCLING. Mandates the recommendations made by the office of the auditor to the department of health regarding advance disposal fee glass containers and glass recycling. Requires the department of health to report on its implementation of the recommendations to the legislature.</p>	<p>ENE/HTH, WAM</p>
<p><u>SB 1111, SD1</u> (SSCR434) Status & Testimony</p>	<p>RELATING TO WATER INFRASTRUCTURE. Authorizes the department of health to transfer federal capitalization grant funds between the water pollution control revolving fund and the drinking water treatment revolving loan fund, in accordance with title 40 Code of Federal Regulations section 35.3530(c). (SD1)</p>	<p>ENE/HTH, WAM</p>
<p><u>SB 1272, SD1</u> (SSCR135) Status & Testimony</p>	<p>RELATING TO CESSPOOLS. Provides a temporary income tax credit for the cost of converting a cesspool to a septic system or an aerobic treatment unit system or connecting a cesspool to a sewer system. (SD1)</p>	<p>ENE, WAM</p>
<p><u>SB 750</u> (SSCR175) Status & Testimony</p>	<p>RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ANAERGIA INCORPORATED. Authorizes the issuance of special purpose revenue bonds to assist Anaergia Incorporated with the development of facilities for renewable nonfossil fuel energy production in Maui.</p>	<p>ENE, WAM</p>
<p><u>SB 1042</u> (SSCR173) Status & Testimony</p>	<p>AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR SUNSTRONG LLC, A RENEWABLE ENERGY DEVELOPER SERVING THE GENERAL PUBLIC IN PROVIDING ELECTRIC ENERGY. Authorizes the issuance of special purpose revenue bonds to SunStrong LLC, a renewable energy developer, for the provision of electric energy and installation of renewable energy projects in Hawaii.</p>	<p>ENE, WAM</p>
<p><u>SB 1047, SD1</u> (SSCR172) Status & Testimony</p>	<p>AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PELATRON Q, LLC. Authorizes the issuance of special purpose revenue bonds to assist Pelatron Q, LLC, with the development of waste-to-energy power plants in Hawaii. (SD1)</p>	<p>ENE, WAM</p>



<p>SB 1214 (SSCR266) Status & Testimony</p>	<p>RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAIIAN ELECTRIC COMPANY, INC., MAUI ELECTRIC COMPANY, LIMITED, AND HAWAII ELECTRIC LIGHT COMPANY, INC. Authorizes the issuance of special purpose revenue bonds to assist Hawaiian Electric Company, Inc., Maui Electric Company, Limited, and Hawaii Electric Light Company, Inc.</p>	<p>ENE/CPN, WAM</p>
<p>SB 618 (SSCR176) Status & Testimony</p>	<p>RELATING TO SEAWATER AIR CONDITIONING. Extends the lapsing date to 1/30/2020, of the special purpose revenue bonds issued to assist Honolulu Seawater Air Conditioning in building seawater air conditioning projects on Oahu. Effective 1/29/2015.</p>	<p>ENE, WAM</p>
<p>SB 619 (SSCR174) Status & Testimony</p>	<p>RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU. Extends the authorization to issue special purpose revenue bonds for Honolulu Seawater Air Conditioning LLC.</p>	<p>ENE, WAM</p>
<p>SB 728, SD1 (SSCR153) Status & Testimony</p>	<p>RELATING TO GOVERNMENT CONTRACTS. Requires equal pay for similar work for any employee performing services under certain government contracts. Establishes a requirement for government contractors to report wages paid to employees, by gender. Provides penalties for contractors found to be in violation of these practices, including liquidated damages and suspension from government contract work. Also prohibits contractors on certain government contracts from retaliating against employees who disclose wage information. (SD1)</p>	<p>GVO/JDL, WAM</p>
<p>SB 216, SD1 (SSCR495) Status & Testimony</p>	<p>RELATING TO WAGES AND HOURS ON PUBLIC WORKS. For government public works construction contracts greater than \$2,000, provides that overtime compensation be not less than 1-1/2 times the laborer's or mechanic's basic hourly rate of pay plus fringe benefits and that if the department of labor and industrial relations determines that the prevailing wage is determined by a group represented by collective bargaining, then the overtime and any other premium shall be at the same rates set by the collective bargaining agreement. Specifies that the overtime rate be as specified in the collective bargaining agreement when the basic hourly rate is based on a collective bargaining agreement. (SD1)</p>	<p>GVO/JDL, WAM</p>
<p>SB 165, SD1 (SSCR243) Status & Testimony</p>	<p>RELATING TO STATE FACILITIES. Establishes DAGS as the department responsible for negotiating and processing leases for state departments. Requires DAGS to facilitate facility agreements between the State and private investors. Effective 07/01/2050. (SD1)</p>	<p>GVO, WAM</p>



SB 1228, SD1

(SSCR492)

Status &
Testimony

RELATING TO PROCUREMENT.

Establishes the special innovative procurement process for procurement of supplies, services, professional services, and construction. Requires the procurement policy board to establish procedures for use of the special innovative procurement process. Requires the procurement policy board to develop draft rules regarding public-private partnerships in Hawaii, and to report the draft rules and any proposed legislation to the legislature. Makes an appropriation to fund a temporary position to assist the procurement policy board in drafting rules. (SD1)

GVO, WAM

SB 435, SD1

(SSCR132)

Status &
Testimony

RELATING TO HAWAIIAN PLANTS.

Subject to exceptions, requires all plans, designs, and specifications for new or renovated landscaping of State-developed buildings, complexes, facilities, or housing to incorporate Hawaiian plants. Effective 6/30/2016. (SD1)

GVO, WAM

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 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) 586-6800.

Senator Jill N. Tokuda
Chair

