



REPRESENTATIVE HENRY AQUINO

COMMUNITY REPORT

HOUSE DISTRICT 35

SEAVIEW * CRESTVIEW * WAIPAHAU



MARCH 15, 2012

2012 MID-SESSION HIGHLIGHTS

The 2012 Mid-Session Highlights is a preliminary report of some of the accomplishments of the Hawaii House of Representatives up to the First Crossover, or the midpoint of the 2012 Regular Session. Since the legislative session is still in progress, the status of the measures listed in this report will continue to evolve.

OVERVIEW

The House of Representatives approved measures aligned with its priorities of economic recovery and job growth for the 2012 Legislative Session. The bills, which are part of 286 measures that passed third reading before crossing over to the Senate, focus primarily on Economic Revitalization and Business, Agriculture, Military Affairs, and Healthcare.

The House and Senate quickly passed a priority measure, **House Bill (HB) 2096**, on **Unemployment Insurance** in order to stop a scheduled rise in rates that would have negatively impacted employers at a time when the economy is still struggling. The Governor signed the bill into law on March 9th.

The House and Senate also worked together to expedite the passage of **HB608** which appropriates emergency funds, matched dollar for dollar with private funds, to enable the Queen's Medical Center to operate a **kidney and liver transplant center**. The bill became law on February 6th.

In addition, two measures providing our university system with urgently needed funding were fast tracked and enacted. **Senate Bill (SB) 239** continues the funding of the **John A. Burns School of Medicine** with a portion of the Hawaii tobacco settlement special fund. In **SB809**, the **University of Hawaii's authorization to issue revenue bonds** for the purpose of financing the construction and maintenance of qualifying capital improvement projects was increased and an emergency appropriation of revenue bond proceeds was made.

The House advanced an economic revitalization package of bills that positions Hawaii for economic recovery by focusing on emerging sectors of the State's economy in order to stimulate job creation. These sectors include film and digital media, aerospace, renewable energy, infrastructure and construction, broadband, tourism, and the military.

The agriculture package facilitates growth in three primary sectors of our agri-economy: honeybee farming, coffee farming, and livestock feed production. The remaining agriculture legislation deals with providing sufficient agricultural and pest inspection coverage to ensure food safety and biosecurity protection.



Rep. Ty Cullen (Vice Chair – Public Safety & Military Affairs (PBM)), Laurie Crehan (Dept. of Defense Regional Liaison), Rep. Marcus Oshiro (Chair – Finance), Rep. Henry Aquino (Chair – PBM)

Legislation pertaining to military affairs offers protection for military members and their dependants against predatory lending practices, permits military experience to be counted towards academic credit and professional licensing requirements, and establishes a Veterans Court to better account for the psychological impact of deployments on military offenders.



Leeward Oahu legislators and House Health Committee members

Lawmakers took swift and decisive action in response to the closing of both Hawaii Medical Center locations, passing a legislative package to minimize any further lapses in healthcare and emergency services. The following Health bills, pointedly **HB2345** and **HB609**, provide possible alternatives to address the closure of Hawaii Medical Center facilities and the dramatic rippling effects it has had on Oahu. Also part of the Health package is a measure that would create a concussion awareness program in Hawaii schools.

The following highlights several key bills approved by the House lawmakers and crossed over to the Senate for further review and consideration.



STATE BUDGET

Moving on from last year’s budget crisis, but still dealing with a fragile, recovering economy, House lawmakers passed a budget bill, **HB2012**, that promotes stable economic growth and job creation. The House Budget draft is based on a conservative estimate of growth. It restores certain essential services affected by the fiscal crisis of recent years, including agriculture inspectors, and core programs in health and human services. Additionally, the budget provides for expansion and growth in key sectors of our economy, including film and digital media, aerospace, renewable energy, infrastructure and construction, broadband, tourism, and the military.



ECONOMIC REVITALIZATION

HB2869 Motion Picture, Digital Media - Supports the motion picture, digital media, and film production industries in the State by extending the film tax credit from January 1, 2016 to January 1, 2025. It increases the qualified production tax credit ceiling; separates the calculation of the credit amount based on wages and salaries from the credit amount based on other qualified production costs; and provides different credit amounts based on residence within the counties for the wages and salaries paid to all cast, crew, and musicians of the qualified production, plus an additional unspecified per cent credit amount on wages and salaries of cast, crew, and musicians who are state residents.

HB2145 Economic Development, Key development projects. This bill makes as state policy the delineation of the key economic sectors of importance for economic diversification in Hawaii. It identifies key projects within those sectors that are important to the long-term growth and success of those industries. The key economic sectors include renewable energy, broadband, infrastructure and construction, aerospace, tourism, film and digital media, and the military. The measure promotes, over 10-years, specific projects within these sectors.

HB2324 and HB2325 Broadband. Until June 30, 2017, both bills provide for the expedited construction of broadband facilities by modifying the permitting process.



COMMERCE AND CONSUMER PROTECTION

HB1840 and HB2103 State Bank. **HB1840** establishes a taskforce to review, investigate, and study the feasibility and cost of establishing a state-owned bank. **HB2103** directs the Department of Commerce and Consumer Affairs to conduct a comprehensive review of relevant state laws to develop legislation to establish the bank of the State of Hawaii and directs the Hawaii Housing Finance and Development Corporation to establish and operate an interim purchase program for distressed residential properties encumbered by problematic mortgages until the bank of the State of Hawaii is operational.

HB2019 Mortgage Foreclosure, Deficiency Judgment. This bill prohibits deficiency judgments to recover the remaining balance on mortgage loans for certain residential property sold in a foreclosure action or short sale. In addition, **HB1875** and **HB2018** both adopt recommendations of the Mortgage Foreclosure Task Force and refine the provisions of Act 48 passed in 2011.

HB2358 State Building Code. This bill promotes uniformity in statewide building standards by establishing the Hawaii State Building Code Council and the Natural Disaster Preparedness Commission, and adopting the Hawaii State Building Code.



MILITARY

As reported in an earlier March 2012 Community Newsletter, the House Committee on Finance approved a legislative package supporting the military in Hawai'i. According to House Committee on Public Safety & Military Affairs Chair Rep. Aquino, "The passage of these five pieces of legislation shows the commitment to and appreciation of the military, service members, and their families that is consistent with the values and priorities of the state of Hawai'i".

The bills supporting the overall military presence in the state as well as military members and veterans are as follows:

HB2410 Military Support. This bill requires the Governor to enter into a memorandum of understanding with the U.S. Department of Defense to provide continued support for the military's presence in Hawai'i.

HB2409 Military Consumer Protection. This bill authorizes the Department of Commerce and Consumer Affairs (DCCA) to enforce existing federal laws protecting military members and their families

HB2258 Military Training, Professional and Vocational Licensing. This bill allows professional and vocational licensing authorities to accept military training, education, and service towards licensing requirements.

HB2639 College Credits for Military Training. This bill authorizes the University of Hawai'i system to grant military members with college credits for military experience.

HB2798 Veterans Treatment Court. This bill establishes a Veterans Court that will allow Hawai'i to join more than a dozen states across the country in taking into account the impact returning home from combat has on veterans when administering justice. The wars in Afghanistan and Iraq have caused a spike in veterans going through the court system. The Veterans Treatment Court is a system that recognizes the psychological effects of deployments and gives veterans a degree of justice commensurate with their service.



HEALTH

HB2345 Special Purpose Revenue Bonds to Assist St. Francis Healthcare System of Hawaii. This bill supports the St. Francis Healthcare System of Hawaii to apply for a special purpose revenue bond of up to \$80 million to potentially finance the construction, improvement, and equipment of its healthcare facilities.

HB609 HMC-East. This bill supports and explores the idea of the State's Hawaii Health System Corporation to assimilate or acquire the Hawaii Medical Center – East Facility.

HB1953 Emergency Medical Care. This bill provides for the medical needs of Leeward Oahu in light of the closure of Hawaii Medical Center's two hospitals, by appropriating funds to increase the on-call availability of emergency medical services and ambulance services, and assist Wahiawa General Hospital in providing additional emergency room services given its increase in patients and emergency cases.

HB1952 Bone Marrow Transplants. This bill appropriates funds subject to a dollar-for-dollar match between private and public funds to Hawaii Pacific Health (Kapiolani, Straub, Pali Momi) to provide and restart a bone marrow transplant program within the State. HMC West and East facilities were primary bone marrow transplant facilities and their closure has forced patients to relocate to the mainland to receive treatment. This measure will help alleviate the extra financial burden on these patients and their family support system by creating this important program in Hawaii.



TRANSPORTATION

HB2030 Emergency Vehicles, Reduce Speed. This bill requires motorists when passing a stationary authorized emergency vehicle with its visual signals activated on a highway to vacate the lane directly next to the stationary authorized emergency vehicle or reduce driving speed. This Act is dedicated to the memory of Officers Garret Davis and Eric Fontes of the Honolulu Police Department, whose tragic deaths could have been prevented by this legislation.



EDUCATION

HB2007 Instructional Time, Bell Schedules. This bill requires the Department of Education to devise four bell schedules each for elementary, middle, and high schools. Charter schools and public multi-track schools are exempt from this legislation.

HB1683 Junior Kindergarten. This bill eliminates junior kindergarten beginning with the 2014-2015 school year. The intent is to replace this program with an early learning program.

HB2626 Safe Routes to School. This bill establishes the Safe Routes to School Program within the Department of Transportation and establishes a Safe Routes to School Program Special Fund. A surcharge of \$25 for speeding violations in a school zone and a \$10 surcharge on various other traffic violations occurring in a school zone will be deposited into the Safe Routes to School Program Special Fund.



ENVIRONMENT AND NATURAL RESOURCES

HB2250 Environmental Workforce. This bill establishes an emergency environmental workforce to create short-term employment for individuals who are unemployed or underemployed due to the recovering economy. Participants will assist in the State's efforts to maintain and strengthen watersheds, eradicate invasive plants, and reduce invasive coqui frog, coffee borer beetle, and fire ant populations.

HB2417 Renewable Energy Tax Credit. This bill applies the Renewable Energy Technology Tax Credit on a per-property, as opposed to a per-system, basis. Increases the maximum available credit for star energy systems installed on various types of properties.



JUDICIARY

HB1788 Computer Crime. This bill adds new definitions to computer crime, creating a third degree of computer fraud, and incorporating the element of phishing and spyware into all computer fraud offenses and unauthorized computer access offenses. In addition, **HB1777** authorizes judges to order the production of records located outside the state for criminal cases, **HB1776** allows electronic communication service providers to voluntarily disclose communications to a governmental agency when an emergency requires disclosure without delay, and **HB1709** creates a new Class C felony offense of aggravated harassment by impersonation.

HB2309 Personal ID Information. This bill allows the scanning and retention of personal information contained on a state identification card or driver's license for limited purposes only.

HB1611 Sunshine Law. This bill allows multiple board members to attend the same public gatherings and community events that are not related to any matter over which the board is currently exercising its authority and meets requirements for permitted interactions; allows multiple members to attend the same conferences and seminars if the member produces a public report and meets requirements for interactions; and allows notice of board meetings to be sent to persons requesting notice by e-mail. **HB2475** allows the use of interactive conference technology to increase attendance at meetings by members of state and county boards and commissions.

HB2251 Elections. This bill authorizes the county clerk of a county with a population of less than 100,000 to mail an absentee ballot to all properly registered voters on an island of the county that is not contiguous with the county seat of government. **HB1754** permits the mailing of absentee ballots to all registered voters in areas with less than 500 voters that would otherwise require a unique ballot type and individual polling place.

HB1672 Tax Penalty Reform. This bill establishes monetary awards for whistleblowers providing information that is the basis for a Department of Taxation administrative or judicial action for violations of tax laws. **HB1695** bars the Tax Department from artificially stacking penalties on the same violation.