

TCAH - House Bills - FINAL 2014 REPORT

The 2014 legislature has adjourned. All bills must be re-introduced to be considered in 2015. The Governor has until July 8, 2014 to sign, veto

Bill #	Relating to	Description	Status	Introduced by	Committee
HB1488	RELATING TO THE WAGE AND HOUR LAW.	Increases the minimum wage by \$1 on 7/1/14, 1/1/15, and 1/1/16, respectively.	H 2/11/2014: The committee(s) on LAB recommend(s) that the measure be deferred. Dead	TAKUMI	LAB, FIN
HB1500 HD1	RELATING TO CONTRACTORS.	Allows general engineering contractors and general building contractors to perform work subordinate to but necessary for completion of the project and for which the contractors do not have a license, if the value of the work performed is equal to or less than one percent of the total contract price. (HB1500 HD1)	H 1/31/2014: Passed Second Reading as amended in HD 1 and referred to the committee(s) on CPC. Dead	RHOADS	LAB, CPC
HB1527	RELATING TO THE CONTRACTORS LICENSE BOARD.	Increases the membership of the contractors license board from 13 to 15. Increases from 10 to 12 the members who are actively engaged in the contracting business. Increases from 5 to 7 the members who are specialty contractors. Requires that 1 member be affiliated with a state apprenticeship program. Decreases from 3 to 2 the members who are noncontractors.	H 1/15/2014: Referred to CPC. Dead	MIZUNO (Introduced by request of another party)	CPC
HB1589	RELATING TO PROCUREMENT.	Requires all governmental bodies to finalize all contract certifications with the department of accounting and general services within sixty days of the contract being awarded.	H 1/17/2014: Referred to EDB, FIN. Dead	SOUKI (Introduced by request of another party)	EDB, FIN

HB1590	RELATING TO PROCUREMENT.	Requires public contracts on bid proposals to be awarded within thirty days of the bid opening date for projects of certain governmental bodies.	H 1/17/2014: Referred to EDB, FIN. Dead	SOUKI (Introduced by request of another party)	EDB, FIN
HB1591	RELATING TO PROCUREMENT.	Requires any public notice relating to procurement contracts to be publicized statewide in either written publication or electronic format throughout the State for a period that does not exceed 15 days.	H 1/17/2014: Referred to EDB, FIN. Dead	SOUKI (Introduced by request of another party)	EDB, FIN
HB1594 HD2	RELATING TO TAXATION.	Establishes a tax credit for qualified hotel facility construction or renovation costs. Effective July 1, 2030. (HB1594 HD2)	S 3/6/2014: Referred to TSM, WAM. Dead	SOUKI (Introduced by request of another party)	TSM, WAM
HB1601	RELATING TO PROCUREMENT.	Repeals five per cent preference for bidders on public works construction contracts who are party to an apprenticeship agreement.	H 1/17/2014: Referred to FIN. Dead	EVANS	FIN

HB1606	RELATING TO TAXATION.	Repeals deadline for counties electing to establish a county surcharge on state tax to pass an ordinance to enact the surcharge. Increases maximum rate of surcharge from 0.5% to 1%. Allows counties under 500,000 population to use proceeds without restriction. Reduces the amount deducted from the county surcharge on state tax to reimburse the State for costs of assessment, collection, and disposition from 10% to 2%. Makes permanent the counties' authority to establish a surcharge on state tax.	H 1/17/2014: Referred to FIN. Dead	SOUKI (Introduced by request of another party)	FIN
HB1623	RELATING TO WAGES.	Increases the minimum hourly wage to \$10.00 per hour, effective 01/01/2015. Increases the tip credit to \$1.25.	H 2/11/2014: The committee(s) on LAB recommend(s) that the measure be deferred. Dead	OSHIRO	LAB, FIN
HB1639 HD1	RELATING TO UNLICENSED CONTRACTOR FRAUD.	Clarifies the offense of unlicensed contractor fraud by specifying that the "intent to deprive" may be formed before or after the person obtains or exerts control over the property of another. (HB1639 HD1)	S 3/6/2014: Referred to CPN, JDL. Dead	SOUKI (Introduced by request of another party)	CPN, JDL
HB1654 HD1 SD1	RELATING TO HIGHER EDUCATION.	Establishes the Campus Facility Board to address repairs and maintenance at the University of Hawaii. Effective 7/1/2050. (SD1)	S 4/25/2014: Conference committee meeting to reconvene on 04-25-14 at 5:00pm in conference room 329. Dead	CHOY	HRE, WAM
HB1659	RELATING TO HIGHWAY TRAFFIC SAFETY.	Requires, when a highway has three or more lanes moving in the same direction, the operator of a commercial motor vehicle to drive in the right most lane. Provides certain exceptions.	H 1/21/2014: Referred to TRN, JUD/CPC. Dead	NISHIMOTO (Introduced by request of another party)	TRN, JUD/CPC

HB1814 HD2 SD2 CD1	RELATING TO PAYMENT OF WAGES.	Requires employers to meet certain requirements before paying wages to an employee using a pay card. Clarifies that employers may pay wages by direct deposit under certain conditions. Makes employers responsible for any fees incurred if an employer has insufficient funds in the employer's bank account for the electronic transfer. (HB1814 CD1)	H 5/5/2014: Transmitted to Governor.	RHOADS	JDL, CPN
HB1847 HD1	RELATING TO TAXATION.	Requires all general excise tax returns to be filed electronically beginning on January 1, 2015. Authorizes DOTAX to assess a fee on returns filed manually. Effective July 1, 2030. (HB1847 HD1)	S 3/28/2014: The committee on WAM deferred the measure. Dead	LUKE, AQUINO, AWANA, BROWER, CULLEN, FALE, FUKUMOTO, ING, JOHANSON, KAWAKAMI, KOBAYASHI, LOWEN, MIZUNO, MORIKAWA, NAKASHIMA, NISHIMOTO, ONISHI, TAKAI, TAKAYAMA, TAKUMI, WOODSON, YAMASHITA, Tokioka	WAM

HB1848 HD1 SD1	RELATING TO TAXATION.	Requires all general excise tax monthly returns to be filed electronically, beginning on 1/1/2015. Authorizes the director of taxation to assess fines for returns filed manually. Reduces the threshold amount for electronic funds transfers. Effective 7/1/2030. (SD1)	H 4/14/2014: Received notice of Senate conferees (Sen. Com. No. 677). Dead	LUKE, AQUINO, BROWER, CULLEN, FALE, FUKUMOTO, ING, JOHANSON, KAWAKAMI, LOWEN, MIZUNO, MORIKAWA, NAKASHIMA, NISHIMOTO, ONISHI, TAKAI, TAKAYAMA, WOODSON, YAMASHITA, Awana, Jordan, Kobayashi, Takumi, Tokioka	WAM
HB1876	RELATING TO BUSINESS FEES.	Reduces by half, or more, the filing, service, copying, and other business fees charged by the DCCA.	H 2/3/2014: The committee(s) on CPC recommend(s) that the measure be deferred. Dead	SAY (Introduced by request of another party)	CPC, FIN
HB1890	RELATING TO LABOR.	Increases the hourly minimum wage to \$7.75 on January 1, 2015, \$8.25 on January 1, 2016, \$8.75 on January 1, 2017, and \$9.00 on January 1, 2018. Effective July 1, 2014.	H 2/11/2014: The committee(s) on LAB recommend(s) that the measure be deferred. Dead	MIZUNO, Nakashima	LAB, FIN

HB1898	RELATING TO THE UNIFORM COMMERCIAL CODE.	Amends the Uniform Commercial Code to require that exclusions or modifications of express warranties for the sale of goods in consumer contracts be printed in bold type at the beginning of the warranty.	H 2/19/2014: The committee(s) on CPC recommend(s) that the measure be deferred. Dead	TSUJI, CREAGAN, KAWAKAMI, NAKASHIMA, YAMANE, YAMASHITA	CPC
HB1958 HD2 SD2	RELATING TO COMPENSATION.	For government public works construction contracts greater than \$2,000, provides that overtime compensation be not less than 1 1/2 times the laborers or mechanics 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. Effective 07/01/30. (SD2)	H 4/25/2014: Conference Committee Meeting will reconvene on Friday, 04-25-14 at 5:15pm in Conference Room 325. Dead	NAKASHIMA, TAKAYAMA, YAMASHITA, Aquino, Johanson	JDL, WAM

HB1961 HD2	RELATING TO WORKERS' COMPENSATION.	Requires independent medical examinations and permanent impairment rating examinations for workers' compensation claims to be performed by physicians mutually agreed upon by employers and employees. Allows for the use of an out-of-state physician under certain conditions. Effective 07/01/2112. Sunset 06/30/2018. (HD2)	H 2/14/2014: Report adopted. referred to the committee(s) on FIN as amended in HD 2. Dead	NAKASHIMA, AQUINO, TAKAYAMA, TAKUMI	LAB, CPC, FIN
---------------	---------------------------------------	---	--	--	---------------

<p>HB1973 HD1 SD1</p>	<p>RELATING TO WORKERS' COMPENSATION.</p>	<p>Imposes a penalty on an employer who does not pay an employee temporary partial disability benefits within fourteen calendar days after the end of the employee's workweek as defined by administrative rule. Clarifies that an eligibility determination for disability benefits depends on the primary care physician to certify the employee's disability every thirty days. Clarifies that the failure of the employee's primary care physician to certify the dates of disability in an interim report does not disqualify the employee from disability benefits. Allows contemporaneous certification of an employee's disability status to be waived under certain conditions. Allows a one-time retroactive certification. Clarifies that certification requirements only apply during the period that an employee's injuries have not reach medical stabilization or the employee is enrolled in the vocational rehabilitation process. (SD1)</p>	<p>S 3/21/2014: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM.</p> <p style="text-align: center;">Dead</p>	<p>NAKASHIMA, Aquino</p>	<p>JDL, WAM</p>
-------------------------------	---	---	---	------------------------------	-----------------

HB1974 HD2 SD1	RELATING TO WORKERS' COMPENSATION MEDICAL FEE SCHEDULE.	Requires DLIR to update the workers' compensation medical fee schedule annually. Authorizes DLIR to establish a workers' compensation medical fee ceiling that exceeds 110% of the fees prescribed in the Medicare Resource Based Relative Value Scale for Hawaii. Makes appropriations. Sunsets 6/30/2019. Effective 7/1/2050. (SD1)	H 4/25/2014: Conference Committee Meeting will reconvene on Friday, 04-25-14 at 5:15pm in Conference Room 325. Dead	NAKASHIMA, AQUINO, Ing	JDL, WAM
HB1976 HD2	RELATING TO PUBLIC WORKS.	Establishes the Wage and Hour for Public Works Projects Special Fund to fund enforcement of wage and hour laws for public works projects. Establishes and funds two additional labor law enforcement specialist IV positions in DLIR. Effective July 1, 2030. (HB1976 HD2)	S 3/6/2014: Referred to JDL, WAM. Dead	NAKASHIMA, AQUINO, TAKUMI, Ing, Johanson, Yamashita	JDL, WAM
HB2022	RELATING TO LEED CERTIFICATION.	Requires state departments with responsibilities for the design and construction of public buildings, facilities, and schools to design and construct such facilities to obtain LEED certification for all newly-constructed facilities and to obtain LEED certification for such facilities.	H 2/11/2014: The committee(s) on EEP recommend(s) that the measure be deferred. Dead	TAKAI, AQUINO, AWANA, EVANS, HANOHANO, KOBAYASHI, C. LEE, LOWEN, LUKE, MCKELVEY, MIZUNO, NISHIMOTO, TAKUMI, TSUJI, Belatti, Cullen, Souki	EEP, FIN

HB2047 HD1	RELATING TO PROCUREMENT.	Prohibits governmental procurement contracts for the services of contractors, engineers, architects, surveyors, or landscape architects, from requiring the contracting entity to defend the governmental body against liability, except for claims arising out of or resulting from the negligent, reckless, or wrongful acts, errors, or omissions of the contracting entity. Effective July 1, 2112.	H 2/4/2014: Passed Second Reading as amended in HD 1 and referred to the committee(s) on JUD. Dead	MCKELVEY, AWANA, CABANILLA, KAWAKAMI, SOUKI, Fukumoto, Yamane	CPC, JUD
HB2048	RELATING TO INSURANCE CONTRACTS.	Makes clarifying amendments to the laws on general rules governing insurance contracts with respect to excepted lines of insurance and the conditions under which attorney's fees and costs of suit may be awarded.	H 1/29/2014: The committee(s) on CPC recommend(s) that the measure be deferred. Dead	MCKELVEY (Introduced by request of another party)	CPC, JUD
HB2057	RELATING TO ASSET FORFEITURE.	Authorizes the forfeiture of any property used or taken in any violation of laws or rules that results in a petty misdemeanor.	H 1/21/2014: Referred to JUD. Dead	HAR, CABANILLA, CULLEN, OSHIRO, SAY, TOKIOKA, Choy	JUD
HB2080 HD2	RELATING TO THEFT OF PERSONAL ELECTRONIC DEVICES.	Establishes a class C felony for theft of any computer capable of storing or retrieving personal information. Effective July 1, 2030. (HB2080 HD2)	S 3/21/2014: Report adopted; Passed Second Reading and referred to JDL. Dead	MCKELVEY, THIELEN	TEC, JDL

HB2087	RELATING TO THE GENERAL EXCISE TAX COLLECTION DATE.	Amends the date of filing of monthly, quarterly, and semiannual general excise tax returns from the 20th day of the respective applicable month to the last day of the month. Effective upon approval. Applicable to returns and payments after 07/01/14.	H 1/21/2014: Referred to FIN. Dead	HAR, CULLEN, SAY, TOKIOKA, YAMASHITA, Choy, Oshiro	FIN
HB2097	RELATING TO EMPLOYMENT.	Requires twelve weeks of partially-paid leave at a maximum of sixty-six per cent of regular salary for all employees. Establishes trust fund funded by employee contributions. Appropriates funds to the Department of Labor and Industrial Relations for positions to administer the trust fund. Effective July 1, 2014.	H 2/4/2014: The committee(s) on LAB recommend(s) that the measure be deferred. Dead	BELATTI, MORIKAWA	LAB, FIN
HB2111	RELATING TO MOTOR VEHICLES.	Establishes maximum speed limits for trucks, truck-trailer combinations, and tractor-semitrailer combinations on interstate highways. Establishes penalties for violation.	H 1/23/2014: Referred to TRN, JUD. Dead	OSHIRO, EVANS, LOWEN	TRN, JUD
HB2136	RELATING TO MINIMUM HOURLY WAGE.	Increases the minimum hourly wage to \$8.00 per hour in 01/01/2015, \$8.50 in 01/01/2016, and \$9.00 in 01/01/2017. Increases the tip credit to \$1.00. Requires employers to increase wages of non-tipped employees by \$1.00 if using the tip credit for their tipped employees.	H 2/11/2014: The committee(s) on LAB recommend(s) that the measure be deferred. Dead	YAMASHITA, ICHIYAMA, TAKAYAMA, Aquino, Nakashima, Yamane	LAB, FIN

HB2164	RELATING TO SPECIALTY CONTRACTORS.	Clarifies the principal contracting business for the specialty contractor classification and the limited exception given to specialty contractors to take and execute contracts involving two or more unrelated crafts or trades.	H 2/7/2014: The committee(s) on LAB recommend(s) that the measure be deferred. Dead	EVANS	LAB, CPC
HB2169 HD1 SD1	RELATING TO TOURISM STIMULUS INCENTIVES.	Provides qualified employers a nonrefundable income tax credit of a percentage of wages paid to qualified employees for a period after completion of hotel and resort construction or renovation. Provides a general excise tax and a use tax exemption for certain hotel and resort construction or renovation. Effective 7/1/2030. (SD1)	S 4/17/2014: Received notice of change in conferees (Hse. Com. No. 692). Dead	BROWER, AQUINO, AWANA, HANOHANO, ICHIYAMA, C. LEE, LUKE, MCKELVEY, MIZUNO, SAIKI, TAKAYAMA, TOKIOKA, YAMASHITA, Cachola	TSM, WAM
HB2170 HD2 SD2	RELATING TO TAXATION.	Provides an income tax credit for costs incurred for new hotel construction. Effective 7/1/2030. (SD2)	S 4/25/2014: Conference committee meeting to reconvene on 04-25-14 5:00PM in conference room 309. Dead	BROWER, AWANA, HANOHANO, ICHIYAMA, KOBAYASHI, C. LEE, LUKE, MIZUNO, NAKASHIMA, SAIKI, TAKAI, TOKIOKA, Cachola, Morikawa, Yamashita	TSM, WAM

HB2171	RELATING TO TAXATION.	Provides an income tax credit for costs incurred in new hotel construction.	H 2/3/2014: The committee(s) on TOU recommend(s) that the measure be deferred. Dead	BROWER, AWANA, HANOHANO, ICHIYAMA, KOBAYASHI, C. LEE, LUKE, MIZUNO, NAKASHIMA, SAIKI, TAKAI, TOKIOKA, Cachola, Morikawa, Yamashita	TOU, FIN
HB2274	RELATING TO ASSISTING UNLICENSED CONTRACTORS.	Provides that a contractor licensee who aids and abets an unlicensed contractor may subject the licensee to further discipline by the Contractors License Board.	H 1/27/2014: Referred to CPC, JUD. Dead	SOUKI (Introduced by request of another party)	CPC, JUD
HB2278	RELATING TO MINIMUM HOURLY WAGE.	Increases the minimum hourly wage to \$8.75 on January 1, 2015, \$9.50 on January 1, 2016, and \$10.00 on January 1, 2017.	H 2/11/2014: The committee(s) on LAB recommend(s) that the measure be deferred. Dead	SOUKI (Introduced by request of another party)	LAB, FIN
HB2322	RELATING TO PREVAILING WAGE CONTRACTOR PENALTIES.	Conforms all suspension penalties under the Hawaii prevailing wage law and extends suspension from three years to five years.	H 1/27/2014: Referred to LAB, CPC, FIN. Dead	SOUKI (Introduced by request of another party)	LAB, CPC, FIN

HB2323 HD1	RELATING TO WAGES AND HOURS ON PUBLIC WORKS LAW CONTRACTOR COMPLIANCE.	Increases the prevailing wage penalty from \$1,000 to \$10,000 per project and \$100 to \$1,000 per day. Makes general contractors secondarily liable for wages and penalties remaining unpaid by subcontractors and their agents 21 days after notice of violation is sent. Prohibits private agreements made to contravene the law. Adds a definition for "contractor" and applies definition of "public work" to entire wages and hours for public works chapter of Hawaii Revised Statutes. (HB2323 HD1)	H 2/11/2014: Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN. Dead	SOUKI (Introduced by request of another party)	LAB, FIN
HB2381	RELATING TO HEALTH.	Requires employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care.	H 1/27/2014: Referred to LAB, FIN. Dead	MORIKAWA, AQUINO, BELATTI, BROWER, CABANILLA, KOBAYASHI, LUKE, RHOADS, TAKAI, TAKAYAMA, TAKUMI, WOODSON, Cachola, Ichiyama, Ohno	LAB, FIN
HB2383	RELATING TO COMPETITIVE SEALED BIDDING.	Requires procuring agencies to include in invitations for bids on construction contracts a listing of the licenses that are required to perform work under the contract.	H 2/19/2014: The committee(s) on FIN recommend(s) that the measure be deferred. Dead	EVANS	FIN

HB2392	RELATING TO TRANSPORTATION.	Prohibits heavy trucks from driving in the left-most lane of an interstate freeway.	H 1/27/2014: Referred to TRN, JUD/CPC. Dead	CULLEN, AQUINO, CREAGAN, FUKUMOTO, ICHIYAMA, MCDERMOTT, MORIKAWA, WARD, Lowen	TRN, JUD/CPC
HB2401 HD2 SD2 CD1	RELATING TO CONDOMINIUMS.	Consolidates into one section under chapter 514B, Hawaii Revised Statutes, the documents, records, and information that must be made available to any unit owner and the unit owner's authorized agents and specifies that these documents, records, and information shall be provided to the unit owner or owner's authorized agent no later than thirty days after receipt of a unit owner's or owner's authorized agent's written request. (HB2401 CD1)	H 5/5/2014: Transmitted to Governor.	NISHIMOTO	CPN, JDL

HB2413 HD1 SD1 CD1	RELATING TO LABOR.	Applies provisions relating to prevailing wages for public construction work to public-private partnerships. (HB2413 CD1)	H 5/5/2014: Transmitted to Governor.	WOODSON, AQUINO, CABANILLA, EVANS, ICHIYAMA, ING, KOBAYASHI, NAKASHIMA, NISHIMOTO, RHOADS, SAIKI, TOKIOKA, YAMASHITA, Belatti, Cachola, Creagan, Mizuno, Ohno, Souki	JDL, WAM
HB2416	RELATING TO PAID SICK LEAVE.	Requires private employers to provide their service workers with paid sick leave.	H 1/27/2014: Referred to LAB, FIN. Dead	ING, BELATTI, KOBAYASHI, LOWEN, WOODSON	LAB, FIN
HB2442 HD2	RELATING TO STATE CONTRACTS.	Requires the Chief Procurement Officer to debar an offerer for up to three years for certain crimes, contract violations, or ethical violations. Effective July 1, 2030. (HB2442 HD2)	S 3/6/2014: Referred to EGH/JDL, WAM. Dead	JORDAN, CARROLL, CREAGAN, KAWAKAMI, OSHIRO, WOOLEY, Belatti, Brower, McKelvey, Rhoads	EGH/JDL, WAM

HB2471	RELATING TO PROCUREMENT.	Raises the contract amount threshold for verifying offeror compliance from \$2,500 to \$5,000.	H 2/11/2014: Passed Second Reading and referred to the committee(s) on FIN. Dead	TSUJI, CHOY, ITO, NAKASHIMA, YAMASHITA	EDB, FIN
HB2580 HD1	RELATING TO LABOR.	Annually increases minimum wage from January 1, 2015, to January 1, 2018. Annually increases the tip credit from January 1, 2015, to January 1, 2017, if the gross amount the employee receives from wages and tips for a taxable year is at least 250 per cent of the poverty level as determined by the Director of Labor and Industrial Relations. (HB2580 HD1)	S 3/6/2014: Referred to JDL, WAM. Dead	NAKASHIMA, AQUINO, AWANA, BELATTI, CARROLL, CHOY, CREAGAN, CULLEN, HANOHANO, ICHIYAMA, ING, ITO, C. LEE, LOWEN, LUKE, MIZUNO, MORIKAWA, OHNO, RHOADS, SAIKI, SOUKI, TAKAI, TAKAYAMA, TAKUMI, TSUJI, WOOLEY, YAMANE, Brower, Cabanilla, Evans, McKelvey	JDL, WAM

HB2583	RELATING TO ASSISTING UNLICENSED CONTRACTORS.	Clarifies that a contractor licensee who aids and abets an unlicensed contractor may be subject to additional discipline by the contractors license board.	H 2/10/2014: Passed Second Reading and referred to the committee(s) on JUD. Dead	MCKELVEY	CPC, JUD
HB2623	RELATING TO PROCUREMENT.	Requires all offerors of procurement solicitations to provide a Certificate of Vendor Compliance at the start of a procurement bidding process and emphasizes consideration of past performance in source selection.	H 1/27/2014: Referred to EDB, FIN. Dead	JOHANSON, AQUINO, CACHOLA, CHOY, EVANS, FUKUMOTO, HANOHANO, C. LEE, LOWEN, LUKE, MATSUMOTO, MCKELVEY, NAKASHIMA, NISHIMOTO, ONISHI, SAIKI, TAKAI, THIELEN, WARD	EDB, FIN
HB2657	RELATING TO PROCUREMENT.	Gives preference in public procurement to companies that conduct repair and maintenance locally.	H 2/11/2014: The committee(s) on EDB recommend(s) that the measure be deferred. Dead	TAKAI	EDB, FIN

HCR176	REQUESTING THE STATE PROCUREMENT OFFICE TO CONDUCT A STUDY ON THE FEASIBILITY, NECESSARY PROCESSES, AND COSTS RELATIVE TO REQUIRING THE CONSIDERATION OF PAST PERFORMANCE AS A FACTOR IN AWARDING PUBLIC CONTRACTS, INCLUDING LOW BID CONTRACTS.		H 4/23/2014: Resolution adopted in final form.	JORDAN, CHOY, HAR, ITO, LUKE, MCKELVEY, OSHIRO, SAY, TOKIOKA, Rhoads	EGH, WAM
--------	--	--	--	--	----------

HR63	ENCOURAGING THE CONTRACTORS LICENSE BOARD TO RECONSIDER ITS OCTOBER 18, 2013, FINAL ORDER AND FOLLOW LEGISLATIVE INTENT AND THE HAWAII SUPREME COURT'S RULING THAT THE "INCIDENTAL AND SUPPLEMENTAL" EXCEPTION FOR SPECIALTY CONTRACTORS TO COMPLETE WORK FOR WHICH THEY ARE UNLICENSED IS VERY LIMITED IN SCOPE.		H 4/3/2014: Resolution adopted in final form.	SOUKI	FIN
------	---	--	---	-------	-----

TCAH - Senate Bills - FINAL 2014 REPORT

The 2014 legislature has adjourned. All bills must be re-introduced to be considered in 2015. The Governor has until July 8, 2014 to sign, veto or let bills become law without his signature.

Bill #	Relating to	Description	Status	Introduced by	Committee
SB2076 HD1	RELATING TO UNLICENSED CONTRACTOR FRAUD.	Specifies that, for purposes of the offense of unlicensed contractor fraud, the "intent to deprive" may be formed before or after the person obtains or exerts control over the property of another. Takes effect 12/21/2112. (HD1)	H 3/21/2014: Passed Second Reading as amended in HD 1 and referred to the committee(s) on JUD. Dead	HEE	CPC, JUD
SB2093	RELATING TO UNLICENSED CONTRACTOR FRAUD.	Clarifies the offense of unlicensed contractor fraud by specifying that the "intent to deprive" may be formed before or after the person obtains or exerts control over the property of another.	S 1/16/2014: Referred to CPN, JDL. Dead	KIM (Introduced by request of another party)	CPN, JDL
SB2123 SD1	RELATING TO WORKERS' COMPENSATION.	Requires independent medical examinations and permanent impairment rating examinations for workers' compensation claims to be performed by physicians mutually agreed upon by employers and employees. Allows for the use of an out-of-state physician under certain conditions. Repeals on 06/30/2018. Effective 07/01/50. (SD1)	S 2/6/2014: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM. Dead	HEE	JDL, WAM

SB2185	RELATING TO PASSENGERS RIDING IN BED OF PICKUP TRUCKS.	Raises the age from twelve to eighteen of passengers permitted to ride in the bed of a pickup truck under certain conditions. Deems passengers in the bed of a pickup truck to have assumed the risk of injury or death from an accident or injury occurring while the vehicle is in operation.	S 1/17/2014: Referred to TIA/JDL. Dead	GABBARD, GREEN, Shimabukuro	TIA/JDL
SB2240	RELATING TO CHILD VISITATION.	Permits the family court to award reasonable visitation to a grandparent if the denial of visitation would cause significant demonstrable harm to the child. Establishes a rebuttable presumption that visitation decisions made by a parent are in the best interest of the child. Identifies factors the court shall consider in awarding visitation. Effective 07/01/14.	S 1/31/2014: The committee(s) on HMS deleted the measure from the public hearing scheduled on 02-04-14 1:00PM in conference room 016. Dead	KEITH-AGARAN, CHUN OAKLAND, ENGLISH, Baker, Kouchi, Shimabukuro, L. Thielen	HMS, JDL

SB2260 SD2 HD2 CD1	RELATING TO WAGES AND HOURS ON PUBLIC WORKS.	Specifies that no provision of chapter 104, Hawaii Revised Statutes, may be contravened or set aside by private contract. Updates definitions. Increases the penalties imposed on a contractor who interferes with or delays an investigation to determine compliance with wage and hour laws of employees on public works. Clarifies the effective date of suspension. Specifies that suspension for falsification of records or delay or interference with an investigation is immediate. Specifies who the director of labor and industrial relations must notify of any suspension order. (CD1)	S 5/1/2014: Enrolled to Governor.	HEE	LAB, FIN
SB2261 SD1	RELATING TO WAGES AND HOURS ON PUBLIC WORKS.	Prohibits private agreements from contravening or setting aside any requirement under chapter 104, HRS. Adds a definition of "contractor". Increases the prevailing wage penalty from \$1,000 per project and \$100 per day to \$10,000 per project and \$1,000 per day. Clarifies that general contractors are secondarily liable for payment of back wages and penalties imposed on any of their contractors. Requires notifications of violations to be final and conclusive unless within 20 days after a copy is sent to the contractor, the contractor files a written notice of appeal. (SD1)	S 2/6/2014: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM. Dead.	HEE	JDL, WAM

SB2263	RELATING TO THE STATEWIDE TRAFFIC CODE.	Prohibits certain large vehicles of more than 10,000 pounds from being driven on the far left lane of any roadway having three or more lanes, with certain exceptions. Establishes a fifty-five mile per hour speed limit for trucks having a gross vehicle weight rating in excess of 10,000 pounds.	S 1/21/2014: Referred to TIA. Dead	GABBARD	TIA
SB2325	RELATING TO PICKUP TRUCKS.	Prohibits operation of a pickup truck with a passenger in the bed or load-carrying area on interstate freeways, except in life-threatening emergency situations. Permits the operation of a pickup truck with a passenger in the bed or load-carrying area when driving on a public street, road, or highway other than an interstate freeway at a speed of no more than 35 miles per hour. Prohibits individuals from hanging on to the outside of any vehicle other than the enclosed portion intended for passengers. Increases the fine for violations.	S 1/21/2014: Referred to TIA/PSM. Dead	KIDANI	TIA/PSM
SB2336	RELATING TO TAXATION.	Creates a ten per cent tax credit for construction or renovation costs incurred on a qualified hotel facility before December 31, 2019.	S 1/21/2014: Referred to TSM, WAM. Dead	KOUCHI (Introduced by request of another party)	TSM, WAM
SB2384 SD1	RELATING TO THEFT OF PERSONAL ELECTRONIC DEVICES.	Establishes theft of a computer, as defined in section 708-890, HRS, as theft in the second degree. (SD1)	S 2/13/2014: Report adopted; Passed Second Reading, as amended (SD 1) and referred to JDL. Dead	L. THIELEN, CHUN OAKLAND, KIDANI, Espero, Gabbard, Hee,	TEC, JDL

SB2410 SD1 HD1 CD1	RELATING TO CAPITAL IMPROVEMENT PROJECTS.	Requires B&F to report the operational costs of capital improvement projects to the governor. Requires all agencies submitting a capital improvement project proposal to furnish B&F with an estimate and documents that support the estimate of operational costs. (CD1)	S 5/1/2014: Enrolled to Governor.	IGE, BAKER, CHUN OAKLAND, ENGLISH, ESPERO, GABBARD, GALUTERIA, GREEN, IHARA, KEITH-AGARAN, KIDANI, KOUCHI, NISHIHARA, RUDERMAN, SLOM, SOLOMON, L. THIELEN, TOKUDA, Dela	FIN
SB2463 SD2 HD1	RELATING TO PROCUREMENT.	Prohibits the inclusion in any public works contract less than \$10,000,000 between any governmental body and a licensed design professional of a requirement that the contractor defend the governmental body from claims arising out of the contractor's performance under the contract unless the contractor is at fault. Effective December 21, 2112. (SB2463 HD1)	H 4/4/2014: The committee(s) on JUD recommend(s) that the measure be deferred. Dead	BAKER, Ihara, Wakai	CPC, JUD

SB2464	RELATING TO PROCUREMENT.	Eliminates the requirement that construction bids for public works projects, submitted under the competitive sealed bidding process, list potential joint contractors and subcontractors.	S 1/21/2014: Referred to EGH, WAM. Dead	BAKER, Chun Oakland, Ige, Nishihara	EGH, WAM
SB2475	RELATING TO ASSISTING UNLICENSED CONTRACTORS.	Clarifies that a contractor licensee who aids and abets an unlicensed contractor may be subject to additional discipline by the contractors license board.	S 4/25/2014: Act 029, 4/23/2014 (Gov. Msg. No. 1129).	BAKER, WAKAI, Nishihara, Taniguchi	CPC, JUD
SB2487 SD1 HD2	RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT.	Establishes the Office of Small Business Regulatory Review. Requires the Director to submit an annual report to the Legislature. Requires the Department of Business, Economic Development, and Tourism to provide the Board adequate financial and administrative support. (SB2487 HD2)	S 4/15/2014: Received notice of appointment of House conferees (Hse. Com. No. 685). Dead	BAKER, DELA CRUZ, SOLOMON, Chun Oakland, English, Galuteria, Kidani, Nishihara,	EDB, CPC
SB2493	RELATING TO HEALTH.	Requires employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care.	S 1/21/2014: Referred to JDL, WAM. Dead	BAKER, CHUN OAKLAND, Espero, Ihara	JDL, WAM
SB2523	RELATING TO EMPLOYMENT.	Requires twelve weeks of partially-paid leave at a maximum of sixty-six per cent of regular salary for all employees. Establishes trust fund funded by employee contributions. Appropriates funds to the Department of Labor and Industrial Relations for positions to administer the trust fund. Effective July 1, 2014.	S 1/21/2014: Referred to JDL, WAM. Dead	CHUN OAKLAND, Baker, Ihara	JDL, WAM

SB2524	RELATING TO WORK SITE WELLNESS.	Creates tax incentive for employers that implement work site wellness programs. Requires the department of health to establish eligibility criteria for the wellness program tax credit. Requires the department of health to provide training and technical assistance to employers creating wellness programs.	S 1/21/2014: Referred to HTH/EGH, WAM. Dead	CHUN OAKLAND, SHIMABUKURO, Ihara	HTH/EGH, WAM
SB2549	RELATING TO HIGHER EDUCATION.	Establishes the campus facility board to address UH repairs and maintenance. Establishes a commission to oversee expenditure of the repair and maintenance appropriations made to UH for fiscal year 2014-2015.	S 1/21/2014: Referred to HRE, WAM. Dead	TANIGUCHI	HRE, WAM
SB2557	RELATING TO PROCUREMENT.	Directs the State Procurement Officer to study feasibility of replacing the State Procurement Code with provisions of the federal procurement code and report findings to the legislature. Repeals Chapter 103D, HRS, on 7/1/2016.	S 2/3/2014: The committee on EGH deferred the measure. Dead	DELA CRUZ, BAKER, ENGLISH, KIDANI, SOLOMON, Kahele, Slom, Taniguchi,	EGH, WAM

SB2609 SD1 HD2 CD1	RELATING TO MINIMUM WAGE.	Increases minimum wage rate to \$7.75 per hour beginning on 1/1/15, \$8.50 per hour beginning on 1/1/16, \$9.25 per hour beginning on 1/1/17, and \$10.10 per hour beginning on 1/1/18. Increases the tip credit to 50 cents per hour beginning on 1/1/15, and 75 cents per hour beginning on 1/1/16; provided that beginning 1/1/15, the combined amount the employee receives in wages and tips is at least \$7 more than the applicable minimum wage. (CD1)	S 5/30/2014: Act 82, 5/23/2014 (Gov. Msg. No. 1182).	HEE	LAB, FIN
SB2613	RELATING TO CONTRACTORS.	Defines "incidental and supplemental work" for purposes of determining licensing requirements for general engineering and general building contractors.	S 2/20/2014: The committee on CPN deferred the measure. Dead	KIDANI, DELA CRUZ	CPN
SB2614	RELATING TO PROCUREMENT.	Gives preference in public procurement to companies that conduct repair and maintenance locally.	S 1/21/2014: Referred to EGH/JDL, WAM. Dead	KIDANI, CHUN OAKLAND, GALUTERIA, Dela Cruz, Espero, Kahele, Kouchi, Wakai	EGH/JDL, WAM

SB2618	RELATING TO THE CONTRACTORS LICENSE BOARD.	Increases the membership of the contractors license board from 13 to 15. Increases from 10 to 12 the members who are actively engaged in the contracting business. Increases from 5 to 7 the members who are specialty contractors. Requires that 1 member be affiliated with a state apprenticeship program. Decreases from 3 to 2 the members who are noncontractors.	S 2/20/2014: The committee on CPN deferred the measure. Dead	WAKAI, GALUTERIA, Baker, Ige, Keith- Agaran, Kidani, Ruderman	CPN
SB2639	RELATING TO CAMPAIGN CONTRIBUTIONS.	Requires a state or county contractor to report any campaign contributions made by any immediate family members, including spouses and reciprocal beneficiaries of the immediate family members, of any officer, board member, or manager of the contractor no later than thirty days prior to each primary election and general election.	S 1/21/2014: Referred to JDL. Dead	IHARA, Chun Oakland, Ige	JDL
SB2641	RELATING TO MINIMUM WAGE.	Increases minimum wage to \$8.25 per hour beginning 01/01/15, \$8.75 per hour beginning 01/01/16, and \$9.25 per hour beginning 01/01/17. Increases the tip credit to not less than 50 cents per hour below the applicable minimum wage beginning on 01/01/15 and 25 cents per hour below the applicable minimum wage beginning on 01/01/16 and 01/01/17.	S 1/21/2014: Referred to JDL, WAM. Dead	RUDERMAN, CHUN OAKLAND, Espero, Ihara, Shimabukuro	JDL, WAM

SB2673	RELATING TO PROCUREMENT.	Increases the maximum procurement amount that is subject to small purchase procedures from \$25,000 to \$50,000.	S 2/3/2014: The committee on EGH deferred the measure. Dead	SOLOMON, KAHELE, KIDANI, Baker, Dela Cruz, Galuteria, Keith-Agaran, Nishihara, Shimabukuro,	EGH, WAM
SB2704 SD2 HD1	RELATING TO COMPENSATION.	Establishes the calculation of overtime compensation for government public works construction contracts that are greater than \$2,000 to be not less than one and one-half times the laborer's or mechanic's basic hourly rate of pay plus the cost of fringe benefits. Establishes that the overtime compensation rate shall be the rate specified in a collective bargaining agreement if the prevailing wage is based on such agreement. Effective July 1, 2114. (SB2704 HD1)	H 3/21/2014: Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN. Dead	GALUTERIA, Hee	LAB, FIN
SB2828	RELATING TO MINIMUM HOURLY WAGE.	Increases the minimum hourly wage to \$8.75 on January 1, 2015, \$9.50 on January 1, 2016, and \$10.00 on January 1, 2017.	S 1/23/2014: Referred to JDL, WAM. Dead	KIM (Introduced by request of another party)	JDL, WAM
SB2872	RELATING TO PREVAILING WAGE CONTRACTOR PENALTIES.	Conforms all suspension penalties under the Hawaii prevailing wage law and extends suspension from three years to five years.	S 1/23/2014: Referred to JDL, WAM. Dead	KIM (Introduced by request of another party)	JDL, WAM

SB2873	RELATING TO WAGES AND HOURS ON PUBLIC WORKS LAW CONTRACTOR COMPLIANCE.	Increases the prevailing wage penalty from \$1,000 per project and \$100 per day to \$10,000 per project and \$1,000 per day. Clarifies that general contractors are secondarily liable for wages and penalties found due by their subcontractors and their agents. Prohibits private agreements made to contravene the law. Adds a definition for "contractor" and "public work".	S 1/23/2014: Referred to JDL, WAM. Dead	KIM (Introduced by request of another party)	JDL, WAM
SB2910	RELATING TO PROCUREMENT.	Repeals five per cent preference for bidders on public works construction contracts who are party to an apprenticeship agreement.	S 2/3/2014: The committee on EGH deferred the measure. Dead	WAKAI, Baker, Espero	EGH, WAM
SB2911	RELATING TO COMPETITIVE SEALED BIDDING.	Requires procuring agencies to include in invitations for bids on construction contracts a listing of the licenses that are required to perform work under the contract.	S 2/3/2014: The committee on EGH deferred the measure. Dead	WAKAI, Baker, Espero, Ige	EGH
SB2912	RELATING TO SPECIALTY CONTRACTORS.	Clarifies the principal contracting business for the specialty contractor classification and the limited exception given to specialty contractors to take and execute contracts involving two or more unrelated crafts or trades.	S 1/23/2014: Referred to CPN. Dead	WAKAI, Baker, Espero	CPN
SB2917	RELATING TO PROCUREMENT.	Requires that contractors and prospective contractors with the State or counties, including those who are exempt from chapter 103D or 103F, HRS, comply with civil rights laws.	S 2/3/2014: The committee on EGH deferred the measure. Dead	KIDANI, CHUN OAKLAND, RUDERMAN, Baker, Ige, Kahele, Solomon, Wakai	EGH, JDL

SB2939	RELATING TO EMPLOYMENT PRACTICES.	Repeals the condition that employers have a collective bargaining agreement with their employees in order for section 378-32(b), HRS, to apply.	S 2/12/2014: The committee on JDL deferred the measure. Dead	ESPERO, Ihara	JDL, WAM
SB2968 SD2 HD2	RELATING TO TOURISM STIMULUS INITIATIVES.	Provides an income tax credit for qualified hotel construction and renovation for taxable years beginning in the period after December 31, 2014, through December 31, 2019. (SB2968 HD2)	S 4/15/2014: Received notice of appointment of House conferees (Hse. Com. No. 685). Dead	KAHELE, Solomon	TOU, FIN
SB3004	RELATING TO MINIMUM WAGE.	Increases minimum wage to \$8.25 per hour beginning 01/01/15, \$8.75 per hour beginning 01/01/16, and \$9.25 per hour beginning 01/01/17. Amends the tip credit amount an employer may deduct from an employee's applicable minimum wage.	S 1/27/2014: Referred to JDL, WAM. Dead	KIM, IGE	JDL, WAM
SB3039 SD2 HD1	RELATING TO PUBLIC WORKS.	Establishes the Wage and Hour for Public Works Projects Special Fund to fund enforcement of wage and hour laws for public works projects. Requires state departments, except DOT Airports Division, to transfer a percentage of CIP appropriations to the special fund. Establishes and funds two additional labor law enforcement specialist IV positions in DLIR. Effective July 1, 2114. (SB3039 HD1)	S 4/25/2014: Conference committee meeting to reconvene on 04-25-14 5:15pm in conference room 325. Dead	HEE	LAB, FIN

SB3048	RELATING TO LEED CERTIFICATION.	Requires state departments with responsibilities for the design and construction of public buildings, facilities, and schools to design and construct such facilities to obtain LEED certification for all newly-constructed facilities and to obtain LEED certification for such facilities.	S 2/5/2014: The committee on ENE deferred the measure. Dead	KIDANI, ESPERO, Galuteria, Hee, Kahele, Solomon	ENE/EGH, WAM
SB3109 SD1	RELATING TO THE GENERAL EXCISE TAX COLLECTION DATE.	Amends the date of filing of monthly, quarterly, and semiannual general excise tax returns from the 20th day of the respective applicable month to the last day of the month. Effective upon approval. Applies to taxable years beginning after 12/31/2016. Effective 01/01/2050. (SD1)	H 3/6/2014: Referred to FIN. Dead	GABBARD, RUDERMAN, Chun Oakland, Ihara, Shimabukuro	FIN