



THE LEGISLATIVE CENTER

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2016

SPECIAL LEGISLATIVE

REPORT

PREPARED FOR THE

TILE CONTRACTORS ASSOCIATION OF HAWAII

Now that the 2016 legislature has adjourned we can report to the Association on our activities for the legislative session. This year did not see as many bills as usual and there were not as many bills pertaining to the industry however the few bills that were there, were extremely important.

The 2016 legislature can be called “lackluster” although, it was fairly active for us. For the two (2) year legislative session there were 3127 Senate bills introduced and 2775 bill introduced in the House. Who cares? Well probably no one except for people like us who had to look at all of them. That is because titles of bills can be deceptive. While a bill entitled “Relating to Contractors” is clearly about us, a bill entitled “Relating to Contracts” might not be about us.

The legislature passed a \$13.7 billion budget for the fiscal period July 1, 2016 thru June 30, 2017. That includes things like the use of \$100 million for public school classroom cooling, \$160 million to rebuild the Hawaii State Hospital, \$37.5 million for a new high school in South Maui and \$12 million for a new classroom building at Campbell High School plus, \$35 million for a creative media facility at UH West Oahu and \$35 million for a new Life Sciences Building at UH Manoa.

CONSTRUCTION BILLS

S.B. 3126, CD 1 – This is an appropriation bill to provide for air conditioning, heat abatement and other energy efficiency efforts for public schools. The Governor signed off on it within six (6) days after the legislature was over. It authorizes \$100 million dollars from the State General Treasury. Much of the funding comes from federal reimbursements made in connection with Medicaid. *Act 47, May 5, 2016.*

H.B. 2569, CD 1 – This bill requires the Department of Education to set up a goal of becoming net-zero regarding energy use by January 1, 2035. It also requires the Department to expedite the cooling of all public classrooms. *Act 176, June 30, 2016.*

S.B. 2542, CD 1 – Sets up a policy that requires full funding and budget procedures for the routine repair and maintenance of state owned buildings, facilities and improvement. The Governor initially signed his intent to veto this bill but ultimately he let it become law without his signature. *Act 233, July 7, 2016.*

EMPLOYER/EMPLOYEE LAWS

H.B. 1739, CD 1 – This bill prohibits employers from requesting or forcing employees or potential employees to provide access to their personal social media account. **vetoed**

H.B. 2363, CD 1 – This bill allows an employer to exclude themselves from temporary disability coverage from their own corporation. This bill tracks a change which we pushed for under the unemployment insurance laws because it made sense. This bill perhaps does not. Under unemployment insurance we sought and successfully gained an exemption for owners because the Department of Labor was requiring you to pay in based on your payroll but also said that you could not lose your job through no fault of your own since you were the decision maker. For temporary disability insurance which provides insurance benefits for off the job injuries, this exclusion probably does not make sense because TDI insurance is perhaps one of the cheapest forms of insurance that you can get and it would be difficult to match coverage for the price outside of the work requirement. This bill also provides for electronic reports for workers compensation injuries and increases the penalties for not carrying workers compensation from \$25.00 for each employee for every day of lack of coverage to \$500.00 for every day for every employee. *Act 187, July 1, 2016.*

H.B. 2715, CD 1 – This bill requires the auditor to contract with an actuarial firm to do a closed claim study for workers compensation. Although we don't generally like closed claim studies because they almost always end up in recommendations for improved benefits and/or increased workers compensation premium increases, it is very difficult to argue against the study. *Act 188, July 1, 2016.*

S.B. 2723, CD 1 – This bill amends the penalties for contractors who violate the wage and hour laws. This law was pushed by the Hawaii Construction Alliance with the argument that the violations that they found at Ala Moana Shopping Center justified the increases and the penalties. The original penalties that they advocated were staggering. We and GCA intervened and brought the fines and penalties down to a more reasonable level. As passed, the first violation results in 25% of the amount of back wages or \$250.00 per offense up to \$2500.00 (up from 10%). The second violation, within two (2) years of the first violation results in a penalty of \$500.00 for each offense up to \$5000.00 and a third violation within three (3) years of the second violation results in a

penalty equal to two (2) times the amount of back wages or \$1000.00 for each offense up to \$10,000.00, whichever is greater and suspension from doing any new work on public works project for a period of three (3) years. *Act 192, July 1, 2016.*

TRANSPORTATION

S.B. 2618, CD 1 – This bill requires the Department of Transportation to do a feasibility study on the establishment of an inter-island and intra-island ferry system and it makes an appropriation to do the study. *Act 196, July 1, 2016.*

ENVIRONMENTAL ISSUES

H.B. 2626 – This bill prohibits the Department of Health from issuing a permit for a new underground fuel storage tank within one hundred (100) yards of a shoreline. It allows DOH to issue a permit to repair or replace existing underground fuel storage tanks and allows permit holders within one hundred (100) yards of the shoreline to renew their permits but prohibits operation and renewal of a permit for a underground fuel storage tank within one hundred (100) yards of the shoreline beginning January 1, 2045. *Act 179, July 1, 2016.*

DEAD BILLS

As usual, bills that died are oftentimes more important and far more work than bills that passed. In fact, if it's a "negative" dead bill, it means we successfully did our job. In the 2016 legislative session, GCA took the lead in attempting to work out a solution to problems that they see with the Subcontractor Listing Law. Unfortunately, as often happens in the legislative process, what is introduced as an innocent, pure solution gets twisted and turned into a negative proposal that causes problem after problem.

The first proposal offered by GCA was one which have allowed the general contractor to make changes in the subcontractor listing up to two (2) days after the bid filing. After a lengthy public hearing Senator Donna Mercado Kim's committee decided to change that to two (2) days prior to the bid opening. Fortunately for us and, based on our lobbying, as well as a variety of other groups, this bill died in the Senate Ways and Means Committee.

Another approach by GCA was an attempt to straighten out the bid listing when the sub that was listed was an entity who either had 1) lost their insurance, 2) lost their RME or 3) had some defective license status, but in any case was a situation where it presumably could be remedied prior to the contract award. GCA wanted the freedom to be able to go ahead and list that technically unlicensed subcontractor anyway and get it straightened out at a later date. Although skeptical, we attempted to work with the generals in resolving this problem right up until the last minute.

We withdrew our support and turned it into active “kill mode” when RICO announced that if an unlicensed sub was listed they could quite possibly go after not only that sub for unlicensed activity but might also go after the general for aiding and abetting. In other words, for the subcontractor it would be “congratulations you won the job” and “congratulations you’re busted”. RICO felt they were somewhat in a bind inasmuch as they had fined Ansaldo \$150,000.00 for filing a bid on the HART project without a license for acting as a contractor (their application was in process but had not yet been granted). Based on that finding, we immediately withdrew our support and along with the State Procurement Office opposed the bill. The bill died in the House Finance Committee thanks to Chair Sylvia Luke.

This by no means solves the problem and we think it will continue to be important for general contractors and subcontractors to perform due diligence on each and every one of their subcontractors prior to listing them if they value their bids and want them to be considered.

That likely also means that we will start over on this issue in 2017.

The 2016 Legislative Session has adjourned

Bill #	Relating to	Description	Status	Introduced by
HB1527 HD1 SD1 CD1	RELATING TO TAXATION.	Requires the Auditor to periodically review certain credits, exclusions, and deductions under the income tax and financial institutions tax. (HB1527 CD1)	H 5/5/2016: Transmitted to Governor.	CHOY
HB2009 HD1 SD1 CD1	RELATING TO HOISTING MACHINE OPERATORS.	Authorizes the Hoisting Machine Operators Advisory Board (Board) to employ a 0.5 FTE office assistant instead of an executive director. Allows the Hoisting Machine Operators' Certification Revolving Fund to be used for consultants as necessary, instead of for the executive director. Repeals the position of the executive director for the Board. Requires the Board to submit a comprehensive report to the legislature no later than twenty days prior to the convening of the regular session of 2017. (HB2009 CD1)	H 5/5/2016: Transmitted to Governor.	NAKASHIMA

HB2060 HD1 SD2	RELATING TO PROCUREMENT.	Requires all chief procurement officers to assist and cooperate with any compliance review by the state procurement administrator. Clarifies that the administrator has the authority to perform periodic compliance reviews of the procurement practices and procedures of all governmental bodies, in collaboration with the state procurement policy board. Establishes a fair and reasonable pricing policy for all contract actions. Clarifies that contractors are required to submit and certify cost or pricing data for certain change orders and contract modifications, even if the original contract award did not require cost and pricing data. (SD2)	H 5/5/2016: Transmitted to Governor.	JOHANSON, C. LEE, LUKE, NISHIMOTO, SAIKI
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HB2363 HD1 SD1 CD1	RELATING TO LABOR.	Excludes employers under certain circumstances from providing Temporary Disability Insurance (TDI) coverage for themselves if they perform services for their own corporation, limited liability company (LLC), limited liability partnership (LLP), partnership, or sole proprietorship. Allows the Director of Labor and Industrial Relations to receive electronic reports of injuries and other Workers' Compensation required reports. Increases the penalties for not having TDI coverage, for failure to make correct or timely benefit payments, for terminating such benefits, for failure to file medical reports, for employer's failure to provide copies of requested medical reports, for not having Workers' Compensation coverage, and for the deduction of premium payment from employee wages. (HB2363 CD1)	H 5/5/2016: Transmitted to Governor.	SOUKI (Introduced by request of another party)
HB2715 HD2 SD1 CD1	RELATING TO WORKERS' COMPENSATION.	Requires the Auditor to contract with an actuarial firm that has experience conducting workers' compensation closed claims studies in the United States to perform a study of closed claims in the State's workers' compensation system, subject to consultation and conference with two members of the Legislature selected by the House Speaker and the Senate President, respectively. Appropriates funds and requires matching funds. (HB2715 CD1)	H 5/5/2016: Transmitted to Governor.	NAKASHIMA, BROWER, ICHiyAMA, KEOHOKALOLE, C. LEE, LUKE, SAIKI, SOUKI, Belatti, McKelvey, San Buenaventura

SB2583 HD1 CD1	RELATING TO COMPOSTING TOILETS.	Mandates the counties to approve the installation and use of composting toilets in areas that are inaccessible to municipal wastewater systems. (CD1)	S 4/29/2016: Enrolled to Governor.	ENGLISH, CHUN OAKLAND, SHIMABUKURO, Baker, Dela Cruz, Espero, Galuteria, Inouye, Kim, Nishihara, Riviere
SB2723 SD1 HD2 CD1	RELATING TO ENFORCEMENT OF WAGE LAWS.	Amends the monetary penalties for contractors who violate wages and hours laws. (CD1)	S 5/9/2016: Enrolled to Governor.	KEITH-AGARAN
SB3126 SD2 HD2 CD1	RELATING TO PUBLIC SCHOOLS.	Provides for air conditioning, heat abatement, and related energy efficiency measures at public schools by appropriating general funds to the DOE for these projects. (CD1)	S 5/11/2016: Act 047, 05/05/2016 (Gov. Msg. No. 1148).	KOUCHI (Introduced by request of another party)
HB774 HD1 SD1	RELATING TO SMALL BUSINESS.	Makes an appropriation to the Department of Business, Economic Development, and Tourism for the Small Business Regulatory Review Board to hire additional staff. Effective 7/1/2053. (SD1)	S 4/15/2016: Received notice of discharge of conferees (Hse. Com. No. 610). Dead	KAWAKAMI
HB1127 HD1 SD1	RELATING TO PROCUREMENT.	Requires all procurement officers of state and county governmental bodies to attend initial training by the State Procurement Office and regular follow-up training as determined by the State Procurement Office. Appropriates funds. Effective 7/1/2050. (SD1)	S 4/15/2016: Received notice of discharge of conferees (Hse. Com. No. 610). Dead	MATSUMOTO, BROWER, FUKUMOTO CHANG, JOHANSON, MCKELVEY, MIZUNO, ONISHI, Cachola, Creagan, Ichiyama, Ing, Ito, Kong, C. Lee, Morikawa, San Buenaventura, Say, Woodson
HB1522	RELATING TO UNMANNED AERIAL SYSTEMS.	Prohibits the use, navigation, piloting, or operation of an unmanned aerial system less than five hundred feet above ground level within the airspace above a residential property without the express consent of the property's owner or lessee. Defines unmanned aerial system.	H 1/25/2016: Referred to TRN, JUD, Dead	THIELEN

HB1568	RELATING TO PUBLIC SAFETY.	Repeals Act 83, Session Laws of Hawaii 2012, to allow the counties to adopt codes and regulations that would require the installation of residential fire protection sprinkler systems and re-establish the counties' home rule concept.	H 1/25/2016: Referred to HSG, CPC, FIN, Dead	TAKAYAMA (Introduced by request of another party)
HB1582	RELATING TO UNMANNED AIRCRAFT SYSTEMS.	Creates offenses of violation of privacy through use of an unmanned aircraft system in the first and second degree.	H 1/25/2016: Referred to TRN, JUD, FIN. Dead	TAKAYAMA (Introduced by request of another party)
HB1589	RELATING TO FIRE PROTECTION.	Requires home builders of one and two-family residential dwellings to provide buyers with information on the benefits and costs associated with the installation and maintenance of a residential fire sprinkler system.	H 1/25/2016: Referred to HSG, CPC/JUD, FIN. Dead	TAKAYAMA (Introduced by request of another party)
HB1632	RELATING TO VIOLATION OF PRIVACY.	Amends the offenses of violation of privacy in the first and second degree to address privacy concerns because of the use of unmanned aircraft systems.	H 1/25/2016: Referred to TRN, JUD, FIN. Dead	TAKAYAMA
HB1720	RELATING TO PROCUREMENT.	Requires annual reports to the legislature for procurement contracts that exceed \$50,000. Raises the minimum threshold requirement for electronic system procurement requirements in chapter 103D from \$25,000 to \$50,000. Increases the minimum threshold for small purchases under chapter 103F from \$25,000 to \$50,000.	H 1/25/2016: Referred to LMG, FIN. Dead	SAY, Oshiro
HB1768	RELATING TO FIRE PROTECTION.	Requires contractors to disclose the benefits of a residential fire sprinkler system to prospective purchasers seeking to construct a new home.	H 1/29/2016: This measure has been deleted from the meeting scheduled on Monday 02-01-16 8:30AM in conference room 329. Dead	SOUKI (Introduced by request of another party)

HB1771	RELATING TO PUBLIC SAFETY.	Authorizes counties to adopt codes and regulations that would require the installation of residential fire protection sprinkler systems by repealing Act 83, SLH 2012.	H 1/25/2016: Referred to HSG, CPC, FIN. Dead	SOUKI (Introduced by request of another party)
HB1785	RELATING TO PAID LEAVE.	Requires twelve weeks of partially paid leave at a maximum rate of sixty-six and two-thirds per cent of an employee's monthly wage. Establishes the partial wage replacement for paid leave trust fund to be funded by employee contributions from payroll deductions. Makes an appropriation to the DLIR for administrative expenses and new positions.	H 1/27/2016: Referred to LAB, FIN. Dead	MIZUNO, LOPRESTI
HB1805	RELATING TO UNMANNED AIRCRAFT SYSTEMS.	Prohibits the use of unmanned aircraft systems by law enforcement to gather evidence. Restricts the uses of unmanned aircraft systems by private entities.	H 1/27/2016: Referred to TRN, JUD, FIN. Dead	EVANS, SAIKI
HB1803	RELATING TO MOTOR VEHICLE LIGHTS.	Requires motor vehicles to be operated on public highways during daylight hours with the daytime running lights on. Requires motor vehicles not equipped with daytime running lights to be operated on public highways during daylight hours with the headlights on.	H 2/10/2016: The committee(s) on TRN recommend(s) that the measure be deferred. Dead	ICHIYAMA
HB1815	RELATING TO WORKERS' COMPENSATION.	Repeals the requirement that the director of labor and industrial relations issue guidelines on frequency of treatment and reasonable utilization of health care and services, and adopt updated medical fee schedules, pertaining to workers' compensation.	H 1/27/2016: Referred to LAB, CPC, FIN. Dead	TAKUMI

HB1873	RELATING TO FIRE SPRINKLERS.	Establishes a tax credit of 25 percent of the total cost, including installation, of an automatic fire sprinkler or automatic fire sprinkler system in any new detached one- or two-family dwelling unit in a structure used only for residential purposes. Sunsets on June 30, 2026.	H 1/27/2016: Referred to HSG, FIN. Dead	KAWAKAMI, AQUINO, CULLEN, MORIKAWA, TOKIOKA
HB1885	RELATING TO LONG-TERM CARE.	Establishes a long-term care surcharge on state tax beginning on 1/1/2018 to pay for claims for defined benefits under the long-term care financing program. Makes an appropriation to the department of taxation for costs of implementation and collection.	H 1/27/2016: Referred to FIN. Dead	TAKAYAMA, CHOY, CREAGAN, KAWAKAMI, OSHIRO, TOKIOKA, Cachola, DeCoite, Evans, Mizuno, Souki
HB1909 HD1	RELATING TO EQUAL PAY.	Amends the provisions for equal pay and sex discrimination for substantially similar work. Clarifies employer defenses. Prohibits employer actions regarding wage disclosure and applicant wage histories. Requires that employer advertisements include minimum rate of pay. (HB1909 HD1)	S 3/15/2016: Re-Referred to JDL, WAM. Dead	BELATTI, DECOITE, EVANS, FUKUMOTO CHANG, ICHiyAMA, C. LEE, LOPRESTI, LOWEN, LUKE, MATSUMOTO, MIZUNO, MORIKAWA, THIELEN
HB1911	RELATING TO EMPLOYMENT.	Establishes a family leave insurance program, which requires employees to make contributions into a trust fund to be used to provide employees with family leave insurance benefits. Appropriates funds to DLIR to implement the program.	H 1/27/2016: Referred to LAB, FIN. Dead	BELATTI, ICHiyAMA, ING, C. LEE, LOPRESTI, LOWEN, MORIKAWA, RHOADS, TAKUMI, Evans
HB1915	RELATING TO GENERAL EXCISE TAX.	Repeals the GET on all intermediary business transactions.	H 1/27/2016: Referred to FIN. Dead	WARD, FUKUMOTO CHANG, HASHEM, POUHA, McDermott, McKelvey, Tupola

HB1927 HD1	RELATING TO SOLAR TAX CREDITS.	Allows a tax credit for individual and corporate taxpayers that provide either solar-powered air conditioning units or solar energy systems specifically designed to provide electricity for air conditioning units for schools. (HB1927 HD1)	H 2/8/2016: Passed Second Reading as amended in HD 1 and referred to the committee(s) on EDN. Dead	FUKUMOTO CHANG, MATSUMOTO, POUHA, THIELEN
HB1973	RELATING TO GENERAL EXCISE TAX.	Repeals the GET on all intermediary business transactions.	H 1/27/2016: Referred to FIN. Dead	FUKUMOTO CHANG, MATSUMOTO, POUHA, THIELEN
HB2010 HD1	RELATING TO SPECIAL MINIMUM WAGES.	Requires the Director of Labor and Industrial Relations to approve First Job Training Programs. (HB2010 HD1)	S 3/21/2016: The committee on JDL deferred the measure. Dead	NAKASHIMA
HB2011	RELATING TO SICK LEAVE.	Establishes a payroll assessment to fund sick leave in the private sector.	H 1/27/2016: Referred to LAB, FIN. Dead	NAKASHIMA, BELATTI, BROWER, ICHIYAMA, C. LEE, LOWEN, LUKE, MORIKAWA, SAIKI, TAKUMI, WOODSON, Nishimoto, San Buenaventura, Souki
HB2014 HD1	RELATING TO LABOR.	Requires employers to keep a record of the former physical addresses and current physical address of the employer and the North American Industry Classification System code applicable to the employer. (HB2014 HD1)	H 2/17/2016: Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN. Dead	NAKASHIMA, ICHIYAMA, Aquino, Har, Johanson, Keohokalole, LoPresti, San Buenaventura, Takayama, Takumi, Yamashita
HB2021 HD1	RELATING TO UNMANNED AERIAL SYSTEMS.	Increases the fine for conviction of certain offenses when an unmanned aerial system is used to commit the offense. Provides that the offense of simple trespass can be committed when a person knowingly enters or remains unlawfully in the airspace directly above premises up to 400 feet above ground level. (HB2021 HD1)	H 2/12/2016: Passed Second Reading as amended in HD 1 and referred to the committee(s) on JUD. Dead	LOPRESTI, CREAGAN, EVANS, ICHIYAMA, KEOHOKALOLE, C. LEE, LUKE, MIZUNO, NAKASHIMA, NISHIMOTO, RHOADS, SAIKI, TAKAYAMA, WOODSON, Aquino, Souki

HB2032	RELATING TO WATER.	Provides that the Commission on Water Resource Management shall require an owner or prior owner of an abandoned well to repair or seal the well at the owner's or prior owner's expense.	H 2/8/2016: The committee(s) on WAL recommend(s) that the measure be deferred. Dead	YAMANE, CREAGAN, CULLEN, DECOITE, EVANS, KAWAKAMI, MCKELVEY, MORIKAWA, NAKASHIMA, ONISHI, TOKIOKA, TSUJI, WOODSON, YAMASHITA, Souki
HB2051 HD1 SD1	RELATING TO THE STATE BUILDING CODE COUNCIL.	Appropriates an unspecified sum to the state building code council. Effective July 1, 2050. (SD1)	H 4/29/2016: Conference Committee Meeting will reconvene on Friday, 04-29-16 at 5:25PM in Conference Room 309. Dead	YAMANE, AQUINO, CULLEN, Nakashima, Souki
HB2052	RELATING TO PROCUREMENT.	Provides for the establishment of a special innovative procurement process when it is advantageous to the State to use the process to procure new or unique requirements of the State or new technologies, or to achieve best value.	H 2/2/2016: The committee(s) on EDB recommend(s) that the measure be deferred. Dead	YAMANE, CHOY, CULLEN, KAWAKAMI, KONG, TOKIOKA, TSUJI, Souki
HB2053 HD1 SD1	RELATING TO PROCUREMENT.	Establishes a special procurement process for the procurement of goods and services. Requires the procurement policy board to establish procedures for use of the special procurement process by rules. Requires the head of a purchasing agency to prepare a procurement plan and submit the plan to the Attorney General or corporation counsel. Requires the head of a purchasing agency to electronically post, for at least one year, public notice of special procurement contracts within seven days of the contract award. Effective July 1, 2030. (SD1)	S 3/24/2016: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM. Dead	YAMANE, CULLEN, KAWAKAMI, KONG, ONISHI, TSUJI, YAMASHITA

HB2126	RELATING TO EMPLOYMENT.	Requires certain employers with an unspecified number of employees to provide sick leave to service workers for specified purposes under certain conditions. Defines the terms "service worker" and "employer". Effective 1/1/17.	H 1/27/2016: Referred to LAB, JUD, FIN. Dead	SOUKI (Introduced by request of another party)
HB2127	RELATING TO LABOR.	Requires certain employers with fifty or more employees to provide sick leave to service workers for specified purposes under certain conditions. Defines the terms "service worker" and "employer". Effective 1/1/17.	H 1/27/2016: Referred to LAB, JUD, FIN. Dead	SOUKI (Introduced by request of another party)
HB2128	RELATING TO FAMILY LEAVE.	Establishes a family leave insurance program, which requires employees to make contributions into a trust fund to be used to provide employees with family leave insurance benefits in order to care for a designated person. Appropriates funds to DLIR to implement the program.	H 1/27/2016: Referred to LAB, CPC, FIN. Dead	SOUKI
HB2195 HD1	RELATING TO THE UNIVERSITY OF HAWAII.	Repeals requirement that the University of Hawaii prepare an annual report regarding the Construction Academy. (HB2195 HD1)	H 2/9/2016: Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN. Dead	CHOY
HB2208 HD1	RELATING TO LABOR.	Clarifies that the common law employer and employee relationship is not required for employment. Requires ESARO to render appeals decisions within 30 days or a reimbursement will be made. Requires publication of decisions. Authorizes requests for advisory opinions. (HB2208 HD1)	H 2/12/2016: Passed Second Reading as amended in HD 1 and referred to the committee(s) on JUD. Dead	NAKASHIMA, BROWER, DECOITE, ICHIYAMA, ING, KEOHOKALO, LUKE, MCKELVEY, SAN BUENAVENTURA, SOUKI, WOODSON, YAMASHITA

HB2209 HD1	RELATING TO EMPLOYMENT.	Specifies that employers, employment agencies, and labor organizations may take adverse employment action for reasons other than those currently protected under Hawaii's anti-discrimination law. (HB2209 HD1)	H 2/16/2016: Passed Second Reading as amended in HD 1 and referred to the committee(s) on JUD . Dead	NAKASHIMA, BROWER, LUKE, NISHIMOTO, SAIKI, Hashem, Pouha, San Buenaventura
HB2241	RELATING TO PROCUREMENT.	Requires the state procurement policy board to perform annual random audits of government purchasing agencies and audits of agencies selected based on a pattern of agency noncompliance.	H 1/27/2016: Referred to EDB, FIN. Dead	JOHANSON
HB2242	RELATING TO PROCUREMENT.	Requires past performance to be factored into future bid selection of a contractor. Defines past performance. Requires past performance to be considered in sole source procurement. Appropriates funds. Takes effect on 1/1/2017.	H 1/27/2016: Referred to EDB, FIN. Dead	JOHANSON
HB2243 HD1	RELATING TO FIRE SPRINKLERS.	Makes the prohibition on county requirements for automatic fire sprinklers or systems in certain residential properties and agricultural and aquacultural structures permanent. Requires contractors to provide residential purchasers with written material on the benefits of an automatic fire sprinkler system and an estimate of installation costs. (HB2243 HD1)	H 2/4/2016: Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN. Dead	HASHEM
HB2368	RELATING TO RECORDKEEPING.	Requires employers to keep a record of the physical addresses of the employer and the North American Industry Classification System code applicable to the employer; deletes anachronistic provision pertaining to insurance plan information. Takes effect on July 1, 2016.	H 2/9/2016: The committee(s) on LAB recommend(s) that the measure be deferred. Dead	SOUKI (Introduced by request of another party)

HB2398	RELATING TO GENERAL EXCISE TAX LICENSES.	Requires that any license issued under section 237-9, Hawaii Revised Statutes, be renewed annually; permits the department to charge a fee for annual renewals; and permits the department to require annual renewals be applied for online.	H 1/29/2016: Referred to FIN. Dead	SOUKI (Introduced by request of another party)
HB2428 HD1	RELATING TO THE UNIVERSITY OF HAWAII.	Prohibits the University of Hawaii from transferring moneys from its special and revolving funds, or general funds appropriated for other purposes, to fund construction projects that are not explicitly authorized by the Legislature. (HB2428 HD1)	H 2/18/2016: Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN. Dead	CHOY
HB2437	RELATING TO PROCUREMENT.	Requires that a percentage of the annual purchasing expenditure of the State set-aside for small businesses be awarded to veteran-owned and service-disabled veteran-owned small businesses, in addition to any other preferences provided under the Procurement Code for such businesses.	H 2/1/2016: Referred to VMI/EDB, FIN. Dead	MCDERMOTT, CACHOLA, FUKUMOTO CHANG, HASHEM, MATSUMOTO, WARD, Creagan, Evans
HB2444	RELATING TO EMPLOYMENT.	Clarifies the grounds under which an employer may take employment action without committing a discriminatory practice.	H 2/1/2016: Referred to LAB, JUD. Dead	SOUKI
HB2457 HD1	RELATING TO PROCUREMENT.	Establishes an earned credit certificate for contractors in public works projects who meet certain apprenticeship requirements. Clarifies information that a bidder must disclose in a competitive sealed bid for public works projects. (HB2457 HD1)	H 2/17/2016: The committee(s) on CPC recommend(s) that the measure be deferred. Dead	KEOHOKALOLE, ICHIYAMA, C. LEE, NAKASHIMA, NISHIMOTO, Har, San Buenaventura

HB2472 HD1 SD2	RELATING TO THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS.	Appropriates funds for five additional labor law enforcement specialist positions in the department of labor and industrial relations to protect Hawaii employees' wages and enforce Hawaii's labor laws, including wage and hour laws on public works construction projects. Effective 7/1/2076. (SD2)	H 4/28/2016: Conference Committee Meeting will reconvene on Friday 04-29-16 1:45PM in conference room 325. Dead	NAKASHIMA (Introduced by request of another party), FUKUMOTO CHANG, HASHEM, ICHiyAMA, JOHANSON, KAWAKAMI, KEOHOKALOLe, LOPRESTI, LUKE, MCKELVEY, OHNO, POUHA, RHOADS, SAIKI, WOODSON, San Buenaventura
HB2473 HD2 SD1	RELATING TO ENFORCEMENT OF WAGE LAWS.	Requires government contractors who violate wages and hours laws to pay a penalty that is equal to ten per cent of the amount of back wages due and up to \$1,000, per first offense; and a penalty equal to the amount of back wages found due and up to \$10,000, per the second offense. Effective July 1, 2030. (SD1)	S 3/24/2016: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM. Dead	NAKASHIMA, FUKUMOTO CHANG, ICHiyAMA, JOHANSON, KAWAKAMI, KEOHOKALOLe, LOPRESTI, LUKE, MCKELVEY, POUHA, SAIKI, WOODSON, San Buenaventura
HB2474	RELATING TO PREVAILING WAGES.	Requires contracts for construction on public lands to comply with wage and hour requirements set forth in chapter 104, HRS.	H 2/2/2016: Re-referred to WAL, LAB, JUD, FIN. Dead	NAKASHIMA, FUKUMOTO CHANG, ICHiyAMA, JOHANSON, KAWAKAMI, KEOHOKALOLe, LOPRESTI, LUKE, MCKELVEY, OHNO, POUHA, RHOADS, SAIKI, WOODSON, San Buenaventura
HB2476	RELATING TO GRAY WATER.	Prohibits the issuance of new building permits unless it is established that the building will be furnished with equipment that allows for the collection and use of gray water for irrigation. Provides for exemptions.	H 2/1/2016: Referred to WAL, CPC, JUD. Dead	BELATTI

HB2509	RELATING TO CONTRACTORS.	Allows the Department of Labor and Industrial Relations to train and deputize volunteer investigators investigating public work projects. Requires the Department of Labor and Industrial Relations to submit reports. Appropriates moneys.	H 2/1/2016: Referred to LAB, FIN. Dead	WOODSON, BELATTI, BROWER, CREAGAN, EVANS, HASHEM, ICHIYAMA, ING, KOBAYASHI, C. LEE, LOPRESTI, LOWEN, MIZUNO, MORIKAWA, NAKASHIMA, NISHIMOTO, OHNO, SAIKI, SAY, TAKAYAMA, Cachola, DeCoite, Rhoads, San Buenaventura
HB2527 HD1 SD1	RELATING TO STATE CONSTRUCTION PROJECTS.	Establishes a committee on progress of construction projects to monitor certain state construction projects and bring impediments to the attention of decision-makers. Effective July 1, 2030. (SD1)	S 3/24/2016: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM. Dead	EVANS, LUKE, MCKELVEY, MIZUNO, NAKASHIMA, SAIKI
HB2541	RELATING TO PROCUREMENT.	Provides a bidder of a public works construction project with two working days after the closing of bids to provide the name of each person or firm to be engaged by the bidder as a joint contractor or subcontractor and the nature and scope of the work to be performed by each joint contractor or subcontractor.	H 2/1/2016: Referred to WAL, JUD, FIN. Dead	MCKELVEY
HB2544 HD2 SD1	RELATING TO CONSTRUCTION CONTRACTS.	Requires the State Procurement Office, in conjunction with the Department of Accounting and General Services, to conduct an analysis and review of the Hawaii Public Procurement Code, specifically with regard to the awarding of construction contracts. Appropriates an unspecified amount of funds for the analysis and review. Effective 7/1/2050. (SD1)	S 4/29/2016: Conference committee meeting to reconvene on 04-29-16 at 5:35PM in conference room 309. Dead	YAMASHITA, CHOY, CULLEN, HAR, HASHEM, ICHIYAMA, ITO, KAWAKAMI, KEOHOKALO, C. LEE, LUKE, NAKASHIMA, NISHIMOTO, ONISHI, OSHIRO, TAKAYAMA, TOKIOKA, TSUJI, WOODSON, YAMANE, Brower, DeCoite, Jordan, Kobayashi, McKelvey, San Buenaventura

HB2628	RELATING TO PUBLIC PROPERTY, PURCHASING, AND CONTRACTING.	Provides that, for public contracting purposes, a contractor's tax clearance will be valid for one year from the date the procuring agent receives the clearance from the contractor.	H 2/1/2016: Referred to CPC, FIN. Dead	FUKUMOTO CHANG (Introduced by request of another party)
HB2658	RELATING TO THE STATE BUILDING CODE.	Authorizes a county to seek an exemption or modification of the state building codes as applicable in that county. Authorizes the state building code council to grant code exemptions and modifications for a county.	H 2/1/2016: Referred to WAL, FIN. Dead	EVANS, Onishi
HB2731	RELATING TO TAXATION.	Increases the general excise tax from four per cent to five per cent and requires that additional revenue collected from the general excise tax increase be deposited into a special account in the general fund for department of education operations, including salaries and maintenance costs.	H 2/1/2016: Referred to EDN, FIN. Dead	OHNO
HB2742	RELATING TO PROCUREMENT.	Authorizes procurement officers to permit clarification of a listed subcontractor's scope of work and consider a previously licensed and listed subcontractor's license as valid; provided that certain conditions are satisfied.	H 2/1/2016: Referred to EDB, CPC. Dead	ITO, HASHEM, TAKAYAMA, Creagan
HB2745	RELATING TO THE PROCUREMENT CODE.	Repeals the Hawaii products preference from the procurement code.	H 2/1/2016: Referred to AGR, EDB, FIN. Dead	ITO (Introduced by request of another party)