



## Bills Selected for the 2010 Legislative Scorecard

Bills included in the 2010 Legislative Scorecard are summarized below. The Smart Vote (the vote in favor of greater individual liberty and less government) is displayed in parentheses after each summary. The chamber in which each bill was voted on is also indicated (H=House, S=Senate). Unless noted otherwise, all descriptions were taken from Hawaiivotes.org. Bills organized in order with the House.

### Taxes-

**SB2461**-“Raises rental motor vehicle customer facility charge from \$1/day to \$4.50/day, effective 9/1/2010. Appropriates funds from the rental motor vehicle customer facility charge special fund for rental car improvements statewide.” (No; House & Senate)

**SB2159**-“Increases the fee for a traffic abstract from \$7 to \$20, and increases the amount of the fee deposited into the general fund from \$5 to \$18.” (No; House & Senate)

**HB2421**-“Establishes various initiatives to promote economic development for local food and energy businesses, ensures Hawaii is energy and food self-sufficient and sustainable to the maximum extent feasible, and helps Hawaii's natural resources and humankind adapt and be resilient to the inevitable challenges brought on by climate change. Increases and changes the name of the environmental response tax.” (No; House & Senate)

**HB2644**-“Applies the solid waste disposal surcharge to waste that is deposited in a landfill, incinerator, or waste-to-energy facility, and applies the surcharge to waste that is shipped out-of-state for disposal.” (No; House & Senate)

**HB2866**-“Taxes the transfer of a taxable estate located in Hawaii by a nonresident who is not a citizen of the United States. Specifies that a decedent shall be entitled to all applicable exclusion or exemption amounts as determined under the Internal

Revenue Code as of December 31, 2009, before being subject to any taxes, including up to a \$3,500,000 applicable exclusion amount.” (No; House & Senate)

**HB1985**-“Repeals the deduction from taxable income for amounts given as political contributions effective January 1, 2011; increases the tax on cigarettes and little cigars by one cent for sales on or after July 1, 2010; and temporarily increases certain insurance fees and specifies that the increased fees be deposited equally into the compliance resolution fund and the general fund as an insurance license and service tax.” (No; House & Senate)

**HB2239**-“Removes the exemption for dietary supplements from the deposit beverage container program.” (No; House & Senate)

**HB1907**-“Temporarily places a cap on itemized deductions claimed on state income tax returns until January 1, 2016. Removes the refunding feature of the capital goods excise tax credit for eligible depreciable tangible personal property placed in service after December 31, 2009, but before January 1, 2015.” (No; House & Senate)

**HB1921**-“Establishes a controlling interest transfer tax imposed at the rate set under the conveyance tax, to be administered by the director of taxation on any transfer of interest of more than 50 percent in an entity holding real property in the state.” (No; House)

**HB2850**-“Temporarily increases the liquor tax rates during the period of 7/1/10 to 6/30/15.” (No; House)

**HB2851**-“Increases certain insurance premium tax rates.” (No; House)

**HB2872**-“Repeals requirement that \$2,000,000 of tax revenues from banks and other financial corporations be deposited into the Compliance Resolution Fund. Authorizes the commissioner of financial institutions to expedite the imposition or increase of fees on banks and other financial corporations.” (No; House)

**HB2852**-“Temporarily makes the insurance premium tax applicable to mutual benefit societies and health maintenance organizations. Excludes fraternal benefit societies. Establishes a medical and health promotion tax credit. Authorizes the insurance commissioner to adjust any inadequate rates for the managed care plans of mutual benefit societies and health maintenance organizations.” (No; House)

**SB2405**-“Adopts amendments to Hawaii tax laws to implement the streamlined sales and use tax agreement; takes effect when the State becomes a party to the streamlined sales and use tax agreement; with section 32, creating a committee to oversee the department of taxation's implementation and administration of, and compliance with the streamlined sales and use tax agreement.” (No; House & Senate)

**HB2962**-“Enacts amendments to Hawaii tax laws to implement the streamlined sales and use tax agreement; takes effect when the State becomes a party to the streamlined sales and use tax agreement.” (No; House & Senate)

**SB2236**-“Establishes fines for failing to pay, bill, or remit the inspection, quarantine, and eradication fee.” (No; Senate)

**SB2575**-“Creates an anti-speculation capital gains tax on profits from the sale of real property held for less than twenty-four months, with exceptions. Directs 75 percent of revenues to be deposited into the Rental Housing Trust Fund and 25 percent of revenues to be deposited into the general fund.” (No; Senate)

**SB2052**-“Imposes a consumer fireworks tax at the wholesale level. Clarifies definition of "cultural" to include religious events held in the State. Increases fireworks permit fees. Dedicates fireworks permit fees to counties for law enforcement purposes. Increases fines for violation. Requires department of taxation to report on a plan to impose tax on retail sales of fireworks.” (No; Senate)

#### Business Climate-

**HB2935**-“Clarifies that the terms of the collective bargaining agreement prevail whenever there are conflicts between the collective bargaining agreement and an employer's policy that concern accrued and available sick.” (No; House)

**HB2600**-“Amends the due dates for miscellaneous tax types from the last day of the month to the twentieth day of the month to conform with the general excise tax payment deadline.” (No; House & Senate)

**SB2883**-“Makes it an unlawful practice for any employer or labor organization to bar or discharge from employment, withhold pay from, or demote an employee because the employee legitimately uses accrued and available sick leave. Limited to employers with one hundred or more employees and a collective bargaining agreement.” (No; House & Senate)

**SB2324**-“Authorizes an individual who is attached to a regular employer that is not offering work to still receive unemployment insurance benefits even if that individual voluntarily or involuntarily separates from part-time employment, with or without good cause.” (No; House & Senate) **SB2626**-“Creates a temporary freeze on the hiring of individuals to perform work that has traditionally been done by State civil service employees.” (No; Senate)

**SB2840**-“Requires at least eighty per cent of workers on construction procurements to be Hawaii residents; provides sanctions for noncompliance including temporary suspension of contract work, payment withholding, disqualification from the project, recovery of contract payments, and disbarment or suspension.” (No; House & Senate)

**SB2563**-“Authorizes the director of business, economic development, and tourism to impose and collect fees for the administration of the solar water heater system variances.” (No; House & Senate)

**SB2844**-“Prohibits health insurers from denying or limiting coverage for organ or tissue transplantation services on the basis that the insured, member, enrollee, or subscriber is infected with the human immunodeficiency virus.” (No; Senate)

**SB2331**-“Requires that by January 1, 2015, a minimum of two per cent of each utility's net electrical power generation be from biofuel or from agricultural producers.” (No; Senate)

**HB2257**-“Authorizes an individual that is attached to a regular employer who is not offering work to still receive unemployment insurance benefits even if that individual voluntarily or involuntarily separates from part-time employment, with or without good cause.” (No; House)

Spending-

**SB2469**-“Appropriates moneys from the emergency and budget reserve fund to maintain levels of programs for education, human services, and health.” (No; Senate)

**SB2650**-“Authorizes the governor to develop and implement an eligibility-processing operations division pilot project for counties with a population of 500,000 or more. Prohibits any department of human services reorganization plan proposed prior to the effective date of the bill or other than the pilot project proposed by the bill.” (No; Senate)

**HB2801**-“Appropriates emergency funding to the Hawaii Health Systems Corporation to ensure the continuous delivery of critical health care services and for the payment of HHSC's operational costs, and establish the Big Island Rural Interdisciplinary Program in the East Hawaii region.” (No; House)

**SB2548**-“Implements the information technology recommendations of Auditor's Report No. 09-06; establishes within the office of the governor a chief information officer and information technology steering committee to organize, manage, and oversee statewide information technology governance; establishes the shared services technology special fund to be funded by an unspecified percentage of central services fees; requires governor to report to the 2011 legislature on further recommendations.” (No; Senate)

**SB2434**-“Adjusts the salaries and includes performance bonuses for the superintendent of education, deputy superintendent, assistant superintendents, complex area superintendents, and state librarian beginning with the 2011-2012 school year.” (No; Senate)

**SB2393**-“Appropriates moneys to fund collective bargaining cost items relating to the employer contributions to the Hawaii employer-union health benefits trust fund for fiscal year 2010-2011. Requires employer to pay 100 per cent of the administrative fees for 2010-2011.” (No; Senate)

#### Individual Liberties-

**SB358**-“Prohibits person or government entity from seizing any firearm or ammunition under civil defense, emergency, or disaster relief powers, or during any civil defense emergency period or any time of national emergency or crisis, from any individual who is lawfully permitted to carry or possess the firearm or ammunition under part I of chapter 134, Hawaii Revised Statutes (HRS), and who carries, possesses, or uses the firearm or ammunition in a lawful manner.” (Yes, House & Senate)

**SB532**-“Limits the civil liability of property owners for damages to persons injured or killed on premises while committing certain felony offenses.” (Yes; House & Senate)

**SB466**-“Prohibits the use of leaf blowers on or near residential zones, except within allowed time periods; exempts government entities; authorizes counties to adopt rules or ordinances that are more restrictive...”(No; House & Senate)

#### Raids-

**HB2542**-“Addresses the fiscal year 2010-2011 budget shortfall by transferring to the general fund various amounts of excess balances from certain special funds; amends the refundable credit of the Fuel Tax Credit for Commercial Fishers to be paid from the State Highway Fund.” (No)

**SB2124**-“Appropriates funds from the Hawaii Hurricane Relief Fund to restore instructional days for the 2010-2011 school year; provided that the moneys shall only be released upon completion of all negotiations of parties necessary to execute the restoration of instructional days pursuant to the collective bargaining process. Requires unexpended funds to lapse to the Hawaii Hurricane Relief Fund.” (No, House & Senate)

**HB2318**-“Establishes the Housing First Special Fund. Requires the Hawaii Public Housing Authority to implement Housing First programs and services as the Authority deems appropriate for clientele who would most likely benefit and succeed from housing first programs, and subject to the availability of existing funds or housing first special fund moneys.” (No; House & Senate)

**HB2887**-“Transfers temporarily to the general fund the portion of moneys from the Hawaii tobacco settlement special fund designated for the Hawaii tobacco prevention and control trust fund. Requires interest and earnings of the Hawaii tobacco settlement special fund to be deposited into the general fund. Reduces the portion of moneys from the Hawaii tobacco settlement special fund to be transferred to the tobacco enforcement special fund. Encourages the nonprofit entity responsible for the Hawaii tobacco prevention and control trust fund to increase its annual expenditures to assist in revitalizing the economy.” (No; House)

**SB2695**-“Addresses the fiscal year 2009-2010 budget shortfall by transferring to the general fund a total of \$7,000,000 in excess balances from certain non-general funds.” (No; Senate)

**SB2806**-“Allows moneys from the excess general fund balance to be deposited into the emergency and budget reserve fund as a temporary source of funding for the State during times of emergency, severe economic downturn, and unforeseen reduction in revenues. Requires that moneys transferred from the general fund and other moneys in the emergency and budget reserve fund be kept in separate accounts.” (No; House & Senate)

**HB2087**-“Requires health insurers to promptly pay claims for services to medicaid recipients, by repealing the exemption for medicaid claims from the clean claims law. Requires the State to pay interest on delayed payments. Authorizes expenditures from the hurricane reserve trust fund and matching American Recovery and Reinvestment Act funds.” (No; House & Senate)

Scope of Government-

**HB2290**-“Protects agriculturally suitable lands on Oahu (lands with productivity ratings of "A" or "B"); provides for mandatory extension of agricultural leases.” (No, House)

**HB2643**-“Establishes a clean energy bond loan program for renewable energy systems and energy efficiency improvements on residential and commercial properties; authorizes the issuance of revenue bonds to finance the program; establishes laws to implement the program which shall be repealed upon the adoption of administrative rules.” (No; House & Senate)

**SB2341**- “Prohibits employers from discriminating against an employee or applicant for employment based upon the employee's or the applicant's domestic abuse victim status; provided that the domestic abuse victim notifies the employer of such status.” (No; Senate)

**SB2290**-“Amends the state private investment fund to direct its investment capital to venture capital funds that commit to equity investments in businesses located within the state and demonstrates ability to mentor entrepreneurs; authorizes an unspecified amount for tax credits to be used by the fund as collateral.” (No; Senate)