

**BILLS PASSED**

**BY THE**

**HAWAII STATE LEGISLATURE**

**REGULAR SESSION OF 2001**

SHOWING ACTIONS TAKEN AS OF

May 3, 2001

Prepared by the:



**Legislative Reference Bureau Systems Office**  
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Honolulu, HI 96813

*Caveat: While all data are believed accurate, they are subject to change pending confirmation against official records kept by the respective Chief Clerk's offices.*

## ***FOREWORD***

This publication contains brief descriptions of all bills passed by the Hawaii State Legislature during the Regular Session of 1999. We have included such data as the bill number, title, introducer, description, committee reports, current status, and sections of the Hawaii Revised Statutes affected by the bill. This publication reflects data recorded up to and including May 3, 2001, which is the date that the Legislature adjourned sine die. For your information, under Article III, Section 16 of the Hawaii State Constitution, the Governor has 45 days after adjournment sine die (not counting Saturdays, Sundays, and holidays), to consider bills for approval.

The Legislative Reference Bureau discourages the use of these descriptions of bills as a substitute for the bills passed by the Legislature. These descriptions are meant to be handy reference tools, not substitutes for the text. Copies of bills may be obtained at the various locations mentioned in this report.

This publication has been created by the Legislative Reference Bureau - Systems Office. Information on the approval of bills, their effective dates, subjects of bills passed, laws affected by bills passed, or any questions covering the data shown may be directed to Dwight Kagawa or Lori Lee Ohta. They are located at the State Capitol, Room 413 and their phone number is (808) 587-0700.

Wendell K. Kimura  
Acting Director  
Legislative Reference Bureau

May 2001

**WHERE TO OBTAIN COPIES OF BILLS OR ACTS  
(Honolulu)**

SOURCE	CONTACT	HOURS	COST
All public libraries. See listing in white pages: State Government, Dept. of Education	Reference Desk	Different for each library. Call to inquire.	Electronic ACCESS only. Optional 10¢/page donation for printout.
Hawaii State Archives Iolani Palace Grounds Honolulu 96813 Phone: 586-0329	Reference Archivist	Monday - Friday 9:00 am - 4:00 pm	No charge for local govt. agencies. For private individuals - 25¢/page. Postage charge for any mailings.
Senate Printshop State Capitol Room 012A Honolulu 96813 Phone: 586-6755	Tia Lobendahn	Monday - Friday 8:00 am - 4:30 pm	Free unless bill is exceptionally long. Postage charge for any mailings. Will mail reasonable quantities. Will fax 10 pages or less.
House Clerk's Office State Capitol Room 027 Honolulu 96813 Phone: 586-6400	Anyone	Monday - Friday 8:00 am - 5:00 pm	General public - free. Pick up in House Chamber office. Mail and fax requests received for reasonable quantities.
Lieutenant Governor State Capitol 5 <sup>th</sup> Floor Honolulu 96813 Phone: 586-0255	Dawn	Monday - Friday 7:45 am - 4:30 pm	10¢/page
Supreme Court Library 417 S. King Street Honolulu 96813 Phone: 539-4964	Front Desk	Monday - Friday 7:45 am - 4:15 pm	15¢/page (self-service). Will mail to attorneys on neighbor islands if unavailable at county circuit court libraries for 15¢/page plus postage and handling (prepayment with cashier's check or money order required).
William S. Richardson School of Law Library 2525 Dole Street Honolulu 96822 Phone: 956-7583	Circulation Desk	Different hours depending on time of year. Call to inquire.	10¢/page (self-service) 7¢/page (with UH debit card) Acts only.

**WHERE TO OBTAIN COPIES OF BILLS OR ACTS  
(Hawaii, Kauai, & Maui)**

SOURCE	CONTACT	HOURS	COST
<i>Hawaii</i>			
All public libraries. See listing in white pages: State Government, Dept. of Education	Reference Desk	Different for each library. Call to inquire.	Electronic ACCESS only. Optional 10¢/page donation for printout.
Hilo Law Library 75 Aupuni Street Hilo 96720 Phone: 961-7438	Margie or Debbie	Monday - Friday 7:45 am - 4:30 pm	15¢/page via usage of the internet
Kona Law Library Keakealani Building Kealahou 96750 Phone: 322-8729 (Circuit Ct.)	Craig Bo Kahui	Monday - Friday 7:45 am - 4:15 pm	10¢/page (self service) 15¢/page via usage of the internet
<i>Kauai</i>			
All public libraries. See listing in white pages: State Government, Dept. of Education	Reference Desk	Different for each library. Call to inquire.	Electronic ACCESS only. Optional 10¢/page donation for printout.
Kauai Law Library Circuit Court, Rm 206 3059 Umi Street Lihue 96766 Phone: 246-3327	Sanford	Monday - Friday 7:45 am - 4:30 pm	10¢/page (self service)
<i>Maui</i>			
All public libraries. See listing in white pages: State Government, Dept. of Education	Reference Desk	Different for each library. Call to inquire.	Electronic ACCESS only. Optional 10¢/page donation for printout.
Maui Law Library 2145 Main St., Rm 207 Wailuku 96793 Phone: 244-2959	Amy	Monday - Friday 7:45 am - 4:30 pm	15¢/page via usage of the internet

## SENATE BILLS WHICH PASSED THE LEGISLATURE

SB0018 SD1 HD1 CD1 (CCR 122)  
EMPLOYEES.

MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC

Introduced by: Nakata B

Appropriation to the director of finance, the chief justice, and the chief executive officer of the Hawaii health systems corporation for all collective bargaining cost items in the arbitration award for collective bargaining units 2 (supervisory blue collar employees), 3 (nonsupervisory white collar employees), 4 (supervisory white collar employees), 6 (educational officers and other personnel of the department of education), 8 (personnel of the university of Hawaii and community college system), 9 (registered professional nurses), and 13 (other professional and scientific employees), and for state officers and employees in the executive branch, the judiciary, and employees assigned to the Hawaii health systems corporation who are excluded from collective bargaining and under the same compensation plans as those officers and employees within collective bargaining units 2, 3, 4, 6, 8, 9, and 13. (\$\$) -- SB0018 CD1

Committee Reports: SSCR 165 (LBR) SSCR 874 (WAM) HSCR 1275 (FIN) CCR 122

Current Status: May=01 01 Passed Legislature

SB0024 SD2 HD2 (HSCR 1410)

RELATING TO PUBLIC EMPLOYMENT.

Introduced by: Nakata B

Establishes that with the approval of the chief executive, the head of the central personnel agency for a jurisdiction may conduct experimental modernization projects to determine whether specific changes in its human resource program would result in a more desirable program for the jurisdiction. Provides that prior to the implementation, the director shall develop a plan identifying the purposes of the project; consult with the employees who would be involved in the project; and negotiate with the exclusive representative if a modification or waiver of any provision in a collective bargaining agreement is necessary to conduct the project. Further provides that while the project is in progress, it shall not be limited by state or local personnel laws and rules, but shall be in compliance with all equal employment opportunity laws and laws prohibiting discrimination. Project to be repealed on June 30, 2002 (sunset). -- SB0024 HD2

Committee Reports: SSCR 384 (LBR/ TMG/) SSCR 739 (WAM) HSCR 1100 (LAB) HSCR 1410 (FIN)

Current Status: May-02 01 Received by the Governor

SB0028 HD1 (HSCR 1107)

RELATING TO DISLOCATED WORKERS.

Introduced by: Chun J, Kanno B

Amends provisions relating to dislocated workers. Changes the number of days that an employer in a covered establishment must provide written notification to each employee and the director of labor and industrial relations of a closing, partial closing, or relocation prior to closing from 45 to 60 days. -- SB0028 HD1

Committee Reports: SSCR 817 (LBR) HSCR 1107 (LAB) HSCR 1423 (FIN)

Current Status: May-02 01 Received by the Governor

Section Affected: 394B-9

SB0041 SD1 HD2 CD1 (CCR 136)

RELATING TO CONSERVATION.

Introduced by: Matsuura D

LRB Systems

## SENATE BILLS WHICH PASSED THE LEGISLATURE

Establishes provision relating to youth conservation corps. Authorizes the governor to avail the state of the benefits of any law or laws of similar support. Provides the governor may enter into an agreement or agreements, or designate the department of land and natural resources or other departments as state agency or state agencies to enter into agreement with proper authorities to provide healthful outdoor training and employment for young persons and advance the conservation, development, and management of natural resources and recreational areas; and defray 1/2 of all costs incurred with respect to the programs which may be required by the applicable laws. Amends disposition of taxes provision by including the youth conservation corps as an authorized expenditures of moneys derived from the conveyance tax. -- SB0041 CD1

Committee Reports: SSCR 74 (WLE) SSCR 755 (WAM) HSCR 1003 (WLU) HSCR 1323 (FIN) CCR 136

Current Status: May-01 01 Passed Legislature

Section Affected: 193- (3 SECTIONS) YOUTH CONSERVATION CORPS, 247-7

SB0045 SD1 (SSCR 161)

RELATING TO FARMING.

Introduced by: Matsuura D

Amends provision relating to the Hawaii right to farm Act. Repeals the established date of operation definition. Redefines farming operation to include silvicultural, apiary products, and plant and animal production for nonfood uses. Provides that no court, official, public servant, or public employee shall declare any farming operation a nuisance for any reason if the farming operation has been conducted in a manner consistent with generally accepted agricultural and management practices. Provides that there shall be a rebuttable presumption that a farming operation does not constitute a nuisance. -- SB0045 SD1

Committee Reports: SSCR 161 (AGT) SSCR 679 (JDC) HSCR 1033 (AGR) HSCR 1307 (JHA)

Current Status: Apr-12 01 Received by the Governor

Apr-25 01 Approved by Governor (Act 26 2001)

Section Affected: 165-2, 165-4

SB0048 SD1 HD2 CD1 (CCR 6)

RELATING TO PUBLIC LANDS.

Introduced by: Matsuura D

Requires the department of land and natural resources to expedite discussions with representatives from Parker Ranch, KK Ranch, inc., SC Corporation, and Boteilho Ent., inc., (ranchers affected by the widening of saddle road,) to identify and investigate alternatives that will fairly compensate the ranchers for losses suffered as a result of the withdrawal of any leased lands; and avoid providing exceptions to public land leasing policies. Provides that the department shall authorize the lessees to utilize 10 per cent of remaining land for alternative agriculture use at no increase in the lease rent rate. Department to report to the legislature. -- SB0048 CD1

Committee Reports: SSCR 97 (WLE/ AGT/) SSCR 618 (CPH) HSCR 1004 (WLU) HSCR 1315 (FIN) CCR 6

Current Status: May=01 01 Passed Legislature

SB0064 SD1 HD1 (HSCR 1222)

RELATING TO CRIME.

Introduced by: Kanno B, Matsuura D

LRB Systems

## SENATE BILLS WHICH PASSED THE LEGISLATURE

Establishes provisions relating to interference with reporting an emergency or crime. Provides that a person commits the offense of interference with reporting of an emergency or crime if the person intentionally or knowingly prevents a victim or witness to a criminal act from calling a 911 emergency telephone system, obtaining medical assistance, or making a report to a law enforcement officer. Provides that interference with the reporting of an emergency or crime is a petty misdemeanor. -- SB0064 HD1

Committee Reports: SSCR 239 (JDC) HSCR 1222 (JHA)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 710- (1 SECTION)

SB0065 HD1 (HSCR 1223)

RELATING TO CRIMINAL PROCEDURE.

Introduced by: Kanno B, Matsuura D

Amends provisions relating to the purpose of the criminal justice data center. Provides that the attorney general shall select and enforce systems of identification, including fingerprinting of all adults arrested for a criminal offense; all persons to whom penal summonses have been issued for a criminal offense and who have been convicted or granted a deferred acceptance of guilty or nolo contendere plea or a conditional discharge; and without the necessity of a court order, children who are 12 years of age or older who come under the family courts and who are taken into custody for committing an act that, if committed by an adult would be a felony, a misdemeanor, or a petty misdemeanor. Further provides that the attorney general shall provide for the collection, recording, and compilation of data and statistics relating to crime. Adds that unless a child's physical fingerprint record is otherwise authorized to be entered into the system, the attorney general shall purge any child's electronic fingerprint record entered into the identification system, upon a court order. Provides that upon the conviction of a person to whom a penal summons complaint has been issued for a criminal offense, or upon the granting of a deferred acceptance of a guilty or nolo contendere plea or a conditional discharge to such person, the court shall order the person to report, within 7 days, to the appropriate police department, sheriff's office, or other governmental agency for identification processing, including fingerprinting and photographing. Adds that failure to comply with a court order for identification processing will constitute criminal contempt of court. -- SB0065 HD1

Committee Reports: SSCR 88 (JDC) HSCR 1223 (JHA)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 846-2.5

SB0067 SD1 HD1 (HSCR 1224)

RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS.

Introduced by: Kanno B, Matsuura D

Amends provision relating to modification of order. Provides that the court may deny, without hearing, a motion to dismiss or to modify the terms of an existing order for protection if the motion, on its face, does not allege facts sufficient to establish a material change in the circumstances of the parties since the issuance or last modification of the order. -- SB0067 HD1

Committee Reports: SSCR 90 (JDC) HSCR 1224 (JHA)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 586-9

SB0069 SD1 HD1 (HSCR 1225)

RELATING TO PROTECTIVE ORDER.

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

Introduced by: Kanno B

Amends provision relating to protective order. Provides that a protective order may be issued and extended for such further fixed reasonable periods as the court deems appropriate. Repeals the 3 year maximum extension of initial protective order. -- SB0069 HD1

Committee Reports: SSCR 92 (JDC) HSCR 1225 (JHA)

Current Status: May-02 01 Received by the Governor

Section Affected: 586-5.5

SB0097 HD1 (HSCR 1128)

RELATING TO TELEMARKETING FRAUD.

Introduced by: Kanno B

Establishes provision relating to telemarketing fraud. Provides that a person commits the offense of telemarketing fraud, if the person with the intent to defraud or misrepresent, obtains or attempts to obtain the transfer of possession, control, or ownership, of the property of another through communications conducted at least in part by telephone and involving direct or implied claims that the person contacted will or is about to receive anything of value or may be able to recover any losses suffered by such other person in connection with a prize promotion. Establishes telemarketing fraud as a class B felony. Provides that any property used or intended for use in the commission of attempt to commit, or conspiracy to commit telemarketing fraud shall be forfeited. Defines telemarketing as a plan, program, or campaign, including a prize promotion or investment that is conducted to include the purchase of goods or services or to solicit funds or contributions by use of 1 or more telephones; and involves more than 1 telephone call. -- SB0097 HD1

Committee Reports: SSCR 272 (EDT) SSCR 809 (CPH/ JDC/) HSCR 1128 (CPC/ JHA/)

Current Status: May-02 01 Received by the Governor

Section Affected: 708- (1 SECTION)

SB0098 HD1 (HSCR 1324)

RELATING TO LEGAL SERVICES FOR THE INDIGENT.

Introduced by: Kanno B, Matsuura D

Amends Act 305, session laws of 1996, as amended by Act 121, session laws of 1998, by repealing all unobligated or unexpended funds of the indigent legal assistance fund to revert to the general fund. Includes pro bono in the definition of civil legal services. Requires the commission on access to justice to review on a biennial basis the filing fee surcharge program, and determine whether it is meeting the civil legal needs of indigent persons. Repeals the sunset date of June 30, 2002. -- SB0098 HD1

Committee Reports: SSCR 206 (JDC) SSCR 731 (WAM) HSCR 1069 (JHA) HSCR 1324 (FIN)

Current Status: May-02 01 Received by the Governor

Section Affected: ACT 305 1996, ACT 121 1998

SB0105 SD1 HD1 CD1 (CCR 43)

RELATING TO KIKALA-KEOKEA.

Introduced by: Kokubun R, Hanabusa C

Establishes the infrastructure development fund to be administered by the department of land and natural resources, to be used to provide funding for infrastructure development, in the Kikala Keokea area on the island of Hawaii. Provides that the infrastructure development fund shall be used to benefit residents of Kalapana who have been dispossessed of their homes and lands as a result of

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

the continued volcanic eruptions on the island. Establishes the Kikala Keokea housing revolving fund to be administered by the housing and community development corporation to provide low interest loans for home construction for Kikala Keokea leaseholders who have been denied loans from traditional financial institutions. Requires the rate of interest on loans to not exceed 3 per cent per year and interest earning on loan may be used for administrative and other expenses necessary for administering the loan program. Provides that any unexpended funds of the housing finance revolving fund shall be transferred as of June 30, 2001 (sunset) to the infrastructure development fund. Appropriation out of the infrastructure development fund to the department of land and natural resources. Provides that all funding commitments to complete the design and construction of the infrastructure improvements shall be agreed upon in a memorandum of agreement between the department of land and natural resources and the office of Hawaiian affairs before any moneys are disbursed; and any funds transferred from the infrastructure development fund to the Kikala Keokea housing revolving fund shall be expended by the housing and community development corporation of Hawaii. Requires matching funds from the office of Hawaiian affairs. (\$\$) -- SB0105 CD1

Committee Reports: SSCR 173 (HAW/ WLE/) SSCR 864 (WAM) HSCR 1234 (FIN) CCR 43

Current Status: May=01 01 Passed Legislature

Section Affected: 171- (1 SECTION), 201G- (1 SECTION)

SB0118 SD1 HD2 CD1 (CCR 13)

RELATING TO CANCER.

Introduced by: Chun Oakland S, Fukunaga C, Buen J, Chumbley A, Kanno B, Ihara L

Establishes the breast and cervical cancer treatment program under the department of human services to assist to women who have been diagnosed with breast or cervical cancer through the Hawaii breast and cervical cancer control program (HBCCCP) but are not eligible for Medicaid coverage. Provides that 2 groups of such women are those who either are resident aliens who are not eligible for Medicaid or would be eligible for Medicaid except that they have health care coverage which specifically does not provide coverage of their cancer treatment. Appropriation to the department of human services. (\$\$) -- SB0118 CD1

Committee Reports: SSCR 539 (HHS) SSCR 668 (WAM) HSCR 955 (HLT/ HSH/) HSCR 1316 (FIN) CCR 13

Current Status: May=01 01 Passed Legislature

Section Affected: 346- (1 SECTION)

SB0119 SD1 HD2 CD1 (CCR 160)

RELATING TO CORRECTIONS.

Introduced by: Chun Oakland S, Fukunaga C, Buen J, Chumbley A, Kanno B

Establishes parity for female offenders law. Provides that adult women and juvenile females charged or convicted of crimes shall be provided a range and quality of programming substantially equivalent to programming offered to male persons similarly situated. Further provides that within the limits of money specifically appropriated, the director of public safety shall provide model gender responsive programs for female offenders that respond to statewide needs and geographical areas and award grants for the programs. Provides that programs shall respond in a rehabilitative way to the type of offenses female offenders generally commit; respond to the problems of female offenders with dependant children; respond to the

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

importance of developing independent living and marketable job skills; assist female offenders to overcome their own extreme degree of dependency; and offer technical assistance and training toward the implementation of other similar programs. Requires the director of public safety to make grants in aid to private agencies electing to participate in the grant program to encourage cooperation and assist private agencies that have existing programs for female offenders and to encourage private agencies to develop and implement new programs. Requires the office of youth services to collaborate with the departments of human services, health, labor and industrial relations, and education, as well as with representatives of the private sector to develop a comprehensive continuum of care to address the gender responsive needs of juvenile female offenders. Department of public safety and office of youth services to annually report to the legislature. -- Establishes provision relating to gender responsive community based programs for female adjudicated youths and women. Provides that within the limits of money specifically appropriated, the office of youth services and the department of public safety shall make available programs for female adjudicated youths and women offenders by propriate range of opportunities to ensure that their needs are met. Provides that the programming shall include program models designed to address women's needs; appropriate treatment; individualized case management to help women offenders set and achieve goals; life skills development workshops; family focused programming; peer support and the development of peer networks; highly skilled staff experienced in working with women and their concerns; formal recognition of participant achievement; ongoing attention to building community based support; assistance for those offenders needing to develop a marketable job skill; geographical proximity to children and family; and the goal of providing a gender responsive continuum of care. Requires the department of public safety and the office of youth services to prepare an implementation plan which includes a request for funds and report to the legislature. -- SB0119 CD1

Committee Reports: SSCR 895 (JDC/ WAM/) HSCR 1072 (PSM) HSCR 1317 (FIN) CCR 160

Current Status: May-01 01 Passed Legislature

Section Affected: (7 SECTIONS) PARITY FOR FEMALE OFFENDERS, 352- (1 SECTION), 353- (1 SECTION)

SB0123 SD1 HD2 CD1 (CCR 149)

RELATING TO HOUSING.

Introduced by: Chun Oakland S, Fukunaga C, Chumbley A, Kanno B, Ihara L

Appropriation to the housing and community development corporation of Hawaii to restore adequate funding levels to the state homeless programs, maintain adequate funding to support much needed additional shelter inventory, and increase funding levels for homeless assistance. (\$\$) -- SB0123 CD1

Committee Reports: SSCR 634 (CPH/ WAM/) HSCR 900 (HSH) HSCR 1318 (FIN) CCR 149

Current Status: May-01 01 Passed Legislature

SB0174

RELATING TO TIME SHARING PLANS.

Introduced by: Menor R (BR)

Amends provisions relating to the offer and sale of time share interests in Hawaii. Exempts the disclosure statement and mutual right to cancel requirements for any time shares offered for sale outside of Hawaii. -- SB0174

Committee Reports: SSCR 6 (TIA) SSCR 620 (CPH) HSCR 912 (TAC) HSCR

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

1301 (CPC)  
Current Status: Apr-12 01 Received by the Governor  
Apr-27 01 Approved by Governor (Act 70 2001)  
Section Affected: 514E-30

SB0175 SD2 (SSCR 621)

RELATING TO TIME SHARING PLANS.  
Introduced by: Menor R (BR)  
Amends provision relating to registration required; developer, acquisition agent, sales agent, plan manager, and exchange agent, by repealing the definition and function of a sales agent. Repeals requirement for sales agents to register with director of commerce and consumer affairs. Requires acquisition agents to be registered with the department of commerce and consumer affairs, unless they are currently licensed as a real estate broker. -- SB0175 SD2  
Committee Reports: SSCR 8 (TIA) SSCR 621 (CPH) HSCR 913 (TAC) HSCR 1302 (CPC)  
Current Status: Apr-12 01 Received by the Governor  
Apr-25 01 Approved by Governor (Act 27 2001)  
Section Affected: 514E-10

SB0176

RELATING TO TIME SHARING PLANS.  
Introduced by: Menor R (BR)  
Repeals the requirement that time share agents wear identification badges. -- SB0176  
Committee Reports: SSCR 2 (TIA) SSCR 622 (CPH) HSCR 914 (TAC) HSCR 1303 (CPC)  
Current Status: Apr-12 01 Received by the Governor  
Apr-27 01 Approved by Governor (Act 71 2001)  
Section Affected: 514E-2.6

SB0178 SD2 HD1 CD1 (CCR 4)

RELATING TO CONDOMINIUM PROPERTY REGIMES.  
Introduced by: Menor R (BR)  
Amends provisions relating to notification of intention. Provides that prior to the time when a developer offers or proposes to offer for sale a time share plan located in a condominium project where apartments are being offered for sale for the 1st time to the public, the developer shall register with the real estate commission and obtain an effective date for the developer's public report; provided that the developer shall not be required to deliver to prospective purchaser or purchaser a true copy of the developer's public report, or disclosure abstract as required when a time share is duly registered, and for which a disclosure statement is effective and required to be delivered to the purchaser or prospective purchaser. -- SB0178 CD1  
Committee Reports: SSCR 235 (TIA) SSCR 623 (CPH) HSCR 916 (TAC) HSCR 1304 (CPC) CCR 4  
Current Status: May-01 01 Passed Legislature  
Section Affected: 514A-31, 514A-41, 514A-61, 514A-62

SB0204 SD2 HD2 CD1 (CCR 168)

RELATING TO ANIMAL QUARANTINE.  
Introduced by: Kawamoto C  
Exempts the animal quarantine special fund from central service and administrative expenses of the government for fiscal year 2001 - 2002. Reduces animal quarantine fees for each dog and cat entering quarantine from July 1, 2001 until June 30, 2002

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(sunset), and completing 30 day or 120 day quarantine. Adds that there shall be no fee reduction under any circumstances for animals that are owned by active duty military officer above grade O - 3; assigned an entry date after the lapse date of the reduction; in transit to another destination; born during the quarantine period; in the process of qualifying for 30 day quarantine but unable to enter quarantine during the reduction period; or pending entry for 30 day or 120 day quarantine after the lapse date. -- SB0204 CD1

Committee Reports: SSCR 134 (TMG/ AGT/) SSCR 991 (WAM) HSCR 1084 (AGR) HSCR 1319 (FIN) CCR 168

Current Status: May-01 01 Passed Legislature

SB0205 SD1 (SSCR 135)

RELATING TO LICENSE PLATES.

Introduced by: Kawamoto C

Amends the special number plates (license plates) provisions by adding veterans of the Persian Gulf conflict. -- SB0205 SD1

Committee Reports: SSCR 135 (TMG/ TIA/) SSCR 747 (WAM) HSCR 892 (TRN) HSCR 1326 (FIN)

Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 57 2001)

Section Affected: 249-9.2

SB0207

RELATING TO INTERISLAND VEHICLE TRANSFERS.

Introduced by: Kawamoto C

Amends provision relating to unlawful removal of motor vehicles from the State to repeal the application to used vehicles between the counties. -- Amends provision relating to interisland shipping of vehicles. Repeals the requirement of written consent of the legal owner thereof to the transportation, if the registered owner of the vehicle is not the legal owner of the vehicle. Provides that an authorized agent of the legal or registered owner may ship the vehicle by presenting the current certificate of registration, identification, proof of motor vehicle insurance, and a notarized letter from the registered or legal owner authorizing the shipment. Requires the carrier to record the vehicle identification number and maintain a record of the transporting for a period of at least 3 years. Requires records of shipping to be available to federal, state, and county law enforcement agencies, and financial institutions. -- SB0207

Committee Reports: SSCR 15 (TMG) SSCR 811 (CPH) HSCR 885 (TRN) HSCR 1130 (CPC)

Current Status: Apr-16 01 Vetoed  
May-03 01 Fail to Override Veto - House  
May=03 01 Fail to Override Veto - Senate

Section Affected: 286-57, 286-271

SB0209 SD2 HD2 (HSCR 1368)

RELATING TO PARKING FOR PERSONS WITH DISABILITIES.

Introduced by: Kawamoto C

Provides that a physician who fraudulently verifies that an applicant is a person with a disability shall be guilty of a petty misdemeanor. Establishes provisions for the replacement of a lost, stolen, or mutilated placard or identification card. Provides that any person who fraudulently manufactures or alters a removable windshield placard or identification card shall be guilty of a misdemeanor. Requires each issuing agency (agency authorized by the county) to issue 1 identification card when

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

it issues a removable windshield placard, temporary removable windshield placard, or special license plates. Establishes penalties for noncompliance to disable parking by public or private entities that provide parking. Amends disabled parking provisions by changing disabled person to a person with a disability and including a person with a renal or oncological condition. Changes the requirement to have the seal of the State on the placard with the words state of Hawaii. Allows instead of requires the counties to issue a temporary removable windshield placard. Provides for the issuing of a placard with the verification of the person's disability that is expected to last for at least 4 years. Increases penalties. -- SB0209 HD2

Committee Reports: SSCR 130 (TMG/ TIA/) SSCR 693 (JDC) HSCR 877 (HLT) HSCR 1088 (JHA) HSCR 1368 (FIN)

Current Status: May-03 01 Received by the Governor

Section Affected: 291- (5 SECTIONS), 291-51, 291-51.5, 291-51.6, 291-51.7, 291-52, 291-53, 291-54, 291-55, 291-56, 291-57

SB0210 SD1 (SSCR 131)

RELATING TO PILOTS.

Introduced by: Kawamoto C, Bunda R

Requires the director of commerce and consumer affairs to determine the number of pilots necessary to maintain an efficient pilotage service. Provides that the director, in consultation with users of pilotage services, the department of transportation's harbors division, and the professional association of port pilots in the State shall give primary consideration to the public interest in ensuring that there is an adequate supply of qualified pilots to safely and economically meet the requirements of commerce. -- SB0210 SD1

Committee Reports: SSCR 131 (TMG) SSCR 625 (CPH) HSCR 886 (TRN) HSCR 1131 (CPC)

Current Status: Apr-02 01 Received by the Governor

Apr-19 01 Approved by Governor (Act 13 2001)

Section Affected: 462A- (1 SECTION), 462A-3

SB0212 SD1 HD1 (HSCR 1311)

RELATING TO TEMPORARY INSTRUCTION PERMIT.

Introduced by: Kawamoto C

Increases the period that a person with a temporary instruction permit may drive a motor vehicle upon the highway from 180 days to 1 year. Prohibits a holder of a category 1 (motor scooters) or 2 (motorcycles or motor scooters) temporary instruction permit to have the permit renewed or have the holder be issued another temporary instruction permit for the same purpose unless the holder has taken the examination for a category 1 or 2 license at least once prior to the expiration of the temporary instruction permit. -- SB0212 HD1

Committee Reports: SSCR 17 (TMG) SSCR 695 (JDC) HSCR 887 (TRN) HSCR 1311 (JHA)

Current Status: Apr-23 01 Received by the Governor

May-02 01 Approved by Governor (Act 82 2001)

Section Affected: 286-110

SB0221 SD1 HD1 CD1 (CCR 7)

RELATING TO AGRICULTURE.

Introduced by: Buen J, Matsuura D, Kokubun R, Inouye L

Amends Act 176, session laws of 1998, as amended by Act 117, session laws of 1999, by extending effective date of changing the members of the board of agribusiness development corporation to July 1, 2005 (sunset). Amends Act 117,

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session laws of 1999, by extending the repeal date of provisions relating to the board of directors of the corporation to June 30, 2005 (sunset). -- SB0221 CD1  
Committee Reports: SSCR 59 (AGT) SSCR 716 (WAM) HSCR 1010 (AGR) HSCR 1327 (FIN) CCR 7  
Current Status: May-01 01 Passed Legislature  
Section Affected: ACT 176 1998, ACT 117 1999

SB0224 SD1 HD2 CD1 (CCR 38) MAKING AN APPROPRIATION FOR PINEAPPLE RESEARCH.  
Introduced by: Buen J, Matsuura D, Inouye L  
Appropriation to the department of agriculture for pineapple research. (\$\$) -- SB0224 CD1  
Committee Reports: SSCR 60 (AGT) SSCR 942 (WAM) HSCR 941 (AGR) HSCR 1370 (FIN) CCR 38  
Current Status: May=01 01 Passed Legislature

SB0264 SD1 (SSCR 767) RELATING TO CERTIFICATION FOR TAX EXEMPTION.  
Introduced by: Kokubun R  
Amends the definition of deaf to include the impairment of deafness certified by a licensed audiologist, for income tax purposes. -- SB0264 SD1  
Committee Reports: SSCR 32 (HHS) SSCR 767 (WAM) HSCR 942 (CPC) HSCR 1328 (FIN)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 36 2001)  
Section Affected: 235-1

SB0423 SD1 HD1 (HSCR 1023) RELATING TO CIVIL PROCEEDINGS.  
Introduced by: Kawamoto C, Chun J  
Amends provisions relating to judgments and decrees. Provides that no extension shall be granted without notice and the filing of a non hearing motion or a hearing motion to extend the life of the judgment or decree. -- SB0423 HD1  
Committee Reports: SSCR 631 (JDC) SSCR 824 (JDC) HSCR 1023 (JHA) - notwithstanding  
Current Status: May-02 01 Received by the Governor  
Section Affected: 657-5

SB0469 SD1 HD2 CD1 (CCR 126) MAKING AN APPROPRIATION FOR PARKING FOR PERSONS WITH DISABILITIES.  
Introduced by: Kim D  
Appropriation to the department of health for a grant in aid to the counties for the administration of the program to issue removable windshield placards for parking to qualified persons with disabilities. (\$\$) -- SB0469 CD1  
Committee Reports: SSCR 368 (TIA/ TMG/) SSCR 974 (WAM) HSCR 953 (HLT) HSCR 1372 (FIN) CCR 126  
Current Status: May-01 01 Passed Legislature

SB0483 RELATING TO RESTRAINT OF TRADE.  
Introduced by: Menor R, Chumbley A  
Amends provision relating to suits and restraint of trade. Establishes that no consent judgment or decree that is entered before any complaint has been filed shall become final until 60 days from the filing of the consent judgment or decree or until

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the final determination of any exceptions filed. -- SB0483  
Committee Reports: SSCR 803 (CPH/ JDC/) HSCR 1518 (JHA)  
Current Status: Apr-25 01 Received by the Governor  
May-02 01 Approved by Governor (Act 79 2001)  
Section Affected: 480-13, 480-14, 480-22

SB0493 SD2 HD2 CD1 (CCR 45)

RELATING TO PUBLIC SCHOOLS.

Introduced by: Hanabusa C, Nakata B, Buen J, Chun J, Matsuura D, Matsunaga M, Tam R, Kokubun R, Taniguchi B, Ige D, English J, Kim D, Chumbley A

Provides an income tax credit for school repair and maintenance for contributions of in kind services provided for the repair and maintenance of public schools made by licensed contractors, professional engineers, architects, surveyors, and landscape architects. -- Establishes the Hawaii school repair and maintenance fund as a separate fund of helping hands Hawaii, a nonprofit organization. Moneys received from the state, county, or federal government, private contributions of cash or other property, and the income and capital gains earned by the fund shall constitute its assets. Requires the helping hands Hawaii to provide grants to organizations or enter into contracts with private vendors for the repair and maintenance of public schools in Hawaii. -- Requires the helping hands Hawaii to appoint the members of the Hawaii school maintenance and repair advisory board, which shall be responsible for soliciting and otherwise raising funds for the fund, establishing criteria for the expenditure of funds, and making recommendations for grants and other specific expenditures. -- Establishes standards for organizations submitting proposals to helping hands Hawaii. Requires proposals submitted to be approved by the department of accounting an general services. -- Requires the fund to be audited annually by an independent auditor and submitted to the department of accounting an general services. -- Requires the state comptroller to submit reports to the legislature. Appropriation for a grant in aid to the department of accounting and general services to be deposited in the Hawaii school repair and maintenance fund. -- Allows the comptroller to employ a staff position within the department to coordinate public and private efforts to repair and maintain public schools exempt from civil service and compensation provision. Appropriation. (\$\$) -- SB0493 CD1

Committee Reports: SSCR 561 (EDU) SSCR 866 (WAM) HSCR 1059 (EDN)  
HSCR 1384 (FIN) CCR 45

Current Status: May=01 01 Passed Legislature

Section Affected: 235- (1 SECTION)

SB0498 SD1 HD1 CD1 (CCR 42)

MAKING AN APPROPRIATION FOR THE NANAKULI HOMESTEAD CEMETERY.

Introduced by: Hanabusa C

Appropriation to the department of Hawaiian home lands for the maintenance and upkeep of the Nanakuli homestead cemetery. Report to the legislature. (\$\$) -- SB0498 CD1

Committee Reports: SSCR 120 (HAW) SSCR 797 (WAM) HSCR 1249 (FIN) CCR  
42

Current Status: May=01 01 Passed Legislature

SB0499 SD1 (SSCR 341)

RELATING TO LEAVE SHARING.

Introduced by: Hanabusa C

Amends provision relating to leave sharing. Authorizes the legislature to establish a leave sharing program for legislative employees, under policies adopted separately

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by each house of the legislature and each legislative service agency, or jointly by any combination of entities thereof. Amends Act 253, session laws of 2000. -- SB0499 SD1

Committee Reports: SSCR 341 (LBR) SSCR 876 (WAM) HSCR 945 (LMG) HSCR 1331 (FIN)

Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 37 2001)

Section Affected: 79-33, ACT 253 2000

SB0525 SD1 HD1 (HSCR 984)

RELATING TO TEXTBOOKS.

Introduced by: Sakamoto N, Matsunaga M

Establishes textbook replacement fees and fines. Provides that school principals shall recover replacement fees and other fines for lost, damaged, destroyed, or broken books and that the moneys shall remain at school level. Amends provision relating to transfers from special funds for central service expenses to exempt the public schools special fees and charges fund. -- SB0525 HD1

Committee Reports: SSCR 268 (EDU) SSCR 723 (WAM) HSCR 984 (EDN) HSCR 1332 (FIN)

Current Status: May-02 01 Received by the Governor

Section Affected: 302A- (1 SECTION), 36-27, 36-30, ACT 142 1998

SB0530 SD2 HD2 CD1 (CCR 134)

RELATING TO SCHOOL ADMINISTRATORS.

Introduced by: Sakamoto N, Matsunaga M

Establishes that salary ranges for principals and vice principals shall be determined by the board of education based on the position classification and compensation plan approved by the board. Requires the department of education in consultation with the appropriate collective bargaining representative to define exemplary for teacher salary incentives. Requires salary ranges and salary incentives for educational officer positions to be subject to collective bargaining negotiations.

Allows the board to grant longevity step increases more frequently than once every 3 years. -- Requires the superintendent of education, subject to the availability of funds, to award tuition assistance to exemplary teachers who want to become vice principals. -- Requires school principals to meet the department's of education certification requirements and shall have served at least 5 years of appropriate school level experience of which at least 3 years have been as a teacher. Provides that vice principals shall meet the department's certification requirements and shall have appropriate school level experience as determined by the department. Provides that the department shall give additional benefits to principals and vice principals at special needs schools. Allows incentive packages for principals and vice principals. Appropriation. (\$\$) -- SB0530 CD1

Committee Reports: SSCR 520 (EDU/ LBR/) SSCR 652 (WAM) HSCR 985 (EDN) HSCR 1373 (FIN) CCR 134

Current Status: May=03 01 Passed Legislature

Section Affected: 302A- (2 SECTIONS), 302A-605, 302A-625, 302A-626, 302A-631, 302A-701

SB0535 SD2 HD1 (HSCR 986)

RELATING TO EDUCATION.

Introduced by: Sakamoto N

Amends the after school (A+, A-plus, A plus) program and weekend programs of the department of education by changing day care to child care programs and repealing

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educational projects. -- SB0535 HD1  
Committee Reports: SSCR 5 (EDU) SSCR 466 (JDC) SSCR 728 (WAM) HSCR 986 (EDN) HSCR 1334 (FIN)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 302A-408

SB0549 SD2 HD1 CD1 (CCR 164) MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS.  
Introduced by: Tam R  
Appropriation to the department of labor and industrial relations for the establishment of manufacturing extension programs in Hawaii. Requires matching federal funds. (\$\$) -- SB0549 CD1  
Committee Reports: SSCR 276 (EDT) SSCR 952 (WAM) HSCR 1269 (FIN) CCR 164  
Current Status: May-01 01 Passed Legislature

SB0589 SD1 HD1 CD1 (CCR 36) RELATING TO DENTAL INSURANCE.  
Introduced by: Menor R  
Establishes provisions relating to the regulation of dental service corporation. Requires the corporation to be subject to and comply with provisions relating to the insurance commissioner; investigations, examinations, hearings and appeals; and insurers supervision, rehabilitation, and liquidation, provided that the corporation shall not be subject to the insurance regulation fund and the assessments of health insurers. Act to be repealed on July 1, 2002 (sunset). -- SB0589 CD1  
Committee Reports: SSCR 804 (CPH/ HHS/) HSCR 1219 (CPC) CCR 36  
Current Status: May=01 01 Passed Legislature  
Section Affected: 423- (1 SECTION), 448D- (1 SECTION)

SB0591 SD2 HD1 (HSCR 1051) RELATING TO OCCUPATIONAL THERAPISTS.  
Introduced by: Menor R (BR)  
Amends provisions relating to occupational therapy practice. Establishes a temporary permit to be issued by the department of commerce and consumer affairs, for individuals who have completed the educational requirements and supervised field work experience, but have not yet passed the national certification examination. Provides that the permit allows the individual to perform occupational therapy services under the direct supervision of a registered individual. Defines a registration granted under this law to mean that the person has met requirements that include minimum practice standards to provide protection to the public and is permitted to use the title and engage in the practice as an occupational therapist. Provides that an occupational therapist that holds a registration shall be similarly regarded as an occupational therapist that holds a license. Requires occupational therapists and assistants to complete educational requirements and field work experience certified by the National Board for Certification in Occupational Therapy, rather than the American Occupational Therapy Association. -- SB0591 HD1  
Committee Reports: SSCR 536 (CPH/ HHS/) SSCR 768 (WAM) HSCR 1051 (CPC) HSCR 1335 (FIN)  
Current Status: May=03 01 Passed Legislature  
Section Affected: 457G- (2 SECTIONS), 457G-1, 457G-2

SB0597 SD1 HD1 (HSCR 1374) RELATING TO THE STATE COUNCIL ON DEVELOPMENTAL DISABILITIES.

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Introduced by: Matsuura D

Amends provisions relating to developmental disabilities. Changes the term developmentally disabled to individuals with developmental disabilities and the state planning council on developmental disabilities to the state council on developmental disabilities. Provides that an individual from birth to age 9 who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have developmental disability if the individual, without services and support, has a high probability of meeting developmental disability criteria later in life. Requires the state plan for individuals with developmental disabilities to guide the development and delivery of all services to individuals with developmental disabilities. Repeals annual reports to the governor, the legislature, and all concerned department heads.

Periodic reports to the US Secretary of Health and Human Services, rather than to the US Secretary of Health, Education, and Welfare. -- SB0597 HD1

Committee Reports: SSCR 984 (JDC) HSCR 951 (HLT) HSCR 1374 (FIN)

Current Status: May-02 01 Received by the Governor

Section Affected: 333E-1, 333E-2, 333E-3, 333E-4, 333E-5, 333F-2, 333F-18, 348-8, 560:5-610

SB0606 SD1 HD2 CD1 (CCR 3)

RELATING TO RECYCLED WATER.

Introduced by: Inouye L, Chun Oakland S

Amends provisions relating to water pollution to include recycled water use. Allows all state and county facilities using potable water irrigation systems to connect to available recycled water service. Defines available recycled water service to mean the existence of an operable recycled water distribution main within 100 feet of the property line. -- SB0606 CD1

Committee Reports: SSCR 238 (WLE/ AGT/) SSCR 756 (WAM) HSCR 1021 (EEP/ WLU/) HSCR 1375 (FIN) CCR 3

Current Status: May-01 01 Passed Legislature

Section Affected: 342D- (1 SECTION), 342D-1, 342D-54, 342D-55, 342D-81

SB0630 SD1 (SSCR 981)

RELATING TO INTOXICATING LIQUORS.

Introduced by: Kokubun R

Amends intoxicating liquor provision to establish reciprocal shipments of wine provisions. Allows the holder of a license to manufacture wine in a state that affords holders of a class 1 license to manufacture wine an equal reciprocal shipping privilege to ship for personal use and not for resale not more than 2 cases of wine of its own manufacture per year, with each case containing not more than 9 liters, to any resident 21 years of age or older. Requires out of state wine manufacturers that are authorized to ship wine under this provision to submit a shipping invoice for each delivery into the State. -- SB0630 SD1

Committee Reports: SSCR 115 (TIA) SSCR 981 (JDC) HSCR 956 (CPC) HSCR 1336 (FIN)

Current Status: Apr-12 01 Received by the Governor

Apr-26 01 Approved by Governor (Act 58 2001)

Section Affected: 281- (1 SECTION)

SB0638 SD2 HD1 CD1 (CCR 39)

MAKING AN APPROPRIATION FOR THE MOLOKAI IRRIGATION SYSTEM.

Introduced by: Buen J

Appropriation to the department of agriculture to pay for pumping of water for the Molokai irrigation system to bring the reservoir water level to the 40 foot level.

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Requires the department to coordinate the times of withdrawal with the commission on water resource management and recognize that the lessees of the Hawaiian homes commission have prior right to 2/3 of the water from the Molokai irrigation system upon showing actual need. (\$\$) -- SB0638 CD1

Committee Reports: SSCR 110 (AGT) SSCR 774 (WAM) HSCR 1235 (FIN) CCR 39

Current Status: May=01 01 Passed Legislature

SB0640 SD1 HD1 (HSCR 1034)

RELATING TO AGRICULTURE.

Introduced by: Buen J

Establishes provision relating to crop damage. Provides that any person who willfully or knowingly damages or destroys any crop, including silvicultural crops, or agricultural commodity that is known by the person to be for personal or commercial purposes or for research and development purposes by any private or public research facility, federal, state, or local government agency, or university shall be liable for twice the value of the crop damaged or destroyed. -- SB0640 HD1

Committee Reports: SSCR 320 (AGT) SSCR 680 (JDC) HSCR 1034 (AGR) HSCR 1308 (JHA)

Current Status: May-02 01 Received by the Governor

Section Affected: 141- (1 SECTION)

SB0643 SD2 HD1 CD1 (CCR 32)

RELATING TO DOGS.

Introduced by: Matsunaga M

Amends provision relating to the liability of dog owners. Provides counties the authority to enact and enforce ordinances regulating persons who own, harbor, or keep any dog that has injured, maimed or destroyed an animal belonging to another person; or has bitten, injured or maimed a person. Further provides that the ordinance shall not affect the civil liability of a person owning, harboring, or keeping the dog. Adds that upon enactment of an ordinance, whether enacted on, before, or after June 30, 2001, the ordinance shall have full force and effect; provided that the ordinance is consistent with these provisions. -- SB0643 CD1

Committee Reports: SSCR 381 (AGT/ TIA) SSCR 681 (JDC) HSCR 1226 (JHA) CCR 32

Current Status: May=01 01 Passed Legislature

Section Affected: 142-74, 142-75

SB0654 SD2 HD2 CD1 (CCR 135)

RELATING TO MEDICAID.

Introduced by: Bunda R, Matsuura D, Chun J, English J, Hanabusa C, Kawamoto C  
Requires the department of human services to withdraw from the US Health Care Financing Administration (HCFA) its proposed state medicaid plan amendment to eliminate 1/2 of the DRI McGraw Hill inflation component and the return on equity (ROE); not resubmit to HCFA any new proposed state medicaid plan amendment to eliminate or diminish the inflation component and the ROE until such time as the legislature approves and funds a mandatory program to replace them; to set concurrent implementation dates for both the elimination or diminishment of the DRI McGraw Hill inflation component and the ROE, and the program to replace them; and to submit to HCFA for approval a state Medicaid plan amendment to restore reconsideration for acute facilities. -- SB0654 CD1

Committee Reports: SSCR 217 (HHS) SSCR 1002 (WAM) HSCR 957 (HSH) HSCR 1390 (FIN) CCR 135

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Current Status: May-01 01 Passed Legislature

SB0670 SD1 HD1 (HSCR 1080)

RELATING TO THE HAWAII STATE STUDENT COUNCIL.

Introduced by: Tam R

Establishes the Hawaii state student council within the department of education. Requires the council to consist of a representative from the various departmental school districts and the student member of the board of education. Requires the council to select the student member of the board of education. Requires the council to provide for an annual conference of secondary school students to identify, discuss, and arrive at recommended solutions to major youth problems, with emphasis on school problems that require the attention of and joint action by the students, the department, the board of education, and the legislature. Allows the council to invite students from schools represented by the Hawaii association of independent schools to participate in the planning of or to attend the conference. Report to the governor, legislature, and board. Repeals secondary school students conference provisions. -- SB0670 HD1

Committee Reports: SSCR 569 (EDU) SSCR 916 (WAM) HSCR 1080 (EDN)  
HSCR 1337 (FIN)

Current Status: May-02 01 Received by the Governor

Section Affected: 302A- (1 SECTION), 317-1, 317-2, 317-3, 317-4, 317-5,  
317-6

SB0683 SD1 HD1 CD1 (CCR 22)

RELATING TO PUBLIC SAFETY.

Introduced by: Tam R, Kanno B

Requires the legislative reference bureau to conduct a study regarding the deputy sheriff and process server system. Provides that the study shall include the appropriate roles of the uniformed deputy sheriffs, the deputy sheriffs of the civil section, and those people authorized by the judiciary to serve civil processes; the proper forms of identification issued for the different classes of process servers and deputy sheriffs; training requirements of those desiring to be deputy sheriffs of the civil section; concerns of liability to the State; whether the civil process is necessary or appropriate; and other matters concerning the serving of civil processes. Further provides that the bureau shall consult with the director of public safety or designee, chief justice of the Hawaii supreme court or designee, the attorney general or designee, a representative from the Hawaii deputy sheriffs association, and the president of the Hawaii bar association or designee. Legislative reference bureau to report to the legislature. -- SB0683 CD1

Committee Reports: SSCR 1010 (JDC) HSCR 1146 (PSM) CCR 22

Current Status: May-01 01 Passed Legislature

SB0684 HD1 CD1 (CCR 163)

RELATING TO FEES OF THE SHERIFF'S OFFICE.

Introduced by: Tam R, Kanno B

Amends provisions relating to district court, circuit court, intermediate appellate court, and supreme court costs. Provides for an increase in service fees for sheriff's and police officer's to become effective July 1, 2001. Provides criteria. Adds that in lieu of any fee, the fee may be an hourly rate of not less than 50 dollars per hour agreed upon in advance between the party requesting the service and the sheriff or police officer performing the service. -- SB0684 CD1

Committee Reports: SSCR 473 (JDC) SSCR 763 (WAM) HSCR 1026 (PSM)  
HSCR 1338 (FIN) CCR 163

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Current Status: May-01 01 Passed Legislature  
Section Affected: 607-4, 607-8

SB0699 HD1 (HSCR 1266)

RELATING TO TAXATION.

Introduced by: Taniguchi B

Provides an income tax credit of 1 dollar which shall be multiplied by the number of qualified exemptions and deducted from income tax liability. Provision is made pursuant to requirement of Article VII, section 6, Hawaii State Constitution. -- SB0699 HD1

Committee Reports: SSCR 645 (WAM) HSCR 1266 (FIN)

Current Status: May-03 01 Received by the Governor

SB0704 SD1 HD2 CD1 (CCR 138)

RELATING TO CRIME VICTIM COMPENSATION.

Introduced by: Taniguchi B

Establishes that the executive director and an administrative assistant of the criminal injuries compensation commission shall be appointed exempt from civil service and compensation laws. Amends Act 278, session laws of 1999, relating to crime, by repealing the sunset date. -- Appropriation to the department of public safety to be deposited into the crime victim compensation special fund. Appropriation to the department of public safety out of the crime victim compensation special fund to compensate certain persons or their providers of service pursuant to criminal injuries compensation laws, by payments authorized by the commission. Commission to report to the legislature on the maximum amount of fees that could have been collected by the courts, the total amount deposited by the courts, and an analysis of any discrepancies between the amounts. (\$\$) -- SB0704 CD1

Committee Reports: SSCR 209 (JDC) SSCR 871 (WAM) HSCR 1053 (PSM/ JHA/ HSCR 1391 (FIN) CCR 138

Current Status: May=03 01 Passed Legislature

Section Affected: 351-69, ACT 278 1999

SB0710 HD1 CD1 (CCR 142)

MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

Introduced by: Bunda R

Appropriation to the director of finance for all collective bargaining cost items in the arbitration award for collective bargaining unit 7 (faculty of the university of Hawaii and community college system) and for state officers and employees who are excluded from collective bargaining. (\$\$) -- SB0710 CD1

Committee Reports: SSCR 342 (LBR) SSCR 786 (WAM) HSCR 1274 (FIN) CCR 142

Current Status: May=01 01 Passed Legislature

SB0716 SD2 HD1 (HSCR 1239)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES.

Introduced by: Taniguchi B

Authorizes the issuance of special purpose revenue bonds to assist Kahala Senior Living Community, Inc., a Hawaii not for profit corporation in the leasing of land for, and the planning, design, construction, and operation of a senior housing community. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. Repeals section 4 of Act 303, session

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laws of 1991 (authorizing the issuance of special purpose revenue bonds to assist the Episcopal Homes of Hawaii, Inc.). (\$\$) -- SB0716 HD1

Committee Reports: SSCR 35 (HHS) SSCR 867 (WAM) HSCR 1239 (FIN)

Current Status: May-03 01 Received by the Governor

Section Affected: ACT 303 1991

SB0752 SD1 HD1 (HSCR 893)

RELATING TO STATE BOATING FACILITIES.

Introduced by: Kawamoto C

Establishes provision relating to the disposition of state boating facilities. Allows the board of land and natural resources to lease fast lands within a state boating facility to be disposed of by public auction or direct negotiation. Provides that the disposition shall not exceed a maximum term of 55 years. Requires all revenues from the lease of facilities to be deposited into the boating special fund. -- SB0752 HD1

Committee Reports: SSCR 555 (TMG/ EDT/) SSCR 779 (WAM) HSCR 893 (TRN) HSCR 1339 (FIN)

Current Status: May-03 01 Received by the Governor

Section Affected: 200- (1 SECTION)

SB0755 SD2 HD1 CD1 (CCR 129)

RELATING TO HARBORS.

Introduced by: Kawamoto C

Establishes provision relating to private financing of small boat harbor improvements. Provides that the board of land and natural resources may enter into a capital advancement contract with a private party for any public improvement to or construction of a state small boat harbor, if the chairperson determines that a capital advancement contract promotes the best interest of the State. Further provides that the department of transportation may enter into a capital advancement contract with a private party for any public improvement to or construction of a state harbor, commercial harbor, roadstead, or other waterfront improvement if the contract promotes the best interest of the State. Provides criteria. Requires that the capital advancement contract not be general obligations of the State for which the full faith and credit of the department is pledged and the legislature shall have no obligation to appropriate funds to reimburse a private party to a capital advancement contract. Provides that the board or department may execute capital advancement contracts with a total contract value of 2 million dollars or less without legislative approval. Allows capital advancement contracts up to 5 million dollars with legislative approval. -- SB0755 CD1

Committee Reports: SSCR 21 (TMG) SSCR 955 (WAM) HSCR 894 (TRN) HSCR 1340 (FIN) CCR 129

Current Status: May-01 01 Passed Legislature

Section Affected: 200- (1 SECTION), 266- (1 SECTION)

SB0758 SD1 HD2 (HSCR 1090)

RELATING TO DRIVER'S LICENSES.

Introduced by: Kawamoto C

Requires the department of transportation to determine which foreign language examinations shall be prepared and reimburse a county for the cost incurred by that county for preparing a foreign language examination. Requires the examiner of drivers to provide a written examination in a foreign language as determined by the department provided the applicant demonstrates an ability to read and understand simple English used in highway traffic and directional signs. -- SB0758 HD2

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Committee Reports: SSCR 248 (TMG/ TIA/) SSCR 750 (WAM) HSCR 927 (TRN)  
HSCR 1090 (JHA) HSCR 1341 (FIN)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 286-108

SB0759 SD1 HD1 (HSCR 1230)

RELATING TO TORT ACTIONS.

Introduced by: Kanno B

Establishes provisions relating to release; joint tortfeasors; co obligators; good faith settlement. Provides that a release, dismissal with or without prejudice, or a covenant not to sue or not to enforce a judgment that is given in good faith to 1 or more joint tortfeasors, or to 1 or more co obligators who are mutually subject to contribution rights shall not discharge any other party not released from liability unless its terms so provide; reduce the claims against the other party not released in the amount stipulated by the release, dismissal, or covenant, or in the amount of the consideration paid for it, whichever is greater; and discharge the party to whom it is given from all liability for any contribution to any other party. Exempts co obligators who have expressly agreed in writing to an appointment of liability for losses or claims among themselves. Provides criteria. Provides that this provision shall not apply to a release, dismissal with or without prejudice, or a covenant not to sue or not to enforce judgment given to a co obligor on an alleged contract debt where the contract was made prior to January 1, 2002. -- Repeals provision relating to release, effect on injured person's claim, and release, effect on right of contribution. -- SB0759 HD1

Committee Reports: SSCR 828 (JDC) HSCR 1230 (JHA)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 663- (1 SECTION), 663-10.5, 663-14, 663-15

SB0797

RELATING TO PUBLIC SERVICE.

Introduced by: English J

Amends provision relating to public service. Repeals inclusion of people required to take and subscribe a loyalty oath or affirmation from being subject to designated laws. Deletes language in provision relating to termination of employment. -- SB0797

Committee Reports: SSCR 23 (LBR/ TIA/) SSCR 690 (JDC) HSCR 947 (LMG)  
HSCR 1520 (JHA)  
Current Status: Apr-24 01 Received by the Governor  
May-02 01 Approved by Governor (Act 83 2001)  
Section Affected: 78-8, 78-9

SB0805 SD1 HD1 (HSCR 1227)

RELATING TO CONTROLLED SUBSTANCES.

Introduced by: Chumbley A

Amends provisions relating to confidentiality and disclosure of information under the uniform controlled substances Act. Authorizes disclosure of investigative information to pharmacists, employed by a pharmacy that requests prescription information on a customer relating to a violation or possible violation and that the information be transmitted by certified mail or a means requiring the pharmacist's signature for delivery. -- SB0805 HD1

Committee Reports: SSCR 580 (JDC) HSCR 1227 (JHA)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 329-104

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB0838 SD2 HD1 CD1 (CCR 150) RELATING TO HAWAII HURRICANE RELIEF FUND.  
Introduced by: Menor R (BR)  
Establishes a 2 year pilot program, to be developed and implemented by the Hawaii hurricane relief fund, to provide grants to residential property owners for installation of Hawaii hurricane relief fund approved wind damage mitigation devices. Provides that grants shall be made available to current and former policyholders of the Hawaii hurricane relief fund. Limits relief fund spending to 10 million dollars of investment revenue from the trust fund over 2 years. Requires grants to be awarded on a dollar for dollar matching funds basis, up to a maximum of 3,500 dollars per insured location. Requires the Hawaii hurricane relief fund to report on the status of the pilot program to the legislature. Appropriation out of the hurricane reserve trust fund to the Hawaii hurricane relief fund to develop and implement the pilot program. Act to be repealed on July 1, 2003 (sunset). (\$\$) -- SB0838 CD1  
Committee Reports: SSCR 483 (CPH) SSCR 913 (WAM) HSCR 1268 (FIN) CCR 150  
Current Status: May=03 01 Passed Legislature
- SB0840 SD1 (SSCR 106) RELATING TO FINANCIAL INSTITUTIONS.  
Introduced by: Menor R (BR)  
Reduces the amount of revenues from the tax on banks and financial corporations to be deposited to the credit of the compliance resolution fund to 2 million dollars each fiscal year. -- Requires every Hawaii financial institution, except a nondepository financial services loan company or credit union, to file a statement of assets and liabilities with the commissioner of financial institutions that shall be available to the public. -- SB0840 SD1  
Committee Reports: SSCR 106 (CPH) SSCR 897 (JDC/ WAM/) HSCR 1050 (CPC) HSCR 1342 (FIN)  
Current Status: Apr-12 01 Received by the Governor  
Apr-25 01 Approved by Governor (Act 28 2001)  
Section Affected: 241-7, 412:3-113
- SB0854 SD1 HD1 (HSCR 1250) RELATING TO TAXATION.  
Introduced by: Nakata B  
Revisions conforming to the Federal Internal Revenue Code for taxable years beginning after December 31, 2000. -- SB0854 HD1  
Committee Reports: SSCR 850 (WAM) HSCR 1250 (FIN)  
Current Status: May-03 01 Received by the Governor  
Section Affected: 235-2.3, 235-2.5, 235-7.5, 235-51, 235-61
- SB0865 SD1 HD1 CD1 (CCR 9) RELATING TO SCHOOL-TO-WORK.  
Introduced by: Kanno B  
Amends Act 343, session laws of 1997, establishing the school to work opportunities pilot project, by repealing the term opportunities and its designation as a pilot project. Changes the membership of the Hawaii school to work executive council to include a member of the board of education designated by the chairperson of the board of education and a member of the board of regents of the university of Hawaii designated by the chair of the board of regents. Transfers the powers of the executive director of the council to the department of education and makes the council an advocacy board. Repeals the councils authority to appoint staff and

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requires the council to seek federal, state and private resources. -- SB0865 CD1  
Committee Reports: SSCR 360 (EDU) SSCR 918 (WAM) HSCR 987 (EDN) HSCR  
1343 (FIN) CCR 9  
Current Status: May-01 01 Passed Legislature  
Section Affected: ACT 343 1997

SB0890 SD1 HD1 (HSCR 1)

MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN.

Introduced by: Taniguchi B

Appropriation for the expenses of the senate, the house of representatives, the office of the legislative auditor, for meeting costs and expenses related to Felix v. Cayetano consent decree studies and other activities requested by the legislature, the legislative reference bureau, the office of the ombudsman, for defraying expenses of the legislative information system, and for the legislative broadcast program. Requires the senate and the house of representatives to have their accounts audited and report to the legislature. (\$\$) -- SB0890 HD1

Committee Reports: SSCR 1 (WAM) HSCR 1 (FIN)

Current Status: Feb-02 01 Received by the Governor

Feb-02 01 Approved by Governor (Act 1 2001)

SB0900 SD2 HD1 CD1 (CCR 8)

RELATING TO LIQUOR LICENSE APPLICATIONS.

Introduced by: Ihara L

Amends intoxicating liquor provisions to redefine premises to mean the building and / or the property that houses the establishment for which the intoxicating liquor license has been or is proposed to be issued. -- Requires the liquor commission or agency of each county to deny the issuance of a license if 40 per cent of the registered voters for the area within 500 feet of the nearest point of the premises for which the license is asked or owners and lessees of record of real estate and owners of record of shares in a cooperative apartment within 500 feet of the nearest point of the premises for which the license is asked have filed or caused to be filed their protests against granting the license. -- Establishes transfer provisions where a class 5 (dispensers' licenses), category 2 (unclothed performers or entertainers) or 4 (employees or entertainers compensated to sit with patrons) or a class 11 license (cabaret) is within a county's special district. -- Amends intoxicating liquor application investigation to include that for resubmittals of applications that were previously denied, refused, or withdrawn, evidence of a substantial change in the circumstances for those that caused the previous denial, refusal, or withdrawal must be included in the report. Provides that a copy of the report shall be furnished to any requester. Allows an applicant and any protester to challenge findings in the investigator's report. Requires 7 day notice of preliminary hearing. Requires the applicant to provide a master list of addressees and addresses of entities required to be notified. Requires the liquor commission to make available to the applicant and any protestor a list of persons who filed a protest. Allows the commission to accept all written or oral testimony for or against the application. Allows the commission to consider whether the neighborhood board for the area has rendered a decision on the granting of the license. -- SB0900 CD1

Committee Reports: SSCR 453 (TIA/ TMG/) SSCR 838 (CPH) HSCR 980 (CPC)  
HSCR 1398 (FIN) CCR 8

Current Status: May-01 01 Passed Legislature

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Section Affected: 281-1, 281-39.5, 281-41, 281-56, 281-57, 281-59, 281-60

SB0905 HD1 (HSCR 1024)

RELATING TO THE ENFORCEMENT OF THE LOBBYIST LAW.

Introduced by: Bunda R (BR)

Amends provision relating to lobbyists. Establishes that the state ethics commission shall have jurisdiction for purposes of investigation in all proceedings commenced within 3 years of an alleged violation. Provides that a proceeding shall be deemed commenced by the filing of a charge with the commission or by the signing of a charge by 3 or more members of the commission. Requires all fees collected under chapter to be deposited into the general fund. Changes penalty from a petty misdemeanor to an administrative fine imposed by the commission not exceeding 500 dollars for each violation. Provides that no fine shall be assessed unless the commission convenes a hearing; and a decision has been rendered by the commission. Repeals provision relating to contested case hearings. -- SB0905 HD1

Committee Reports: SSCR 406 (TMG) SSCR 906 (JDC) HSCR 1024 (JHA) HSCR 1344 (FIN)

Current Status: May-03 01 Received by the Governor

Section Affected: 97-6, 97-7, 97-6.5

SB0927 SD1 HD1 CD1 (CCR 44)

RELATING TO ADULT DAY HEALTH CARE CENTERS.

Introduced by: Kawamoto C, Matsuura D

Allows the research corporation of the university of Hawaii, upon approval of the governor to negotiate for the development of a program to provide for the development of adult day health care centers capable of providing services to all frail and elderly persons and physically and mentally disabled adults of all ages. Appropriation. (\$\$) -- SB0927 CD1

Committee Reports: SSCR 154 (HHS) SSCR 920 (WAM) HSCR 970 (HSH/ HLT/) HSCR 1392 (FIN) CCR 44

Current Status: May=01 01 Passed Legislature

SB0932 SD2 HD4 CD1 (CCR 127)

RELATING TO GOVERNMENT.

Introduced by: Kanno B

Establishes provisions relating to parental preferences. Provides that contracts, programs, or services of the State and counties shall not favor 1 parent over the other in terms of child rearing. Requires all state and county agencies to review existing contracts, programs, and services that affect parental roles in children's health, welfare, and education and eliminate any parental preferences. Provides that the provision shall not apply to a preference that a state or county agency determines to be in the best interest of the child; would impose an unreasonable burden on the State or a county by removing a preference from existing contracts, programs, or services; or conflicts with existing collective bargaining contracts. -- SB0932 CD1

Committee Reports: SSCR 326 (TMG/ LBR/) SSCR 696 (JDC) HSCR 929 (LAB) HSCR 1094 (JHA) HSCR 1379 (FIN) FLOOR AMENDMENT CCR 127

Current Status: May-01 01 Passed Legislature

Section Affected: (1 SECTION)

SB0937

RELATING TO MOTOR VEHICLE INSURANCE.

Introduced by: Menor R (BR)

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Amends motor vehicle insurance assigned claims provisions to allow motor vehicle insurance benefits under the joint under writing plan whenever no liability or uninsured motorist insurance benefits under insurance policies are applicable to the accidental harm. Repeals the exclusion of the owner, operator, or passenger of a motorcycle or motor scooter or a pedestrian incurring accidental harm arising out of a motorcycle accident or a motor scooter accident from receiving benefits from the plan. -- SB0937

Committee Reports: SSCR 327 (TMG) SSCR 640 (CPH) HSCR 1125 (CPC)  
Current Status: Apr-03 01 Received by the Governor  
Apr-19 01 Approved by Governor (Act 14 2001)  
Section Affected: 431:10C-408

SB0950 SD1 HD1 CD1 (CCR 35)

RELATING TO DIAMOND HEAD.

Introduced by: Matsunaga M

Amends the Diamond Head state monument historic site provision to include all state owned lands within the state conservation land use district on the slopes of Diamond Head including the board of water supply booster pump site; and Kuilei Cliffs park and Diamond Head park, which shall be administered by the city and county of Honolulu in accordance with the provision. -- SB0950 CD1

Committee Reports: SSCR 288 (EDT) SSCR 814 (WLE) HSCR 1244 (FIN) CCR 35  
Current Status: May-01 01 Passed Legislature  
Section Affected: 6E-32

SB0951 SD1 HD1 (HSCR 1045)

RELATING TO HATE CRIMES.

Introduced by: Matsunaga M, Chumbley A

Establishes provision relating to hate crime reporting. Requires the department of the attorney general to be responsible for the collection, storage, dissemination, and analysis of all hate crime data. Requires agencies that have investigative, detention, custodial, adjudicative or program responsibility for adult or juvenile offenders, to cooperate with the department of the attorney general in establishing the hate crime reporting system. Attorney general to annually report to the governor, the judiciary, the department of public safety, and the legislature. -- Amends provisions relating to extended terms of imprisonment to include a defendant who is an offender against the elderly, handicapped, or a minor under the age of 8, or the defendant is a hate crime offender whose imprisonment for an extended term is necessary for the protection of the public. Provides that the court shall not make this finding unless the defendant is convicted of a crime of offense against a person, property, or public order; and the defendant intentionally selected a victim or property because of hostility toward the actual or perceived race, religion, disability, ethnicity, national origin, or sexual orientation of any person. -- SB0951 HD1

Committee Reports: SSCR 939 (JDC) HSCR 1045 (JHA) HSCR 1422 (FIN)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 706-662, 846- (4 SECTIONS) HATE CRIME REPORTING

SB0981 SD1 HD2 CD1 (CCR 40)

RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES.

Introduced by: Fukunaga C, Ihara L

Requires the board of land and natural resources to be composed of 7, rather than 6 members, 1 from each land district and 3, rather than 2 at large, appointed by the governor. Amends provision relating to meetings of the board of land and natural

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resources to provide that a simple majority shall be sufficient to render any decision with respect to the issuance of a conservation district use permit. -- SB0981 CD1

Committee Reports: SSCR 227 (WLE) SSCR 826 (JDC) HSCR 1077 (WLU) HSCR 1393 (FIN) CCR 40

Current Status: May-01 01 Passed Legislature

Section Affected: 171-4, 171-5

SB0982 HD1 (HSCR 1260)

MAKING AN EMERGENCY APPROPRIATION FOR THE STATE IRRIGATION PROGRAM.

Introduced by: Bunda R (BR)

Appropriation to the department of agriculture to be deposited into the irrigation system revolving fund for the operation and maintenance of the State's irrigation systems. (\$\$) -- SB0982 HD1

Committee Reports: SSCR 103 (AGT) SSCR 776 (WAM) HSCR 1260 (FIN)

Current Status: Apr-23 01 Received by the Governor

Apr-27 01 Approved by Governor (Act 72 2001)

SB0986 SD1 HD1 CD1 (CCR 2)

RELATING TO AQUACULTURE.

Introduced by: Bunda R (BR)

Redefines aquaculture to mean the propagation, cultivation, or farming of aquatic plants and animals in controlled or selected environments for research purposes, commercial purposes, or authorized stock enhancement. -- SB0986 CD1

Committee Reports: SSCR 587 (AGT) HSCR 1109 (AGR) CCR 2

Current Status: May-01 01 Passed Legislature

Section Affected: 183D-1, 187A-1, 219-2

SB0992 SD2 HD2 CD1 (CCR 141)

RELATING TO TOBACCO.

Introduced by: Bunda R (BR)

Establishes the cigarette tax stamp enforcement special fund to be administered by the department of the attorney general for administrating, operating, monitoring, and ensuring compliance with and enforcement of the cigarette tax stamp. -- Establishes the tobacco enforcement special fund administered by the department of the attorney general in which shall be deposited the tobacco settlement moneys.

Provides that the fund shall be used to administer, operate, monitor, and ensure compliance with the enforcement of the Master Settlement Agreement. --

Establishes the cigarette tax stamp administrative special fund to be administered by the department of taxation to provide the stamps and administer the cigarette tax stamp provisions. Exempts the funds from contributing to central service and administrative expenses of the government. -- Provides that stamps shall be sold at their denominated value reduced to allow the licensee to recover the cost of affixing the stamps.

Provides that .2 per cent of the value of each stamp sold shall be deposited into the cigarette tax stamp administrative special fund and 1.5 per cent of the value of each stamp sold shall be deposited into the cigarette tax stamp enforcement special fund. -- Provides that criminal fines relating to cigarette stamps shall be deposited to the credit of the department of the attorney general to the cigarette tax stamp enforcement special fund. -- Provides that of all tobacco settlement moneys representing the difference between the 1st 350,000 dollars of such moneys and the unexpended and unencumbered balance of the tobacco enforcement special fund at the close of the previous fiscal year shall 1st be deposited to the credit of the tobacco enforcement special fund. -- Amends provision

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relating to reports to the attorney general under the tobacco products report law. Requires the department of taxation to provide to the attorney general any information necessary for the proper administration and enforcement of the tobacco liability access to inspect, examine, and use the tax returns and records that are required to be filed by any entity engaged in the business of manufacturing, wholesaling, distributing, or dealing in cigarettes or tobacco products on file with the department of taxation. Defines entity to mean 1 or more individuals, company, corporation, a partnership, an association, or any other type of legal entity. Provides that any entity that is required to file a return or report shall also provide any information that the department of the attorney general may deem necessary for the proper administration of the tobacco products report law or the tobacco liability Act. -- Provides that the attorney general may bring civil action against any entity that fails to provide the information to the attorney general. Adds that the State shall be awarded its attorney's fees and expenses incurred in prosecuting violations. Appropriations. (\$\$) -- SB0992 CD1

Committee Reports: SSCR 439 (HHS/ JDC/) SSCR 729 (WAM) HSCR 944 (CPC/ JHA/) HSCR 1394 (FIN) CCR 141

Current Status: May=03 01 Passed Legislature

Section Affected: 28- (2 SECTIONS), 245- (1 SECTION), 245-1, 36-27, 36-30, 245-15, 245-26, 245-22, 245-39, 245-41, 328L-2, 486P-2, 486P-3, ACT 142 1998

SB1010

RELATING TO FUNCTIONAL PLANS.

Introduced by: Bunda R (BR)

Establishes that functional plans shall be prepared and revised in accordance with guidelines developed by the office of planning rather than the department of budget and finance. -- SB1010

Committee Reports: SSCR 412 (TMG) SSCR 752 (WAM) HSCR 1253 (FIN)

Current Status: Apr-12 01 Received by the Governor

Apr-26 01 Approved by Governor (Act 59 2001)

Section Affected: 226-56

SB1011 SD1 HD1 CD1 (CCR 21)

RELATING TO GEOGRAPHIC INFORMATION SYSTEMS.

Introduced by: Bunda R (BR)

Establishes the statewide planning and geographic information system special fund to help defray the costs of planning and operating the geographic information system program. Provides that investment earnings credited to the assets of the fund shall become a part of the assets of the fund. Establishes provision relating to fees for statewide geographic information system services. Provides that the office of planning may charge fees for statewide geographic information system services. Further provides that all fees collected for geographic information system analyses and other related services shall be deposited into the statewide planning and geographic information system special fund. Appropriation out of the statewide planning and geographic information system special fund to the office of planning. (\$\$) -- SB1011 CD1

Committee Reports: SSCR 233 (WLE/ TMG/) SSCR 757 (WAM) HSCR 1251 (FIN) CCR 21

Current Status: May=01 01 Passed Legislature

Section Affected: 225M- (2 SECTIONS)

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB1013 SD3 HD1 (HSCR 968) RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.  
Introduced by: Bunda R (BR)  
Amends Act 268, session laws of 1985, as amended by Act 228, session laws of 1987 providing that revenue bonds may be issued by the Hawaii community development authority in an aggregate principal amount not to exceed 150 million dollars, rather than 35 million dollars. -- SB1013 HD1  
Committee Reports: SSCR 414 (TMG/ WLE/) SSCR 753 (WAM) - filed FLOOR AMENDMENT 2 HSCR 968 (WLU) HSCR 1421 (FIN)  
Current Status: May=03 01 Passed Legislature  
Section Affected: ACT 268 1985, ACT 228 1987
- SB1017 RELATING TO RESIDENTIAL LEASEHOLDS.  
Introduced by: Bunda R (BR)  
Amends provision relating to exercise of power of eminent domain. Provides that if the development tract or an applicable portion thereof is not acquired or eminent domain proceedings are not instituted within the 12 month period as a result of the lessee's dismissal, discontinuance, or withdrawal from the eminent domain proceedings or failure to purchase the leased fee interest condemned because of the lessee's inability, failure, or refusal to comply with any provision within the residential leaseholds law or to purchase the leased fee interest condemned, then such lessee shall reimburse the fee owner, the lessor, and the legal and equitable owners of the land so designated or condemned, for their respective prorated costs incurred as a result of the designation and condemnation. -- SB1017  
Committee Reports: SSCR 195 (CPH) HSCR 1012 (HSH/ WLU/) HSCR 1345 (FIN)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 38 2001)  
Section Affected: 516-23
- SB1018 SD1 (SSCR 68) RELATING TO THE FEE SIMPLE RESIDENTIAL REVOLVING FUND.  
Introduced by: Bunda R (BR)  
Amends provisions relating to purchase of leased fee interest. Provides that the lessee of a residential lot within a development tract, who has applied to the corporation and has qualified for purchase of the leased fee interest shall purchase from the housing and community development corporation of Hawaii (HCDCH) by contract within 60 days of acquisition of the interest by the corporation, the leased fee interest to the lot. Further provides that should any of the lessees fail or refuse to enter into such a contract, each such lessee shall pay to the corporation the lessee's pro rata share of all direct costs incurred by the corporation. Amends provision relating to deposits by lessees. Provides that all interests earned on deposits submitted by lessees shall accrue to the lessees. -- Amends provision relating to fee simple residential revolving fund. Provides that moneys collected to reimburse the corporation from the lessees for their prorata (pro rata) share of the direct costs incurred by the corporation shall be deposited into the revolving fund, which shall be used for necessary expenses, including indirect costs of the corporation. -- SB1018 SD1  
Committee Reports: SSCR 68 (CPH) SSCR 855 (WAM) HSCR 1013 (HSH/ WLU/) HSCR 1346 (FIN)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 60 2001)

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Section Affected: 516-30, 516-33.5, 516-44

SB1028 SD2 HD2 CD1 (CCR 173)

RELATING TO COMMUNITY DEVELOPMENT DISTRICTS.

Introduced by: Bunda R (BR)

Establishes that the Barbers Point (Kalaeloa) naval air station redevelopment commission shall begin to integrate into the Hawaii community development authority during a 1 year transition period from July 1, 2001, to June 30, 2002.

Provides that 5 additional voting members shall be appointed to the Hawaii community development authority by the governor to represent the Kalaeloa community development district. Requires public forums to allow community project proposals and community input prior to adoption of any development project. Limits projects and developments at the Barbers Point naval air station during the transition period. Hawaii community development authority to submit the consolidation plan (report) to the legislature. Appropriation to the Hawaii community development authority. (\$\$) -- SB1028 CD1

Committee Reports: SSCR 573 (EDT/ WLE/) SSCR 915 (WAM) HSCR 969 (WLU) HSCR 1380 (FIN) CCR 173

Current Status: May=03 01 Passed Legislature

SB1030 SD2 HD2 CD1 (CCR 132)

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

Introduced by: Bunda R (BR)

Establishes special facility projects provision. Provides that the Hawaii community development authority shall not enter into any special facility lease unless the authority at or prior to the entering into of the special facility lease find and determine that the entering of such special facility lease would not be in violation of or result in a breach of any covenant contained in any resolution or certificate authorizing any bonds of the authority then outstanding. Requires all special facility revenue bonds authorized to be issued under this provision to be issued pursuant to state revenue bonds. Provides that a separate special fund shall be established for each special facility financed from the proceeds of the revenue bonds secured under the same trust indenture. Authorizes the issuance of special facility revenue bonds for the construction of an ocean science center in Kakaako. Establishes that the development authority is authorized to make grants for the projects in the Kakaako community development district. Establishes conditions for grants. Authorizes the issuance of refunding special facility revenue bonds to refund the special facility revenue bonds authorized for the ocean science center in Kakaako. -- SB1030 CD1

Committee Reports: SSCR 567 (WLE/ EDT/) SSCR 888 (WAM) HSCR 1032 (WLU) HSCR 1418 (FIN) CCR 132

Current Status: May-01 01 Passed Legislature

Section Affected: 206E- (6 SECTIONS) SPECIAL FACILITY PROJECTS

SB1034 SD2 HD1 CD1 (CCR 143)

MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

Introduced by: Bunda R (BR)

Appropriation for negotiated collective bargaining cost items for public employees in collective bargaining unit 1 (nonsupervisory blue collar employees) and for state officers and employees excluded from collective bargaining. (\$\$) -- SB1034 CD1

Committee Reports: SSCR 377 (LBR) SSCR 879 (WAM) HSCR 1270 (FIN) CCR 143

Current Status: May=01 01 Passed Legislature

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- SB1035 SD1 HD1 CD1 (CCR 144) MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.  
Introduced by: Bunda R (BR)  
Appropriation for negotiated collective bargaining cost items for public employees in collective bargaining unit 10 (nonprofessional hospital and institutional workers) and for state officers and employees excluded from collective bargaining. (\$\$) -- SB1035 CD1  
Committee Reports: SSCR 344 (LBR) SSCR 949 (WAM) HSCR 1271 (FIN) CCR 144  
Current Status: May=01 01 Passed Legislature
- SB1036 SD1 HD1 CD1 (CCR 145) MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.  
Introduced by: Bunda R (BR)  
Appropriation for negotiated collective bargaining cost items for public employees in collective bargaining unit 11 (firefighters) and for state officers and employees excluded from collective bargaining. (\$\$) -- SB1036 CD1  
Committee Reports: SSCR 378 (LBR) SSCR 788 (WAM) HSCR 1272 (FIN) CCR 145  
Current Status: May=01 01 Passed Legislature
- SB1039 RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.  
Introduced by: Bunda R (BR)  
Amends provisions relating to the employees' retirement system. Requires that any retirant who received the special retirement incentive benefit, and is reemployed by the State or a county in any capacity shall have the retirant's retirement allowance suspended; forfeit the special retirement incentive benefit and related benefits and be subject to age and service requirements when the member again retires. -- SB1039  
Committee Reports: SSCR 167 (LBR) SSCR 789 (WAM) HSCR 1040 (LAB) HSCR 1347 (FIN)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 61 2001)  
Section Affected: 88-98, 88-273
- SB1044 SD1 HD1 CD1 (CCR 124) RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS.  
Introduced by: Bunda R (BR)  
Establishes Hawaii employer union health benefit trust fund within the department of budget and finance to provide employee beneficiaries and dependent beneficiaries with a health and other benefit plan, and for expenses of the fund. Provides the board of trustees shall be appointed by the governor. Requires the board of trustees of the employer union health benefit trust to administer the fund and to establish the health benefits plan. Authorizes the board to provide benefits under the group life benefit program or group life insurance program; establish the long term care benefits plan; and contract with a carrier or a 3rd party administrator. Establishes health benefits for part time, temporary, and seasonal or casual employees. Exempts from the Hawaii public procurement code provision the procurement of a carrier or 3rd party administrator for all benefits plans. Provides that the long term care benefits plan or plans shall be at no cost to employers. Requires the board to establish eligibility requirements to determine for employee beneficiary, dependent beneficiary, or qualified beneficiary, respectively. Requires the board to make available information plans, establish conditions for enrollment to each employee

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beneficiary, and establish a supplemental plan to federal medicare. Provides that the State through the department of budget and finance and the several counties through their respective departments of finance shall pay to the fund a monthly contribution equal to 50 dollars per month, or such other amount to be determined by the board, for voluntary medical insurance coverage under medicare for retired members. Establishes a base monthly contribution for health benefit plans that the State, and the counties, shall pay to the fund. Repeals the public employees' health fund. Transfers all positions and employees of the Hawaii public employees health fund subject to civil service laws, and all appropriations, assets, including funds to be refunded to employees and any funds s, and other personal property heretofore made, used, acquired, or held by the public employees health fund to the Hawaii employer union health benefit trust, effective July 1, 2003. Requires the governor to appoint all trustees of the Hawaii employer union health benefits trust fund no later than December 31, 2001. Authorizes the board to extend current health benefit and life insurance plan contracts through June 30, 2003. Appropriation to the department of budget and finance. (\$\$) -- SB1044 CD1

Committee Reports: SSCR 383 (LBR/ TIA/) SSCR 880 (WAM) HSCR 1097 (LAB) HSCR 1321 (FIN) CCR 124

Current Status: May-02 01 Received by the Governor  
May-03 01 Approved by Governor (Act 88 2001)

Section Affected: (33 SECTIONS) HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND, 87-28, 87-1, 87-2, 87-3, 87-4, 87-4.5, 87-4.6, 87-5, 87-6, 87-11, 87-12, 87-13, 87-14, 87-15, 87-16, 87-21, 87-22, 87-22.3, 87-22.5, 87-23, 87-23.5, 87-23.6, 87-23.7, 87-24, 87-25, 87-26, 87-27, 87-29, 87-30, 87-31, 87-32, 87-33, 87-34

SB1045 HD1 (HSCR 1242)

MAKING AN EMERGENCY APPROPRIATION FOR HEALTH FUND PREMIUMS.

Introduced by: Bunda R (BR)

Appropriation to the department of budget and finance for the payment of health fund premiums under the department. (\$\$) -- SB1045 HD1

Committee Reports: SSCR 258 (LBR) SSCR 881 (WAM) HSCR 1242 (FIN)

Current Status: May-02 01 Received by the Governor

SB1046 SD1 HD1 CD1 (CCR 139)

RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND.

Introduced by: Bunda R (BR)

Amends provisions related to the public employees health fund. Provides that the State through the department of budget and finance and the several counties through their respective departments of finance shall pay to the fund a monthly contribution equal to 1/2 of the retired employee's monthly Medicare or non Medicare premium for the retired employee's health benefits plan or plans determined by the public employees health fund board of trustees. Requires the board of trustees to determine the health benefits plan or plans, including but not limited to the type of plans to be made available, which shall be expected from the minimum group requirements, the design of the plans, and the delivery of plan services. Amends provision relating to supplemental plan to federal Medicare providing that the contribution for voluntary medical insurance coverage under federal Medicare shall be equal to a monthly contribution of 50 dollars a month, or the federal Medicare plan rate, whichever is less. Further provides that the benefits available under the plan, when taken together with the benefits available under the

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federal Medicare plan, shall be comparable to the benefits available to employee beneficiaries and spouses who are not eligible for the federal Medicare plan. -- SB1046 CD1

Committee Reports: SSCR 259 (LBR) SSCR 882 (WAM) HSCR 1238 (FIN) CCR 139

Current Status: May-02 01 Received by the Governor  
May-03 01 Approved by Governor (Act 89 2001)

Section Affected: 87-4.5, 87-4.6, 87-22, 87-27

SB1047

RELATING TO THE SHORT-TERM INVESTMENT OF STATE MONEYS.

Introduced by: Bunda R (BR)

Amends provision relating to the management of state funds. Provides that the director of finance may invest moneys of the State in securities of a money market mutual fund that is rated AAA, or its equivalent, by a nationally recognized rating agency or whose portfolio consists of securities that are rated as 1st tier securities by a nationally recognized statistical rating organization. Further provides that the director may invest in securities of a mutual fund whose portfolio is limited to bonds or securities issued or guaranteed by the US or an agency thereof or repurchase agreements fully collateralized by any such bonds or securities. -- SB1047

Committee Reports: SSCR 647 (WAM) HSCR 1254 (FIN)

Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 39 2001)

Section Affected: 36-21

SB1048 SD1 (SSCR 790)

RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND.

Introduced by: Bunda R (BR)

Amends provisions relating to public employees health fund by authorizing the board of trustees of the employees health fund to return any rate credit or reimbursement from any carrier or self insured plan to identifiable employee beneficiaries who participated in ascertainable years to create the rate credit or reimbursement or to any other employee beneficiaries or to reduce the employee beneficiary's respective share of monthly contributions to a health benefits plan. Provides that the amount was derived from employee beneficiary rate contributions to health benefit plans of employee beneficiaries who are not participating in a health benefit plan of an employee organization, or interest derived therefrom. Appropriation out of the Hawaii public employees health fund to the department of budget and finance. (\$\$) -- SB1048 SD1

Committee Reports: SSCR 489 (LBR) SSCR 790 (WAM) HSCR 1255 (FIN)

Current Status: May-02 01 Received by the Governor

Section Affected: 87-3, 87-22.3, 87-28

SB1049 SD1 (SSCR 648)

RELATING TO THE REPEAL OF OUTSTANDING AUTHORIZED BUT UNISSUED SPECIAL PURPOSE REVENUE BONDS.

Introduced by: Bunda R (BR)

Repeals Acts relating to outstanding authorized but unissued special purpose revenue bonds. Repeals Act 109, session laws of 1983; Act 300, session laws of 1983, as amended by Act 141, session laws of 1984; Act 145, session laws of 1984, as amended by Act 3, session laws of 1987; Act 96, session laws of 1985; Act 147, session laws of 1986; Act 190, session laws of 1986; Act 227, session laws of 1986; Act 263, session laws of 1987; Act 304, session laws of 1987; Act 142, session laws

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of 1988, as amended by Act 282, session laws of 1989; Act 224, session laws of 1988; Act 273, session laws of 1988; Act 297, session laws of 1988; Act 299, session laws of 1988, and Act 239, session laws of 1991. -- SB1049 SD1

Committee Reports: SSCR 648 (WAM) HSCR 1256 (FIN)

Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 40 2001)

Section Affected: ACT 109 1983, ACT 300 1983, ACT 141 1984, ACT 145 1984, ACT 3 1987, ACT 96 1985, ACT 147 1986, ACT 190 1986, ACT 227 1986, ACT 263 1987, ACT 304 1987, ACT 142 1988, ACT 282 1989, ACT 224 1988, ACT 273 1988, ACT 297 1988, ACT 299 1988, ACT 239 1991

SB1050 SD1 HD1 (HSCR 1246)

RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS.

Introduced by: Bunda R (BR)

Amends provisions relating to special purpose revenue bonds. Provides that no authorization shall be made for a period exceeding 5 years of its enactment, and any such special purpose revenue bond authorization, which has not been issued at the close of the fiscal year for the period for which the authorization is made, shall lapse. -- SB1050 HD1

Committee Reports: SSCR 649 (WAM) HSCR 1246 (FIN)

Current Status: May-02 01 Received by the Governor

Section Affected: 39A-37, 39A-77, 39A-117, 39A-157, 39A-197, 39A-227

SB1054 SD2 HD1 (HSCR 1247)

RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS.

Introduced by: Bunda R (BR)

Amends provisions relating to financing agreements by establishing line of credit provision. Authorizes the department of budget and finance to contract with a financial institution for 1 or more lines of credit, in such amounts and for such periods as the legislature shall determine. Allows the department to borrow under a line of credit to pay the cost of the improvements, use, or acquisition of real or personal property comprising a project. Establishes the financing agreement program of the State. Requires any agency desiring to acquire or improve projects through the financing agreement program to submit a written request except for the Hawaii health systems corporation. Provides criteria for financing agreement. Establishes criteria for the sale of certificates. Exempts financing agreements from the Hawaii public procurement code. -- SB1054 HD1

Committee Reports: SSCR 557 (TMG) SSCR 960 (WAM) HSCR 1247 (FIN)

Current Status: May=03 01 Passed Legislature

Section Affected: 37D-9, 37-62, 37D-1, 37D-2, 37D-3, 37D-4, 37D-5, 37D-6, 37D-7, 37D-8, 37D-10, 103D-102

SB1060 SD1 HD2 CD1 (CCR 130)

RELATING TO ESCROW DEPOSITORIES.

Introduced by: Bunda R (BR)

Amends provisions relating to escrow depositories. Requires information contained in any application or record to be made available to the public unless that information may be withheld from public disclosure by the commissioner of financial institutions under uniform information practices Act. Requires an escrow depository to give the commissioner at least 30 days prior notice of its intent to close any branch office and thereafter surrender the license for that location. Allows a solvent

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escrow depository whose capital is not impaired and which has not received a notice of charges and proposed suspension or revocation order to cease its business and surrender its license. Provides criteria. -- Establishes fees for licensed escrow depositories for an application for approval to establish or relocate a branch office, or to cease business as an escrow depository. -- Establishes fees the commissioner may or shall charge including examination fees, fees for the examination or investigation of any escrow depository. -- Provides that deposits in financial institutions are limited to sweep accounts, checking accounts, money market deposit accounts, and saving accounts with no specified maturity date. Defines sweep account to mean a deposit account administered by a financial institution in which the moneys over a minimum balance are periodically transferred into a money market mutual fund account invested only in obligations of the US government, agencies backed by the US, or agencies originally established or chartered by the US government to serve public purposes and periodically recredited to the sweep account. -- SB1060 CD1

Committee Reports: SSCR 70 (CPH) SSCR 914 (WAM) HSCR 919 (CPC) HSCR 1388 (FIN) CCR 130

Current Status: May-01 01 Passed Legislature

Section Affected: 449- (3 SECTIONS), 449-1, 449-11, 449-14, 449-16, 449-16.5

SB1061 SD1 HD1 CD1 (CCR 26)

RELATING TO REAL ESTATE BROKERS.

Introduced by: Bunda R (BR)

Amends provision relating to real estate brokers and salespersons. Adds prerequisites for examination that an individual has experience as a full time state licensed real estate salesperson associated with a Hawaii based real estate broker for at least 3 years of the 5 year period immediately prior to the submission of the experience certification application and has practical real estate salesperson experience. -- Repeals the requirement that condominium hotel operators obtain a license as a real estate broker. Requires the hotel operator to receive the real estate commission's approval prior to conducting condominium hotel activity. Establishes that registration and fidelity bond requirements of condominium hotel operators shall not apply to active real estate brokers. -- SB1061 CD1

Committee Reports: SSCR 636 (CPH) HSCR 930 (CPC) CCR 26

Current Status: May-01 01 Passed Legislature

Section Affected: 467-9.5, 467-30, 514A-95

SB1062 SD1 HD1 (HSCR 1127)

RELATING TO THE CONVERSION OF PROFESSIONAL AND VOCATIONAL LICENSES.

Introduced by: Bunda R (BR)

Establishes that a licensee who has converted its form of business entity and desires to continue engaging in a profession or vocation in its new form of business entity shall file an application for conversion of a license and continue to meet licensing requirements. -- SB1062 HD1

Committee Reports: SSCR 609 (CPH) HSCR 1127 (CPC)

Current Status: May-02 01 Received by the Governor

Section Affected: 436B- (1 SECTION), 436B-7

SB1065 HD1 (HSCR 1132)

RELATING TO ARCHITECTS.

Introduced by: Bunda R (BR)

Prohibits any person to be eligible for licensure as a professional architect unless

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the person is the holder of an unexpired license in architecture, the person meets the requirements and the rules of the board of professional engineers, architects, surveyors, and landscape architects, and the person is a holder of a bachelor's, master's, or higher degree in architecture from an approved school or college. -- SB1065 HD1

Committee Reports: SSCR 611 (CPH) HSCR 1132 (CPC)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 464-8

SB1066 SD1 HD1 CD1 (CCR 27)

RELATING TO INSURANCE.

Introduced by: Bunda R (BR)

Amends certificate of authority issued by the insurance commissioner to a mutual benefit society or a health maintenance organization (HMOs) by increasing the minimum net worth to 2 million dollars. Also requires each domestic mutual benefit society and each health maintenance organization to prepare for review by the insurance commissioner, a copy of its quarterly net solvency report verified by at least 2 principal officers. -- SB1066 CD1

Committee Reports: SSCR 806 (CPH) HSCR 1133 (CPC) CCR 27  
Current Status: May=01 01 Passed Legislature  
Section Affected: 432:1-407, 432D-8

SB1067 SD1 HD1 (HSCR 1134)

RELATING TO LIMITING HURRICANE PROPERTY INSURANCE RISK.

Introduced by: Bunda R (BR)

Establishes residential hurricane insurance coverage provision. Requires an insurer writing the peril of residential hurricane coverage to make accessible information verifying that the insurer has the fiscal assets and ability to cover its hurricane insurance exposure upon written request of the insurance commissioner. -- SB1067 HD1

Committee Reports: SSCR 836 (CPH) HSCR 1134 (CPC)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 431:3- (1 SECTION)

SB1068 SD1 HD2 CD1 (CCR 131)

RELATING TO PRODUCER LICENSING.

Introduced by: Bunda R (BR)

Establishes the producer licensing law which governs the qualification and procedures for the licensing of insurance producers. Prohibits a person to sell, solicit, or negotiate insurance for an class or classes of insurance unless the person is licensed for that line of authority by the insurance commissioner. -- SB1068 CD1

Committee Reports: SSCR 311 (CPH) SSCR 719 (WAM) HSCR 994 (CPC/ JHA/ HSCR 1382 (FIN) CCR 131  
Current Status: May-01 01 Passed Legislature  
Section Affected: 431: - (30 SECTIONS) PRODUCER LICENSING, 431:2-303, 431:2-305, 431:3-203, 431:3-218, 431:9-101, 431:9-201, 431:9-206, 431:9-207, 431:9-220, 431:9-227, 431:9-228, 431:9-229, 431:9-230, 431:10A-404, 431:10B-110, 431:10C-110, 431:10C-120, 431:10D-502, 431:10H-221, 431:10H-222, 431:10H-231, 431:10H-236, 431:13-104, 431K-11, 432:2-609, 431:9-102, 431:9-103, 431:9-104, 431:9-202, 431:9-205, 431:9-210, 431:9-211, 431:9-211.5, 431:9-212, 431:9-213, 431:9-215, 431:9-216, 431:9-217,

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431:9-218, 431:9-219, 431:9-221, 431:9-231, 431:9-233,  
431:9-234, 431:9A-101, 431:9A-102, 431:9A-103,  
431:9A-104, 431:9A-105, 431:9A-106, 431:9A-107,  
431:9A-108

- SB1069 SD1 HD1 (HSCR 1135) RELATING TO INSURANCE.  
Introduced by: Bunda R  
Amends approval requirement by the insurance commissioner to be effective except as provided otherwise. Amends replacement of life insurance policies and annuities by clarifying documentation and application requirements of producers (agents, solicitors, insurance brokers). -- SB1069 HD1  
Committee Reports: SSCR 612 (CPH) HSCR 1135 (CPC)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 431:2-202.5, 431:10D-503, 431:10D-504, 431:10D-505
- SB1071 HD1 CD1 (CCR 28) RELATING TO INSURANCE.  
Introduced by: Bunda R (BR)  
Amends the provision which allows the insurance commissioner to require managing general agents for insurers and reinsurance intermediary managers for insurers to furnish bonds in an amount equal to 100,00 dollars or 10 per cent of annual gross direct written premiums and maintain an errors and omissions policy in an amount equal to 1 million dollars or 25 per cent of annual gross direct written premiums, whichever is greater. -- SB1071 CD1  
Committee Reports: SSCR 613 (CPH) HSCR 1231 (CPC) CCR 28  
Current Status: May=01 01 Passed Legislature  
Section Affected: 431:9A-102, 431:9B-102
- SB1073 SD1 (SSCR 128) RELATING TO TRAVEL SERVICES.  
Introduced by: Bunda R (BR)  
Amends provisions relating to travel agencies. Establishes provisions authorizing the director of commerce and consumer affairs to deny registration. Requires a travel agency or charter tour operator to maintain books and records for client trust accounts. Establishes prohibited acts of travel agencies and charter tour operators. -- SB1073 SD1  
Committee Reports: SSCR 128 (CPH/ JDC/) SSCR 769 (WAM) HSCR 967 (CPC/ JHA/) HSCR 1348 (FIN)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 62 2001)  
Section Affected: 468L- (6 SECTIONS)
- SB1077 SD1 (SSCR 127) RELATING TO TRADEMARKS.  
Introduced by: Bunda R (BR)  
Establishes provisions relating to trademarks and service marks. Provides procedure for trademark registration and restrictions on material which are acceptable for trademark. Penalizes fraudulent registration, infringement, and injury to business reputation. Sets application fee to register a mark at 50 dollars. Provides definitions. --SB1077 SD1  
Committee Reports: SSCR 127 (CPH) SSCR 820 (JDC) HSCR 1138 (CPC/ JHA/)  
Current Status: Apr-05 01 Received by the Governor  
Apr-19 01 Approved by Governor (Act 15 2001)

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

Section Affected: 482- (17 SECTIONS) TRADEMARKS AND SERVICE MARKS, 482-1, 482-2, 482-3, 482-4, 482-5, 482-6, 482-7, 482-8, 482-9, 482-10

SB1078 SD1 (SSCR 615)

RELATING TO THE UNIFORM SECURITIES ACT.

Introduced by: Bunda R (BR)

Amends provisions relating to the uniform securities Act. Provides as an exempt transaction any transaction pursuant to an offer to sell securities of an issuer, if the transaction is part of an issue which, there are no more than 25 offerees, wherever located, during any 12 consecutive months; if the issuer reasonably believes that all purchasers, wherever located, are purchasing for investment; if no commission, discount, or other remuneration is paid or given, to a person, other than a dealer or agent, for soliciting a prospective purchaser in this State; and if the securities of the issuer are not offered or sold by general solicitation or any general advertisement.

Permits the electronic filing of forms through the central registration depository or the investment adviser registration depository of the national association of securities dealers. Provides that with the registrations of investment advisers, salespersons, and investment adviser representatives, the commissioner of securities may require additional information regarding the applicant's history, record, and association. -- SB1078 SD1

Committee Reports: SSCR 615 (CPH) HSCR 1129 (CPC/ JHA/)

Current Status: Apr-03 01 Received by the Governor

Apr-19 01 Approved by Governor (Act 16 2001)

Section Affected: 485-6, 485-12, 485-14, 485-23

SB1079 SD1 HD1 CD1 (CCR 29)

RELATING TO LIMITED LIABILITY PARTNERSHIPS.

Introduced by: Bunda R (BR)

Amends provisions relating to limited liability partnerships. Requires the name of limited liability partnership to contain, rather than end with, registered limited liability partnership or limited liability partnership or its abbreviation. -- Changes provisions relating to the amendment of statement of qualification and foreign qualification to correcting, amending, restating, the statement of qualification and foreign qualification, and voluntary cancellation. Changes the statement to articles of correction. Provides requirements for the articles of correction. Requires foreign limited liability partnerships to amend the statement of qualification in the same manner as domestic limited liability partnerships. Provides that a limited liability partnership and a foreign limited liability partnership validly created under the limited liability partnership law may voluntarily cancel its limited liability status in an amendment to a statement of qualification. Requires a foreign limited liability partnership to submit a certificate of good standing from the state under which the partnership was formed before transacting business in this State. -- SB1079 CD1

Committee Reports: SSCR 616 (CPH) HSCR 1136 (CPC) CCR 29

Current Status: May-01 01 Passed Legislature

Section Affected: 425-151, 425-154, 425-155, 425-156, 425-158, 425-159

SB1081 HD1 CD1 (CCR 10)

RELATING TO EDUCATION.

Introduced by: Bunda R (BR)

Changes the summer school and intersession programs and funds to the out of school time instructional programs and funds. -- SB1081 CD1

Committee Reports: SSCR 361 (EDU) SSCR 655 (WAM) HSCR 988 (EDN) HSCR

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

1424 (FIN) CCR 10  
Current Status: May-01 01 Passed Legislature  
Section Affected: 36-27, 36-30, 302A-1310, ACT 142 1998

SB1082 SD1 HD2 (HSCR 1399) RELATING TO EDUCATION.  
Introduced by: Bunda R (BR)  
Changes the school to work work based learning program to the work based learning program. -- SB1082 HD2  
Committee Reports: SSCR 391 (EDU/ LBR/) SSCR 656 (WAM) HSCR 1105 (LAB) HSCR 1399 (FIN)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 302A-429, 302A-430, 302A-440

SB1084 SD2 HD1 (HSCR 1262) MAKING AN EMERGENCY APPROPRIATION FOR EDUCATION.  
Introduced by: Bunda R (BR)  
Appropriation to the department of education for the comprehensive school support services program (EDN 150) (Felix vs. Cayetano consent decree). (\$\$) -- SB1084 HD1  
Committee Reports: SSCR 459 (EDU/ HHS/) SSCR 604 (WAM) HSCR 1262 (FIN)  
Current Status: Apr-23 01 Received by the Governor  
May-02 01 Approved by Governor (Act 84 2001)

SB1096 SD1 HD1 CD1 (CCR 159) RELATING TO GOVERNMENT.  
Introduced by: Bunda R (BR)  
Establishes the privatization law. Provides that any state or county official in whom procurement authority is vested, may enter into a contract with a private entity financed by public funds, to obtain services, when there is a reasonable basis to believe that the service can be provided at lower costs and in equivalent to or better quality than that which could be provided by a government agency. Requires each state and county department and agency that uses the privatization contracting process to submit a report to the legislature including an itemization of all services outsourced or subjected to the privatization processes; the agency's or department's justification that standards for determination were met; the cost of services obtained; a copy of all contracts enter into under privatization law; and an accounting of civil service employees displaced as a consequence of privatization. Establishes the authority of counties to engage in the process of managed competition. Provides that the county may use the layoff provisions of the civil service laws and the respective collective bargaining contracts to release employees displaced from their positions by the managed competition process. Further provides that prior to implementing any layoff provision of the civil service laws or a collective bargaining contract, the county shall use its resources for placing, retraining, and providing voluntary severance incentives for displaced employees. Renames the office of collective bargaining, the office of collective bargaining and managed competition; providing that the office shall assist in the implementation and review of the managed process of public private competition for particular government services through the managed competition process and negotiations between the State and the exclusive representatives. Allows the State to use the layoff provisions of the civil service laws and the respective collective bargaining contracts to release employees. Amends Act 253, session laws of 2vision relating to collective bargaining and dispute resolution. Provides that if an impasse exists between the

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public employer and nonsupervisory and supervisory employees in blue collar positions, nonsupervisory and supervisory employees in white collar positions, teachers and other personnel of the department of education, educational officers and other personnel of the department of education under the same salary schedule, faculty of the university of Hawaii and the community college system, personnel of the university of Hawaii and the community college system other than faculty, registered professional nurses, and professional and scientific employees, (bargaining units 2, 3, 4, 5, 6, 7, 8, 9, and 13), the Hawaii labor relations board shall assist in resolution. Repeals definitions of essential employee and essential position from collective bargaining provisions. Privatization law to be repealed on June 30, 2007 (sunset). -- SB1096 CD1

Committee Reports: SSCR 1004 (WAM) HSCR 1267 (FIN) CCR 159

Current Status: May-02 01 Received by the Governor

May-03 01 Approved by Governor (Act 90 2001)

Section Affected: (3 SECTIONS) PRIVATIZATION, 46- (1 SECTION), 89A-1, ACT 253 2000, 89-11, 89-12, 89-2

SB1101 HD1 (HSCR 1395)

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED.

Introduced by: Bunda R (BR)

Amends the Hawaiian homes commission Act providing that upon the death of the lessee, the lessee's interest in the tract or tracts and the improvements thereon, including growing crops and aquacultural stock, shall vest in the relatives of the decedent. Establishes that the successor or successors may be required by the commission to obtain private financing to pay off the amount advanced from the Hawaiian home loan fund or Hawaiian home general loan fund. Provides severability provision. -- SB1101 HD1

Committee Reports: SSCR 396 (HAW) SSCR 705 (JDC) HSCR 971 (JHA) HSCR 1395 (FIN)

Current Status: May-02 01 Received by the Governor

Section Affected: HAWAIIAN HOMES COMMISSION ACT 1920 209

SB1102 SD2 HD1 CD1 (CCR 25)

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED.

Introduced by: Bunda R (BR)

Amends the Hawaiian homes commission Act by establishing that the US and the state of Hawaii shall reaffirm and recognize that the native Hawaiian people are a distinct native, indigenous people, and have established Hawaiian home lands areas protected under federal and state law; the US has a trust responsibility to promote the welfare of the aboriginal, indigenous people of the State; and the aboriginal, indigenous people of the State retain their inherent sovereign authority and their right to organize for their common welfare. Establishes that the State, with the consent of Congress, may delegate to a democratically elected organization representing a Hawaiian homestead community the authorities delegated to the State by the US relating to the administration of the Hawaiian homes commission Act. Provides that the commission may establish a working relationship with a democratically elected Hawaiian homestead community self governance organization to promote community welfare. Provides criteria for delegation eligibility -- SB1102 CD1

Committee Reports: SSCR 460 (HAW) SSCR 706 (JDC) HSCR 1228 (JHA) CCR 25

Current Status: May-01 01 Passed Legislature

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- Section Affected: HAWAIIAN HOMES COMMISSION ACT 1920 (2 SECTIONS)
- SB1104 SD1 HD1 (HSCR 903) RELATING TO AUTHORITY OF FOSTER PARENTS TO PROVIDE CONSENTS FOR THE FOSTER CHILD'S EDUCATIONAL AND RECREATIONAL NEEDS.  
Introduced by: Bunda R (BR)  
Establishes provision relating to educational and recreational needs. Provides that upon the 1st day of placement, foster parents may provide consents for the routine educational and recreational needs and activities of the foster children placed in their care, except for purposes regulated under title 8, chapters 53 and 56, of the Hawaii administrative rules. -- SB1104 HD1  
Committee Reports: SSCR 547 (HHS/ EDU/) SSCR 909 (JDC) HSCR 903 (HSH) HSCR 1147 (EDN)  
Current Status: Apr-20 01 Received by the Governor  
Apr-27 01 Approved by Governor (Act 73 2001)  
Section Affected: 587- (1 SECTION)
- SB1106 SD1 HD1 (HSCR 1263) MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES.  
Introduced by: Bunda R (BR)  
Appropriation to the department of human services to hire interagency case coordinators and case aides to deliver direct and support services to children, foster parents, and social workers involved with court ordered benchmarks, to expand contracted services to recruit and support foster parents for special needs children, and to expand comprehensive services for the child welfare services population. Amends Act 116, session laws of 1999 by changing the sunset date of the child welfare services demonstration project from June 28, 2001 to July 1, 2001. (\$\$) -- SB1106 HD1  
Committee Reports: SSCR 155 (HHS) SSCR 670 (WAM) HSCR 1263 (FIN)  
Current Status: Apr-23 01 Received by the Governor  
Apr-27 01 Approved by Governor (Act 74 2001)  
Section Affected: ACT 116 1999
- SB1108 SD2 (SSCR 730) RELATING TO FUNERAL ASSISTANCE PAYMENTS.  
Introduced by: Bunda R (BR)  
Amends provision relating to burial of deceased public assistance recipients or unclaimed corpses and changes it to burial of deceased medical or financial assistance recipients or unclaimed corpses. Exempts applications submitted by the respective county medical examiner or coroner on behalf of unclaimed corpses. -- SB1108 SD2  
Committee Reports: SSCR 45 (HHS) SSCR 730 (WAM) HSCR 875 (HSH) HSCR 1349 (FIN)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 41 2001)  
Section Affected: 346-15
- SB1110 SD2 HD3 CD1 (CCR 16) RELATING TO CHILD CARE.  
Introduced by: Bunda R (BR)  
Amends provision relating to child care by including child abuse record checks. Establishes provisions relating to criminal history and child abuse record checks for persons exempt from child care provisions. Provides that to be eligible to provide

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child care and to receive a child care subsidy from the department of human services, persons, including the relatives of the child, must agree to criminal history and child abuse record checks. Defines child care subsidy to mean a payment made to low income parents, guardians, or other responsible parties to pay for care of a child under the age of 13 years old or over 13 years old if the child has qualifying special needs as defined under federal law. -- Appropriation out of the criminal history record improvement revolving fund to the department of the attorney general. (\$\$) -- SB1110 CD1

Committee Reports: SSCR 66 (HHS) SSCR 911 (JDC) HSCR 906 (HSH) HSCR 1095 (JHA) HSCR 1389 (FIN) CCR 16

Current Status: May=01 01 Passed Legislature

Section Affected: 346- (1 SECTION), 346-151, 346-154, 346-156, 346-163

SB1111 SD1 (SSCR 47)

RELATING TO REIMBURSEMENT FOR NONINSTITUTIONAL PROVIDERS OF MEDICAL CARE FOR SERVICES.

Introduced by: Bunda R (BR)

Amends provision relating to medical care payments. Provides that rates of payment to providers of medical care who are individual practitioners shall be based upon the Hawaii Medicaid fee schedule, rather than the most current profile available for customary fees and the percentage of the profile in proportion to the funds appropriated by the legislature. Repeals the requirement that providers not be reimbursed for an amount less than their existing payment rates unless a reduction is specifically intended and required by law. Further repeals the authorization for the department of human services to establish a demonstration project which guarantees a 6 month enrollment in a health maintenance organization. -- SB1111 SD1

Committee Reports: SSCR 47 (HHS) SSCR 869 (WAM) HSCR 876 (HSH) HSCR 1351 (FIN)

Current Status: Apr-12 01 Received by the Governor

Apr-25 01 Approved by Governor (Act 29 2001)

Section Affected: 346-59

SB1113 HD1 CD1 (CCR 128)

RELATING TO PUBLIC ASSISTANCE.

Introduced by: Bunda R (BR)

Amends provision relating to real property liens by the department of human services. Provides that the liens shall be recorded in bureau of conveyances or be filed in the office of the assistant registrar of the land court for all amounts of assistance a person receives. Requires the department to be obligated to annually update the actual amount of liens recorded in the bureau of conveyances as an accounting measure. -- Authorizes the department of human services to create a welfare safety net program entitled keeping hope alive to assist working families that will be disqualified from receiving further public assistance as a consequence of reaching the 5 year time limit set by the federal Personal Responsibility and Work Opportunity Act of 1996. -- SB1113 CD1

Committee Reports: SSCR 418 (TMG) SSCR 627 (CPH) HSCR 902 (HSH) HSCR 1362 (FIN) CCR 128

Current Status: May-01 01 Passed Legislature

Section Affected: 346-29.5, 346- (1 SECTION)

SB1114 HD1 (HSCR 1261)

MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF

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### HUMAN SERVICES.

Introduced by: Bunda R (BR)

Appropriation to the department of human services to provide foster board and board related costs, permanency assistance, and difficulty of care payments for foster and adoptive parents, permanent custodians, and guardians of children with special needs. (\$\$) -- SB1114 HD1

Committee Reports: SSCR 219 (HHS) SSCR 954 (WAM) HSCR 1261 (FIN)

Current Status: Apr-23 01 Received by the Governor

Apr-27 01 Approved by Governor (Act 75 2001)

SB1115 SD1 HD1 CD1 (CCR 147)

### RELATING TO HUMAN RESOURCES.

Introduced by: Bunda R (BR)

Establishes the human resources development special fund. Designates moneys to be deposited into fund. Provides that the moneys in the fund shall be used for supporting the department of human resources development's entrepreneurial initiatives, training and programs, and administrative costs. Repeals provisions relating to employee management cooperation, meetings, confirmation of previous appointments, preference of per diem employees, outside employees, the Hawaii health system corporation, and prohibited activities under civil service law. Amends Act 253, session laws of 2000. Appropriation out of the human resources development special fund to the department of human resources development. (\$\$) -- SB1115 CD1

Committee Reports: SSCR 261 (LBR) SSCR 950 (WAM) HSCR 1039 (LAB) HSCR 1417 (FIN) CCR 147

Current Status: May=03 01 Passed Legislature

Section Affected: 26-5, 76-91, 76-92, 76-121, 76-122, 76-123, 76-101, 76-102, 76-104, 76-105, 76-106, ACT 253 2000

SB1119 SD2 HD1 CD1 (CCR 14)

### RELATING TO PRESCRIPTION DRUGS.

Introduced by: Bunda R (BR)

Establishes provision relating to electronic prescription information. Provides that prescription information may be transmitted electronically, between prescribing practitioner or agent and pharmacies or medical oxygen distributors. Prohibits any person to supply prescription information processing system equipment on the condition, agreement, or understanding that the recipient of the equipment shall not deal in the commodity of a competitor, shall not deal with a competitor, or shall deal only with persons identified by the supplier of the equipment. Requires any person who transmits, maintains, or receives any prescription to ensure the security, integrity, and confidentiality of the prescription and any information contained therein. Authorizes out of state practitioners to issue electronic prescriptions. Allows for prescription records to be electronically maintained using an appropriate prescription information processing system. Repeals Act 304, session laws of 1997, relating to electronic prescriptions. -- SB1119 CD1

Committee Reports: SSCR 49 (HHS) - filed SSCR 628 (CPH) HSCR 1052 (CPC) HSCR 1352 (FIN) CCR 14

Current Status: May-01 01 Passed Legislature

Section Affected: 328- (2 SECTIONS), 328-1, 328-16, 328-17.6, 328-17.7, ACT 304 1997

SB1123 SD1 HD1 CD1 (CCR 18)

### RELATING TO VITAL RECORDS.

LRB Systems

## SENATE BILLS WHICH PASSED THE LEGISLATURE

Introduced by: Bunda R (BR)

Amends provisions relating to vital statistics. Establishes that the department of health shall, upon request, furnish to any applicant, in lieu of the issuance of a certified copy, a verification of the existence of a certificate and any other information that the applicant provides to be verified relating to the vital event that pertains to the certificate. Provides that the fee for a verification shall be 1/2 of the fee for the 1st certified copy of a certificate. Requires 1/2 of the fees received for verifications to be deposited into the vital statistics improvement special fund and the remainder to be deposited into the state general fund. -- SB1123 CD1

Committee Reports: SSCR 50 (HHS) SSCR 929 (JDC) HSCR 881 (HLT) HSCR  
1074 (CPC/ JHA/) HSCR 1353 (FIN) CCR 18

Current Status: May-01 01 Passed Legislature

Section Affected: 338- (1 SECTION), 338-18

SB1126 SD1 (SSCR 468)

RELATING TO CRIMINAL HISTORY.

Introduced by: Bunda R (BR)

Amends Act 146, session laws of 2000, relating to criminal history by repealing the sunset date. -- Appropriation out of the state criminal history record improvement revolving fund to the department of the attorney general. (\$\$) -- SB1126 SD1

Committee Reports: SSCR 468 (JDC) SSCR 764 (WAM) HSCR 882 (HLT) HSCR  
1087 (JHA) HSCR 1354 (FIN)

Current Status: May-02 01 Received by the Governor

Section Affected: ACT 146 2000

SB1127 SD1 HD1 (HSCR 1264)

MAKING AN EMERGENCY APPROPRIATION TO THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION.

Introduced by: Bunda R (BR)

Appropriation to the department of health for support of services provided to certain emotionally disturbed children and adolescents and appropriation to the department of health out of the behavioral health administration title IV-E (IV E) reimbursement, interdepartmental transfer fund for training costs of staff employed by or contracted to the department, or contracted or deployed to the Felix monitoring project (Felix v. Cayetano consent decree) to improve services provided to certain emotionally disturbed children and adolescents. (\$\$) -- SB1127 HD1

Committee Reports: SSCR 221 (HHS) SSCR 671 (WAM) HSCR 1264 (FIN)

Current Status: Apr-23 01 Received by the Governor

Apr-27 01 Approved by Governor (Act 76 2001)

SB1135

RELATING TO HAZARDOUS WASTE.

Introduced by: Bunda R (BR)

Repeals the requirement that the initial notification of location and general description of activity to the department of health from the hazardous waste broker include a notarized written statement from the owner, or owner's agent, of the facility or land to be used by the broker for hazardous waste handling activity acknowledging the hazardous waste handling activity of the broker. -- SB1135

Committee Reports: SSCR 600 (WLE) HSCR 1110 (EEP)

Current Status: Mar-29 01 Received by the Governor

Apr-06 01 Approved by Governor (Act 8 2001)

Section Affected: 342J-34.6

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB1138 SD1 (SSCR 633) RELATING TO THE STATEWIDE NEWBORN HEARING SCREENING PROGRAM.  
Introduced by: Bunda R (BR)  
Establishes provision relating to screening for hearing impairment. Requires all newborn infants to be screened for hearing impairment for early identification of children with hearing loss and for the promotion of their development of language and communication. Provides that the person in charge of each birthing facility caring for newborn infants and the responsible physician or person attending the birth of a newborn shall ensure that every infant be screened for hearing impairment. Exempts children for screening if it conflicts with their religious beliefs. Requires the birthing facilities to report screening results to the department. -- SB1138 SD1  
Committee Reports: SSCR 633 (HHS) HSCR 952 (HLT) HSCR 1355 (FIN)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 42 2001)  
Section Affected: 321- (1 SECTION), 321-362, 321-363
- SB1142 HD1 (HSCR 1265) MAKING AN EMERGENCY APPROPRIATION FOR EARLY INTERVENTION SERVICES.  
Introduced by: Bunda R (BR)  
Appropriation to the department of health for the early intervention section and the healthy start program to provide early intervention services for infants and children from birth to 3 years of age. (\$\$) -- SB1142 HD1  
Committee Reports: SSCR 352 (HHS) SSCR 672 (WAM) HSCR 1265 (FIN)  
Current Status: Apr-23 01 Received by the Governor  
May-02 01 Approved by Governor (Act 85 2001)
- SB1144 SD2 HD2 CD1 (CCR 148) RELATING TO MINIMUM WAGE.  
Introduced by: Bunda R (BR)  
Amends provisions relating to the wage and hour law. Requires every employer to pay each employee at the rate no less than 5.75 dollars per hour beginning January 1, 2002, and 6.25 dollars per hour beginning January 1, 2003. Authorizes the hourly wage of a tipped employee to be increased on the account of tips if the employee is paid no less than 25 cents below the applicable minimum wage and the combined amount the employee receives from the employer and in tips is at least 50 cents more than the applicable minimum wage. -- SB1144 CD1  
Committee Reports: SSCR 160 (LBR) SSCR 792 (WAM) HSCR 1101 (LAB) HSCR 1414 (FIN) CCR 148  
Current Status: May=01 01 Passed Legislature  
Section Affected: 387-2
- SB1161 SD1 (SSCR 675) RELATING TO THE DISPOSITION OF ABANDONED OR SEIZED PROPERTY ON PUBLIC LANDS.  
Introduced by: Bunda R (BR)  
Amends provision relating to public land. Provides that if abandoned or seized property has an estimated value of 1,000 dollars or more, the department of land and natural resources shall give public notice of the disposition at least once either statewide or in a publication of local circulation. Establishes that the sale of abandoned or seized property having an estimated value of 1,000 dollars or more shall be by public auction. Requirement of public notice and public auction shall not apply if the value of the property abandoned or seized is less than 1,000 dollars, rather than 100 dollars. Requires that the proceeds of the sale be deposited into the

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department's appropriate special fund or to the general fund where no special fund exists. -- SB1161 SD1

Committee Reports: SSCR 96 (WLE) SSCR 675 (WAM) HSCR 1070 (JHA) HSCR 1356 (FIN)

Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 63 2001)

Section Affected: 171-31.5

SB1162 SD1 HD1 CD1 (CCR 5)

RELATING TO PUBLIC NOTICE REQUIREMENTS FOR PUBLIC LAND DISPOSITIONS.

Introduced by: Bunda R (BR)

Amends provisions relating to public lands. Requires public notice of any proposed disposition of public lands by auction, drawings, negotiation, or exchange to be given at least once statewide and once in the county where the land or other interests being disposed of are located. Requires any required notice to also be posted on the internet in an easily located manner. -- SB1162 CD1

Committee Reports: SSCR 79 (WLE) SSCR 644 (TMG) HSCR 933 (WLU) HSCR 1309 (JHA) CCR 5

Current Status: May-01 01 Passed Legislature

Section Affected: 171-16

SB1164 SD1 HD1 (HSCR 1396)

RELATING TO THE FOREST STEWARDSHIP PROGRAM.

Introduced by: Bunda R (BR)

Amends provision relating to the forest stewardship program by allowing moneys deposited into the forest stewardship fund to be used by the department of land and natural resources to administer the program. Appropriation out of the forest stewardship fund to the department of land and natural resources to administer the forest stewardship program. (\$\$) -- SB1164 HD1

Committee Reports: SSCR 80 (WLE) SSCR 676 (WAM) HSCR 1075 (WLU) HSCR 1396 (FIN)

Current Status: May-02 01 Received by the Governor

Section Affected: 195F-4

SB1165 SD1 HD2 (HSCR 1312)

RELATING TO PENALTIES FOR NATURAL RESOURCES.

Introduced by: Bunda R (BR)

Amends provision relating to penalties for natural resources. Provides that any person who violates and is convicted of the laws and rules applicable to the reserves system, shall be fined not less, rather than more, than 1,000 dollars. Establishes that the board of land and natural resources or its authorized representative is authorized to set, charge, and collect administrative fines or bring legal action to recover administrative fees and costs as documented by receipts or affidavit. Provides administrative fines. Increases penalties for knowingly or recklessly killing or removing from its original growing location a threatened species to 5,000 dollars rather than 500 dollars, and for an endangered species, 10,000 dollars, rather than 1,000 dollars. -- SB1165 HD2

Committee Reports: SSCR 81 (WLE) SSCR 701 (JDC) HSCR 934 (WLU) HSCR 1312 (JHA)

Current Status: May-02 01 Received by the Governor

Section Affected: 195-8, 195D-9

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB1171 RELATING TO REPORTS.  
Introduced by: Bunda R (BR)  
Repeals provision relating to record of procurement actions. -- SB1171  
Committee Reports: SSCR 593 (TMG) HSCR 1257 (FIN)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 43 2001)  
Section Affected: 103D-321
- SB1173 RELATING TO THE ENVIRONMENT.  
Introduced by: Bunda R (BR)  
Repeals the Hawaii environmental disclosure law. -- SB1173  
Committee Reports: SSCR 602 (WLE) HSCR 1530 (FIN)  
Current Status: May-03 01 Passed Legislature  
Section Affected: 341-4, 343D-1, 343D-2, 343D-3, 343D-4, 343D-5, 343D-6,  
343D-7, 343D-8, 343D-9, 343D-10, 343D-11
- SB1178 SD2 HD1 CD1 (CCR 24) RELATING TO CONTROLLED SUBSTANCES.  
Introduced by: Bunda R (BR)  
Amends provisions relating to the controlled substances Act. Defines locum tenens practitioner to mean a practitioner that is licensed to administer, prescribe, or dispense a controlled substance in the course of professional practice, who temporarily substitutes for another registered practitioner for a period not to exceed 60 days at that other practitioner's registered place of business, and whose Drug and Enforcement Administration controlled substance registration number has not been transferred to the State. Provides that locum tenens practitioners are not eligible to receive oral code numbers. -- Provides that hallucinogenic substances, unless listed in another schedule shall include nabilone and dronabinol (synthetic). Further provides that it shall be unlawful for any person to knowingly or intentionally obtain or procure any listed controlled substances by fraud, deceit, misrepresentation, embezzlement, or theft. Violators shall be fined not more than 100,000 dollars or imprisoned not more than 5 years, or both. -- SB1178 CD1  
Committee Reports: SSCR 156 (HHS) SSCR 823 (JDC) HSCR 1229 (JHA) CCR 24  
Current Status: May-01 01 Passed Legislature  
Section Affected: 329-1, 329-14, 329-16, 329-18, 329-20, 329-61, 329-65, 329-101
- SB1192 RELATING TO PAYMENT OF TAXES BY ELECTRONIC FUNDS TRANSFER.  
Introduced by: Bunda R (BR)  
Repeals the penalty for not remitting taxes by electronic means for a person who is not required to remit taxes by electronic means. -- SB1192  
Committee Reports: SSCR 651 (WAM) HSCR 1258 (FIN)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 44 2001)  
Section Affected: 231-9.9
- SB1193 SD1 HD1 CD1 (CCR 1) RELATING TO GENERAL EXCISE TAX ON NONPROFIT ORGANIZATIONS.  
Introduced by: Bunda R (BR)  
Amends the general excise tax exemption for fraternal benefit societies; corporations, associations, trusts, or societies organized for religion, charity,

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scientific, or educational purposes, as well as senior citizen housing; business leagues, chamber of commerce, boards of trade, civic leagues, agricultural and horticultural organizations; and hospitals, infirmaries, and sanitariums who is a subordinate person of a person who has received a group exemption letter to allow for the registration with the department of taxation through a statement attaching a copy of the exemption or application for recognition of exempt status. -- SB1193 CD1

Committee Reports: SSCR 852 (WAM) HSCR 1248 (FIN) CCR 1  
Current Status: May-01 01 Passed Legislature  
Section Affected: 237-23

SB1195 SD1 (SSCR 720)

RELATING TO TAXPAYER COMMUNICATION CONFIDENTIALITY PRIVILEGES.

Introduced by: Bunda R (BR)

Provides that section 7525 (with respect to confidentiality privileges relating to taxpayer communications) of the Federal Internal Revenue Code shall be operative for all tax laws. -- SB1195 SD1

Committee Reports: SSCR 205 (CPH/ JDC/) SSCR 720 (WAM) HSCR 972 (JHA) HSCR 1357 (FIN)

Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 45 2001)

Section Affected: 231- (1 SECTION), 235-2.45

SB1198 SD1 (SSCR 124)

RELATING TO THE PUBLIC SERVICE COMPANY TAX.

Introduced by: Bunda R (BR)

Amends the public service company tax provisions to require the amount of taxes imposed on public utilities except airlines, motor carriers, common carriers by water, and contract carriers, which is in excess of 4 per cent of a public service company's gross income to be paid over to a county based upon the proportion of income from its public utility business attributable to the county. Provides that the tax in excess of 4 per cent will not be levied if the county does not provide the utility a real property tax exemption. Changes the additional tax amount. -- SB1198 SD1

Committee Reports: SSCR 124 (TIA/ CPH/) SSCR 759 (WAM) HSCR 1259 (FIN)

Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 64 2001)

Section Affected: 239-4, 239-5, 239-7, 239-10, 239-3

SB1199 SD2 HD1 CD1 (CCR 34)

RELATING TO CONCESSIONS ON PUBLIC PROPERTY.

Introduced by: Bunda R (BR)

Redefines concession to mean the grant to a person of the privilege to conduct operations involving the sale of goods, wares, merchandise, or services to the general public including food and beverage establishments, retail stores, motor vehicle rental operations, advertising, and communications and telecommunications, in or on buildings or land under the jurisdiction of any government agency; and use, for compensation, space on public property to display advertising, or to conduct operations for communications or telecommunications purposes. Amends provision relating to contracts for concessions; bid required, exception. Provides that no concession or concession space shall be leased except under contract let after public notice for sealed bids in the manner provided by law. Further provides that the bidding requirements shall not apply to concessions or space on public property set aside for the operation of ground transportation services and parking lot

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

operations at airports; except for rental motor vehicle operations under the motor vehicle rental agency law, and for operations of concessions that furnish goods or services for which there is only 1 source, as determined by the head of the awarding government agency in a writing that shall be included in the contract file. Requires public notice of a call for bids to be made not less than 3 different days statewide, with respect to any state agency, or county wide within the particular county with respect to any county or county agency. -- SB1199 CD1

Committee Reports: SSCR 558 (TMG) SSCR 945 (WAM) HSCR 939 (TRN) HSCR 1358 (FIN) CCR 34

Current Status: May-01 01 Passed Legislature

Section Affected: 102-1, 102-2, 102-4

SB1203 SD1 (SSCR 249)

RELATING TO INCREASING DEVELOPMENT FLEXIBILITY OF PUBLIC LANDS.

Introduced by: Bunda R (BR)

Amends provision relating to public land to provide that the disposition of public lands for airport related operations may be negotiated without regard to established limitations. Defines airport related as a purpose or activity that requires air transportation to achieve that purpose or activity. -- SB1203 SD1

Committee Reports: SSCR 249 (TMG) SSCR 603 (WLE) HSCR 1067 (TRN) HSCR 1363 (FIN)

Current Status: Apr-12 01 Received by the Governor

Apr-27 01 Approved by Governor (Act 77 2001)

Section Affected: 171-59

SB1207 SD1 HD2 (HSCR 1383)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Bunda R (BR)

Requires the university of Hawaii general counsel to advise its clients on how to avoid future claims and shall request clients to take corrective action to eliminate or mitigate those factors identified by the counsel as contributing to the university's liability or settlement of a claim. Confidential annual report to the legislature. -- Provides that the university may sue and may be sued in its corporate name and that the university shall be subject to suit only in the manner provided for suits against the State, and that any liability incurred by the university in such a suit shall be a liability of the State. -- SB1207 HD2

Committee Reports: SSCR 532 (EDU/ JDC/) SSCR 862 (WAM) HSCR 1091 (JHA) HSCR 1383 (FIN)

Current Status: May-02 01 Received by the Governor

Section Affected: 304- (2 SECTIONS), 304-6

SB1208 SD1 HD3 (HSCR 1320)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Bunda R (BR)

Establishes provisions for the service of process upon the university of Hawaii and an officer or employee of the university. Provides that in the case of the board of regents or a member of the board of regents of the university of Hawaii, the university general counsel shall represent and defend them. -- Allows the university to prepare a list of all uncollectible accounts for review by the university counsel. Requires accounts found to be uncollectible by the counsel to be deleted from the accounts receivable records. Annual report to the legislature. -- Allows the attorney general to delegate to the university general counsel the authority to approve as to form, exceptions, and reservations as to property acquired by the University of

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

Hawaii. -- SB1208 HD3

Committee Reports: SSCR 182 (EDU) SSCR 908 (JDC) HSCR 898 (HED) HSCR 1089 (JHA) HSCR 1320 (FIN)

Current Status: May-02 01 Received by the Governor

Section Affected: 304- (1 SECTION), 26-35.5, 40-82, 107-10

SB1209 HD1 CD1 (CCR 46)

RELATING TO CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR.

Introduced by: Bunda R (BR)

Appropriation for the purpose of satisfying claims for legislative relief to persons, firms, corporations, and entities which have claims against the university of Hawaii due to payments of judgments or settlements, or other liabilities. (\$\$) -- SB1209 CD1

Committee Reports: SSCR 893 (WAM) HSCR 1237 (FIN) CCR 46

Current Status: May=01 01 Passed Legislature

SB1211 SD2 HD2 CD1 (CCR 47)

RELATING TO SCHOOL FACILITIES.

Introduced by: Bunda R

Establishes the Hawaii school level minor repairs and maintenance special fund. Provides that there is to be an option on income tax returns for the taxpayer to designate monies toward the fund (check off). Requires monies in the fund to be administered by the department of education to fund school level minor repairs and maintenance. -- Increases the maximum amount per school in the school level minor repairs and maintenance account and also sets the same amount for the funds appropriated out of the special fund. Reports to the director of finance. Provides that the reports made to the department of accounting and general services shall be in the form prescribed by the comptroller. Appropriation. (\$\$) -- -- SB1211 CD1

Committee Reports: SSCR 271 (EDU) SSCR 726 (WAM) HSCR 989 (EDN) HSCR 1385 (FIN) CCR 47

Current Status: May=01 01 Passed Legislature

Section Affected: 302A- (1 SECTION), 235-102.5, 302A-1504

SB1212 SD1 HD2 CD1 (CCR 48)

RELATING TO EDUCATION.

Introduced by: Bunda R

Amends Hawaii teacher standards board provisions. Provides that the board shall be responsible for approving teacher education programs. Allows the board to participate in issues affecting teacher quality. Repeals the term credential meaning an emergency or temporary license issued by the board and establishes the meaning of emergency hire to be an unlicensed employee of the department paid under the salary schedule contained in the unit 5 (teachers and other personnel of the department of education) collective bargaining agreement. Repeals sunset date of the definitions for the teacher standards board. Allows the department to employ emergency hires. Transfers licensing powers of the department of education to the board. Changes the membership of the board and limits term to 3 consecutive 3 year terms. Requires the board to submit a summary report every 5 years of the board's accomplishments of efforts to improve or maintain teacher quality. Allows the board to grant extensions of credentials on a case by case basis, repealed on June 30, 2002 (sunset). Allows the department to hire unlicensed teachers in emergencies and in a case by case basis. Annual report to the board. Amends Act

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

122, session laws of 1996, as amended by Act 218, session laws of 1999, by repealing the sunset date. Amends Act 106, session laws of 2000, by repealing the sunset date. Appropriation. (\$\$) -- SB1212 CD1

Committee Reports: SSCR 309 (EDU) SSCR 659 (WAM) HSCR 1061 (EDN) HSCR 1412 (FIN) CCR 48

Current Status: May=01 01 Passed Legislature

Section Affected: 302A- (2 SECTIONS), 302A-501, 302A-602, 302A-602.5, 302A-603, 302A-610, 302A-616, 302A-618, 302A-801, 302A-802, 302A-803, 302A-804, 302A-805, 302A-806, 302A-807, 302A-808, ACT 122 1996, ACT 218 1999, ACT 106 2000, 302A-410, 302A-610, 302A-616

SB1213 SD2 HD2 CD1 (CCR 11)

MAKING AN APPROPRIATION FOR THE ESTABLISHMENT AND CONTINUATION OF PROFESSIONAL DEVELOPMENT SCHOOLS

Introduced by: Bunda R

Appropriation to the department of education to establish and continue development of professional development schools in Hawaii public schools. Defines professional development schools. Requires the department to allocate funds by means of competitive grants, which will include a description of how the school will meet the standards of the National Council for the Accreditation of Teacher Education and the department's 6 images of success (standards based learning, professionalism and the capacity of the system, quality of student support, coordinated team work, responsiveness of the system, and focused and sustained action). Requires 5 per cent of the funds to be set for program administration, including an annual conference. Grants may be awarded for up to 5 years and may be renewable. Schools to present annual reports to the department and the conference. (\$\$) -- SB1213 CD1

Committee Reports: SSCR 310 (EDU) SSCR 772 (WAM) HSCR 995 (EDN) HSCR 1401 (FIN) CCR 11

Current Status: May=01 01 Passed Legislature

SB1214 SD2 HD1 CD1 (CCR 49)

RELATING TO NATIONAL BOARD CERTIFICATION FOR DEPARTMENT OF EDUCATION TEACHERS.

Introduced by: Bunda R

Creates a national board certification support program in the department of education to provide assistance to any teacher in a public school who becomes a candidate for national board certification. Requires the Hawaii teacher standards board to develop, implement and administer the program. Appropriation. (\$\$) -- SB1214 CD1

Committee Reports: SSCR 518 (EDU) SSCR 773 (WAM) HSCR 990 (EDN) HSCR 1359 (FIN) CCR 49

Current Status: May=01 01 Passed Legislature

Section Affected: 302A- (1 SECTION), 302A-803, ACT 106 2000

SB1236 HD2 CD1 (CCR 12)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Chun Oakland S

Appropriation to the university of Hawaii for the bridge to hope program, including 1 position for outreach. (\$\$) -- SB1236 CD1

Committee Reports: SSCR 191 (EDU) SSCR 891 (WAM) HSCR 1048 (HSH/HED/) HSCR 1402 (FIN) CCR 12

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

Current Status: May=01 01 Passed Legislature

SB1262 HD1 (HSCR 1240)

RELATING TO SPECIAL PURPOSE REVENUE BONDS.

Introduced by: Inouye L

Amends Act 208, session laws of 2000, authorizing the issuance of special purpose revenue bonds in a total amount not to exceed 38 million dollars, rather than 19 million dollars for assisting Rickmar properties, inc. Department of budget and finance to report to legislature in 2002 and 2003. Department to issue from time to time, including times subsequent to June 30, 2003, rather than 2004, refunding special purpose revenue bonds. Provides that any unused portion of the authorization shall lapse on June 30, 2005 (sunset), rather than 2003. -- SB1262 HD1

Committee Reports: SSCR 229 (WLE) SSCR 677 (WAM) HSCR 1240 (FIN)

Current Status: May-02 01 Received by the Governor

Section Affected: ACT 208 2000

SB1264 SD2 HD2 (HSCR 1403)

RELATING TO AQUACULTURE.

Introduced by: Inouye L

Provides that for general excise tax purposes wholesale service means the sale to a licensed producer or to a cooperative association for the sale to a producer of seedstock for producing aquacultural products and supplies needed to produce aquacultural products. -- SB1264 HD2

Committee Reports: SSCR 319 (AGT) SSCR 853 (WAM) HSCR 1086 (AGR)  
HSCR 1403 (FIN)

Current Status: May-03 01 Received by the Governor

Section Affected: 237-4

SB1276 SD1 HD1 CD1 (CCR 20)

RELATING TO CYBERSQUATTING.

Introduced by: Chumbley A, English J, Ihara L, Fukunaga C, Ige D, Matsunaga M

Establishes provisions relating to cybersquatting (the bad faith registration of domain names on the internet) law. Provides that a person shall be liable in a civil action by the owner of any distinctive mark registered and used in Hawaii, if that person in bad faith registers, traffics in, or uses a domain name, that is confusingly similar to that mark. Provides that in any action, it shall be the claimant's burden to prove by a preponderance of the evidence the person's bad faith intent. Provides criteria. Provides that bad faith intent shall not be found in any case in which the court determines that the person alleged to be in violation of this part believed and had reasonable grounds to believe that the use of the domain name was a fair use or otherwise lawful. -- Provides that a any persons whose rights have been violated may bring a civil action against the person responsible for the violation. Further provides that in any civil action, if the court finds a violation, the court may award injunctive relief; equitable relief; compensatory damages; punitive damages; costs of the action; and reasonable attorney's fees. Adds that a claimant who files suit prior to the commencement of trial, may elect to recover, instead of compensatory and punitive damages, an award of statutory damages in an amount not less than 1,000 dollars or threefold damages by the claimant sustained, whichever sum is the greater, and reasonable attorney's fees together with the costs of the suit. -- SB1276 CD1

Committee Reports: SSCR 505 (EDT/ CPH/) SSCR 930 (JDC) HSCR 931 (CPC/  
JHA/) CCR 20

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Current Status: May-01 01 Passed Legislature  
Section Affected: 481B- (5 SECTIONS) CYBERSQUATTING

SB1315 SD2 HD2 (HSCR 1404) RELATING TO EDUCATION.  
Introduced by: Tam R  
Allows the department of education and the University of Hawaii to invest in a custodial account for employees. -- SB1315 HD2  
Committee Reports: SSCR 526 (EDU) SSCR 661 (WAM) HSCR 997 (EDN) HSCR 1404 (FIN)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 303-2, 303-3, 303-3.5

SB1341 SD1 HD1 (HSCR 938) RELATING TO THE UNITED STATES SELECTIVE SERVICE SYSTEM.  
Introduced by: Tam R  
Requires qualified applicants for motor vehicle drivers license or instruction permit to be registered with the US Selective Service System. Requires funds to implement this Act to come from the Selective Service System. -- SB1341 HD1  
Committee Reports: SSCR 141 (TMG) SSCR 698 (JDC) HSCR 938 (TRN) HSCR 1310 (JHA)  
Current Status: Apr-23 01 Received by the Governor  
May-02 01 Approved by Governor (Act 86 2001)  
Section Affected: 286- (1 SECTION), 286-104, 286-107, 286-108, 286-110

SB1349 SD1 HD1 CD1 (CCR 30) RELATING TO MUTUAL BENEFIT SOCIETIES.  
Introduced by: English J (BR)  
Allows any mutual benefit society to become incorporated by charter. -- SB1349 CD1  
Committee Reports: SSCR 808 (CPH) HSCR 1232 (CPC) CCR 30  
Current Status: May-01 01 Passed Legislature  
Section Affected: 432:1-201

SB1362 SD2 HD1 CD1 (CCR 50) RELATING TO COACHES.  
Introduced by: Sakamoto N, Tam R  
Provides that persons who serve as coaches for school activities shall be paid a portion or all of their allocation for their services which shall increase by the same percentages as specified in collective bargaining unit 5 (teachers and other personnel of the department of education). Allows coaches to request the department of budget and finance to dispense their allocation directly to the school to be used for the benefit of the coach's team. Provides that the base stipend for coaches shall be the compensation amounts for coaches for the 2000 - 2001 school year and that the base stipend for all coaches be increased by 50 per cent for coaches who are employed by the department in a teaching capacity and by 25 per cent for coaches who are not employed in a teaching capacity. Appropriation. (\$\$)  
-- SB1362 CD1  
Committee Reports: SSCR 564 (EDU) SSCR 663 (WAM) HSCR 991 (EDN) HSCR 1360 (FIN) CCR 50  
Current Status: May=01 01 Passed Legislature  
Section Affected: 302A- (1 SECTION)

SB1365 SD2 HD2 CD1 (CCR 165) RELATING TO THE WEED AND SEED PROGRAM.

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## SENATE BILLS WHICH PASSED THE LEGISLATURE

Introduced by: Kanno B

Requires the weed and seed strategy, to partner with the Hawaii community foundation, a nonprofit tax exempt organization. Provides that a steering committee for the strategy shall be chaired by the US attorney to advise the Hawaii community foundation regarding the disbursements of the grant funds. Require the foundation to establish an account to receive legislative appropriations, federal funds, and private contributions for the weed and seed strategy. Appropriation to the department of the attorney general as a grant in aid to the Hawaii community foundation. (\$\$) -- SB1365 CD1

Committee Reports: SSCR 469 (JDC) SSCR 736 (WAM) HSCR 966 (JHA) HSCR 1405 (FIN) CCR 165

Current Status: May-01 01 Passed Legislature

SB1377 SD1 (SSCR 347)

RELATING TO CIVIL SERVICE.

Introduced by: Tam R

Requires all positions of the support services office, program development staff, and the nursing home without walls program of the department of human services' social services division to be converted to civil service and be subject to civil service, compensation, and collective bargaining laws. -- SB1377 SD1

Committee Reports: SSCR 347 (LBR) SSCR 884 (WAM) HSCR 899 (HSH) HSCR 1420 (FIN)

Current Status: Apr-30 01 Vetoed

SB1379 HD1 CD1 (CCR 123)

RELATING TO COLLECTIVE BARGAINING COST ITEMS.

Introduced by: Bunda R

Appropriation for negotiated collective bargaining cost items for public employees in collective bargaining unit 5 (teachers and other personnel of the department of education) and for salary increases and other cost adjustments for state officers and employees excluded from collective bargaining. (\$\$) -- SB1379 CD1

Committee Reports: SSCR 348 (LBR) SSCR 795 (WAM) HSCR 1273 (FIN) CCR 123

Current Status: May=01 01 Passed Legislature

SB1382 HD1 CD1 (CCR 146)

RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS.

Introduced by: Bunda R

Appropriation to respective heads of the legislative agencies for salary increases and other cost adjustments for the office of the legislative auditor, ethics commission, legislative reference bureau, and ombudsman, for officers and employees of these agencies excluded from collective bargaining. (\$\$) -- SB1382 CD1

Committee Reports: SSCR 349 (LBR) SSCR 885 (WAM) HSCR 1276 (FIN) CCR 146

Current Status: May=03 01 Passed Legislature

SB1385 HD1 CD1 (CCR 15)

RELATING TO THE SALARY STRUCTURE OF EDUCATIONAL OFFICERS IN THE DEPARTMENT OF EDUCATION.

Introduced by: Bunda R

Requires the department of education to conduct a classification study to better assess positions, allocations, and classifications and to consult with the university of

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Hawaii, office of human resources in exploring alternatives to the current salary schedule, minimum qualification requirements, and position descriptions. Also requires the department to implement a formal job evaluation methodology that is consistent with the class structure. Report to the legislature. -- SB1385 CD1

Committee Reports: SSCR 390 (EDU/ LBR/) SSCR 727 (WAM) HSCR 998 (EDN)  
HSCR 1361 (FIN) CCR 15

Current Status: May=01 01 Passed Legislature

SB1390 SD1 HD1 CD1 (CCR 17)

RELATING TO TRADITIONAL HAWAIIAN HEALING PRACTICES.

Introduced by: Kawamoto C, English J, Chun J

Prohibits any person or organization involved with the selection of panel members of Papa Ola Lokahi or the denial of certification of healers to be held liable for any cause of action that may arise out of their participation in the selection process or panel. -- Amends Act 162, session laws of 1998, relating to traditional Hawaiian healing practices, by requiring Papa Ola Lokahi to convene at least 1 panel of traditional native Hawaiian healers. Establishes member requirements. -- Amends Act 162, session laws of 1998, as amended by Act 209, session laws of 2000, by repealing the sunset date. -- SB1390 CD1

Committee Reports: SSCR 582 (HAW/ HHS/) HSCR 1137 (CPC) CCR 17

Current Status: May-01 01 Passed Legislature

Section Affected: 453-2, ACT 162 1998, ACT 209 2000

SB1405 SD2 HD1 CD1 (CCR 167)

RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HI-TECH HAWAII, INC.

Introduced by: Inouye L

Authorizes the issuance of special purpose revenue bonds to assist Hi-Tech Hawaii, Inc., a Hawaii corporation, or a partnership in which Hi-Tech Hawaii, Inc. is a general partner, or the successor in interest or assignee of Hi-Tech Hawaii, Inc., with the financing, refinancing, or both of the costs related to the acquisition and development of facilities to assist the high technology industry in the planning, design, and construction of a high technology research and development and technology support facilities. Authorizes the issuance of refunding special purpose bonds for the purpose of refunding the special purpose revenue bonds. -- SB1405 CD1

Committee Reports: SSCR 501 (EDT) SSCR 994 (WAM) HSCR 1252 (FIN) CCR  
167

Current Status: May-01 01 Passed Legislature

SB1406

RELATING TO HOLIDAYS.

Introduced by: Taniguchi B

Amends provision relating to holidays designated by changing the name for admission day to Statehood day. -- SB1406

Committee Reports: SSCR 425 (TMG) SSCR 785 (WAM) HSCR 973 (JHA) HSCR  
1365 (FIN)

Current Status: Apr-12 01 Received by the Governor

Apr-26 01 Approved by Governor (Act 65 2001)

Section Affected: 8-1

SB1414 SD1 HD1 CD1 (CCR 137)

MAKING APPROPRIATIONS FOR UNIFORM LAWS.

Introduced by: Taniguchi B

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Appropriation to the department of the attorney general for Hawaii's contribution to the costs of the National Conference of Commissioners on Uniform State Laws (NCCUSL) and for the registration and travel expenses for the commission to promote uniform legislation of the department of the attorney general and the assigned deputy attorney general to attend the 2001 annual meeting of the National Conference of Commissioners on Uniform State Laws. (\$\$) -- SB1414 CD1  
Committee Reports: SSCR 514 (JDC) SSCR 1000 (WAM) HSCR 974 (JHA) HSCR 1406 (FIN) CCR 137  
Current Status: May-01 01 Passed Legislature

SB1435 SD1 HD1 CD1 (CCR 41)

RELATING TO HYDROGEN RESEARCH AND DEVELOPMENT.  
Introduced by: Inouye L, English J  
Establishes the hydrogen public / private partnership to support and promote hydrogen use in Hawaii's energy economy, within the department of business, economic development, and tourism. Provides that the department shall invite the participation of the State, including the university of Hawaii; the counties; the federal government, including the military; the utilities; and the private sector, in the partnership. Further provides that the Hawaii natural energy institute of the university of Hawaii shall provide assistance to the department. Establishes duties of partnership. Department to submit annual reports to the legislature. Act to be repealed on July 1, 2006 (sunset). Appropriation out of the special land and development fund to the department to support hydrogen research and development efforts. Requires funds to be made available on the basis of 1 dollar of special fund moneys to not less than 1 dollar from the federal government. (\$\$) -- SB1435 CD1  
Committee Reports: SSCR 568 (WLE/ EDT/) SSCR 946 (WAM) HSCR 965 (EEP) HSCR 1366 (FIN) CCR 41  
Current Status: May=01 01 Passed Legislature

SB1455 SD1 HD1 CD1 (CCR 19)

RELATING TO THE CHILDREN'S ADVOCACY PROGRAM.  
Introduced by: Bunda R (BR)  
Renames the children's advocacy program to the children's justice program. Establishes coordination function. Provides that the program shall promote the sharing of information among agencies providing services to the child and family. Adds that all agencies and their providers that have information regarding the mental, physical health, or other information relating to the best interest of the child shall share the information among the agencies working with the child unless prohibited by federal or state statute or rule. Provides that no agency shall disclose any confidential information unless written consent expressly authorizing further disclosure is obtained from the person who is the subject. Provides that the program shall provide for the special needs of children as witnesses by investigation, treatment, and legal processes, thereby reducing and preventing unnecessary trauma to children. Adds that the program shall develop, achieve and maintain interagency and interprofessional cooperation and coordination in the investigation of and the case management and serious physical child abuse cases; facilitate in an impartial manner the professional gathering of information by public and private agencies and their providers for court proceedings involving child victims and witnesses. Redefines child sexual abuse by raising the maximum age from 16 to 18 years old. Defines serious physical child abuse. Adds that the program director shall promote interagency cooperation and coordination, including information sharing and gathering among public and private agencies. Repeals

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provisions relating to investigatory function. -- SB1455 CD1  
Committee Reports: SSCR 441 (HHS/ JDC/) SSCR 1003 (WAM) HSCR 1233  
(JHA/ HSH/ HLT/) CCR 19  
Current Status: May-01 01 Passed Legislature  
Section Affected: 588- (1 SECTION), 588-1, 588-2, 588-4, 588-6

SB1460 SD1 HD2 CD1 (CCR 166) RELATING TO THE INTERMEDIATE APPELLATE COURT.  
Introduced by: Bunda R (BR)  
Increases the number of associate judges on the intermediate appellate court from 3 to 5. -- SB1460 CD1  
Committee Reports: SSCR 470 (JDC) SSCR 873 (WAM) HSCR 976 (JHA) HSCR 1407 (FIN) CCR 166  
Current Status: May-01 01 Passed Legislature  
Section Affected: 602-51

SB1473 SD2 HD1 (HSCR 1409) RELATING TO PLANNING.  
Introduced by: Kokubun R, Chun J  
Establishes a special advisor for smart growth and the director of planning shall work in that capacity. Advisor to work with state agencies, the smart growth council, county and federal agencies, the private sector, community organizations, and the public to establish smart growth objectives and strategies for the State. Provides duties of the special advisor. Establishes smart growth advisory council, within the office of planning. Requires the council to assist the special advisor and serve as a forum for cross sector cooperation and collaboration on matters relating to smart growth in Hawaii. Advisor and council to be repealed on December 31, 2013 (sunset). Appropriation to the office of planning. (\$\$) -- SB1473 HD1  
Committee Reports: SSCR 231 (WLE) SSCR 999 (WAM) HSCR 1030 (WLU) HSCR 1409 (FIN)  
Current Status: May=03 01 Passed Legislature  
Section Affected: (2 SECTIONS)

SB1508 SD1 (SSCR 829) RELATING TO OFFENSES AGAINST THE PERSON.  
Introduced by: Bunda R (BR)  
Changes the definition of substantial bodily injury from a chemical, electrical, friction, or scalding burn of 2nd degree severity to a burn of at least 2nd degree severity. -- SB1508 SD1  
Committee Reports: SSCR 829 (JDC) HSCR 1220 (JHA)  
Current Status: Apr-12 01 Received by the Governor  
Apr-25 01 Approved by Governor (Act 30 2001)  
Section Affected: 707-700

SB1509 RELATING TO OFFENSES AGAINST PROPERTY RIGHTS.  
Introduced by: Bunda R (BR)  
Amends provisions relating to theft. Provides that the unaltered price or name tag or other marking on goods or merchandise, duly identified photographs or photocopies thereof, or printed register receipts, shall be prima facie evidence of value and ownership of goods or merchandise. -- Redefines owner to mean the registered owner of the propelled vehicle or the unrecorded owner of the vehicle pending transfer of ownership; provided that if there is no registered owner of the propelled vehicle or unrecorded owner of the vehicle pending transfer of ownership, owner

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means the legal owner. -- SB1509  
Committee Reports: SSCR 714 (JDC) HSCR 1519 (JHA)  
Current Status: Apr-25 01 Received by the Governor  
May-02 01 Approved by Governor (Act 87 2001)  
Section Affected: 708-830, 708-836

SB1512 HD1 CD1 (CCR 23)

RELATING TO THE PENAL CODE.

Introduced by: Bunda R (BR)

Establishes provisions relating to endangering a law enforcement horse or dog in the 1st and 2nd degrees, interfering with a law enforcement horse or dog, and restitution for law enforcement horse or dog. Provides that a person endangers a law enforcement horse or dog in the 1st degree if that person intentionally or knowingly inflicts substantial bodily injury on, or causes the death of a law enforcement horse or dog. Makes endangering a law enforcement horse or dog in the 1st degree a class C felony. Provides that a person endangers a law enforcement horse or dog in the 2nd degree if that person recklessly inflicts substantial bodily injury on, or cause the death of a law enforcement horse or dog. Makes endangering a law enforcement horse or dog in the 2nd degree a misdemeanor. Provides that a person interferes with a law enforcement horse or dog if, with the intent to distract, agitate, or harm the law enforcement horse or dog, the person intentionally or knowingly strikes, shoves, or kicks the law enforcement horse or dog or subjects the law enforcement horse or dog to offensive physical contact while the law enforcement horse or dog is in performance of its official duties. Makes interfering with a law enforcement horse or dog a petty misdemeanor. Provides that any person who is convicted of the violation of endangering a law enforcement horse or dog in the 1st or 2nd degrees shall make restitution to the law enforcement agency or officer that owns the horse or dog for any veterinary bills; replacement costs of the animal if it is disabled or killed; lost wages of the law enforcement officer; and any other related costs. -- Provides that a person commits the offense of obstructing government operations if, by using or threatening to use violence, force, or physical interference or obstacle, the person intentionally obstructs, impairs, or hinders the operation of a radio, telephone, television, or other telecommunication system owned or operated by the State or 1 of its political subdivs peace officer with law enforcement officer. -- SB1512 CD1

Committee Reports: SSCR 715 (JDC) HSCR 1221 (JHA) CCR 23

Current Status: May=01 01 Passed Legislature

Section Affected: 710- (5 SECTIONS) OFFENSES AND OTHER PROVISIONS RELATING TO LAW ENFORCEMENT ANIMALS, 701-118, 710-1010

SB1535 SD2 HD1 CD1 (CCR 125)

RELATING TO HAWAII COMMISSION FOR NATIONAL AND COMMUNITY SERVICE.

Introduced by: Matsuura D

Establishes the Hawaii commission for national and community service law. Establishes the commission within the department of labor and industrial relations to encourage community service and volunteer participation as a means of community and state problem solving, to promote and support voluntary citizen involvement in government and private programs throughout the State, to develop a long term, comprehensive vision and plan for action for community service initiatives in Hawaii, and to serve as the State's liaison to national and state organizations which support

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its mission. Transfers all functions and personnel of the commission for national and community service established by Executive Order 94-01 to this commission. Appropriation for administrative match to secure additional federal funds. (\$\$) -- SB1535 CD1

Committee Reports: SSCR 157 (HHS) SSCR 673 (WAM) HSCR 883 (HLT/ HSH/ HSCR 1066 (EDN/ HED/) HSCR 1367 (FIN) CCR 125

Current Status: May-01 01 Passed Legislature

Section Affected: (9 SECTIONS) HAWAII COMMISSION FOR NATIONAL AND COMMUNITY SERVICE

SB1550 SD2 HD1 CD1 (CCR 31)

RELATING TO INSURANCE.

Introduced by: Menor R (BR)

Establishes privacy of consumer financial information provisions to govern the treatment of nonpublic personal financial information about individuals by all insurance licensees. -- SB1550 CD1

Committee Reports: SSCR 314 (CPH) SSCR 900 (JDC) HSCR 1299 (CPC/ JHA/ CCR 31

Current Status: May=01 01 Passed Legislature

Section Affected: 431: - (18 SECTIONS) PRIVACY OF CONSUMER FINANCIAL INFORMATION

SB1561 SD1 HD2 CD1 (CCR 133)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS.

Introduced by: Bunda R

Authorizes the issuance of special purpose revenue bonds to assist Central Kauai Sanitary Landfill, LLC, a Hawaii corporation, in planning, designing, and constructing a private landfill on the island of Kauai. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB1561 CD1

Committee Reports: SSCR 234 (WLE) SSCR 678 (WAM) HSCR 1020 (EEP) HSCR 1400 (FIN) CCR 133

Current Status: May-01 01 Passed Legislature

SB1577 SD2 HD2 CD1 (CCR 121)

RELATING TO SCHOOL FACILITIES.

Introduced by: Sakamoto N, Bunda R, Fukunaga C, Kim D, Hanabusa C, Menor R, English J, Chumbley A, Kanno B, Hogue B, Tam R, Chun J, Slom S, Inouye L, Ihara L

Establishes the state educational facilities repairs and maintenance account under AGS 807 (physical plant operations and maintenance) into which shall be deposited appropriations from the legislature and which shall be used to eliminate the backlog of school repair and maintenance projects existing on June 30, 2000. Requires the department of education with the assistance of the department of accounting and general services to establish specific vision plans for each school complex. Exempts expenditures less than 100,000 dollars from the procurement code. Requires the comptroller to develop a strategy for the efficient and cost effective use of government and private sector workforces and consider increased flexibility through public private partnering, design build options, cost plus, job order contracts, performance based contracts, request for proposals, and any other means to improve communications and accelerate repairs while preserving the quality of the repairs. -- Establishes the school physical plant operations and maintenance account under AGS 807 (physical plant operations and maintenance)

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into which shall be deposited appropriations from the legislature and which shall be used for school repair and preventive maintenance projects existing after June 30, 2001. Exempts expenditures less than 100,000 dollars from the procurement code. Annual reports to the legislature. -- Requires the department of accounting and general services in consultation with the department of education to prepare a 6 year program and financial plan for school repair and maintenance. -- Requires the department of education to establish full time equivalent business and fiscal officer positions to coordinate physical plant operations and maintenance activities. Allows the department to accept donated repair and maintenance services and materials. Allows the department to enter into agreements with any federal agency to construct, repair, or renovate public schools on military bases and elsewhere in the Statfunds. -- Increases the maximum amount per school in the school level minor repairs and maintenance account. -- Requires the school principal and the business and fiscal officer to consider recommendations made by the school community based management council. -- Authorizes the creation of staff positions funded by the project and assigned to the department of accounting and general services.

Appropriation. (\$\$) -- SB1577 CD1

Committee Reports: SSCR 363 (EDU) SSCR 996 (WAM) HSCR 992 (EDN) HSCR 1322 (FIN) CCR 121

Current Status: May-01 01 Passed Legislature

Section Affected: 36- (2 SECTIONS), 302A- (3 SECTIONS), 302A-1504, 302A-1505

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB0011 HD2 SD2 CD1 (CCR 103) RELATING TO EDUCATION.  
Introduced by: Takai K, Ito K, Arakaki D, Schatz B, Lee M, Garcia N, Thielen C, Abinsay F, Leong B, Kahikina M, Morita H  
Establishes an education research and development revolving fund within the department of education into which shall be deposited all revenues from the commercial exploitation of products and services developed by the department. Provides that the fund shall be used to support research and development of innovative curriculum, instructional aids, and related technologies, and the related administrative costs of seeking and maintaining such commercialization and shall be expended by the superintendent of education. Annual report to the governor and the legislature. Appropriation. (\$\$) -- HB0011 CD1  
Committee Reports: HSCR 302 (EDN) HSCR 838 (FIN) SSCR 1194 (EDU) SSCR 1340 (WAM) CCR 103  
Current Status: May-02 01 Received by the Governor  
Section Affected: 302A- (1 SECTION)
- HB0016 HD2 SD2 CD1 (CCR 58) RELATING TO REAL ESTATE BROKERS AND SALESPERSONS.  
Introduced by: Hiraki K, Ahu Isa L, Takai K  
Establishes provisions relating to time share interest owner referrals. Provides that any owner of a time share interest who is not licensed and provides the name and address of a prospective purchaser or otherwise refers a prospective purchaser to a developer, sales agent, or resale agent of the time share plan shall be exempt from licensing requirements of real estate brokers and salespersons provided that any fee paid to the owner shall consist of and not exceed 1,000 dollars per project during any 12 month calendar period; the owner shall be limited to providing the name and address of the prospective purchaser and the owner shall not advertise or promote the time share plan or the referral provided to developers, sales agents, or resale agents; and the developer, sales agent, or resale agent shall provide the owner who received a referral fee with a written receipt that identifies and provides the value of the compensation given. Adds that nothing shall be construed to prohibit or prevent a developer, sales agent, or resale agent from entering into a transaction with a time share interest owner. -- HB0016 CD1  
Committee Reports: HSCR 75 (TAC) HSCR 714 (CPC) SSCR 1144 (TIA) SSCR 1488 (CPH) CCR 58  
Current Status: May-02 01 Received by the Governor  
Section Affected: 514E- (1 SECTION)
- HB0022 HD2 (HSCR 717) RELATING TO TIME SHARING PLANS.  
Introduced by: Hiraki K, Ahu Isa L, Chang J, Takai K  
Amends provision relating to time share by redefining acquisition agent as any person, other than a developer or sales agent, who for compensation, solicits or encourages others to attend a time share sales presentation or to contact a time share sales agent or developer; provided that this term shall not include individuals who perform the stated activities and are employed by or in contract with a real estate broker who is licensed or an acquisition agent. Amends provisions relating to licensing of sales agents and acquisition agents. Provides that the director of commerce and consumer affairs shall adopt rules limiting the activities of and governing sales agents and acquisitions agents, regardless of whether such persons are licensed as real estate brokers and salespersons. Further provides that if the real estate broker's license, of an acquisition agent or sales agent is forfeited, suspended, revoked, terminated, or placed on inactive status, the acquisition agent or sales agent shall not act as an acquisition agent or sales agent. -- HB0022 HD2  
Committee Reports: HSCR 56 (TAC) HSCR 717 (CPC) SSCR 1148 (TIA) SSCR 1407 (CPH)  
Current Status: Apr-12 01 Received by the Governor  
Apr-25 01 Approved by Governor (Act 17 2001)  
Section Affected: 514E-1, 514E-2.5

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

HB0023 HD2 (HSCR 718)

RELATING TO DECEPTIVE TRADE PRACTICES FOR TIME SHARE PLANS.

Introduced by: Hiraki K, Ahu Isa L, Chang J, Takai K

Amends provision relating to deceptive trade practices within time sharing law. Requires a disclosure to include above the signature line of any sales contract or, if no sales contract is used, above the signature line of any agreement with the purchaser, that any purchaser has a 7 day right of rescission of any time sharing sales contract. Further requires a disclosure that the product or activity involves time share in promotional literature and other written material. Authorizes the director of commerce and consumer affairs to prescribe the nature of the disclosure.

-- HB0023 HD2

Committee Reports: HSCR 42 (TAC) HSCR 718 (CPC/ JHA/) SSCR 1160 (TIA/ CPH/) SSCR 1480 (JDC)

Current Status: Apr-12 01 Received by the Governor  
Apr-25 01 Approved by Governor (Act 18 2001)

Section Affected: 514E-11.1

HB0077 HD1 SD1 CD1 (CCR 64)

RELATING TO THE WOMEN IN MILITARY SERVICE FOR AMERICA MEMORIAL.

Introduced by: Lee M, Morita H, Thielen C, Leong B, Jaffe M, Ahu Isa L, Davis R, Marumoto B, Meyer C, Auwae E, Luke S, Espero W, Hale H, Takai K, Arakaki D, Yoshinaga T, Case E, Oshiro M

Appropriation to the department of defense for the state of Hawaii to make a donation on behalf of the women in military service for America memorial in Arlington National Cemetery. (\$\$) -- HB0077 CD1

Committee Reports: HSCR 8 (PSM) HSCR 868 (FIN) SSCR 1108 (TMG) SSCR 1464 (WAM) CCR 64

Current Status: May-02 01 Received by the Governor

HB0079 HD1 SD1 (SSCR 1409)

RELATING TO REAL PROPERTY DISCLOSURES.

Introduced by: Hiraki K, Chang J, Suzuki N, Leong B, Ahu Isa L, Marumoto B

Amends provisions relating to mandatory seller disclosures in real estate transactions. Redefines disclosure statement to mean a written statement prepared by the seller or at the seller's direction, that purports to fully and accurately disclose all material facts relating to the residential real property being offered for sale that are required to be disclosed. Repeals the exemption of absentee owners from disclosure. Adds that except for the disclosures that are required, no seller shall have any duty to examine any public records when preparing a disclosure statement. Amends the definition of material fact to mean any fact, defect, or condition, past or present, that reasonably would be expected to measurably affect the value to a reasonable person of the residential real property being offered for sale. -- Provides that a buyer who receives a disclosure statement that fails to disclose a material fact which directly, substantially, and adversely affects the value of the residential real property, may rescind the real estate contract within 15 calendar days of the discovery of the failure or inaccuracy or the receipt of the amended disclosure statement. -- Requires a seller's agent who becomes aware of any material facts inconsistent to the disclosure statement to disclose these facts to the seller, buyer and the buyer's agent. Adds that if information in a disclosure statement directly, substantially, and adversely affects the value of the residential real property, the seller shall provide an amended disclosure statement to the buyer disclosing the material fact within 10 calendar days after the seller's discovery of such information, and in any event, no later than 12 noon of the last business day prior to the recorded sale of the real property. -- Provides that the buyer's right to rescind the real estate purchase contract under this provision shall not apply if the sale of the residential real property has been recorded; provided that the buyer may pursue all additional remedies pro Repeals provisions relating to absentee owners and disclosure. -- HB0079 SD1

Committee Reports: HSCR 543 (CPC) SSCR 1409 (CPH)

Current Status: Apr-30 01 Received by the Governor

Section Affected: 508D-1, 508D-3, 508D-6, 508D-7, 508D-9, 508D-11,

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

508D-13, 508D-14, 508D-15, 508D-10

- HB0094 HD1 SD1 CD1 (CCR 156) RELATING TO PARENT-COMMUNITY NETWORKING CENTER PROGRAMS.  
Introduced by: Arakaki D, Takai K, Ito K, Leong B, Morita H, Thielen C, Kahikina M, Oshiro M  
Appropriation to the department of education for 45 schools currently funded, for 46 schools that currently do not receive funds, for the establishment of new PCNC (parent community networking center) sites and programs, and for the development of existing PCNC sites and programs. (\$\$) -- HB0094 CD1  
Committee Reports: HSCR 137 (EDN) HSCR 578 (FIN) SSCR 1172 (EDU) SSCR 1342 (WAM) CCR 156  
Current Status: May-02 01 Received by the Governor
- HB0118 HD3 SD2 CD1 (CCR 52) RELATING TO FAMILY CHILD CARE.  
Introduced by: Takai K, Arakaki D  
Amends provisions relating to the family child care homes. Requires any family child care home existing on July 2, 2001, to notify the association within 60 days of July 2, 2001 of its intent to commence operation as a family child care home, if the home has not previously done so. Adds that the notification does not need to be notarized. Provides that the family child care operator shall be responsible for physical modifications to the premises, both within the unit and in the common areas that are readily achievable, which would allow for the full participation of a child or parent with a physical disability. Adds that if modifications or improvements are required, the operator of the family child care home shall pay for any such modification. Defines readily achievable to mean easily accomplishable and able to be carried out without much difficulty or expense. Provides that the family child care home authorized shall be subject to the declaration, by laws, house rules, and any amendments pertaining to the condominium project or planned community; provided that any declaration, by law, or house rule provision prohibiting or limiting the use of the apartment unit for family child care purposes shall be invalid. Prohibits the liability insurance to exceed 1 million dollars in coverage per provider of child care services. -- Amends Act 242, session laws of 1999, by extending the repeal date to June 30, 2005 (sunset). -- HB0118 CD1  
Committee Reports: HSCR 119 (HSH) HSCR 467 (CPC) HSCR 841 (FIN) SSCR 1103 (HHS) SSCR 1491 (CPH) CCR 52  
Current Status: May-02 01 Received by the Governor  
Section Affected: 502C-2, ACT 242 1999
- HB0123 HD1 SD1 CD1 (CCR 67) RELATING TO SPEEDING.  
Introduced by: Takai K, Arakaki D, Ito K, Thielen C, Kahikina M, Meyer C, Leong B, Ahu Isa L, Espero W, Morita H  
Prohibits a person from driving a motor vehicle at a speed greater than the maximum speed limit established for a school zone or a construction area. Requires the director of transportation to place official signs in school zones. Provides penalties. -- HB0123 CD1  
Committee Reports: HSCR 524 (TRN) HSCR 725 (JHA) SSCR 1109 (TMG) SSCR 1481 (JDC) CCR 67  
Current Status: May-02 01 Received by the Governor  
Section Affected: 291C-104
- HB0135 HD2 SD1 CD1 (CCR 68) RELATING TO CHILD PASSENGER SAFETY.  
Introduced by: Souki J  
Amends child passenger restraint provisions (car seat) by providing that a child 4 years of age or older but less than 8 years of age and under 80 pounds must be restrained in a child safety seat or booster seat. Provides that children over 60 pounds will be exempt from the booster seat requirement when traveling in a motor vehicle equipped only with lap belts in the rear seat, without shoulder straps. -- HB0135 CD1



## HOUSE BILLS WHICH PASSED THE LEGISLATURE

Committee Reports: HSCR 15 (TRN) HSCR 778 (JHA) SSCR 1152 (TMG) SSCR 1551 (JDC) CCR 68  
Current Status: May-02 01 Received by the Governor  
Section Affected: 291-11.5, 291-11.6

HB0143 HD1 (HSCR 214)

RELATING TO THE LEGISLATURE.

Introduced by: Souki J

Amends provision relating to the allowance for travel expenses for legislative members. Establishes that members of the legislature traveling on official legislative business within the State, required to remain away from the island of the member's legal residence shall receive an allowance of 2/3 of the general services administration rate for Hawaii. Provides that the per diem allowance for out of state travel shall be equal to the maximum travel per diem allowance set by the general services administration for travel in the continental US, pursuant to the Federal Travel Regulation and the per diem allowance for foreign travel shall be equal to the maximum travel per diem allowance for foreign areas pursuant to the Department of State Standardized Regulations. -- HB0143 HD1

Committee Reports: HSCR 214 (LMG) HSCR 802 (FIN) SSCR 1265 (TMG) SSCR 1546 (WAM)

Current Status: Apr-30 01 Vetoed

Section Affected: 24-3, 24-4, 24-5

HB0144

RELATING TO KAHO'OLAWE ISLAND RESERVE.

Introduced by: Souki J

Amends provision relating to the Kaho'olawe (Kahoolawe) island reserve commission. Establishes that the commission may solicit and accept grants, donations, and contributions for deposit into the Kaho'olawe rehabilitation trust fund.

Provides that if the trust fund is terminated, all funds shall be transferred to the general fund. Commission to submit an annual report to the legislature. -- HB0144

Committee Reports: HSCR 306 (JHA) HSCR 629 (FIN) SSCR 1165 (HAW/ TMG/) SSCR 1725 (WAM)

Current Status: May-02 01 Received by the Governor

Section Affected: 6K-6, 6K-9.5

HB0152 HD1 SD2 CD1 (CCR 114)

RELATING TO THE JUDICIARY.

Introduced by: Hamakawa E

Amends provisions relating to the expedited sentencing program. Provides that a person who has committed intra family sexual assault may be considered for the expedited sentencing program, if the victim of the offense is related to the defendant by consanguinity or marriage, or resides in the same dwelling unit as the defendant, and the victim was, at the time of the sexual assault, under the age of 18. Changes alleged offender to defendant. Adds that the notice provision shall not be a prerequisite to questioning the defendant, and shall not obligate the prosecuting authority to issue a statement of no objection when considering the defendant for the program. Repeals the requirement of the prosecuting authority to report to the children's advocacy center. -- Amends Act 316, session laws of 1993, as amended by Act 157, session laws of 1995, by repealing the sunset date. -- Appropriation to the judiciary to support domestic violence programs. (\$\$) -- HB0152 CD1

Committee Reports: HSCR 546 (JHA) SSCR 1137 (JDC) SSCR 1453 (WAM) CCR 114

Current Status: May-02 01 Received by the Governor

Section Affected: 706-606.3, ACT 316 1993, ACT 157 1995

HB0159 HD1 SD1 (SSCR 1212)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Hamakawa E

Amends Act 315, session laws of 1997, to repeal the provision that prohibits general funds to be appropriated to fund the continuation of the Hawaiian language college at the university of Hawaii at Hilo if initial funds are deemed inadequate or become

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

unavailable. -- HB0159 SD1

Committee Reports: HSCR 60 (HED) HSCR 651 (FIN) SSCR 1212 (HAW/ EDU/ SSCR 1344 (WAM)

Current Status: May-03 01 Received by the Governor

Section Affected: ACT 315 1997

HB0160 HD1 SD1 CD1 (CCR 108)

RELATING TO FRAUDULENT CLAIMS.

Introduced by: Saiki S

Establishes provision relating to qui tam actions or recovery of false claims to the counties. Provides that a person who knowingly presents or causes to be presented to an officer or employee of the county a false claim for payment or approval; knowingly makes, uses, or causes to be made or used a false record or statement to get a false claim paid or approved by the county; conspires to defraud the county by getting a false claim allowed or paid; has control of property or money used by the county and, intending to defraud the county or wilfully to conceal the property, delivers, less property than the amount for which the person receives a certificate or receipt; is authorized to make or deliver a document certifying receipt of property used by the county and, intending to defraud the county makes or delivers the receipt without completely knowing that the information on the receipt is true; knowingly buys, or receives as a pledge of an obligation or debt, public property from any officer or employee of the county who lawfully may not sell or pledge the property; knowingly makes, uses, or causes to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the county; or is a beneficiary of an inadvertent submission of a false claim to a county, who subsequently discovers the falsity of the claim, and fails to disclose the false claim to the county, shall be liable to the county for a civil penalty of not less than 5,000 dollars and not more than 10,000 dollars plus 3 times the amount of damages which the county sustains due to the act committed by that person. -- Requires the corporation counsel for the county to investigate violations. Authorizes the county corporation counsel or county attorney to bring civil action. -- Requires action for false claims to the county to be brought within 6 years after the false claim is discovered. -- Establishes rights of parties to qui tam actions and awards. -- Provides that no courtsdiction over an action under this provision unless the action is brought by a county corporation counsel or county attorney or the person bringing the action is an original source of the information. -- Provides that the county shall not be liable for expenses or fees that a person incurs in bringing an action under this part and shall not elect to pay those expenses or fees. -- HB0160 CD1

Committee Reports: HSCR 279 (JHA) HSCR 580 (FIN) SSCR 1169 (TIA/ JDC/ SSCR 1456 (WAM) CCR 108

Current Status: May-02 01 Received by the Governor

Section Affected: 46- (9 SECTIONS) QUI TAM ACTIONS OR RECOVERY OF FALSE CLAIMS TO THE COUNTIES

HB0161 HD2 SD2 CD1 (CCR 76)

RELATING TO CRIMINAL HISTORY RECORD CHECKS.

Introduced by: Saiki S

Establishes a temporary criminal history record check working group within the department of the attorney general. Adds that the working group shall review existing laws governing access and use of criminal history record information, laws authorizing criminal history record checks for noncriminal justice purposes of employment and licensing, and other criminal history record check issues. Provides criteria. Report to the legislature. Requires the legislative reference bureau to provide technical assistance to the working group on legislative drafting and assist in drafting any legislation proposed by the working group. Provides that the working group shall cease to exist on June 30, 2003 (sunset). -- HB0161 CD1

Committee Reports: HSCR 415 (JHA) HSCR 736 (FIN) SSCR 1242 (LBR/ TMG/ JDC/) SSCR 1530 (WAM) CCR 76

Current Status: May-02 01 Received by the Governor

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB0168 HD1 SD2 CD1 (CCR 118) RELATING TO ELECTIONS.  
Introduced by: Say C, Luke S, Oshiro M, Schatz B, Magaoay M, Arakaki D, Cabrerros B, Ito K, Espero W, Case E, Ahu Isa L, Lee M, Suzuki N, Garcia N, Hiraki K, Hale H, Nakasone B, Takai K, Yoshinaga T, Kawakami B, Oshiro B, Saiki S, Abinsay F, Morita H, Hamakawa E, Kanoho E, Chang J, Yonamine N, Takumi R  
Establishes the elections review task force placed in the office of the lieutenant governor to consider the adequacy of the law with respect to vote tabulation and contest procedures, and the feasibility of implementing an automatic recount and improved contest procedure. Report to legislature. Task force to dissolve upon adjournment of the regular session of 2002 (sunset). Appropriation to the office of elections. (\$\$) -- HB0168 CD1  
Committee Reports: HSCR 188 (JHA) HSCR 581 (FIN) SSCR 1170 (JDC) SSCR 1544 (WAM) CCR 118  
Current Status: May-02 01 Received by the Governor
- HB0173 HD2 SD2 CD1 (CCR 169) RELATING TO RENEWABLE ENERGY RESOURCES.  
Introduced by: Say C, Luke S, Oshiro M, Arakaki D, Magaoay M, Hamakawa E, Kawakami B, Lee M, Oshiro B, Abinsay F, Chang J, Suzuki N, Garcia N, Hale H, Takai K, Espero W, Kahikina M, Cabrerros B, Morita H, Schatz B, Yoshinaga T, Case E  
Requires each qualified electric utility company which sells electricity for consumption to implement a 7 per cent renewables portfolio standard effective December 31, 2003, which shall be increased to 9 per cent by December 31, 2010. Defines renewables portfolio standard as the percentage of electric power consumed in Hawaii that must be derived from renewable energy. Requires each qualified electric utility company which fails to reach the renewables portfolio standard to submit a report to the public utilities commission, the consumer advocate, and the department of business, economic development, and tourism. Requires the department to submit a report to the commission and the consumer advocate on whether the company's reasons are reasonable. Allows the commission to impose administrative penalties on a company for not achieving the standards. Allows the commission to grant a waiver or an extension for meeting the standard. -- Repeals and replaces net energy metering provisions. Requires every electric service provider to develop a standard contract or tariff providing for net energy metering and make the contract available to eligible customer generators. -- HB0173 CD1  
Committee Reports: HSCR 460 (EEP) HSCR 734 (CPC/ JHA) SSCR 1180 (WLE) SSCR 1563 (CPH) CCR 169  
Current Status: May-02 01 Received by the Governor  
Section Affected: 269- (11 SECTIONS) NET ENERGY METERING, 269-1, 269-16.21
- HB0175 HD2 SD2 CD1 (CCR 107) RELATING TO TAXATION.  
Introduced by: Say C, Luke S, Oshiro M, Arakaki D, Magaoay M, Schatz B, Cabrerros B, Hamakawa E, Case E, Abinsay F, Kanoho E, Hale H, Chang J, Yonamine N, Suzuki N, Garcia N, Hiraki K, Takai K, Yoshinaga T, Ahu Isa L, Kawakami B, Ito K, Lee M, Espero W, Oshiro B, Saiki S, Kahikina M, Morita H  
Provides a technology infrastructure renovation and construction income tax credit for taxable years beginning December 31, 2000, to December 31, 2005 (sunset). -- Provides a general excise tax exemption and a public utilities tax exemption for amounts received by a public internet data center after June 30, 2001, to December 31, 2005 (sunset). -- Provides a general excise tax exemption for the sale of a net operating loss derived by a qualified high technology business. Repealed on December 31, 2005 (sunset).-- Provides that section 165 (with respect to losses) of the Federal Internal Revenue Code shall be operative for income tax purposes and shall apply to losses sustained from the sale of stock issued through stock options or warrants granted by a qualified high technology business. -- Provides that section 265 (with respect to expenses and interest relating to tax exempt income) of the

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

Federal Internal Revenue Code shall be operative for income tax purposes but shall not apply to expenses for royalties derived from patents, copyrights, or trade secrets from a qualified high technology business. -- Amends income tax deduction provisions for royalties derived from patents, copyrights, or trade secrets to include performing arts products and amends qualified high technology research. Redefines qualified research to include sensor and optic technologies, ocean sciences, astronomy, and nonfossil fuel energy related technology. -- Amends the income tax exemption of stock options from qualified high technology businesses to be an exclusion. -- Amends the high technology business investment income tax credit and the income tax credit for increasing research activities. -- Allows each partner, member, or shareholder of a partnership, limited liability partnership, limited liability company classified as partnerships, and S corporations to sell its share of the entity's total net operating loss. -- Amends the general excise tax exemption to redefine services to include the use of computer software animation technology services, and database management. -- HB0175 CD1

Committee Reports: HSCR 528 (EDB) HSCR 840 (FIN) SSCR 1223 (EDT) SSCR 1521 (WAM) CCR 107

Current Status: May-02 01 Received by the Governor

Section Affected: 235- (1 SECTION), 237- (2 SECTIONS), 239- (1 SECTION), 235-2.4, 235-2.45, 235-7.3, 235-9.5, 235-110.9, 235-110.91, 235-111.5, 237-23.5

HB0186 SD1 CD1 (CCR 111)

RELATING TO THE PUBLIC LAND TRUST.

Introduced by: Kanoho E

Appropriation to the auditor for the purposes of Act 125, session laws of 2000, relating to the public land trust information system. Requires matching funds paid to the auditor by the office of Hawaiian affairs. (\$\$) -- HB0186 CD1

Committee Reports: HSCR 83 (WLU/ LMG/) HSCR 636 (FIN) SSCR 1069 (HAW) SSCR 1358 (WAM) CCR 111

Current Status: May-02 01 Received by the Governor

Section Affected: ACT 125 2000

HB0200 HD1 SD1 CD1 (CCR 151)

RELATING TO THE STATE BUDGET.

Introduced by: Say C (BR)

General Appropriations Act of 2001 (state budget). Appropriations for general operating and capital improvement funds for the support of state government operations over the 2001 - 2003 fiscal biennium. Authorizes the issuance of general obligation bonds. (\$\$) -- HB0200 CD1

Committee Reports: HSCR 872 (FIN) SSCR 1391 (WAM) CCR 151

Current Status: May-01 01 Received by the Governor

Section Affected: ACT 91 1999, ACT 281 2000, ACT 217 1987, ACT 216 1987, ACT 390 1988, ACT 314 1989, ACT 316 1989, ACT 299 1990, ACT 296 1991, ACT 300 1992, ACT 218 1995, ACT 287 1996, ACT 328 1997, ACT 116 1998

HB0201 HD1 SD2 CD1 (CCR 91)

RELATING TO THE PRIVACY OF HEALTH CARE INFORMATION ACT.

Introduced by: Hiraki K

Amends Act 127, session laws of 2000 by repealing provisions relating to disclosure for firearm permit and registration under privacy of health care information law.

Repeals Act 87, session laws of 1999, Act 140, session laws of 2000, and Act 1, 2nd special session of 2000, relating to the privacy of health care information. Amends Act 91, session laws of 2000 by repealing provisions relating to subpoena duces tecum for medical records. -- HB0201 CD1

Committee Reports: HSCR 193 (CPC/ JHA/) SSCR 1016 (HHS) SSCR 1498 (CPH/ JDC/) CCR 91

Current Status: May-02 01 Received by the Governor

Section Affected: ACT 127 2000, ACT 87 1999, ACT 91 2000, ACT 140 2000, ACT 1 2000 2SP

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB0204 HD1 SD1 CD1 (CCR 84) RELATING TO PLANNED COMMUNITY ASSOCIATIONS.  
Introduced by: Hiraki K  
Amends planned community association provisions. Requires any board of directors that uses association funds to distribute proxies that include the election of directors to 1st post notice of its intent to distribute proxies in prominent locations within the project at least 30 days prior to its distribution of proxies. -- HB0204 CD1  
Committee Reports: HSCR 660 (CPC) SSCR 1501 (CPH) CCR 84  
Current Status: May-02 01 Received by the Governor  
Section Affected: 421J-4
- HB0210 HD1 SD2 CD1 (CCR 106) RELATING TO AGRICULTURE.  
Introduced by: Abinsay F, Magaoay M, Ahu Isa L, Cabreros B, Takumi R, Suzuki N, Halford C, Gomes J, Chang J, Davis R  
Appropriation to the department of agriculture for agricultural research and development to be performed by the Hawaii agriculture research center. Requires varying amounts of matching funds under specified conditions. (\$\$) -- HB0210 CD1  
Committee Reports: HSCR 50 (AGR) HSCR 610 (FIN) SSCR 1124 (AGT) SSCR 1366 (WAM) CCR 106  
Current Status: May-02 01 Received by the Governor
- HB0216 HD1 (HSCR 128) RELATING TO HARBORS.  
Introduced by: Kanohe E  
Provides that the department of transportation with the approval of the board of land and natural resources may negotiate a lease for the existing fuel storage facility at Nawiliwili harbor without regard to established limitations of the public lands law. -- HB0216 HD1  
Committee Reports: HSCR 128 (TRN) HSCR 582 (FIN) SSCR 1110 (TMG) SSCR 1547 (WAM)  
Current Status: Apr-12 01 Received by the Governor  
Apr-25 01 Approved by Governor (Act 19 2001)
- HB0236 HD1 SD1 CD1 (CCR 66) RELATING TO SEXUAL ASSAULT.  
Introduced by: Lee M, Oshiro B, Luke S, Morita H, Oshiro M  
Provides that a person commits the offense of sexual assault in the 1st degree if the person knowingly engages in sexual penetration with a person who is at least 14 years old but less than 16 years old. Provides that a person commits the offense of sexual assault in the 3rd degree if the person knowingly engages in sexual contact with a person who is at least 14 years old but less than 16 years old or causes the minor to have sexual contact with the person. Requires the person to be not less than 5 years older than the minor and not legally married to the minor. Provides that the prosecuting attorney of each county shall maintain a record of all cases received and prosecuted for sexual assault in the 1st degree and sexual assault in the 3rd degree between the effective date of this Act and November 30, 2002. Adds that the department of the prosecuting attorney of the city and county of Honolulu shall submit its statistics to the department of the attorney general no later than December 6, 2002. Prosecuting attorney of each county to report to the legislature. Requires the attorney general to convene a task force to engage in a comprehensive review of the effectiveness and impact of this Act. -- Act to be repealed June 30, 2003 (sunset). -- HB0236 CD1  
Committee Reports: HSCR 704 (JHA) SSCR 1189 (HHS) SSCR 1394 (JDC) CCR 66  
Current Status: May-02 01 Received by the Governor  
Section Affected: 707-730, 707-732
- HB0240 HD1 (HSCR 107) RELATING TO CHECK CASHING.  
Introduced by: Lee M, Takai K, Morita H, Oshiro M, Garcia N  
Amends Act 146, session laws of 1999, relating to check cashing, by repealing the

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

June 1, 2001 sunset date. -- HB0240 HD1  
Committee Reports: HSCR 107 (CPC) SSCR 1595 (CPH)  
Current Status: Apr-16 01 Received by the Governor  
Apr-25 01 Approved by Governor (Act 20 2001)  
Section Affected: ACT 146 1999

HB0271 HD1 SD1 CD1 (CCR 85)

RELATING TO MOTOR VEHICLE RENTAL INDUSTRY.  
Introduced by: Hiraki K  
Amends provisions relating to the motor vehicle rental industry that prohibits direct commission for selling collision damage waivers, rather than commission for selling collision damage waivers. Defines direct commission for selling collision damage waivers to mean any compensation, bonus, award, or remuneration, which is calculated by means of a formula, process, evaluation, or other mechanism by which a person is able to calculate the amount of any compensation, bonus, award, or remuneration based directly on the sales of collision damage waivers. Provides that any compensation, commission, bonus, award, or remuneration to an employee on the overall gross receipts of a location shall not be prohibited. Act to be repealed on June 30, 2003 (sunset). -- HB0271 CD1  
Committee Reports: HSCR 661 (CPC) SSCR 1217 (TMG) SSCR 1568 (CPH) CCR 85  
Current Status: May-02 01 Received by the Governor  
Section Affected: 437D-8.5

HB0282 HD2 SD1 (SSCR 1039)

RELATING TO THE STATE COUNCIL ON DEVELOPMENTAL DISABILITIES.  
Introduced by: Arakaki D, Takai K  
Amends provisions relating to developmental disabilities. Changes the term developmentally disabled to individuals with developmental disabilities and the state planning council on developmental disabilities to the state council on developmental disabilities. Provides that an individual from birth to age 9 who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have developmental disability if the individual, without services and support, has a high probability of meeting developmental disability criteria later in life. Requires the state plan for individuals with developmental disabilities to guide the development and delivery of all services to individuals with developmental disabilities. Repeals annual reports to the governor, the legislature, and all concerned department heads. Periodic reports to the US Secretary of Health and Human Services, rather than to the US Secretary of Health, Education, and Welfare. -- HB0282 SD1  
Committee Reports: HSCR 178 (HLT) HSCR 836 (FIN) SSCR 1039 (HHS) SSCR 1345 (WAM)  
Current Status: Apr-30 01 Received by the Governor  
Section Affected: 333E-1, 333E-2, 333E-3, 333E-4, 333E-5

HB0284 HD1 SD2 CD1 (CCR 94)

RELATING TO HEALTH.  
Introduced by: Arakaki D, Takai K, Moses M  
Appropriation to the department of health to hire full time registered nurses within the department of health. Requires each nurse to be assigned to a public school complex, except for 1 unassigned nurse who shall provide for vacation and sick leave coverage of the other registered nurses. Provides that these registered nurses shall also be included as part of the department of education's comprehensive student support system. Appropriation to the department as a grant to the organ donor center of Hawaii. (\$\$) -- HB0284 CD1  
Committee Reports: HSCR 489 (HLT) HSCR 583 (FIN) SSCR 1230 (HHS) SSCR 1346 (WAM) CCR 94  
Current Status: May-02 01 Received by the Governor

HB0369 HD2 SD1 (SSCR 1197)

RELATING TO RECYCLING.  
Introduced by: Morita H  
Authorizes the issuance of special purpose revenue bonds to assist Environmental

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

Recycling Technologies, inc., in the planning, design, construction, and operation of a waste to energy facility at Kapolei, Oahu. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0369 SD1

Committee Reports: HSCR 197 (EEP) HSCR 508 (EEP) HSCR 864 (FIN) SSCR 1197 (WLE) SSCR 1360 (WAM)

Current Status: May-03 01 Received by the Governor

HB0384 HD1 SD1 (SSCR 1173)

RELATING TO THE PENAL CODE.

Introduced by: Hamakawa E

Amends provision relating to use of force by persons with special responsibility for care, discipline, or safety of others. Requires the actor to be a principal, the principal's agent, a teacher, or a person otherwise entrusted with the care or supervision for a special purpose minor, and the actor believes that the force used is necessary to further that special purpose, including maintenance of reasonable discipline in a school, class, other group, or at activities supervised by the department of education held on or off school property and that the use of force is consistent with the welfare of the minor. -- HB0384 SD1

Committee Reports: HSCR 666 (JHA) SSCR 1173 (EDU) SSCR 1400 (JDC)

Current Status: Apr-30 01 Received by the Governor

Section Affected: 703-309

HB0407 HD1 SD1 CD1 (CCR 155)

RELATING TO THE GENERAL EXCISE TAX.

Introduced by: Magaoy M, Luke S, Takumi R, Case E, Ontai G, Ahu Isa L, Arakaki D, Oshiro M, Abinsay F, Suzuki N, Djou C, Davis R, Leong B, Cabrerros B, Chang J, Espero W, Morita H, Hiraki K, Oshiro B, Garcia N, Souki J, Yonamine N

Requires the director of taxation to develop a system to determine when contractors from the US mainland are present in Hawaii to work on federal projects including the starting and anticipated completion dates for these contracts to enforce general excise taxes on these contractors. Requests the US government to provide the information necessary to ascertain the names and work dates of mainland contractors. Allows the director to contract with bonded collection agencies, licensed attorneys, accountants, auditors, or other persons to pursue and collect claims of the State when the mainland contractor who owes delinquent general excise taxes or is subject to other provisions under the tax laws has moved back to the US mainland. Report to the legislature. -- HB0407 CD1

Committee Reports: HSCR 692 (FIN) SSCR 1111 (TMG) SSCR 1558 (WAM) CCR 155

Current Status: May-02 01 Received by the Governor

HB0415 HD2 (HSCR 712)

RELATING TO HARBORS.

Introduced by: Souki J

Amends provision relating to small boat harbors. Provides that notwithstanding limitations on commercial permits for Lahaina and Maalaea small boat harbors, vessels engaging in inter island ferry service between the islands of Maui and Molokai shall be afforded preferential consideration for both ferry landings and commercial purposes. -- HB0415 HD2

Committee Reports: HSCR 114 (TRN) HSCR 712 (CPC) SSCR 1307 (TMG)

Current Status: Apr-06 01 Received by the Governor

Apr-19 01 Approved by Governor (Act 9 2001)

Section Affected: 200-9

HB0429 SD1 CD1 (CCR 96)

MAKING AN APPROPRIATION FOR BLINDNESS SKILL TRAINING.

Introduced by: Ahu Isa L, Arakaki D

Appropriation to the department of human services to match 225,000 dollars in federal funds from the US Department of Education's Rehabilitation Services Administration's Independent Living Services for Older Individuals Who Are Blind grant to fund 4 rehabilitation teacher positions in the department of human services.

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

(\$\$) -- HB0429 CD1

Committee Reports: HSCR 228 (HSH) HSCR 585 (FIN) SSCR 1028 (HHS) SSCR 1465 (WAM) CCR 96

Current Status: May-02 01 Received by the Governor

HB0432 HD2 SD2 CD1 (CCR 161)

MAKING AN APPROPRIATION FOR THE MILLENNIUM WORKFORCE DEVELOPMENT PROGRAM.

Introduced by: Ahu Isa L

Provides that the millennium workforce development training program shall be placed within the department of business, economic development, and tourism, rather than the department of labor and industrial relations. Appropriation. (\$\$) -- HB0432 CD1

Committee Reports: HSCR 479 (EDB) HSCR 859 (FIN) SSCR 1243 (LBR/ EDT/) SSCR 1532 (WAM) CCR 161

Current Status: May=03 01 Passed Legislature

Section Affected: 371-17

HB0444 HD1 (HSCR 204)

RELATING TO BURIAL SITES.

Introduced by: Kanoho E, Hale H

Amends provision relating to the historical preservation program and inadvertent discovery of burial sites. Provides that where the department of land and natural resources determines it to be appropriate, the department may execute the mitigation plan for the landowner, permittee, or developer, upon their request, provided that the landowner, permittee, or developer has solicited bids from at least 2 other prequalified archaeological firms qualified to implement the mitigation plan. Allows the department to charge a fee for execution of the mitigation plan. Also provides that justifiable delays resulting from the discovery of burials shall not count against any contractor's completion date agreement. -- HB0444 HD1

Committee Reports: HSCR 204 (WLU) HSCR 612 (FIN) SSCR 1166 (HAW/ WLE/) SSCR 1726 (WAM)

Current Status: May-02 01 Received by the Governor

Section Affected: 6E-3, 6E-43.6

HB0462 HD1 SD2 CD1 (CCR 115)

RELATING TO THE UNIFORM ARBITRATION ACT.

Introduced by: Hiraki K

Establishes the uniform arbitration Act. Provides that a party to an agreement to arbitrate or to an arbitration proceeding may waive, or the parties may vary the effect of, the requirements of this provision to the extent permitted by law. Requires the court to decide whether an agreement to arbitrate exists or a controversy is subject to an agreement to arbitrate. -- Provides that if the parties to an agreement to arbitrate agree on a method for appointing an arbitrator, that method shall be followed, unless the method fails. Further provides that if the parties have not agreed on a method, the agreed method fails, or an arbitrator appointed fails, the court shall appoint the arbitrator. Provides criteria. -- Provides that the authority conferred upon the arbitrator includes the power to hold conference with the parties to the arbitration proceeding before the hearing and, determine the admissibility, relevance, materiality and weight of any evidence. -- Provides that the arbitrator may award punitive damages or other exemplary relief in a civil action involving the same claim and the evidence produced at the hearing justifies the award under the legal standard otherwise applicable to the claim. -- Provides that a court of this State having jurisdiction over the controversy and the parties may enforce an agreement to arbitrate. -- Provides that the provisions governing the legal effect, validity, and enforceability of electronic records or electronic signatures, and of contracts performed with the use of such records or signatures conform to the requirements of the electronic signatures in the global and national commerce Act. -- Repeals existing arbitration and awards law. -- HB0462 CD1

Committee Reports: HSCR 189 (JHA) HSCR 587 (FIN) SSCR 1248 (JDC) SSCR 1467 (WAM) CCR 115



## HOUSE BILLS WHICH PASSED THE LEGISLATURE

Current Status: May-02 01 Received by the Governor  
Section Affected: (29 SECTIONS) UNIFORM ARBITRATION ACT, 171-100, 514A-125, 92-17, 171-6, 171-17, 182-3, 421H-6, 431:10C-213, 431:10C-213.5, 481I-4, 514A-121, 514A-127, 516-26, 516-66, 516-70, 712A-16, 658-1, 658-2, 658-3, 658-4, 658-5, 658-6, 658-7, 658-8, 658-9, 658-10, 658-11, 658-12, 658-13, 658-14, 658-15

HB0469 HD2 SD1 CD1 (CCR 87)

RELATING TO SCHOOL PERSONNEL.

Introduced by: Ito K, Takai K, Garcia N, Ontai G, Bukoski K, Schatz B, Arakaki D, Kahikina M, Hale H

Requires school principals to meet the department's of education certification requirements and shall have served at least 5 years of appropriate school level experience of which at least 3 years have been as a teacher. Provides that vice principals shall meet the department's certification requirements and shall have appropriate school level experience as determined by the department and on a case by case basis, the department may waive the certification requirements and school level experience for vice principal candidates with appropriate administrative experience. -- HB0469 CD1

Committee Reports: HSCR 446 (EDN/ LAB/) HSCR 860 (FIN) SSCR 1119 (EDU/ LBR/) SSCR 1522 (WAM) CCR 87

Current Status: May-02 01 Received by the Governor  
Section Affected: 302A-605

HB0480 HD1 SD2 CD1 (CCR 104)

MAKING AN APPROPRIATION FOR BUSINESS SPECIALIST POSITIONS.

Introduced by: Kawakami B, Ito K, Morita H, Hale H, Takamine D, Chang J, Souki J, Kanoho E, Hamakawa E, Nakasone B

Appropriation to the department of education for 3 business specialist positions for the districts of Hawaii, Maui, and Kauai. (\$\$) -- HB0480 CD1

Committee Reports: HSCR 305 (EDN) HSCR 588 (FIN) SSCR 1249 (EDU) SSCR 1348 (WAM) CCR 104

Current Status: May-02 01 Received by the Governor

HB0498 HD1 SD1 CD1 (CCR 88)

RELATING TO DOMESTIC VIOLENCE.

Introduced by: Hamakawa E

Amends provisions relating to duties and powers of probation officers; adult probation records. Provides that upon written request, the victim, or the parent or guardian of a minor victim or incapacitated victim, of a defendant who has been placed on probation for an offense restraining orders, temporary restraining orders, violation of order of protection, or abuse of family or household member, may be notified by the defendant's probation officer when the probation officer has any information relating to the safety and welfare of the victim. Provides that a probation officer providing information shall not be subject to civil liability or criminal culpability for any disclosure or non disclosure, if the probation officer acts in good faith and upon reasonable belief. -- HB0498 CD1

Committee Reports: HSCR 558 (JHA) SSCR 1354 (JDC) CCR 88

Current Status: May-02 01 Received by the Governor  
Section Affected: 806-73

HB0503 HD2 SD2 CD1 (CCR 55)

RELATING TO STATE LEASES.

Introduced by: Kanoho E

Amends provision relating to lease restrictions. Provides that the board of land and natural resources, with regard to any agricultural, aquaculture, mariculture, silviculture, livestock, or pasture lease, without public auction, may enter into a lease extension or a new lease with the existing lessee. Provides criteria. Requires that any lease extension or new lease shall be for a period of not less than 10 years and not more than 20 years and shall provide for the payment of rent at the fair market value of the land. Requires the department of land and natural resources and the

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department of agriculture to identify all agricultural leases that expire prior to July 1, 2011, determine the availability of farmlands, ascertain the projected need for agricultural lands, and determine the ability of the State to meet the projected need.

Departments to report to the legislature. -- HB0503 CD1

Committee Reports: HSCR 455 (WLU/ AGR/) HSCR 738 (FIN) SSCR 1157 (AGT/ WLE/) SSCR 1469 (WAM) CCR 55

Current Status: May-02 01 Received by the Governor

Section Affected: 171-36

HB0505 HD1 (HSCR 205)

RELATING TO PUBLIC LANDS.

Introduced by: Kanoho E, Hale H

Amends provision relating to the Ala Wai golf course. Requires any transfer by executive order shall be subject to disapproval by the legislature by 2/3 vote of either the senate or the house of representatives or by the majority vote of both, in any regular or special session next following the date of the transfer. -- HB0505 HD1

Committee Reports: HSCR 205 (WLU) HSCR 630 (FIN) SSCR 1149 (TIA) SSCR 1727 (WAM)

Current Status: May-02 01 Received by the Governor

Section Affected: 46-65.7

HB0508

RELATING TO IRRIGATION PROJECTS.

Introduced by: Say C (BR)

Amends provision relating to the administration of irrigation projects. Provides that the board shall determine and certify on or before June 30, rather than March 31 of each year the amount of acreage assessments necessary in that fiscal year for the acquisition, construction, operation, and maintenance of irrigation facilities for each project. -- HB0508

Committee Reports: HSCR 72 (AGR) HSCR 637 (FIN) SSCR 1126 (AGT) SSCR 1728 (WAM)

Current Status: May-02 01 Received by the Governor

Section Affected: 167-19

HB0509 HD1 (HSCR 706)

RELATING TO MEASUREMENT STANDARDS.

Introduced by: Say C (BR)

Amends provision relating to secondary standards and equipment. Requires the state supply secondary standards and other equipment to be verified by comparison with the state standards; or upon written authorization of the administrator, suitable standards of another laboratory that is recognized or accredited by the national institute of standards and technology as capable of providing traceable measurements at the level of accuracy and precision necessary to verify the secondary standards and equipment. -- HB0509 HD1

Committee Reports: HSCR 73 (AGR) HSCR 706 (CPC) SSCR 1268 (TMG) SSCR 1403 (JDC)

Current Status: Apr-12 01 Received by the Governor

Apr-26 01 Approved by Governor (Act 31 2001)

Section Affected: 486-104

HB0513 HD1 SD2 CD1 (CCR 119)

RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR.

Introduced by: Say C (BR)

Appropriation for the purpose of satisfying claims for legislative relief to persons, firms, corporations, and entities which have claims against the State due to overpayment of taxes, refunds, reimbursements, payments of judgments or settlements, or other liabilities. (\$\$) -- HB0513 CD1

Committee Reports: HSCR 291 (JHA) HSCR 590 (FIN) SSCR 1138 (JDC) SSCR 1545 (WAM) CCR 119

Current Status: May-02 01 Received by the Governor

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB0514 HD1 (HSCR 370) RELATING TO DEPUTY ATTORNEYS GENERAL.  
Introduced by: Say C (BR)  
Amends provision to require the deputy attorney general to perform such duties as the attorney general may require, regardless of the source of funding for their compensation and notwithstanding any law to the contrary, except that the attorney general shall not require the performance of duties that would violate the terms of an applicable funding source or that would be in contravention of a federal requirement, restriction, or condition. -- HB0514 HD1  
Committee Reports: HSCR 370 (JHA) HSCR 613 (FIN) SSCR 1218 (TMG) SSCR 1507 (JDC/ WAM/)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 46 2001)  
Section Affected: 28-8
- HB0518 HD1 (HSCR 571) RELATING TO TOBACCO.  
Introduced by: Say C (BR)  
Amends the sale of export cigarettes to prohibit the sale of cigarettes with a package that bears a cigarette brand name that is a registered US trademark of a participating manufacturer and the package was imported by anyone other than the participating manufacturer of that brand. Establishes a class B felony if a person knowingly affixes any cigarette tax stamp on any package of cigarettes that are prohibited. -- HB0518 HD1  
Committee Reports: HSCR 571 (CPC/ JHA/) SSCR 1104 (HHS) SSCR 1396 (JDC)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 32 2001)  
Section Affected: 245-51, 245-56
- HB0523 RELATING TO THE UNAUTHORIZED PRACTICE OF LAW.  
Introduced by: Say C (BR)  
Amends provision relating to unauthorized practice of law prohibited. Repeals the prohibited authorization of licensing of a corporation to practice law. -- Requires any person in violation of this provision to be guilty of a misdemeanor. -- HB0523  
Committee Reports: HSCR 195 (JHA) SSCR 1355 (JDC)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 47 2001)  
Section Affected: 605-14, 605-17
- HB0524 HD1 (HSCR 555) RELATING TO COMPUTER CRIME.  
Introduced by: Say C (BR)  
Establishes provisions relating to computer fraud in the 1st and 2nd degree; computer damage in the 1st and 2nd degree; use of a computer in the commission of a separate crime; and unauthorized computer access in the 1st, 2nd and 3rd degree. -- Provides that any property used or intended for use in the commission of, attempt to commit, or conspiracy to commit a computer crime, or which facilitated or assisted such activity shall be forfeited. -- Provides that a person who caused, by any means, the access of a computer, computer system, or computer network in 1 jurisdiction from another jurisdiction is deemed to have personally accessed the computer, computer system, or computer network in each jurisdiction. -- Provides that a prosecution for a felony under computer crimes must be commenced within 5 years after it is committed. -- Amends provision relating to extortion to include that a person commits extortion if the person causes damage to a computer, computer system, or computer network. -- Establishes a temporary advisory commission on the computer crimes law within the department of the attorney general. Requires the commission to form a working commission to review the implementation of this Act and determine whether it allows the comprehensive prosecution of computer crimes without inhibiting legitimate computer activities. -- HB0524 HD1  
Committee Reports: HSCR 555 (JHA) SSCR 1076 (CPH) SSCR 1508 (JDC/ WAM/)

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Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 33 2001)  
Section Affected: 708- (10 SECTIONS), 701-108, 707-764, 708-890, 708-891,  
708-892, 708-893

HB0526 HD1 SD1 CD1 (CCR 89)

### RELATING TO CHILD SUPPORT ENFORCEMENT.

Introduced by: Say C (BR)

Amends provision relating to liens. Provides that upon the establishment of the public assistance debt, a lien shall arise on the obligor's real and personal property and the property shall be subject to foreclosure, distraint, seizure and sale, or notice to withhold and deliver. Provides that every order or judgment regarding child support or public assistance debt filed in judicial proceedings shall be recorded in the bureau of conveyances. -- Provides that a recorded order or judgment regarding child support or public assistance debt becomes effective and takes priority from the time it is recorded or the time the child support obligation becomes delinquent, whichever is later. Adds that a statutory lien shall take priority over any unrecorded lien whenever acquired, except tax liens previously acquired. -- Provides criteria for a lien to be enforceable by the child support enforcement agency. Adds that upon service of a notice of child support lien, the individual or entity served shall withhold the amount of the lien from the proceeds of any estate, judgment, settlement, compromise, vacation or holiday pay, or other benefits due the obligor and deliver the funds to the child support enforcement agency. Provides that a notice of child support lien shall remain in effect until satisfied, extinguished or released. -- Requires any person or entity failing to satisfy a child support lien although able to do so, shall be personally liable to the child support enforcement agency or the obligee for the full amount of all sums required to be withheld and delivered. -- Includes video or audio to be used to voluntarily acknowledgment of paternity form. -- HB0526 CD1

Committee Reports: HSCR 253 (JHA) SSCR 1553 (JDC) CCR 89

Current Status: May-02 01 Received by the Governor

Section Affected: 576D-10.5, 576D-13, 576D-14, 576D-15, 576E-4, 576E-13,  
584-3.5

HB0527 HD1 (HSCR 108)

### RELATING TO INTERSTATE FAMILY SUPPORT.

Introduced by: Say C (BR)

Amends provisions relating to the uniform interstate family support Act. Provides that the definition of registering tribunal shall mean a tribunal of the State in which a support order is registered. Adds that service of the notice of a hearing regarding the validity or enforcement of the registered order, shall be satisfied by regular mail to the party's last known address. -- HB0527 HD1

Committee Reports: HSCR 108 (JHA) SSCR 1041 (HHS) SSCR 1351 (JDC)

Current Status: Apr-12 01 Received by the Governor

Apr-26 01 Approved by Governor (Act 48 2001)

Section Affected: 576B-101, 576B-606

HB0531 SD1 (SSCR 1356)

### RELATING TO NONCONSENSUAL COMMON LAW LIENS.

Introduced by: Say C (BR)

Amends provisions relating to liens against public officers and employees by changing it to requirement of certified court order. Prohibits any claim of nonconsensual common law lien against a private party in interest unless accompanied by a certified order from a state or federal court of competent jurisdiction authorizing the filing of nonconsensual common law lien. -- Amends provision relating to filing a notice of invalid lien. Provides that if a claim of lien not in conformity with nonconsensual common law liens has been accepted for filing, the registrar shall accept for filing a notice of invalid lien signed and submitted by the party in interest. -- HB0531 SD1

Committee Reports: HSCR 90 (WLU) HSCR 658 (JHA) SSCR 1356 (JDC)

Current Status: May-03 01 Passed Legislature

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

Section Affected: 507D-5, 507D-6

HB0533 HD2 SD1 CD1 (CCR 113)

RELATING TO ANTITRUST.

Introduced by: Say C (BR)

Establishes the antitrust trust fund to be administered by the department of the attorney general, and to be used for expenditures relating to the enforcement of antitrust laws. Provides that 10 per cent of any antitrust judgment or settlement received by the State except where the deposit is inconsistent with the court order or settlement agreement relating to the amount; and appropriations made by the legislature, shall be deposited into the fund. Department to report to the legislature.

Requires the department to deposit not more than 150,000 dollars for fiscal year 2000 - 2001 to the credit of the trust fund. -- HB0533 CD1

Committee Reports: HSCR 276 (CPC/ JHA) HSCR 867 (FIN) SSCR 1050 (JDC)  
SSCR 1158 (CPH) SSCR 1470 (WAM) CCR 113

Current Status: May-02 01 Received by the Governor

Section Affected: 28- (1 SECTION)

HB0538 HD2 SD2 (SSCR 1509)

RELATING TO COASTAL ZONE MANAGEMENT.

Introduced by: Say C (BR)

Amends provisions relating to land use. Provides that the objective for marine resources is to promote the protection, use, and development of marine and coastal resources to assure their sustainability. Includes among the policies for coastal ecosystems, to exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources and to maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures. Establishes as the policies for public participation, to promote public involvement in coastal zone management process, and to minimize interference with natural shoreline processes for beach protection policy. Establishes that the lead agency shall maintain a public advisory body to identify coastal management problems and to provide policy advice and assistance to the lead agency. Provides that the public advisory body rather than the marine and coastal zone management advisory group shall provide advice to the lead agency and shall evaluate the state coastal management program; advocate for the program to the public and the executive and legislative branches of government; and advocate, provide for, and act upon citizen input. Requires the lead agency to file notice of special management area minor permits to be published in the available issue of the periodic bulletin of the office of environmental quality control. Establishes penalties. -- HB0538 SD2

Committee Reports: HSCR 280 (WLU) HSCR 774 (JHA) SSCR 1168 (WLE) SSCR 1509 (JDC)

Current Status: May-03 01 Passed Legislature

Section Affected: 205A-1, 205A-2, 205A-3, 205A-3.5, 205A-22, 205A-30, 205A-32

HB0539 HD1 SD1 (SSCR 1497)

RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.

Introduced by: Say C (BR)

Establishes that the housing and community development corporation of Hawaii may establish a resident advisory board which shall be comprised of federal public housing residents or section 8 tenant based housing assistance recipients, to assist and make recommendations to the corporation regarding the development of the public housing agency plan and significant amendments or modifications to it. Provides board nomination procedure and requirements. -- HB0539 SD1

Committee Reports: HSCR 345 (HSH) HSCR 638 (FIN) SSCR 1153 (TMG) SSCR 1497 (CPH)

Current Status: May-03 01 Received by the Governor

Section Affected: 201G- (2 SECTIONS)

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB0540 HD1 (HSCR 95) RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.  
Introduced by: Say C (BR)  
Amends provision relating to the housing and community development corporation. Requires that at least 1 of the public members of the board be a person who is directly assisted by the corporation under the federal low rent public housing or federal section 8 tenant based housing assistance payments program while serving on the board. -- HB0540 HD1  
Committee Reports: HSCR 95 (HSH) HSCR 591 (FIN) SSCR 1077 (CPH) SSCR 1729 (WAM)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 201G-3
- HB0543 SD2 (SSCR 1208) RELATING TO HOMELESS PROGRAMS.  
Introduced by: Say C (BR)  
Provides that the housing and community development corporation shall require any provider agency that dispensed shelter or assistance for any homeless facility or any other program for the homeless to submit to the corporation an annual financial audit and report conducted by a certified public accounting firm on the funds received from state homeless programs contracts. Repeals the requirement that copies of the audit shall be submitted to the director of finance, the president of the senate, and the speaker of the house of representatives. -- HB0543 SD2  
Committee Reports: HSCR 230 (HSH) HSCR 639 (FIN) SSCR 1042 (HHS) SSCR 1208 (CPH) SSCR 1371 (WAM)  
Current Status: Apr-30 01 Received by the Governor  
Section Affected: 201G-461
- HB0544 HD1 (HSCR 847) RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.  
Introduced by: Say C (BR)  
Amends provision relating to the housing and community development corporation. Establishes that for a period of 3 rather than 10 years after the purchase, if the purchaser wishes to transfer title to the real property, the corporation shall have the 1st option to purchase the real property with price restrictions. -- HB0544 HD1  
Committee Reports: HSCR 43 (HSH) HSCR 847 (FIN) SSCR 1079 (CPH) SSCR 1730 (WAM)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 201G-127, 201G-129
- HB0545 RELATING TO THE RENTAL HOUSING TRUST FUND.  
Introduced by: Say C (BR)  
Appropriation to the housing and community development corporation of Hawaii to carry out the purposes of the rental housing trust fund. (\$\$) -- HB0545  
Committee Reports: HSCR 44 (HSH) HSCR 592 (FIN) SSCR 1080 (CPH) SSCR 1731 (WAM)  
Current Status: May-03 01 Received by the Governor
- HB0550 SD1 (SSCR 1410) RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.  
Introduced by: Say C (BR)  
Establishes that the housing and community development corporation of Hawaii is authorized to establish the affordable housing requirements for the undeveloped parcels in the villages of Kapolei, Oahu; villages of Leialii (Leialii), Maui; and villages of La'i'opua (Laiopua), Hawaii by agreement with the respective counties. -- HB0550 SD1  
Committee Reports: HSCR 122 (HSH) HSCR 615 (FIN) SSCR 1410 (CPH)  
Current Status: Apr-30 01 Received by the Governor

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

HB0564 HD2 (HSCR 742)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Say C (BR)

Changes eligibility for retirement allowance to service retirement. Repeals the term normal in regards to retirement and retirement allowance. Provides that if a member has at least 25 years of credited service as a sewer worker or as a water safety officer of which the last 5 or more years prior to retirement is credited in such a capacity, then the sewer worker or water safety officer shall be eligible to receive a retirement benefit unreduced for age after the member has terminated service. Adds that a member who has 20 years of credited service and has attained age 55 shall be eligible to receive early retirement allowance reduced for age after the member has terminated service. -- Provides that upon retirement from service, a member shall receive a retirement allowance if the person has met the eligibility retirement requirements; a maximum retirement allowance of 1 1/4 per cent of the average final compensation multiplied by the number of years of credited service; or if the member has met the requirement, an early retirement allowance equal to the maximum retirement allowance reduced by 1/2 per cent for each month the member is less than age 62 at retirement. -- Provides that in lieu of the maximum retirement allowance, a member may elect to receive the member's retirement allowance, which shall be actuarially equivalent to the maximum retirement allowance. -- Provides that a member who is determined to be permanently incapacitated for the further performance of duty and eligible to receive an ordinary disability retirement allowance, or a member who would be eligible to receive a service connected disability retirement allowance, shall receive a maximum retirement allowance of 1 1/4 per cent of the average final compensation multiplied by the number of years of credited service. -- HB0564 HD2

Committee Reports: HSCR 358 (LAB) HSCR 742 (FIN) SSCR 1033 (LBR) SSCR 1732 (WAM)

Current Status: May-02 01 Received by the Governor

Section Affected: 88-281, 88-282, 88-283, 88-284, 88-285, 88-286

HB0565 HD1 (HSCR 743)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Say C (BR)

Establishes that any retiree or beneficiary whose benefit commences after June 30, 2001 shall designate a financial institution account into which the employees' retirement system shall be authorized to deposit their semimonthly retirement benefit. Provides that the method of payment may be waived if another method is determined by the system to be more appropriate. -- HB0565 HD1

Committee Reports: HSCR 357 (LAB) HSCR 743 (FIN) SSCR 1049 (LBR) SSCR 1733 (WAM)

Current Status: May-02 01 Received by the Governor

Section Affected: 88-6

HB0567

RELATING TO UNCLAIMED PROPERTY.

Introduced by: Say C (BR)

Amends provision relating to escheat process in regards to unclaimed property. Provides that any property in custody of the State, including unclaimed property shall escheat to the State, except sums payable on unpaid debt service payments on Hawaii state and county bonds. -- HB0567

Committee Reports: HSCR 676 (FIN) SSCR 1723 (WAM)

Current Status: May-02 01 Received by the Governor

Section Affected: 523A-3.5

HB0576 HD2 SD1 (SSCR 1035)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Say C (BR)

Amends provision relating to determination of employer normal cost and accrued liability contributions, providing that actuarial valuations made for years after June 30, 1999 shall be based on an 8 per cent investment yield rate, including assumed salary increases of 4 per cent. Repeals actuarial valuation to be based on variable

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salary growth assumption rate. -- HB0576 SD1  
Committee Reports: HSCR 359 (LAB) HSCR 745 (FIN) SSCR 1035 (LBR) SSCR  
1384 (WAM)  
Current Status: May-03 01 Passed Legislature  
Section Affected: 88-122

HB0583 HD1 SD2 CD1 (CCR 79)

RELATING TO THE CODE OF FINANCIAL INSTITUTIONS.

Introduced by: Say C (BR)

Amends the code of financial institutions. Allows an application to be approved by the commissioner of financial institutions without investigation, notice, comment, or hearing if the commissioner determines it to be an emergency arising from the insolvency of an existing institution or to prevent the failure of an existing institution. -- Authorizes the commissioner to summon persons and subpoena witnesses, compel their attendance, administer oaths and examine any person under oath, and require the production of books, papers, documents, or objects that the commissioner deems relevant or material to the inquiry. -- Authorizes the commissioner to order the removal of any institution affiliated party from office or employment with a Hawaii financial institution and prohibit the party's affiliation or participation in the affairs of such institution if the commissioner determines that the party has been charged in any information, indictment, or complaint authorized by a US attorney, state attorney general, or similar legal officer, in a crime involving dishonesty or breach of trust, and continued service by the party may pose a threat to the interest of the institution's depositors or may threaten to impair public confidence in the institution. -- Allows the commissioner to revoke or suspend any charter or license if the commissioner finds that the Hawaii financial institution has violated or is violating laws, rules, or regulations, or has committed or is committing an unsafe or unsound practice. -- Requires the commissioner's written approval for relocation of a foreign bank's Hawaii office. -- HB0583 CD1

Committee Reports: HSCR 315 (CPC) HSCR 640 (FIN) SSCR 1082 (CPH) SSCR  
1372 (WAM) CCR 79

Current Status: May-02 01 Received by the Governor

Section Affected: 412:2- (2 SECTIONS), 412:1-109, 412:2-306, 412:2-311,  
412:3-304, 412:3-617, 412:5-305, 412:6-306, 412:7-306,  
412:8-301, 412:9-401, 412:9-409, 412:10-502, 412:13-202,  
412:13-203, 412:13-216, 412:13-217, 412:13-222, 412:2-605

HB0587 HD1 (HSCR 254)

RELATING TO MORTGAGE BROKER LICENSING.

Introduced by: Say C (BR)

Decreases the bond amount a licensed mortgage broker must deposit with the mortgage commissioner prior to doing business, from 50,000 dollars to 15,000 dollars. -- Changes the mortgage broker or mortgage solicitor fee to be paid every 2 years, rather than every year. -- Requires the officer or member of the mortgage broker business to have 2 years experience in financial transaction involving primary or subordinate mortgage financing, or equivalent experience as determined by the commissioner. -- Repeals the maximum period of 2 years which the commissioner may suspend a license. -- HB0587 HD1

Committee Reports: HSCR 254 (CPC) SSCR 1134 (CPH)

Current Status: Mar-29 01 Received by the Governor

Apr-06 01 Approved by Governor (Act 4 2001)

Section Affected: 454-3, 454-4

HB0588 HD1 SD1 (SSCR 1492)

RELATING TO RENEWAL REQUIREMENTS OF THE BOARD OF MEDICAL EXAMINERS.

Introduced by: Say C (BR)

Requires a physician or surgeon to meet the category 1 continuing medical education requirements by obtaining credit hours accredited by the American Medical Association or in other approved category 1 education as provided in the board of medical examiner's rules. Authorizes the board to conduct random audits



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of physicians, surgeons, and podiatrists to determine compliance of continuing education requirements. -- HB0588 SD1

Committee Reports: HSCR 255 (CPC) SSCR 1065 (HHS) SSCR 1492 (CPH)

Current Status: Apr-19 01 Received by the Governor  
Apr-27 01 Approved by Governor (Act 66 2001)

Section Affected: 453-6, 453-32.1, 463E-5

HB0594 HD2 SD2 CD1 (CCR 86)

RELATING TO CONTINUING EDUCATION COURSES AND COURSE PROVIDERS FOR INSURANCE LICENSEES.

Introduced by: Say C (BR)

Establishes an issuance of course provider certificate and an issuance of continuing education course certificate fee, payable to the insurance commissioner. Also establishes fees for services of the department of commerce and consumer affairs for the courses. Requires the course provider to be approved by the insurance commissioner. Requires the course provider to submit course completion information electronically to the insurance division. -- HB0594 CD1

Committee Reports: HSCR 236 (CPC) HSCR 830 (FIN) SSCR 1084 (CPH) SSCR 1373 (WAM) CCR 86

Current Status: May-02 01 Received by the Governor

Section Affected: 431:7-101, 431:9-301, 431:9-302

HB0596 HD2 SD1 CD1 (CCR 120)

RELATING TO THE HAWAII HURRICANE RELIEF FUND.

Introduced by: Say C (BR)

Provides that the hurricane relief fund shall have the power to suspend or reactivate the special mortgage recording fee. -- Amends Act 339, session laws of 1993, as amended by Act 17, special session laws of 1995, as amended by Act 222, session laws of 1997, as amended by Act 151, session laws of 1999, to extend the authorization for the issuance of reimbursable general obligation bonds for the Hawaii hurricane relief fund and for the hurricane reserve trust fund for the fiscal years 2000 - 2001 and 2001 - 2002. -- Provides that the special mortgage recording fee shall be suspended as of July 1, 2001, and shall remain suspended until reactivation by the board. -- HB0596 CD1

Committee Reports: HSCR 339 (CPC) HSCR 810 (FIN) SSCR 1085 (CPH) SSCR 1374 (WAM) CCR 120

Current Status: May-02 01 Received by the Governor

Section Affected: 431P-5, 431P-16, ACT 339 1993, ACT 17 1995 1SP, ACT 222 1997, ACT 151 1999

HB0598 HD1 (HSCR 256)

RELATING TO CONSUMER PROTECTIONS FOR DEPOSITORY INSTITUTION SALES OF INSURANCE.

Introduced by: Say C (BR)

Amends provision relating to requirements of banks engaging in insurance activities. Authorizes a bank to engage in insurance sales through an independent insurance agent or agency under contract, or insurance sales either directly in any division of the bank or through a subsidiary of the bank, subject to insurance code. Repeals further requirements. -- HB0598 HD1

Committee Reports: HSCR 256 (CPC) SSCR 1503 (CPH)

Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 49 2001)

Section Affected: 412:5-205.6

HB0599 HD1 SD1 CD1 (CCR 92)

RELATING TO NONPROFIT CORPORATIONS.

Introduced by: Say C (BR)

Repeals and replaces the nonprofit corporation Act. -- HB0599 CD1

Committee Reports: HSCR 540 (CPC/ JHA/) HSCR 616 (FIN) SSCR 1500 (CPH/ JDC/) CCR 92

Current Status: May-02 01 Received by the Governor

Section Affected: (166 SECTIONS) HAWAII NONPROFIT CORPORATIONS

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

ACT, 415B-1, 415B-2, 415B-3, 415B-4, 415B-5, 415B-6, 415B-7, 415B-8, 415B-8.5, 415B-8.6, 415B-8.7, 415B-8.8, 415B-9, 415B-10, 415B-10.5, 415B-10.6, 415B-11, 415B-12, 415B-13, 415B-14, 415B-15, 415B-16, 415B-17, 415B-18, 415B-19, 415B-20, 415B-31, 415B-32, 415B-33, 415B-34, 415B-35, 415B-36, 415B-37, 415B-38, 415B-39, 415B-40, 415B-40.5, 415B-41, 415B-42, 415B-43, 415B-44, 415B-45, 415B-46, 415B-61, 415B-62, 415B-63, 415B-64, 415B-65, 415B-66, 415B-67, 415B-68, 415B-69, 415B-70, 415B-81, 415B-82, 415B-83, 415B-84, 415B-85, 415B-86, 415B-87, 415B-88, 415B-89, 415B-90, 415B-91, 415B-92, 415B-93, 415B-94, 415B-95, 415B-96, 415B-96.5, 415B-97, 415B-98, 415B-99, 415B-100, 415B-101, 415B-102, 415B-103, 415B-104, 415B-105, 415B-106, 415B-107, 415B-108, 415B-121, 415B-122, 415B-123, 415B-124, 415B-125, 415B-126, 415B-127, 415B-128, 415B-129, 415B-130, 415B-131, 415B-133, 415B-134, 415B-135, 415B-136, 415B-137, 415B-151, 415B-152, 415B-153, 415B-154, 415B-155, 415B-156, 415B-157, 415B-158, 415B-158.5, 415B-159

HB0600 HD1 SD1 CD1 (CCR 80)

RELATING TO BUSINESS REGISTRATION.

Introduced by: Say C (BR)

Repeals provisions relating to control share acquisition and establishes the control share acquisition Act. Changes the Hawaii revised business corporation Act to the Hawaii business corporation Act. Redefines entity to include domestic and foreign corporations, domestic professional corporation, domestic and foreign limited liability companies, domestic and foreign not for profit corporations, business trusts, estates, domestic and foreign partnerships, domestic and foreign limited partnerships, domestic and foreign limited liability partnerships, trusts, and federal and foreign governments. -- HB0600 CD1

Committee Reports: HSCR 340 (CPC) HSCR 594 (FIN) SSCR 1087 (CPH) SSCR 1399 (JDC) CCR 80

Current Status: May-02 01 Received by the Governor

Section Affected: (2 SECTIONS) CONTROL SHARE ACQUISITIONS, 414-1, 414-3, 414-4, 414-11, 414-12, 414-13, 414-14, 414-16, 414-51, 414-52, 414-53, 414-61, 414-62, 414-63, 414-64, 414-125, 414-141, 414-143, 414-145, 414-222, 414-234, 414-263, 414-271, 414-272, 414-273, 414-274, 414-287, 414-315, 414-317, 414-318, 414-319, 414-332, 414-382, 414-383, 414-385, 414-386, 414-403, 414-415, 414-433, 414-434, 414-436, 414-439, 414-461, 414-462, 414-472, 414-484, 415A-8, 415A-10, 415A-16.5, 415A-16.6, 415B-87, 415B-125, 415B-156, 417E-1, 420-1, 421-1, 421-5, 421-20, 421-21.6, 421C-12, 421C-25, 425-1, 425-5, 425-6, 425-12, 425-14, 425-17, 425-153, 425-168, 425-192, 425-193, 425-194, 425D-101, 425D-103, 425D-206.6, 425D-301, 425D-902, 425D-904, 425D-1107, 425D-1110, 425D-1111, 425D-1112, 428-105, 428-106, 428-110, 428-205, 428-207, 428-402, 428-404, 428-803, 428-808, 428-809, 428-902.5, 428-902.6, 428-903, 428-1006, 428-1007, 428-1301, 485-14, 415-171, 415-172

HB0611 HD1 (HSCR 277)

RELATING TO CONCESSIONS AT PUBLIC LIBRARY FACILITIES.

Introduced by: Say C (BR)

Adds the friends of the library of Hawaii to the Hawaii state library foundation as entities that can be authorized for the use of public library system facilities and grounds. Replaces authorization powers of the department of education with the

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Hawaii state public library system and the state librarian. -- HB0611 HD1  
Committee Reports: HSCR 277 (EDN) HSCR 595 (FIN) SSCR 1090 (EDU) SSCR  
1734 (WAM)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 312-3.8

HB0612 HD1 (HSCR 139)

RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM.  
Introduced by: Say C (BR)  
Amends Act 327, session laws of 1993, as amended by Act 144, session laws of 1996, and Act 29, session laws of 1999, relating to fees for enhanced library services program by repealing the sunset date. -- HB0612 HD1  
Committee Reports: HSCR 139 (EDN) HSCR 596 (FIN) SSCR 1091 (EDU) SSCR  
1735 (WAM)  
Current Status: May-02 01 Received by the Governor  
Section Affected: ACT 327 1993, ACT 144 1996, ACT 29 1999

HB0613 SD2 (SSCR 1365)

RELATING TO REALLOCATION OF VACANT LIBRARY POSITIONS.  
Introduced by: Say C (BR)  
Amends Act 196, session laws of 1996, as amended by Act 130, session laws of 1999, authorizing the state librarian to reallocate vacant positions to establish temporary positions by repealing the sunset date. -- HB0613 SD2  
Committee Reports: HSCR 386 (EDN/ LAB/) HSCR 597 (FIN) SSCR 1120 (EDU/  
LBR/) SSCR 1365 (WAM)  
Current Status: Apr-30 01 Received by the Governor  
Section Affected: ACT 196 1996, ACT 130 1999

HB0614 HD2 SD1 CD1 (CCR 61)

RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM.  
Introduced by: Say C (BR)  
Amends library provisions by repealing the public private partners for literacy trust fund and the advisory alliance for literacy and lifelong learning. Requires the board of education through the state librarian to develop public private sector literacy partnerships for literacy program support. -- HB0614 CD1  
Committee Reports: HSCR 301 (EDN) HSCR 831 (FIN) SSCR 1092 (EDU) SSCR  
1540 (WAM) CCR 61  
Current Status: May-02 01 Received by the Governor  
Section Affected: 312-8, 312-9, 312-10

HB0624 SD1 CD1 (CCR 71)

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED.  
Introduced by: Say C (BR)  
Amends the Hawaiian homes commission Act providing that the department of Hawaiian home lands shall adopt rules in accordance with provisions relating to administrative procedure, repealing requirement to adopt regulations and policies. Requires the department to report to legislature, upon the 1st day, rather than within 10 days of the convening of the regular session, regarding the transactions occurring in the fiscal year, rather than the calendar year prior to the regular session. -- HB0624 CD1  
Committee Reports: HSCR 557 (JHA) SSCR 1070 (HAW) SSCR 1402 (JDC) CCR  
71  
Current Status: May-02 01 Received by the Governor  
Section Affected: HAWAIIAN HOMES COMMISSION ACT 1920 222

HB0628 SD1 (SSCR 1093)

RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS.  
Introduced by: Say C (BR)  
Amends provision relating to foster board allowances for students and changes it to higher education board allowances for students. Provides that eligible former foster youths shall be eligible for higher education board allowances after reaching the age of majority and the higher education board payments for that former foster youth shall be paid to an accredited institution of higher learning, another intermediary

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contracted by the department of human services or to the former foster youth's former foster parents. Defines former foster youth to mean a person formerly placed under the jurisdiction of the department as a foster child by the family court who has attained the age of 18. -- HB0628 SD1

Committee Reports: HSCR 36 (HSH) HSCR 264 (HED) HSCR 598 (FIN) SSCR 1093 (EDU) SSCR 1240 (JDC) SSCR 1454 (WAM)

Current Status: Apr-24 01 Received by the Governor  
May-02 01 Approved by Governor (Act 80 2001)

Section Affected: 346-16, 346-17.4

HB0630 HD1 (HSCR 234)

RELATING TO INFORMATION ON THE NATURAL PARENTS OF THE ADOPTED MINOR CHILD.

Introduced by: Say C (BR)

Amends provisions relating to medical information on the natural parents of the adopted minor child. Provides that if the natural parents have been court ordered to complete medical information forms, and have either failed to complete the forms or have failed to return the completed forms to the department of human services, the requirement shall be waived. -- Requires each of the natural parents to complete the medical information and the consent to release medical information forms at the dispositional hearing. -- HB0630 HD1

Committee Reports: HSCR 234 (HSH) HSCR 723 (JHA) SSCR 1043 (HHS) SSCR 1352 (JDC)

Current Status: Apr-12 01 Received by the Governor  
Apr-27 01 Approved by Governor (Act 67 2001)

Section Affected: 578-14.5, 587-71

HB0632 HD3 SD2 CD1 (CCR 110)

RELATING TO HUMAN SERVICES.

Introduced by: Say C (BR)

Establishes provisions relating to the home and community based case management agencies and community care foster family homes within the department of human services. Requires the home and community based case management agency to be responsible for certifying community care foster family homes. Prohibits any person, agency, or organization to engage in locating, coordinating, or monitoring comprehensive services to individuals in community care foster family homes and in issuing certificates of approval to community care foster family homes unless it meets the standards of conditions, management, and competence set by the department of human services and is issued a license by the department. Prohibits any person in any household to take in, for a fee, any adult who is at the nursing facility level of care and who is unrelated to anyone in the household, for 24 hour living accommodation, unless the household meets the required standards and obtains a certificate of approval from the agency. Requires the department to develop standards to ensure the reputable and responsible character of operators and employees of the agencies and operators, including criminal history record checks. Provides that operators, employees, and new employees shall provide consent to the department to conduct criminal history record check, submit signed statements indicating whether they were ever convicted of a crime other than a minor traffic violation involving a fine of 50 dollars or less, and be fingerprinted. Department to report to the legislature on the effectiveness of this Act on 2 demonstration projects in any county having a population of 500,000 persons or more, and in any county having a population of less than 500,000 persons. Requires home operators associations, case management agency associations, the department of human services, and the department of health to assist in the evaluation of the 2 projects. Appropriation out of the criminal history record improvement revolving fund to the department general. Act to be repealed on June 30, 2003 (sunset). (\$\$) -- HB0632 CD1

Committee Reports: HSCR 96 (HSH) HSCR 410 (JHA) HSCR 766 (FIN) SSCR 1260 (HHS) SSCR 1543 (WAM) CCR 110

Current Status: May-02 01 Received by the Governor

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

Section Affected: 346- (6 SECTIONS) HOME AND COMMUNITY-BASED CASE MANAGEMENT AGENCIES AND COMMUNITY CARE FOSTER FAMILY HOMES

HB0634

RELATING TO MEDICAL ASSISTANCE RECOVERY.

Introduced by: Say C (BR)

Amends provision relating to the recovery of payment and cost of medical assistance. Adds that an attorney representing a 3rd person shall make reasonable inquiry as to whether the claimant has received or is receiving from the department of human services medical assistance related to the incident involved in the action. If any 3rd person has received the actual notice of its right to reimbursement or is receiving medical assistance, then the 3rd person or 3rd person's attorney shall give the department timely written notice of any claim or action against a 3rd person. Authorizes the 3rd person or the 3rd person's attorney to contact the department to ascertain the full amount of medical assistance or burial payment made. -- HB0634  
Committee Reports: HSCR 231 (HSH) HSCR 599 (FIN) SSCR 1030 (HHS) SSCR 1483 (JDC)

Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 50 2001)

Section Affected: 346-37

HB0637

RELATING TO OHANA CONFERENCING.

Introduced by: Say C (BR)

Amends provision relating to the child protective Act by defining ohana conference to mean a family focused, strength based meeting facilitated by trained community facilitators designed to build and strengthen the network of protection of the extended family and the community for the child. Requires the ohana conferences to include extended family members and other important people in the child's life and rely on them to participate in making plans and decisions. Provides that the purpose of the ohana conference is to establish a plan that provides for the safety and permanency needs of the child. -- Provides that the service plan should also include the consideration given to the use of ohana conferences for family decision making. -- HB0637

Committee Reports: HSCR 118 (HSH) HSCR 407 (JHA) HSCR 600 (FIN) SSCR 1044 (HHS) SSCR 1353 (JDC)

Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 51 2001)

Section Affected: 587-2, 587-26

HB0638 HD1 SD2 CD1 (CCR 56)

RELATING TO PUBLIC ASSISTANCE.

Introduced by: Say C (BR)

Amends provision relating to real property liens by the department of human services. Provides that the liens shall be recorded in bureau of conveyances or be filed in the office of the assistant registrar of the land court for all amounts of assistance a person receives. Requires the department to be obligated to annually update the actual amount of liens recorded in the bureau of conveyances as an accounting measure. -- HB0638 CD1

Committee Reports: HSCR 226 (HSH) HSCR 832 (FIN) SSCR 1261 (HHS) SSCR 1566 (CPH/ TMG/ WAM/) CCR 56

Current Status: May-02 01 Received by the Governor

Section Affected: 346-29.5

HB0644 HD1 SD2 CD1 (CCR 81)

RELATING TO PRESCRIPTION DRUGS.

Introduced by: Say C (BR)

Provides that any pharmacy, wholesale prescription drug distributor, pharmaceutical company, institutional facility, or practitioner shall be exempt from civil liability for injuries and damages resulting from their acts or omissions in providing pharmaceuticals and health care supplies to needy persons without remuneration,

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

except for gross negligence or wanton acts or omissions. -- Repeals provision allowing prescription drugs previously dispensed or distributed to be returned and redispensed or redistributed under the duties of the registered pharmacist. -- HB0644 CD1

Committee Reports: HSCR 238 (CPC) HSCR 794 (FIN) SSCR 1262 (HHS) SSCR 1493 (CPH) CCR 81

Current Status: May-02 01 Received by the Governor

Section Affected: 328C-1, 328C-2, 461-11

HB0645 HD1 SD1 CD1 (CCR 90)

RELATING TO ENDANGERING THE WELFARE OF INCOMPETENT PERSONS.

Introduced by: Say C (BR)

Establishes provision relating to endangering the welfare of an incompetent person in the 2nd degree. Provides that a person commits the offense of endangering the welfare of an incompetent person in the 2nd degree if the person recklessly causes bodily injury to a person who is unable to care for the person's self because of physical or mental disease, disorder, or defect. Provides that endangering the welfare of an incompetent person in the 2nd degree is a misdemeanor. Amends provisions relating to jury trial. Provides that in trials of any person over the age of majority arising from the offense of endangering the welfare of an incompetent person in the 2nd degree, the person proceeded against shall have the right to a trial by jury which shall be granted as in other cases, unless waived. Amends provision relating to endangering the welfare of an incompetent person to include in the 1st degree. Provides that a person commits the offense of endangering the welfare of an incompetent person in the 1st degree if the person intentionally causes bodily injury to a person who is unable to care for the person's self because of physical or mental disease, disorder or defect. Provides that endangering the welfare of an incompetent person in the 1st degree is a class C felony. -- HB0645 CD1

Committee Reports: HSCR 551 (JHA) SSCR 1143 (JDC) CCR 90

Current Status: May-02 01 Received by the Governor

Section Affected: 709- (1 SECTION), 571-14, 577-9, 577-10, 709-905

HB0646 HD1 SD2 CD1 (CCR 53)

RELATING TO THE SALE OF STERILE SYRINGES FOR THE PREVENTION OF DISEASE.

Introduced by: Say C (BR)

Establishes that a pharmacist, physician, health care provider, or authorized agent of a pharmacy or of a health care institution operating under the direction of a licensed pharmacist or physician may sell sterile hypodermic syringes in a pharmacy, physician's office, or health care institution for the purpose of preventing the transmission of dangerous blood borne diseases. Requires the department of health to produce and make available material about prevention of blood borne diseases, drug treatment, and safe disposal of used syringes for distribution. Requires the director of health to develop and implement a system to dispose of used syringes received from the public, develop and implement a system to track syringes purchased that are exchanged for new syringes under the state needle exchange program, and report to the legislature. Sale of sterile hypodermic syringes shall be repealed on July 1, 2004 (sunset). -- HB0646 CD1

Committee Reports: HSCR 179 (HLT) HSCR 727 (JHA) SSCR 1066 (HHS) SSCR 1494 (CPH) CCR 53

Current Status: May-02 01 Received by the Governor

Section Affected: 325- (1 SECTION)

HB0647 HD2 (HSCR 849)

RELATING TO THE DISABILITY AND COMMUNICATION ACCESS BOARD.

Introduced by: Say C (BR)

Establishes the disability and communication access board special fund which shall be administered by the disability and communication access board to cover all costs of the board including the program for the state credentialing of interpreters (sign language). Appropriation out of the disability and communication access board special fund. (\$\$) -- HB0647 HD2

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

Committee Reports: HSCR 97 (HLT) HSCR 849 (FIN) SSCR 1031 (HHS) SSCR 1736 (WAM)  
Current Status: May=03 01 Passed Legislature  
Section Affected: 348F- (2 SECTIONS)

HB0653 HD1 SD1 CD1 (CCR 82) RELATING TO SUBSTANCE ABUSE TREATMENT INSURANCE BENEFITS.  
Introduced by: Say C (BR)  
Amends mental health, alcohol, drug abuse treatment provisions by repealing certified substance abuse staff and adding qualified to mean having skill in the diagnosis or treatment of substance abuse disorders based on a practitioner's credentials. Provides that alcohol or drug dependence outpatient services shall be provided by a qualified physician, psychologist, clinical social worker, or advanced practice registered nurse. -- HB0653 CD1  
Committee Reports: HSCR 192 (CPC) SSCR 1067 (HHS) SSCR 1408 (CPH) CCR 82  
Current Status: May-02 01 Received by the Governor  
Section Affected: 431M-1, 431M-4

HB0654 HD1 SD1 (SSCR 1495) RELATING TO SAFE DRINKING WATER.  
Introduced by: Say C (BR)  
Prohibits any person to install or repair any public water system or any plumbing in a residential or nonresidential facility providing water for human consumption which is connected to a public water system with any plumbing fittings or fixtures that are not lead free. Defines lead free plumbing fittings or fixtures to mean those in compliance with National Sanitation Foundation Standard 61, section 9. -- HB0654 SD1  
Committee Reports: HSCR 22 (EEP) HSCR 795 (FIN) SSCR 1068 (HHS) SSCR 1495 (CPH)  
Current Status: Apr-24 01 Received by the Governor  
May-02 01 Approved by Governor (Act 81 2001)  
Section Affected: 340E-7

HB0662 HD2 (HSCR 728) RELATING TO CRIMINAL PENALTIES.  
Introduced by: Say C (BR)  
Amends provisions relating to hazardous waste and penalties. Provides that any person who knowingly abandons or causes to be abandoned any hazardous waste or used oil shall be subject to criminal penalties. Provides that violations of transporting, treating, storing, disposing of, recycling, or handling any used oil or used oil fuel, or making a false statement or representation shall be a misdemeanor. Adds that violations for transporting hazardous material; treat, store or dispose of hazardous material without a permit; and abandons or causes to be abandoned any hazardous waste or used oil shall be a class C felony. Provides that for all violations in this provision, violators may be ordered to pay a fine not exceeding 25,000 dollars for each day of each violation. -- HB0662 HD2  
Committee Reports: HSCR 332 (EEP) HSCR 728 (JHA) SSCR 1057 (WLE) SSCR 1484 (JDC)  
Current Status: Apr-12 01 Received by the Governor  
Apr-25 01 Approved by Governor (Act 21 2001)  
Section Affected: 342J-9

HB0670 HD1 (HSCR 361) RELATING TO EMPLOYMENT SECURITY.  
Introduced by: Say C (BR)  
Amends provision relating to employment security. Allows the unemployment trust fund to be used for the payment of benefits of the state's unemployment compensation law and public employment offices pursuant to a specific appropriation of the legislature. Provides that the appropriation, obligation, and expenditure or other disposition of money appropriated shall be accounted for in accordance with standards established by the US Secretary of Labor. Adds that

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

moneys credited to the state's account in federal fiscal years 2000, 2001, and 2002 shall be used solely for the administration of unemployment compensation program and are not subject to the specific appropriation requirements. -- HB0670 HD1

Committee Reports: HSCR 361 (LAB) HSCR 601 (FIN) SSCR 1052 (LBR) SSCR 1737 (WAM)

Current Status: May-02 01 Received by the Governor

Section Affected: 383-123

HB0676 HD1 (HSCR 403)

RELATING TO OCCUPATIONAL AND CAREER INFORMATION.

Introduced by: Say C (BR)

Amends provisions relating to occupational and career information. Repeals the Hawaii state occupational information coordinating committee. Provides that the occupational information data base system shall deliver the necessary occupationally related information to a widely divergent use population, including the internet. Requires the workforce development council, rather than the state employment and training council, to be responsible for coordinating the production of federally funded training supply data concerning trainees enrolled and completing training programs in each occupational category. Adds that the department of human services shall be responsible for preparing information concerning welfare and vocational trainees, rather than activities and other rehabilitative data required by the system. Provides that the Hawaii career information delivery system program shall be managed, in addition to being operated, by the department of labor and industrial relations. -- HB0676 HD1

Committee Reports: HSCR 403 (LAB) HSCR 602 (FIN) SSCR 1036 (LBR) SSCR 1738 (WAM)

Current Status: May-02 01 Received by the Governor

Section Affected: 373C-1, 373C-2, 373C-21, 373C-23, 373C-31, 373C-32, 373C-42, 373C-11, 373C-12, 373C-13, 373C-14, 373C-15, 373C-22

HB0688

RELATING TO THE EFFECTIVE DATE OF EXISTING USES UNDER THE WATER CODE.

Introduced by: Say C (BR)

Amends provision relating to the state water code. Repeals the date of July 1, 1987 and replaces with the term the effective date of designation. -- HB0688

Committee Reports: HSCR 574 (WLU) SSCR 1311 (WLE)

Current Status: Apr-06 01 Received by the Governor

Apr-19 01 Approved by Governor (Act 10 2001)

Section Affected: 174C-50

HB0691 HD1 (HSCR 777)

RELATING TO PENALTIES FOR THE STATEWIDE TRAIL AND ACCESS PROGRAM.

Introduced by: Say C (BR)

Establishes provisions relating to general administrative penalties. Provides that the board of land and natural resources or its authorized representative by proper delegation is authorized to set, charge, and collect administrative fines or bring legal action to recover administrative fees and costs as document by receipts or affidavit, including attorneys fees and costs, or bring legal action to recover administrative fines, fees, and costs, including attorney's fees and costs, or payment for damages or for the cost to correct damages resulting from a violation of the Hawaii statewide trail and access system. Adds that the fines shall be no more than 2,500 dollars for a 1st violation; not more than 5,000 dollars for a 2nd violation within 5 years of a previous violation; and not more than 10,000 dollars for a 3rd or subsequent violation within 5 years. Provides that any criminal or civil action against a person for any violation shall not be deemed to preclude the State from pursuing civil or criminal action to recover administrative fines and costs against that person. Adds that any person found in violation shall be guilty of a petty misdemeanor and fined 100 dollars for a 1st offense; 200 dollars for a 2nd offense; and 500 dollars for a 3rd



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or subsequent offense. Provides that the fines shall not be suspended or waived and each day of each violation shall constitute a separate offense. -- HB0691 HD1  
Committee Reports: HSCR 335 (WLU) HSCR 777 (JHA) SSCR 1061 (WLE) SSCR 1511 (JDC)

Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 34 2001)

Section Affected: 198D- (2 SECTIONS)

HB0692

RELATING TO SECTION 13 OF ACT 380, SESSION LAWS OF HAWAII 1997.

Introduced by: Say C (BR)

Amends Act 380, session laws of 1997, relating to the environment, by changing the enactment date from July 1, 2002 to July 1, 2007. -- HB0692

Committee Reports: HSCR 285 (WLU) SSCR 1063 (WLE)

Current Status: Mar-22 01 Received by the Governor  
Mar-29 01 Approved by Governor (Act 3 2001)

Section Affected: ACT 380 1997

HB0693

RELATING TO THE BUREAU OF CONVEYANCES.

Introduced by: Say C (BR)

Provides that an estate or interest in real property in the name of a nonprofit association may be transferred by an authorized person in a statement of authority recorded in the office of the assistant registrar of the land court, rather than the office of the registrar, or in the bureau of conveyances. -- Exempts the disposition of fees received by the bureau of conveyances and the recording fees for the bureau of conveyances special fund to be deposited into the general fund. -- Amends provision relating to the method of recording for the registrar of the bureau of conveyances. -- HB0693

Committee Reports: HSCR 86 (WLU) HSCR 653 (FIN) SSCR 1062 (WLE) SSCR 1741 (WAM)

Current Status: May-02 01 Received by the Governor

Section Affected: 429-5, 502-17, 502-31

HB0697

RELATING TO THE HAWAII TELECOMMUNICATIONS AND INFORMATION INDUSTRIES ACT.

Introduced by: Say C (BR)

Repeals the Hawaii telecommunications and information industries Act. -- HB0697

Committee Reports: HSCR 55 (EDB) HSCR 465 (CPC) HSCR 617 (FIN) SSCR 1561 (EDT/ CPH/)

Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 52 2001)

Section Affected: 206P-1, 206P-2, 206P-3, 206P-4, 206P-5, 206P-6, 206P-7.5, 206P-8, 206P-9, 206P-10, 206P-11, 206P-21, 206P-22, 206P-23

HB0699

RELATING TO SUBSTANCE ABUSE TESTING.

Introduced by: Say C (BR)

Amends provision relating to substance abuse testing procedures and interpretation of test results by repealing the requirement for a medication disclosure form. -- HB0699

Committee Reports: HSCR 180 (HLT) HSCR 404 (JHA) HSCR 603 (FIN) SSCR 1234 (HHS) SSCR 1397 (JDC)

Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 53 2001)

Section Affected: 329B-5

HB0700 HD1 (HSCR 252)

RELATING TO THE SALE OF POISONS.

Introduced by: Say C (BR)

Redefines the poison to exclude drugs and as used in pharmacists and pharmacy

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law and in laws relating to the department of health. Authorizes the department to adopt rules concerning poisons and poison containers, rather than requiring the department to make rules and regulations. -- HB0700 HD1  
Committee Reports: HSCR 252 (EEP) SSCR 1047 (HHS)  
Current Status: Mar-19 01 Received by the Governor  
Mar-29 01 Approved by Governor (Act 2 2001)  
Section Affected: 330-1, 330-2

HB0702 HD2 SD1 CD1 (CCR 65)

RELATING TO CORRECTIONAL HEALTH CARE.

Introduced by: Say C (BR)

Establishes a correctional health care program within the department of public safety. Requires the administrator of the correctional health care program and physicians who provide care to inmates to be appointed by the director without regard to civil service and compensation provisions. Provides that any appointed civil service physician working in the correctional health care program for the department shall have the option of remaining under civil service or becoming an exempt employee, provided that becoming civil service exempt must be exercised within 60 days after the effective date of this Act. -- HB0702 CD1

Committee Reports: HSCR 504 (PSM/ LAB/) HSCR 767 (FIN) SSCR 1190 (HHS/ JDC/) SSCR 1381 (WAM) CCR 65

Current Status: May-02 01 Received by the Governor

Section Affected: 353C- (1 SECTION)

HB0708

RELATING TO PUBLIC SAFETY.

Introduced by: Say C (BR)

Establishes the federal reimbursement maximization special fund, into which shall be deposited all federal reimbursements received by the department of public safety relating to the state criminal alien assistance program. Further provides that all other receipts shall immediately be deposited to the credit of the general fund of the State. Provides that the special fund shall be used by the department to meet the state match requirement for federal grants and costs associated with federal grant reporting requirements, including administrative expenses. Department to annually report to the legislature. -- Appropriation. (\$\$) -- HB0708

Committee Reports: HSCR 12 (PSM) HSCR 631 (FIN) SSCR 1139 (JDC) SSCR 1739 (WAM)

Current Status: May=03 01 Passed Legislature

Section Affected: 353C- (1 SECTION)

HB0715

RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION.

Introduced by: Say C (BR)

Appropriation to the department of taxation to ensure that needed resources are available to assist the department in its efforts to meet the obligations of the integrated tax information management systems performance based contract. (\$\$) -- HB0715

Committee Reports: HSCR 680 (FIN) SSCR 1724 (WAM)

Current Status: May-03 01 Received by the Governor

HB0730 HD1 (HSCR 854)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Say C (BR)

Amends the research and training revolving fund to allow 100 per cent of its use and to add its use for deposit into the discoveries and inventions revolving fund and the university of Hawaii housing assistance revolving fund. -- Amends the deposits into the discoveries and inventions revolving fund from 4 per cent of the indirect overhead funds generated by the university of Hawaii for research and training purposes to an amount to be determined by the board of regents of the university of Hawaii. -- Amends the deposits into the housing assistance revolving fund from 12 per cent of the indirect overhead funds generated by the university of Hawaii for

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

research and training purposes to an amount to be determined by the board of regents of the university of Hawaii. -- HB0730 HD1  
Committee Reports: HSCR 24 (HED) HSCR 854 (FIN) SSCR 1094 (EDU) SSCR 1818 (WAM)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 304-8.1, 304-8.92, 304-8.96

HB0731 HD1 SD2 CD1 (CCR 57) RELATING TO THE UNIVERSITY OF HAWAII.  
Introduced by: Say C (BR)  
Amends the university of Hawaii commercial enterprises revolving fund to allow the university to transfer all funds at its disposal with the exception of general funds into the fund to finance the establishment of new enterprises from July 1, 2001 to June 30, 2003 (sunset). Annual report to the legislature. -- HB0731 CD1  
Committee Reports: HSCR 25 (HED) HSCR 759 (FIN) SSCR 1095 (EDU) SSCR 1473 (WAM) CCR 57  
Current Status: May-02 01 Received by the Governor  
Section Affected: 304-8.41

HB0735 SD1 (SSCR 1096) RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII.  
Introduced by: Say C (BR)  
Amends the annual report by the research corporation of the university of Hawaii to include the corporation's audited financial statement. -- HB0735 SD1  
Committee Reports: HSCR 26 (HED) HSCR 654 (FIN) SSCR 1096 (EDU) SSCR 1375 (WAM)  
Current Status: Apr-30 01 Received by the Governor  
Section Affected: 307-6

HB0761 HD1 (HSCR 662) RELATING TO UNACCREDITED DEGREE GRANTING INSTITUTIONS.  
Introduced by: Garcia N, Kanoho E  
Amends provision relating to degree granting institutions. Provides that where promotional material for an unaccredited institution consists of an advertisement in a published periodical, that is not affiliated with the institution, the required disclosure may be abbreviated to state, not accredited by an agency recognized by the US Secretary of Education. -- HB0761 HD1  
Committee Reports: HSCR 662 (CPC) SSCR 1097 (EDU) SSCR 1496 (CPH)  
Current Status: Apr-12 01 Received by the Governor  
Apr-25 01 Approved by Governor (Act 22 2001)  
Section Affected: 446E-2

HB0786 HD1 SD1 CD1 (CCR 95) MAKING AN APPROPRIATION FOR DONATED DENTAL SERVICES.  
Introduced by: Arakaki D, Kahikina M  
Appropriation to the department of health for a statewide donated dental service program for eligible adults under the National Foundation of Dentistry for the Handicapped program. (\$\$) -- HB0786 CD1  
Committee Reports: HSCR 311 (HLT) HSCR 866 (FIN) SSCR 1075 (HHS) SSCR 1528 (WAM) CCR 95  
Current Status: May-02 01 Received by the Governor

HB0824 RELATING TO MOTORCYCLE OPERATOR EDUCATION.  
Introduced by: Oshiro M  
Provides that a motorcycle operator education program that meets standards established by the Motorcycle Safety Foundation and is certified by the respective armed forces' installation commander shall be deemed approved by the director of transportation. -- HB0824  
Committee Reports: HSCR 322 (TRN) HSCR 659 (JHA) SSCR 1308 (TMG)  
Current Status: Apr-20 01 Vetoed  
Section Affected: 286-108.4

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB0840 HD2 SD1 CD1 (CCR 102) RELATING TO THE UNIVERSITY OF HAWAII.  
Introduced by: Arakaki D, Kahikina M, Takai K, Stonebraker W  
Requires the Hawaii performance partnerships board with the assistance of the center on the family at the university of Hawaii to establish key indicators and data sets relevant to the health, education, and socioeconomic well being of Hawaii's children and families. Allows the board to request and receive from every department, division, board, bureau, commission, or other agency of the State and its political subdivisions, cooperation and assistance in the performance of its duties relating to results and performance accountability, decision making, and budgeting.  
Appropriation. (\$\$) -- HB0840 CD1  
Committee Reports: HSCR 125 (HSH/ HED/) HSCR 808 (FIN) SSCR 1136 (EDU/ HHS/) SSCR 1524 (WAM) CCR 102  
Current Status: May-02 01 Received by the Governor  
Section Affected: 304- (1 SECTION)
- HB0860 HD1 SD2 CD1 (CCR 112) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.  
Introduced by: Kawakami B, Kanoho E, Chang J, Arakaki D, Morita H, Nakasone B, Takai K  
Amends provision relating to credit for honorable military service under public employees' retirement system law, to allow retirants receiving a pension or retirement allowance, who retired prior to July 2, 1989, with 8 years of credited service to be credited with up to 2 years of military service, a retirant with 20 years of credited service to be credited with up to 3 years of military service, and a retirant with 25 years of credited service to be credited with up to 4 years of military service.  
Provides that each year of certified military service shall provide an increase of 36 dollars a month in the retirant's pension or retirement allowance effective July 1, 2001; provided that the retirant claims the military service between July 1, 2001, and June 30, 2002. Appropriation out of the employees' retirement system's investment earnings to the employees' retirement system. (\$\$) -- HB0860 CD1  
Committee Reports: HSCR 418 (LAB) HSCR 790 (FIN) SSCR 1116 (TMG/ LBR/) SSCR 1472 (WAM) CCR 112  
Current Status: May-02 01 Received by the Governor  
Section Affected: 88-132.5
- HB0861 HD2 SD2 CD1 (CCR 116) RELATING TO THE OPERATIONS AND MAINTENANCE OF CERTAIN AGRICULTURE-RELATED INFRASTRUCTURE ON KAUAI.  
Introduced by: Kawakami B, Kanoho E, Morita H, Cabrerros B, Abinsay F  
Appropriation to the agribusiness development corporation to be deposited into the Hawaii agricultural development revolving fund to allow the corporation to provide for uninterrupted operation and maintenance of the infrastructure systems servicing the areas encompassing the Kekaha and Lihue plantations for a period of 1 year to foster the establishment of diversified agriculture on these lands. (\$\$) -- HB0861 CD1  
Committee Reports: HSCR 473 (AGR) HSCR 805 (FIN) SSCR 1127 (AGT) SSCR 1367 (WAM) CCR 116  
Current Status: May-02 01 Received by the Governor
- HB0862 HD1 SD2 CD1 (CCR 101) MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF SOCIAL WORKER POSITIONS.  
Introduced by: Kawakami B, Kanoho E, Ahu Isa L, Takai K, Nakasone B, Arakaki D, Kahikina M, Morita H  
Appropriation to the department of public safety to establish 2 full time equivalent (2.0 FTE) social worker IV positions with the intake service centers. (\$\$) -- HB0862 CD1  
Committee Reports: HSCR 170 (PSM) HSCR 834 (FIN) SSCR 1140 (JDC) SSCR 1455 (WAM) CCR 101  
Current Status: May-02 01 Received by the Governor

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB0868 HD1 SD1 CD1 (CCR 62) RELATING TO THE BOARD OF EDUCATION.  
Introduced by: Takai K, Ito K  
Provides that the senior military commander in Hawaii invited by the board of education shall be a non voting member of the board, shall be seated with the board members during official meetings, and shall participate in all discussions, including debates, about board matters except those matters discussed in executive meeting.  
-- HB0868 CD1  
Committee Reports: HSCR 300 (EDN) HSCR 719 (PSM) SSCR 1176 (EDU) SSCR 1486 (TMG) CCR 62  
Current Status: May-02 01 Received by the Governor  
Section Affected: 302A-1101
- HB0869 RELATING TO AGRICULTURAL LOANS.  
Introduced by: Abinsay F, Cabrerros B  
Amends provisions relating to agricultural loans. Redefines the term qualified farmer to include trusts with situs in Hawaii in which the trustee or other individual or entity in control of the operations of the trust would qualify and meet the eligibility requirements; and any other legal entity recognized by the State that conducts business in the State and that is capable of acquiring, holding, encumbering, transferring, or otherwise administering property, and which entity is owned and controlled by persons or other entities at least 75 per cent of which would qualify and would meet eligibility requirements. Repeals the restriction for partnerships and corporations to meet the residence requirement of 75 per cent of the members or stockholders, to be eligible for loans. -- HB0869  
Committee Reports: HSCR 470 (AGR) HSCR 786 (FIN) SSCR 1128 (AGT) SSCR 1740 (WAM)  
Current Status: May-02 01 Received by the Governor  
Section Affected: 155-1, 155-10
- HB0896 HD1 SD1 CD1 (CCR 59) RELATING TO THE REVISED UNIFORM COMMERCIAL CODE ARTICLE 9 - SECURED TRANSACTIONS.  
Introduced by: Hiraki K  
Amends Act 241, session laws of 2000. Defines pre effective date financing statement as a financing statement filed before the article takes effect. Provides that after the effective date, a person may add or delete collateral covered by, continue or terminate the effectiveness of, or otherwise amend the information provided in, a pre effective date financing statement only in accordance with the law of the jurisdiction governing perfection as provided. Establishes that the effectiveness of a pre effective date financing statement also may be terminated in accordance with the law of the jurisdiction in which the financing statement is filed. -- HB0896 CD1  
Committee Reports: HSCR 568 (CPC) SSCR 1504 (CPH) CCR 59  
Current Status: May-02 01 Received by the Governor  
Section Affected: ACT 241 2000
- HB0925 HD1 (HSCR 530) RELATING TO LOANS.  
Introduced by: Kawakami B, Morita H, Kanohe E  
Authorizes the department of agriculture to make loans to provide financial assistance to agriculture and aquaculture enterprises on Kauai. Authorizes the board of agriculture to waive any provision relating to agricultural loans and aquaculture loan program with the exception that interest charged shall not be less than 3 per cent per year, simple interest, and collateral shall consist of assets deemed reasonable by the board. Repeals the board's authority to issue loans under such conditions on July 31, 2003 (sunset). -- HB0925 HD1  
Committee Reports: HSCR 530 (AGR) HSCR 788 (FIN) SSCR 1135 (AGT) SSCR 1538 (WAM)  
Current Status: Apr-12 01 Received by the Governor  
Apr-30 01 Approved by Governor (Act 78 2001)

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB0945 HD1 SD2 CD1 (CCR 60) RELATING TO SOCIAL WORK.  
Introduced by: Arakaki D, Morita H, Abinsay F, Takai K  
Amends provision relating to social workers. Establishes that communications between registered clinical social workers and their clients shall be treated in the same manner as provided under the Hawaii rules of evidence for psychologists client privilege. Amends the definition of the practice of social work by including clinical diagnosis or psychotherapy, or both if the practitioner is a licensed social worker registered with the department of commerce and consumer affairs. Prohibits any person from performing clinical diagnosis or psychotherapy unless the person is a licensed social worker and registered as a clinical social worker. Act to be repealed on January 1, 2003 (sunset). -- HB0945 CD1  
Committee Reports: HSCR 184 (HLT) HSCR 707 (CPC) SSCR 1263 (HHS) SSCR 1567 (CPH) CCR 60  
Current Status: May-02 01 Received by the Governor  
Section Affected: 467E- (1 SECTION), 467E-1, 467E-13
- HB0946 SD2 CD1 (CCR 157) RELATING TO EDUCATION.  
Introduced by: Yonamine N, Takai K  
Amends new century charter school provisions. Allows any public school or schools to submit a letter of intent to the board of education to form a new century charter school, establish a local school board as its governing body, and develop a detailed implementation plan. Requires the implementation plan to be submitted to the new century school review panel. Establishes provisions for implementation plan conflicts and for the resolution of such conflicts. -- Provides that the per pupil allocation to any new century charter school shall not exceed the department of education's average per pupil expenditure based upon the inclusion of similar cost items in the previous fiscal year. -- Amends the new century charter schools self evaluation provisions to provide for accountability. Changes the independent evaluation of a new century charter school to annually for 1st 2 years and every 4 years thereafter. Reduces the probationary period for a charter school to bring student performance into compliance with statewide standards to 1 year. -- HB0946 CD1  
Committee Reports: HSCR 519 (EDN) HSCR 655 (FIN) SSCR 1284 (EDU) SSCR 1376 (WAM) CCR 157  
Current Status: May-02 01 Received by the Governor  
Section Affected: 302A-1182, 302A-1185, 302A-1186, 302A-1183, 302A-1189
- HB0962 SD1 CD1 (CCR 98) RELATING TO A SENTENCING SIMULATION MODEL.  
Introduced by: Garcia N, Schatz B, Rath J, Espero W, Magaoay M, Moses M  
Appropriation to the department of public safety to develop, implement, and maintain a sentencing simulation model. (\$\$) -- HB0962 CD1  
Committee Reports: HSCR 172 (PSM/ JHA) HSCR 632 (FIN) SSCR 1141 (JDC) SSCR 1468 (WAM) CCR 98  
Current Status: May-02 01 Received by the Governor
- HB0986 HD1 SD1 CD1 (CCR 72) RELATING TO IDENTIFICATION DOCUMENTS.  
Introduced by: Say C (BR)  
Establishes provisions relating to sale or manufacture of deceptive identification document; penalties. Provides that a person commits the offense of sale or manufacture of deceptive identification document (fake ID) if the person intentionally or knowingly manufactures, sells, offers for sale, furnishes, offers to be furnished, transports, offers to be transported, or imports or offers to be imported into this State, a deceptive identification document. Defines deceptive identification document to mean any document not issued by a governmental agency, which purports to be, or which might deceive a reasonable person into believing that it is, a document issued by a governmental agency, including driver's license, identification card, birth certificate, passport, or social security card. Makes violation a class C

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felony. Adds that any property used or intended for use in the commission of, attempt to commit, or conspiracy to commit an offense, or that facilitated or assisted such activity, shall be subject to forfeiture. -- Amends provision relating to unlawful use of license. Prohibits any person from using or having in the person's possession any reproduction, imitation, or facsimile of any driver's license or any identification with the appearance of a driver's license. -- HB0986 CD1  
Committee Reports: HSCR 559 (JHA) SSCR 1131 (JDC) CCR 72  
Current Status: May-02 01 Received by the Governor  
Section Affected: 710- (1 SECTION), 286-131

HB0996 SD1 (SSCR 1206)

RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS.

Introduced by: Say C (BR)

Amends Act 205, session laws of 1995, as amended by Act 7, session laws of 1996, and Act 152, session laws of 1998, relating to the criminal offender treatment Act, by changing the sunset date to June 30, 2004 (sunset). -- HB0996 SD1

Committee Reports: HSCR 200 (PSM) HSCR 633 (FIN) SSCR 1206 (JDC) SSCR 1388 (WAM)

Current Status: Apr-30 01 Received by the Governor

Section Affected: ACT 205 1995, ACT 7 1996, ACT 152 1998

HB0998 HD2 (HSCR 731)

RELATING TO LAND COURT.

Introduced by: Say C (BR)

Amends provisions relating to conveyance of fee; procedure, in regards to the land court law. Provides that no deeds, mortgages, leases, or other voluntary instruments shall be accepted by the assistant registrar in the bureau of conveyances for registration unless a reference to the number of the certificate of title is incorporated. Provides that if the certificate reference in the instrument is not current, an endorsement of the current certificate of title may be required. -- Adds that all names of all natural persons signing in their individual capacity in the instrument shall be typewritten, stamped, legibly printed by hand, or by a mechanical or electrical printing method. Provides that the assistant registrar may refuse to file any instrument that is larger than 8 1/2 inches by 11 inches. -- Provides that a certified copy of acknowledgment of authority shall be filed with the assistant registrar to determine persons entitled to distribution of registered land when the owner of the registered lands dies. -- HB0998 HD2

Committee Reports: HSCR 203 (WLU) HSCR 731 (JHA) SSCR 1485 (JDC)

Current Status: Apr-12 01 Received by the Governor

Apr-25 01 Approved by Governor (Act 23 2001)

Section Affected: 501-108, 501-171, 501-173

HB1000 HD1 SD2 CD1 (CCR 152)

RELATING TO THE JUDICIARY.

Introduced by: Say C (BR)

Judiciary appropriations Act of 2001 (judiciary budget). Appropriations to the judiciary for the 2001 - 2002 fiscal biennium. (\$\$) -- HB1000 CD1

Committee Reports: HSCR 308 (JHA) HSCR 873 (FIN) SSCR 1142 (JDC) SSCR 1392 (WAM) CCR 152

Current Status: May=03 01 Passed Legislature

HB1001

RELATING TO GARNISHMENT.

Introduced by: Say C (BR)

Repeals provision relating to garnishment fees and costs in garnishment cases. -- HB1001

Committee Reports: HSCR 187 (JHA) HSCR 619 (FIN) SSCR 1132 (JDC)

Current Status: Mar-29 01 Received by the Governor

Apr-06 01 Approved by Governor (Act 5 2001)

Section Affected: 652-13

HB1003 HD1 (HSCR 547)

RELATING TO THE PENAL CODE.

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Introduced by: Say C (BR)  
Amends provision relating to summons or arrest of defendant on probation; commitment without bail. Provides that at any time before the discharge of a defendant or the termination of the period of probation, a probation or peace officer may arrest the defendant without a warrant and the defendant shall be held in custody pending the posting of bail provided that when the punishment for the original offense does not exceed 1 year, the probation or peace officer may admit the probationer to bail. -- HB1003 HD1  
Committee Reports: HSCR 547 (JHA) SSCR 1516 (JDC)  
Current Status: Apr-12 01 Received by the Governor  
Apr-25 01 Approved by Governor (Act 24 2001)  
Section Affected: 706-626

HB1004 HD1 SD1 CD1 (CCR 73) RELATING TO ORIGINAL JURISDICTION OF THE HAWAII SUPREME COURT.  
Introduced by: Say C (BR)  
Amends provisions relating to litigation; jurisdiction by replacing supreme court with circuit court of the 1st circuit. Transfers from the supreme court to the circuit court of the circuit where the case or controversy arises, original jurisdiction over issues relating to the procurement code, and the Hawaii tourism authority. Amends provision relating to the Kalaeloa (Barbers Point) community development authority providing that any action or proceeding shall be brought in the circuit court of the 1st circuit. -- HB1004 CD1  
Committee Reports: HSCR 194 (JHA) SSCR 1133 (JDC) SSCR 1517 (JDC) CCR 73  
Current Status: May-02 01 Received by the Governor  
Section Affected: 37D-9, 103D-709, 103D-710, 103D-712, 201B-15, 206E-20, 206G-10

HB1016 RELATING TO THE MEMBERS OF THE BOARD OF EDUCATION.  
Introduced by: Say C (BR)  
Amends provision relating to the immunity from liability for members of boards and commissions. Extends the definition of member to include the board of education and persons elected to serve on the board of education. -- HB1016  
Committee Reports: HSCR 382 (EDN) HSCR 720 (JHA) SSCR 1098 (EDU) SSCR 1552 (JDC)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 54 2001)  
Section Affected: 26-35.5

HB1048 HD2 SD1 (SSCR 1349) RELATING TO THE STATE LIBRARIAN.  
Introduced by: Ito K, Takai K  
Repeals the salary of the state librarian and provides that it shall be set by the board of education at a rate no greater than 120,000 dollars a year. -- HB1048 SD1  
Committee Reports: HSCR 445 (EDN) HSCR 760 (FIN) SSCR 1254 (EDU) SSCR 1349 (WAM)  
Current Status: Apr-30 01 Received by the Governor  
Section Affected: 312-2.1

HB1074 HD2 SD2 CD1 (CCR 117) RELATING TO DROUGHT MITIGATING FACILITIES.  
Introduced by: Nakasone B  
Provides a drought mitigating water storage facility income tax credit for the construction of a new water storage facility or repair or reconstruction of an existing water storage facility between December 31, 2000, and December 31, 2005 (sunset). -- HB1074 CD1  
Committee Reports: HSCR 531 (AGR) HSCR 806 (FIN) SSCR 1186 (AGT) SSCR 1368 (WAM) CCR 117  
Current Status: May-02 01 Received by the Governor  
Section Affected: 235- (1 SECTION)



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- HB1089 HD2 SD2 CD1 (CCR 172) RELATING TO AGRICULTURE.  
Introduced by: Abinsay F, Cabrerros B  
Amends Act 117, session laws of 1999, as amended by Act 206, session laws of 2000. Provides that any unexpended or unencumbered funds at the close of fiscal year 2000 - 2001 shall be deposited into the Hawaii agricultural development revolving fund. Appropriation to the department of agriculture out of the agricultural loan revolving fund and out of the aquacultural loan revolving fund to provide financial assistance to agricultural and aquaculture enterprises on Kauai. (\$\$) -- HB1089 CD1  
Committee Reports: HSCR 475 (AGR) HSCR 863 (FIN) SSCR 1129 (AGT) SSCR 1520 (WAM) CCR 172  
Current Status: May-02 01 Received by the Governor  
Section Affected: ACT 117 1999, ACT 206 2000
- HB1100 HD1 SD1 CD1 (CCR 153) RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS.  
Introduced by: Say C (BR)  
Appropriations to the office of Hawaiian affairs (OHA budget) for the 2001 - 2003 fiscal biennium. Requires the department to submit a report to the legislature. (\$\$) -- HB1100 CD1  
Committee Reports: HSCR 309 (JHA) HSCR 874 (FIN) SSCR 1072 (HAW) SSCR 1393 (WAM) CCR 153  
Current Status: May=03 01 Passed Legislature
- HB1111 HD1 SD2 CD1 (CCR 63) RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR AN INTERGENERATIONAL CARE CENTER AT EWA VILLAGES.  
Introduced by: Espero W  
Authorizes the issuance of special purpose revenue bonds to assist the EVCDC (Ewa Villages community development corporation) in financing and refinancing costs related to the acquisition, development, and construction of an intergenerational care center, Kulana Malama, to provide health care services to frail elderly and medically fragile infants and children. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1111 CD1  
Committee Reports: HSCR 223 (HLT) HSCR 751 (FIN) SSCR 1105 (HHS) SSCR 1350 (WAM) CCR 63  
Current Status: May-02 01 Received by the Governor
- HB1115 SD1 CD1 (CCR 74) RELATING TO THE ADMISSIBILITY OF PAID BILLS IN COURT.  
Introduced by: Hamakawa E  
Amends provision relating to presumptions imposing burden of producing evidence. Provides that a bill for goods or services that has been paid shall be presumed to be authentic and to embody fair and reasonable charges for the itemized goods or services. -- HB1115 CD1  
Committee Reports: HSCR 665 (JHA) SSCR 1518 (JDC) CCR 74  
Current Status: May-02 01 Received by the Governor  
Section Affected: 626-1 RULE 303
- HB1118 HD1 (HSCR 353) RELATING TO HUNTING.  
Introduced by: Hamakawa E  
Amends the definition of public hunting areas by including game management areas; forest reserves and surrendered lands; natural area reserves; restricted watersheds; cooperative game management areas; military training areas; unencumbered state lands; designated sanctuaries; and other lands designated by the board of land and natural resources. -- HB1118 HD1  
Committee Reports: HSCR 353 (WLU) HSCR 722 (JHA) SSCR 1274 (EDT) SSCR 1698 (WLE)  
Current Status: May-02 01 Received by the Governor

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Section Affected: 183D-4

HB1134 HD1 (HSCR 569)

RELATING TO COLLECTION AGENCIES.

Introduced by: Say C (BR)

Amends provisions relating to fraudulent, deceptive, or misleading representations of collection agencies. Prohibits a collection agency to fail to disclose clearly in the initial written and oral communication made to collect, or attempt to collect, a claim or to obtain, or attempt to obtain, information about a debtor or alleged debtor that the collection agency is attempting to collect a claim and that any information obtained will be used for that purpose and in subsequent communications that the communication is from a debt collector. Exempts formal pleading made in connection with legal action. -- HB1134 HD1

Committee Reports: HSCR 569 (CPC) SSCR 1505 (CPH)

Current Status: Apr-12 01 Received by the Governor

Apr-25 01 Approved by Governor (Act 25 2001)

Section Affected: 443B-18

HB1138 SD1 (SSCR 1220)

RELATING TO SUBMISSION OF REPORTS TO THE LEGISLATURE.

Introduced by: Say C (BR)

Establishes provision relating to publication and distribution of reports providing requirements for reports submitted to the legislature by government agencies. Defines government agency as the judiciary and each department, board, commission, or officer of the State or any of its political subdivisions. Establishes that the legislative reference bureau shall develop a system to track and monitor the submission of reports to the legislature by executive agencies and the judiciary. Requires the system to encompass all annual and other reports required by law to be submitted to the legislature, or requested by legislative resolution. -- HB1138 SD1

Committee Reports: HSCR 211 (LMG) HSCR 656 (FIN) SSCR 1220 (TMG) SSCR 1548 (WAM)

Current Status: Apr-30 01 Received by the Governor

Section Affected: 1- (1 SECTION), 23G- (1 SECTION)

HB1159

RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS.

Introduced by: Say C (BR)

Amends or repeals various provisions of the Hawaii revised statutes and the session laws of Hawaii for the purpose of correcting errors, clarifying language, correcting references, and deleting obsolete or unnecessary provisions. -- HB1159

Committee Reports: HSCR 7 (JHA) SSCR 1357 (JDC)

Current Status: Apr-12 01 Received by the Governor

Apr-26 01 Approved by Governor (Act 55 2001)

Section Affected: 11-2.5, 11-212, 13D-1, 89-5, 132-3, 206M-8, 219-2, 219-7, 219-8, 220-1, 261-12, 281-31, 286-45, 286-172, 291C-163, 329-122, 346-59.6, 368-3, 368-11, 368-13, 368-17, 414-313, 431:2-201.5, 431:10C-308.5, 431:19-106.5, 467E-7, 489-7.5, 489-8, 489E-16, 502-33, 571-52.2, 661-21, 661-23, 661-24, 661-25, 706-648, 805-13, 431:10C-104.5, ACT 165 2000, ACT 249 2000, ACT 250 2000, ACT 253 2000, ACT 297 2000

HB1173 HD1 (HSCR 663)

RELATING TO LODGING OR TENEMENT HOUSES, HOTELS, AND BOARDINGHOUSES.

Introduced by: Say C (BR)

Amends provisions relating to lodging or tenement houses, hotels, and boardinghouses. Repeals the requirement for a license for a lodging or tenement house, group home, group residence, group living arrangement, hotel, or

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boardinghouse. -- Amends the general excise tax exemption for hotels by redefining hotels. -- HB1173 HD1  
Committee Reports: HSCR 663 (CPC) SSCR 1414 (CPH)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 35 2001)  
Section Affected: 46-15.4, 237-24.7, 445-94, 445-95, 445-96, 445-92

HB1176

RELATING TO INSPECTIONS BY THE COUNTY FIRE CHIEF OR THE CHIEF'S DESIGNEES.

Introduced by: Say C (BR)

Amends provision relating to right of entry for inspection; unlawful to obstruct, to include that designees of the county fire chief have the right of entry. Requires the county fire chief or the chief's designees to make an inspection of all state owned or county owned buildings and facilities, and make a report to the authorities responsible for the maintenance of any state owned or county owned building or facility when its found that a building or facility does not meet minimum standards of fire and safety protection. -- HB1176

Committee Reports: HSCR 284 (JHA) SSCR 1292 (TIA/ TMG/)

Current Status: Mar-30 01 Received by the Governor

Apr-06 01 Approved by Governor (Act 6 2001)

Section Affected: 132-5

HB1211 HD1 SD1 CD1 (CCR 77)

RELATING TO FIREARMS.

Introduced by: Say C (BR)

Establishes provisions relating to disclosure for firearms permit and registration purposes. Provides that a health care provider or public health authority shall disclose health information, including protected health care information, relating to an individual's mental health history, to the appropriate county chief of police provided that the information shall be used only for the purpose of evaluating the individual's fitness to acquire or own a firearm; and the individual has signed a waiver permitting such release. Redefines electric gun to mean any portable device that is electrically operated to project a missile or electromotive force; and excludes any automatic external defibrillator used in emergency medical situations. Amends provisions relating to restriction on possession, sale, gift, or delivery of electric guns.

Provides that this shall not apply to law enforcement officers of county police and sheriff departments, or vendors providing electric guns to those entities; provided that electric guns shall at all times remain in the custody and control of the county police (police) or sheriff departments. Further provides that the county police and sheriff departments shall maintain records regarding every electric gun in their custody and control. Adds that such records shall report every instance of usage of the electric guns; in particular, records shall be maintained in a similar manner as for those of discharging of firearms. County police and sheriff departments to annually report to the legislature. -- HB1211 CD1

Committee Reports: HSCR 561 (JHA) SSCR 1555 (JDC) CCR 77

Current Status: May-02 01 Received by the Governor

Section Affected: 134- (1 SECTION), 134-1, 134-16

HB1216 HD1 SD1 CD1 (CCR 109)

RELATING TO THE KOREAN CENTENNIAL CELEBRATION COMMISSION.

Introduced by: Luke S, Schatz B, Chang J, Lee M, Oshiro M, Takai K, Magaoay M, Moses M

Appropriation to the Korean centennial celebration commission for the Korean centennial celebration. Requires match by private contributions. (\$\$) -- HB1216 CD1

Committee Reports: HSCR 198 (TAC) HSCR 783 (FIN) SSCR 1177 (EDU) SSCR 1525 (WAM) CCR 109

Current Status: May-02 01 Received by the Governor

HB1231 HD1 SD1 (SSCR 1506)

RELATING TO CONDOMINIUMS.

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

Introduced by: Ito K, Takai K

Establishes provisions relating to mediation. Provides that if an apartment owner or the board of directors requests mediation of a dispute involving the interpretation or enforcement of the association of apartment owners' declaration, bylaws, or its house rules, or involving provisions relating to contents of bylaws, purchaser's right to vote, or management contracts, the other party in the dispute shall be required to participate in mediation. Adds that if an owner or the board refuses to participate in the mediation of a particular dispute, the court may take this refusal into consideration when awarding expenses, costs, and attorney's fees in any subsequent mediation, arbitration, or legal action concerning that dispute. -- HB1231 SD1

Committee Reports: HSCR 570 (CPC) SSCR 1506 (CPH)  
Current Status: Apr-30 01 Received by the Governor  
Section Affected: 514A- (1 SECTION)

HB1233 HD1 SD2 CD1 (CCR 97)

RELATING TO YOUTH SERVICES.

Introduced by: Kahikina M, McDermott B

Amends provision relating to the office of youth services by adding that each youth service center shall be responsive to the needs to its immediate community and offer an array of services that are tailored to the needs of its constituents. Requires the office to monitor and evaluate youth service centers and report to the legislature.

Appropriation to the office of youth services for youth services centers. (\$\$) -- HB1233 CD1

Committee Reports: HSCR 498 (HSH) HSCR 605 (FIN) SSCR 1238 (HHS) SSCR 1529 (WAM) CCR 97  
Current Status: May-02 01 Received by the Governor  
Section Affected: 352D-7

HB1234 HD1 SD2 CD1 (CCR 93)

RELATING TO QUEST.

Introduced by: Kahikina M, Kawakami B, McDermott B

Requires the provisions of the 6th omnibus budget reconciliation act (SOBRA) for risk adjusting for deliveries to be incorporated into fiscal year 2002 QUEST bid process. Provides exceptions. Further requires the department of human services to define enabling services to be provided by QUEST plans to include all federally qualified health center enabling services covered by medicaid payments prior to initiation of the QUEST program and case management, outreach, and supportive counseling provided by community health workers and other health professionals at federally qualified health centers for patients with multiple diagnoses. -- Provides that the department of human services shall be allowed the flexibility to allow children whose family income is at or below 200 per cent, and up to 300 per cent of the federal poverty level to be eligible for health insurance under the state's Med QUEST program. -- HB1234 CD1

Committee Reports: HSCR 348 (HSH) HSCR 606 (FIN) SSCR 1239 (HHS) SSCR 1458 (WAM) CCR 93  
Current Status: May-02 01 Received by the Governor

HB1243 HD1 SD1 CD1 (CCR 83)

RELATING TO CAPTIVE INSURANCE.

Introduced by: Hiraki K

Allows any county to establish a captive insurance company. Amends captive insurance company to establish provisions for leased capital facility captive insurance company. Allows 1 or more sponsors to form a leased capital facility and provides that a leased capital facility shall only insure the risks of its participants. -- HB1243 CD1

Committee Reports: HSCR 469 (CPC) HSCR 620 (FIN) SSCR 1415 (CPH) CCR 83  
Current Status: May-02 01 Received by the Governor  
Section Affected: 46- (1 SECTION), 431:19- (1 SECTION), 431:19-101

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB1255 HD1 SD1 CD1 (CCR 78) RELATING TO MINORS.  
Introduced by: Hamakawa E  
Establishes provision relating to expungement orders. Provides that upon written application by the minor, or the minor's parent or guardian, the court may issue an order expunging the arrest records of a minor, if the matter was not referred to the prosecuting attorney or family court and the person arrested was not counseled and released by the police; or the matter was referred to the prosecuting attorney or family court and the person arrested was not adjudicated responsible; or the matter was dismissed with prejudice. Adds that prior to issuing an expungement order, the court shall consult with appropriate law enforcement agencies to determine if there is any reason to retain the arrest record. Provides that upon issuance of an expungement order, the court shall forward copies of the expungement order to the police and department of the attorney general; and issue to the person for whom the expungement order was issued, a certificate stating that an expungement order was issued and that its effect is to annul the record of 1 or more specific arrests. Provides that upon receipt of an expungement order issued by the family court, the police and attorney general shall expunge the arrest record of the minor. Further provides that the records of any police department and of any juvenile division shall be confidential, except for expunged records in regards to family court. Changes juvenile crime prevention bureau to juvenile division or section. -- HB1255 CD1  
Committee Reports: HSCR 553 (JHA) SSCR 1519 (JDC) CCR 78  
Current Status: May-02 01 Received by the Governor  
Section Affected: 571- (1 SECTION), 571-72, 571-84, 846D-1
- HB1257 HD1 (HSCR 249) RELATING TO LEI DAY.  
Introduced by: Kawakami B, Auwae E, Morita H, Kanoho E, Kahikina M, Ahu Isa L, Yonamine N  
Establishes that May 1 of each year shall be known as May day is lei day in Hawaii'i (Hawaii), provided that this day is not and shall not be construed to be a state holiday. -- HB1257 HD1  
Committee Reports: HSCR 249 (TAC) SSCR 1306 (TIA)  
Current Status: Apr-06 01 Received by the Governor  
Apr-19 01 Approved by Governor (Act 11 2001)  
Section Affected: 8- (1 SECTION)
- HB1273 HD2 SD1 (SSCR 1221) RELATING TO TRANSPORTATION.  
Introduced by: Souki J  
Appropriation to the department of transportation out of the airport revenue fund for airports administration (TRN 195) for the defeasance of certain outstanding airports system revenue bonds. (\$\$) -- HB1273 SD1  
Committee Reports: HSCR 368 (TRN) HSCR 823 (FIN) SSCR 1221 (TMG) SSCR 1536 (WAM)  
Current Status: May-03 01 Received by the Governor
- HB1287 HD1 SD2 CD1 (CCR 171) RELATING TO AGRICULTURE.  
Introduced by: Say C  
Appropriation to the university of Hawaii for the continued development of high value agricultural products and a breeding program to provide new agricultural products, for the continued development of the agricultural biotechnology initiative, and for the creation and adoption of agricultural management practices that protect Hawaii's environment. Requires the sums appropriated to be added to the base budget request of the university. (\$\$) -- HB1287 CD1  
Committee Reports: HSCR 148 (AGR/ HED/) HSCR 862 (FIN) SSCR 1164 (AGT/ EDU/) SSCR 1369 (WAM) CCR 171  
Current Status: May-02 01 Received by the Governor
- HB1309 SD2 (SSCR 1537) RELATING TO SPECIAL PURPOSE REVENUE BONDS.  
Introduced by: Kanoho E

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

Authorizes the issuance of special purpose revenue bonds to assist Science and Technology International and its subsidiaries in financing the capital costs related to the relocation to, and construction of, a new facility. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. -- HB1309 SD2

Committee Reports: HSCR 271 (EDB/ WLU/) HSCR 646 (FIN) SSCR 1226 (WLE/ EDT/) SSCR 1537 (WAM)

Current Status: May-03 01 Received by the Governor

HB1339 HD1 SD1 CD1 (CCR 51)

RELATING TO WATER SUPPLY BOARDS.

Introduced by: Kanoho E, Morita H, Kawakami B

Amends provisions relating to counties. Defines board or boards to mean the board of water supply or water board of any county. Provides that impact fees may be assessed, imposed, levied, and collected by the counties for any development, or portion thereof, not involving water supply or service; or boards for any development, or portion thereof, involving water supply or service; provided that the county enacts appropriate impact fee ordinances or the board adopts rules to effectuate the imposition and collection of the fees within their respective jurisdictions. -- HB1339 CD1

Committee Reports: HSCR 162 (WLU) HSCR 842 (FIN) SSCR 1182 (WLE) SSCR 1460 (WAM) CCR 51

Current Status: May-02 01 Received by the Governor

Section Affected: 46-141, 46-142, 46-143, 46-144, 46-145

HB1345 HD1 (HSCR 58)

RELATING TO ENERGY CONTENT OF FUELS.

Introduced by: Morita H, Kanoho E, Magaoay M, Hale H, Oshiro B, Garcia N

Amends fuel tax provisions to provide reduced taxes for alternative fuels. -- HB1345 HD1

Committee Reports: HSCR 58 (EEP) HSCR 537 (CPC) HSCR 621 (FIN) SSCR 1183 (WLE) SSCR 1799 (WAM)

Current Status: May-02 01 Received by the Governor

Section Affected: 243-1, 243-4, 243-5

HB1391 HD1 SD2 CD1 (CCR 105)

RELATING TO THE ARTS.

Introduced by: Chang J, Takai K, Suzuki N, Morita H

Amends provision relating to the duties of the state foundation on culture and the arts requiring the foundation to convene the Hawaii arts education partners, to fully implement the terms of the Hawaii arts education strategic plan. Appropriation to the department of education for at least 12 full time equivalent (12.00 FTE) permanent state resource teachers in the fine arts in the department of education. Requires at least 1 specialist each in dance, drama, visual arts, and music; provided that the director of the school renewal branch of the department of education shall provide oversight for each state resource teacher who is either certified to teach a specific fine arts discipline or possesses the requisite knowledge and skills of a traditionally trained cultural practitioner. Provides that the Hawaii arts education partners, in cooperation with the state resource teachers, shall continue to implement the various elements of the strategic plan, including the acquisition of needed resources for elementary schools that are willing to actively adopt, integrate, and implement arts infused, standards based arts education into the curricula for grades K - 5. Requires the foundation to submit an annual report to the governor and legislature, including the efforts of the Hawaii arts education partners and its progress to implement the Hawaii arts education strategic plan. (\$\$) -- HB1391 CD1

Committee Reports: HSCR 152 (EDN) HSCR 780 (FIN) SSCR 1196 (EDU) SSCR 1526 (WAM) CCR 105

Current Status: May-02 01 Received by the Governor

Section Affected: 9-3

HB1400 SD1 CD1 (CCR 154)

RELATING TO STATE BONDS.

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

Introduced by: Takamine D  
Provides declaration of findings on debt limit with respect to general obligation refunding bonds and provides authorization for the issuance of general obligation bonds. -- HB1400 CD1  
Committee Reports: HSCR 683 (FIN) SSCR 1390 (WAM) CCR 154  
Current Status: May=03 01 Passed Legislature

HB1405 HD1 SD1 (SSCR 1117)

A BILL FOR AN ACT RELATING TO USE OF INTOXICANTS.

Introduced by: Say C  
Amends ocean recreation and coastal areas programs, county vehicle tax, intoxicating liquor, highway safety, driver education and training fund, motor vehicle safety responsibility, chemical testing by the department of health, motor vehicle rental industry, motor vehicle insurance, district court, dispositions under the penal code, and use of intoxicants while operating a vehicle laws to conform the use of intoxicants law. -- HB1405 SD1  
Committee Reports: HSCR 554 (JHA) SSCR 1117 (TMG) SSCR 1406 (JDC)  
Current Status: May-03 01 Received by the Governor  
Section Affected: 200- (1 SECTION), 291E- (4 SECTIONS), 249-9.4, 281-44, 286-104, 286-132, 286G-3, 287-3, 291E-1, 291E-11, 291E-21, 291E-31, 291E-33, 291E-34, 291E-35, 291E-36, 291E-37, 291E-38, 291E-39, 291E-41, 291E-42, 291E-44, 291E-45, 291E-61, 291E-62, 291E-63, 291E-64, 291E-65, 321-161, 431:10C-306, 431:10C-407, 437D-13, 604-8, 706-603

HB1411

RELATING TO SECONDARY MARKET SERVICES CORP.--HAWAII.

Introduced by: Takumi R  
Provides that the secondary market services corp. Hawaii, be established and operated to acquire student loan notes under the Federal Higher Education Act of 1965, as amended. Repeals requirement that the loan notes be held by local financial institutions. -- HB1411  
Committee Reports: HSCR 74 (HED) HSCR 371 (CPC) HSCR 647 (FIN) SSCR 1100 (EDU) SSCR 1541 (WAM)  
Current Status: Apr-12 01 Received by the Governor  
Apr-26 01 Approved by Governor (Act 56 2001)  
Section Affected: 309-1.5

HB1473 HD2 (HSCR 708)

RELATING TO MOTOR VEHICLES.

Introduced by: Case E  
Requires the transferee of a motor vehicle to transfer the certificate of ownership so endorsed to the county director of finance within 60 days if the lien holder does not have an office in the State. -- HB1473 HD2  
Committee Reports: HSCR 295 (TRN) HSCR 708 (CPC) SSCR 1309 (TMG)  
Current Status: Apr-06 01 Received by the Governor  
Apr-19 01 Approved by Governor (Act 12 2001)  
Section Affected: 286-52

HB1547 HD1 (HSCR 544)

RELATING TO TOWING.

Introduced by: Souki J  
Increases the maximum towing fees allowed by towing companies. Allows an overtime towing charge from 6:00 pm Friday to 6:00 am Monday. -- HB1547 HD1  
Committee Reports: HSCR 544 (TRN) SSCR 1118 (TMG)  
Current Status: Mar-29 01 Received by the Governor  
Apr-06 01 Approved by Governor (Act 7 2001)  
Section Affected: 290-11

HB1552 HD1 (HSCR 664)

RELATING TO TIME SHARING.

Introduced by: Ahu Isa L

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

Amends provision relating to planned community association to include a time share plan. -- Amends provision relating to interest and usury by excluding indebtedness secured by a time share interest if that time share interest is not otherwise governed and if the rate of interest does not exceed 18 per cent per year. Provides that this shall not limit the seller's right to charge interest. -- HB1552 HD1

Committee Reports: HSCR 664 (CPC) SSCR 1150 (TIA) SSCR 1490 (CPH)

Current Status: Apr-12 01 Received by the Governor

Apr-27 01 Approved by Governor (Act 68 2001)

Section Affected: 421J-2, 478-8, ACT 99 1999

HB1556 SD1 CD1 (CCR 54)

RELATING TO AGRICULTURAL LOANS.

Introduced by: Abinsay F, Magaoay M, Case E, Cabreros B, Suzuki N, Ahu Isa L, Kawakami B, Chang J, Gomes J, Kanohe E

Amends provision relating to agricultural loans, providing that class A and class C loans shall be for an amount not to exceed 800,000 dollars, rather than 400,000 dollars. -- HB1556 CD1

Committee Reports: HSCR 522 (AGR) HSCR 648 (FIN) SSCR 1130 (AGT) SSCR 1370 (WAM) CCR 54

Current Status: May-02 01 Received by the Governor

Section Affected: 155-9

HB1561 HD2 SD1 CD1 (CCR 158)

RELATING TO EDUCATION.

Introduced by: Ito K, Takai K, Kahikina M, Luke S, Suzuki N

Requires the Hawaii state school to work department of education's plan to develop targeted programs that are consistent with the department policies and initiatives.

Appropriation for the career pathway development centers, professional development for project based learning, and career development transition office. (\$\$) -- HB1561 CD1

Committee Reports: HSCR 387 (EDN/ LAB/) HSCR 826 (FIN) SSCR 1121 (EDU/ LBR/) SSCR 1527 (WAM) CCR 158

Current Status: May=03 01 Passed Legislature

HB1586 HD1 SD2 CD1 (CCR 170)

RELATING TO UNEMPLOYMENT.

Introduced by: Kawakami B, Kanohe E, Morita H, Takamine D

Requires unemployment insurance benefits for the displaced employees of Amfac sugar Kauai to be extended for an additional period of 6 months. Further requires that the employee to be either enrolled in and attending an approved vocational training or education program. Provides that the extended unemployment compensation to displaced employees shall be equal to the unemployment insurance weekly benefit amount payable to the applicable benefit year. Act to be repealed on June 30, 2003 (sunset). -- HB1586 CD1

Committee Reports: HSCR 397 (LAB) HSCR 761 (FIN) SSCR 1037 (LBR) SSCR 1463 (WAM) CCR 170

Current Status: May-02 01 Received by the Governor

HB1587

RELATING TO ACQUISITION OF HOSPITALS.

Introduced by: Kawakami B, Kanohe E, Morita H

Repeals the exemption of the requirement to get approval from the state health planning and development agency and to notify the attorney general prior to acquisition of a hospital for a non profit corporation. -- HB1587

Committee Reports: HSCR 485 (HLT) HSCR 628 (CPC) SSCR 1107 (HHS) SSCR 1512 (CPH)

Current Status: Apr-12 01 Received by the Governor

Apr-27 01 Approved by Governor (Act 69 2001)

Section Affected: 323D-71, 323D-72

HB1662 HD1 SD2 CD1 (CCR 162)

RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION.

Introduced by: Say C (BR)



## HOUSE BILLS WHICH PASSED THE LEGISLATURE

Appropriation to the department of business, economic development, and tourism to support high technology marketing and promotion activities. (\$\$) -- HB1662 CD1  
Committee Reports: HSCR 127 (EDB) HSCR 762 (FIN) SSCR 1276 (EDT) SSCR 1539 (WAM) CCR 162  
Current Status: May=03 01 Passed Legislature

HB1667 HD2 SD1 CD1 (CCR 99)

RELATING TO STUDENT LOANS FOR TEACHERS.

Introduced by: Say C (BR)

Establishes the Hawaii educator loan program administered by the university of Hawaii to provide financial support to students who complete a state approved teacher education program and who agree to teach in the public school system.

Establishes the Hawaii educator loan program special fund. Appropriation for student loans to be deposited to the credit of the fund. (\$\$) -- HB1667 CD1

Committee Reports: HSCR 265 (HED/ EDN/) HSCR 803 (FIN) SSCR 1101 (EDU) SSCR 1378 (WAM) CCR 99

Current Status: May=03 01 Passed Legislature

Section Affected: 304- (1 SECTION)

HB1668 HD1 SD1 CD1 (CCR 75)

RELATING TO REHIRING RETIRED TEACHERS IN THE DEPARTMENT OF EDUCATION.

Introduced by: Say C (BR)

Allows the department of education to employ retired teachers at up to 100 per cent full time equivalent status in shortage areas identified by the department and to serve as mentors for new classroom teachers with prior approval of the superintendent, pursuant to collective bargaining agreements. Prohibits retired teachers who are rehired to earn retirement service credit, to contribute to the retirement system, or to gain additional retirement system benefits, provided that the retired teacher continues to receive entitled normal retirement benefits without penalty. Provides that in order for the teacher to qualify for full time employment the teacher must be retired for 2 calendar years. Also provides that a retired teacher may qualify for mentoring immediately upon retirement. Act to be repealed on July 1, 2005 (sunset). -- HB1668 CD1

Committee Reports: HSCR 329 (EDN/ LAB/) HSCR 623 (FIN) SSCR 1123 (EDU/ LBR/) SSCR 1379 (WAM) CCR 75

Current Status: May=02 01 Received by the Governor

HB1679 HD1 SD1 (SSCR 1272)

RELATING TO DILLINGHAM AIRFIELD.

Introduced by: Magaoay M

Establishes the official name of airfield located at Kawaihapai, formerly known as the Dillingham airfield to be Kawaihapai airfield. -- HB1679 SD1

Committee Reports: HSCR 324 (TRN) HSCR 721 (JHA) SSCR 1272 (TMG) SSCR 1487 (HAW)

Current Status: Apr=30 01 Received by the Governor

Section Affected: 261- (1 SECTION)

HB1685 HD1 SD1 CD1 (CCR 70)

RELATING TO TAXATION.

Introduced by: Souki J, Garcia N, Yoshinaga T, Suzuki N, Chang J

Provides a general excise tax exemption for amounts received as rent for the rental or leasing of aircraft or aircraft engines used by the lessees or renters for interstate air transportation of passengers and goods. -- Amends the definition of use for use tax provisions to not include the acquisition or importation of any such aircraft or aircraft engines by any lessee or renter engaged in interstate air transportation. -- HB1685 CD1

Committee Reports: HSCR 299 (TRN) HSCR 772 (FIN) SSCR 1155 (TMG) SSCR 1559 (WAM) CCR 70

Current Status: May=02 01 Received by the Governor

Section Affected: 237-24.3, 238-1

## HOUSE BILLS WHICH PASSED THE LEGISLATURE

HB1686 HD1 SD1 CD1 (CCR 100)      RELATING TO THE ISSUANCE OF REVENUE BONDS FOR INTER-ISLAND MARITIME TRANSPORTATION.  
Introduced by: Souki J, Espero W  
Authorizes the issuance of special facility revenue bonds for appropriation to the department of transportation to make improvements and equipping special facilities for use by Rainbow Island Express at harbor facilities on the islands of Molokai, Maui, Lanai, Hawaii, and Oahu to operate an inter island and intra island ferry service. (\$\$) -- HB1686 CD1  
Committee Reports: HSCR 298 (TRN) HSCR 624 (FIN) SSCR 1156 (TMG) SSCR 1549 (WAM) CCR 100  
Current Status:            May-02 01 Received by the Governor