

BILLS PASSED

BY THE

HAWAII STATE LEGISLATURE

REGULAR SESSION OF 2002

SHOWING ACTIONS TAKEN AS OF

May 2, 2002

Prepared by the:



Legislative Reference Bureau Systems Office
State Capitol, Room 413
415 South Beretania Street
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 2002. 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 2, 2002, 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 2002

**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	Copies of 2001 - 2002 bills, committee reports, resolutions, and concurrent resolutions will be available after December 2002. 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 Clerk's office. Mail and fax requests received for reasonable quantities.
Lieutenant Governor State Capitol 5 th Floor Honolulu 96813 Phone: 586-0255	Dawn	Monday - Friday 7:45 am - 4:30 pm	10¢/page
Supreme Court Library 417 S. King St., Rm 115 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 \$2 handling charge plus postage (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	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	Denise	Monday - Friday 7:45 am - 4:30 pm	15¢/page via usage of the internet

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB0023 SD2 HD2 CD1 (CCR 92-02) RELATING TO DISASTER RELIEF.
Introduced by: Nakata B
Amends disaster relief law. Establishes provision relating to paid leave for state and county employees providing disaster relief services for the American Red Cross. Provides that the chief executive may grant a state or county employee, who is a certified American Red Cross disaster volunteer, paid leave of absence to perform disaster relief services for the American Red Cross. Provides criteria. Provides that employees granted leaves of absence shall have their compensation for those regular hours during which the employees are absent from work, and the duration of their leaves of absence, determined by the chief executive, without loss of seniority, pay, vacation, sick leave, or earned overtime accumulations. Defines chief executive to mean the governor, the respective mayors, the chief justice of the supreme court, and the chief executive officer of the Hawaii health systems corporation, and may include the superintendent of education and the president of the university of Hawaii. -- SB0023 CD1
Committee Reports: SSCR 93 (LBR/ TIA/) SSCR 738 (WAM) HSCR 1042 (LAB) HSCR 1210-02 (FIN) CCR 92-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 127- (1 SECTION) PAID LEAVE FOR STATE AND COUNTY EMPLOYEES PROVIDING DISASTER RELIEF SERVICES FOR THE AMERICAN RED CROSS
- SB0099 HD1 CD1 (CCR 54-02) RELATING TO THE LIQUOR COMMISSION.
Introduced by: Nakata B
Establishes provisions relating to political activities of commission employees. Authorizes a liquor commission employee to support, advocate, or aid in the election or defeat of any candidate for public office, or run for public office under certain conditions. Repeals provision prohibiting any employee of any liquor commission to support, advocate, or aid in the election or defeat of any candidate for public office. Prohibits any commission employee to solicit or receive contributions, or receive or transfer money or anything of value from a licensee for the purpose of supporting, advocating, or aiding in the election or defeat of a candidate for public office. -- SB0099 CD1
Committee Reports: SSCR 22 (LBR/ TIA/) SSCR 686 (JDC) HSCR 949-02 (JHA) CCR 54-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 281- (1 SECTION), 11-228, 281-17
- SB0233 SD2 HD2 CD1 (CCR 80-02) RELATING TO CHIROPRACTIC.
Introduced by: Chun Oakland S
Amends provisions relating to chiropractic defined. Redefines chiropractic as the science of palpating and adjusting the articulations and adjacent tissues of the human body and limited to the spinal column, head, lower and upper extremities, rib cage, and abdomen; provided that the practice includes chiropractic spinal and extraspinal manipulative treatment and evaluation, and referral for laboratory examination of a specimen. Excludes any chiropractic extraspinal manipulative treatment that is not based on generally accepted professional chiropractic standards and included in the curriculum of programs accredited by an accrediting agency recognized by the US Department of Education from the practice of chiropractic. Amends provision relating to violations and penalty. Adds that any person who attempts to practice chiropractic; buys, sells, or fraudulently obtains a diploma; or uses the title of doctor of chiropractic or chiropractic physician without a license shall be in violation of this law. -- Provides that reimbursement for chiropractic treatment for work related injury under workers' compensation law to be limited to treatment to the human spinal column. -- SB0233 CD1
Committee Reports: SSCR 504 (CPH/ HHS/) SSCR 963 (JDC) HSCR 1009 (HLT) HSCR 1136-02 (CPC/ JHA/) CCR 80-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 386- (1 SECTION), 442-1, 442-19
- SB0251 SD2 HD1 CD1 (CCR 141-02) RELATING TO PROFESSIONAL COUNSELORS.
Introduced by: Chun Oakland S
Establishes professional counselors law under the department of commerce and

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consumer affairs. Establishes a licensing program within the department. Requires the director to grant permission to use the title or description of licensed professional counselor; administer, coordinate, and enforce the licensing program; discipline any counselor for violation of rules or failure to meet the licensing requirements; and appoint an advisory committee. Requires fees acquired through the program to defray costs. Prohibits any individual from improper use of the title licensed professional. Violators will be subject to a civil action fine of not more than 1,000 dollars and consider each day's violation a separate offense. Provides criteria for application for licensure as a professional counselor. Allows license to be valid for 3 years and be renewed triennially. Establishes the professional counselors licensing program startup trust fund to be administered by the department for funding the startup implementation of the program. Prohibits any expenditure to be made until the balance of the fund is at least 43,000 dollars. Report to the legislature. Fund to be dissolved on June 30, 2004 and the remaining balance shall be deposited into the compliance resolution fund (sunset). Authorizes the director to appoint an administrative assistant and secretary, exempt from civil service, to assist with the program. Act to be repealed on June 30, 2009 (sunset). -- SB0251 CD1

Committee Reports: SSCR 2399 (HHS/ CPH/) SSCR 2586 (WAM) HSCR 902-02 (CPC) HSCR 1235-02 (FIN) CCR 141-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: (15 SECTIONS) PROFESSIONAL COUNSELORS

SB0331 SD2 HD2 CD1 (CCR 75-02)

RELATING TO HOUSING.

Introduced by: Chun J, Kawamoto C

Amends provisions relating to the housing and community development corporation. Defines tenant to mean any person occupying a room, dwelling accommodation, living quarters, or space in any public housing project, under or by virtue of any tenancy lease, license, or permit under or from the corporation. Amends provision relating to delinquent accounts. Provides that before the corporation seeks eviction of a tenant due to delinquency in payment of rent, the corporation shall comply with the procedures relating to termination and eviction before proceeding with the eviction hearing. Amends provision relating to termination and eviction. Provides that when any tenant has been delinquent in payment of rent, the corporation shall provide the tenant with a written notice no later than 45 days from the date of delinquency that shall inform the tenant of the delinquency and schedule a meeting between the tenant and the corporation or its agent. Provides criteria. Amends provision relating to hearing. Provides that the written notice shall further inform the tenant, licensee, or other occupant of the right to inspect and copy the tenant file at the tenant's expense before the hearing. Requires hearings to be conducted by an eviction board, rather than a trial examiner; the board shall consist of not fewer than 3 persons, of which 1 member shall be a tenant. Amends provision relating to eviction. Requires the corporation to provide the tenant with a written notice of the decision to terminate the lease, informing the tenant that a writ of possession may be issued within 10 days, and to inform the tenant of whether the grounds for eviction are curable. Restricts a writ of possession from being issued if the grounds are cured within a 10 day period. Repeals provision relating to appeals. Corporation to report to the legislature. Act to be repealed July 1, 2007 (sunset). -- SB0331 CD1

Committee Reports: SSCR 108 (CPH) SSCR 535 (CPH) SSCR 819 (JDC) HSCR 1017 (HSH) HSCR 956-02 (JHA) CCR 75-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 201G-51, 201G-33, 201G-52, 201G-53, 201G-55, 201G-56, 201G-54

SB0410 SD3 (SSCR 2819)

RELATING TO TRANSPORTATION.

Introduced by: Chun J, Kawamoto C

Amends provision relating to interisland shipping of vehicles. Repeals the requirement of written consent of the legal owner thereof to the transportation of the vehicle, 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

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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. -- SB0410 SD3

Committee Reports: SSCR 2177 (TMG) SSCR 2388 (TMG) SSCR 2819 (CPH) HSCR 786-02 (TRN) HSCR 1002-02 (CPC)

Current Status: Apr-03 02 Received by the Governor
Apr-18 02 Approved by Governor (Act 23 2002)

Section Affected: 286-271

SB0552 SD2 HD1 CD1 (CCR 134-02) MAKING AN APPROPRIATION FOR A KOREAN WAR MUSEUM.

Introduced by: Tam R

Appropriation to the department of business, economic development, and tourism to establish a national Korean war museum in Hawaii. Requires matching federal funds or from other sources in 2 to 1 ratio. (\$\$) -- SB0552 CD1

Committee Reports: SSCR 277 (EDT/ TMG/) SSCR 993 (WAM) HSCR 891 (PSM)
HSCR 1333 (FIN) CCR 134-02

Current Status: Apr-30 02 Passed Legislature

SB0594 SD1 HD2 CD1 (CCR 81-02) RELATING TO NEUROTRAUMA.

Introduced by: Matsuura D, Chun Oakland S

Establishes the neurotrauma law. Defines neurotrauma to mean a severe chronic disability of a person that is attributable to an injury to the central nervous system, such as traumatic brain injury and spinal cord injury, and likely to continue indefinitely. Provides that neurotrauma can include other neurological dysfunction or deficits that resulted in substantial functional limitations including self care, communication, learning, mobility, self direction, capacity for independent living, and economic sufficiency. Requires the department of health to develop, lead, administer, coordinate, monitor, evaluate, and set direction for a comprehensive system to support and provide services for survivors of neurotrauma injuries. Establishes the neurotrauma advisory board within the department of health to advise the director of health in implementing this law. Establishes the neurotrauma special fund to fund and contract services relating to neurotrauma. Authorizes moneys in the fund to be appropriated to obtain federal granting matching funds. Annual report to the legislature. Exempts the fund from contributing to central service and administrative expenses of the government. -- Requires a person committing the offense of driving under the influence of intoxicating liquor in the 1st, 2nd, 3rd, and subsequent offense; any person operating a motor vehicle with a child under the age of 4 who is not properly restrained in a child passenger restraint system (car seat) in the 1st, 2nd, and 3rd offense; any person in violation of mandatory use of seat belts; any motor vehicle driver in violation involved in an accident resulting in serious bodily injury or death, substantial bodily injury, and bodily injury; and noncompliance with the speed limit to pay a surcharge to be deposited into the neurotrauma special fund. -- Requires the traumatic brain injury advisory board to consult with the neurotrauma advisory board in advising the department of health in the development and implementation of plans involving persons with brain injuries and disorders. -- Appropriation out of the neurotrauma special fund to the department of health. (\$\$) -- SB0594 CD1

Committee Reports: SSCR 372 (HHS/ TMG/) SSCR 669 (WAM) HSCR 920 (HLT)
HSCR 909-02 (JHA) HSCR 1161-02 (FIN) CCR 81-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: (5 SECTIONS) NEUROTRAUMA, 36-27, 36-30, 291-11.5,
291-11.6, 291C-12, 291C-12.5, 291C-12.6, 291C-102, 291E-61,
321-28

SB0706 SD1 HD1 CD1 (CCR 91-02) RELATING TO STATE GOVERNMENT.

Introduced by: Bunda R, Kawamoto C, Sakamoto N

Establishes the loss mitigation grant program. Requires the insurance commissioner to develop and implement a pilot program to encourage the installation of wind resistive devices. Establishes the loss mitigation grant special fund expended by the commissioner to make loss mitigation grants. Annual report to the director of commerce and consumer affairs, the governor and the legislature. Requires the commissioner to

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appoint an advisory committee of persons having expertise and familiarity with relevant laws and reports to assist with the development of the grant program. -- Amends Hawaii hurricane relief fund to establish immunity from liability for the transfer of funds to the loss mitigation grant fund or from the loss mitigation grant fund to the hurricane reserve trust fund or involving the loss mitigation grant program. Provides that interest earned from the principal in the trust fund shall be transferred to the general fund. Appropriation to the grant fund. Appropriation out of the grant fund to the commissioner to implement the program. Appropriation out of the hurricane reserve trust fund to the Hawaii hurricane relief fund to be deposited into the general fund. (\$\$) -- SB0706 CD1

Committee Reports: SSCR 385 (LBR/ TMG/) SSCR 688 (JDC) HSCR 1132-02 (FIN) CCR 91-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 431: - (5 SECTIONS) LOSS MITIGATION GRANT PROGRAM, 431P- (1 SECTION), 431P-16

SB0720SD2 HD2 CD1 (CCR 72-02)

RELATING TO PROHIBITION OF DISCRIMINATION BY PUBLIC ENTITIES TOWARDS INDIVIDUALS WITH DISABILITIES.

Introduced by: Kanno B

Amends provision relating to programs and activities receiving state financial assistance by changing it to state and county services, programs, and activities receiving state or county financial assistance. Prohibits a qualified individual by reason of disability to be excluded from participation in, be denied the benefits, services, programs, or activities of, or be subjected to discrimination by a public entity, or by any service, program, or activity receiving state or county financial assistance. -- SB0720 CD1

Committee Reports: SSCR 452 (TIA/ HHS/) SSCR 684 (JDC) HSCR 879 (HLT) HSCR 852-02 (JHA) HSCR 1155-02 (FIN) CCR 72-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 368-1.5

SB0733 SD1 HD1 CD1 (CCR 82-02)

RELATING TO EMPLOYMENT SECURITY.

Introduced by: Kanno B

Amends provision relation to the employment and training fund. Requires the director of labor and industrial relations to require, rather than allow, employers who use or who are assisted by any of the programs to contribute up to 50 per cent of the cost. -- Provides criteria on how the department of labor and industrial relations shall ensure the proper administration of the employment and training fund program. Repeals provision allowing the director to hire personnel exempt from compensation law. -- Provides that every employer shall be subject to the employment and training fund assessment that shall be .01 per cent of taxable wages. Repeals the effective date periods, the decrease in percentage rates for 2001 and 2002, and the elimination of the assessment for 2003 and all subsequent years. -- SB0733 CD1

Committee Reports: SSCR 159 (LBR) SSCR 740 (WAM) HSCR 1043 (LAB) HSCR 1425 (FIN) CCR 82-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 383-128, 383-129

SB0796 SD1 HD2 CD2 (CCR 66-02)

RELATING TO STATE AND COUNTY TORT LIABILITY.

Introduced by: English J, Chumbley A, Chun J, Kokubun R

Establishes provisions relating to exception to liability for county lifeguard services. Provides that a county lifeguard, the employing county, and the State shall not be liable for any civil damages resulting from any act or omission of the lifeguard while providing rescue, resuscitative, or other lifeguard service on the beach or in the ocean in the scope of employment as a county lifeguard. Further provides that this exception from liability shall not apply when the claim for civil damages results from a county lifeguard's gross negligence or wanton act or omission. Provision to be repealed on June 30, 2007 (sunset). Amends Act 190, session laws of 1996, as amended by Act 101, session laws of 1999, by extending the repeal date to June 30, 2007. -- SB0796 CD2

Committee Reports: SSCR 283 (EDT/ TIA/) SSCR 1009 (JDC) HSCR 1002 (WLU) HSCR 1313 (JHA) CCR 37 - notwithstanding CCR 66-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 663- (1 SECTION), ACT 190 1996, ACT 101 1999

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB0859 SD1 HD2 CD1 (CCR 71-02) RELATING TO PAROLE.
Introduced by: Chun Oakland S
Establishes the earned time program under the department of public safety. Provides that a committed person, other than a person serving a mandatory term, a term of life imprisonment without parole, or a sentence for a class A felony, shall be eligible for parole before the expiration of minimum term set by the Hawaii paroling authority. Requires the person to demonstrate progress in work, vocational, or occupational training and skills, social adjustment skills, counseling sessions and self help groups, therapeutic and other similar departmental programs, and education or literacy programs. Provides that credit earned shall be equal to 10 days for each month and pro rata for a part of a month. Provides that if the annual review changes the amount of earned time vested for the person committed then the director shall notify the crime victim, if any, of the person's adjusted minimum term completion date. Prohibits earned time to reduce the minimum term of any committed person by a period of time that is more than 25 per cent of the person's minimum term. -- SB0859 CD1
Committee Reports: SSCR 581 (JDC) HSCR 923 (PSM) HSCR 957-02 (JHA) CCR 71-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 353- (1 SECTION) EARNED-TIME PROGRAM
- SB0940 HD2 CD1 (CCR 67-02) RELATING TO INSURANCE UNFAIR PRACTICES.
Introduced by: Menor R (BR)
Amends provisions relating to unfair methods of competition and unfair and deceptive acts and practices in the business of insurance. Repeals the exemption for benefit societies and health maintenance organizations (HMOs) from refusing to provide or limiting coverage available to an individual because the individual may have a 3rd party claim for recovery of damages. Provides that it shall not be a violation to refuse to provide or limit coverage available to an individual because the entity determines that the individual reasonably appears to have coverage available under the workers' compensation law or motor vehicle insurance law. Provides that any individual who knows or reasonably should know that the individual may have a 3rd party claim for recovery of damages, and who fails to provide timely notice of the potential claim to the entity, shall be deemed to have waived the prohibition against refusal or limitation of coverage. -- Amends provision relating to collateral sources; protection for liens and rights of subrogation under tort actions. Provides that where an entity licensed under benefit societies law or the health maintenance organizations act (HMOs) possesses a lien or potential lien the person whose settlement or judgement is subject to lien or potential lien shall submit timely notice of a 3rd party claim, 3rd party recovery of damages and related information to allow the lienholder or potential lienholder to determine the extent of reimbursement required. Further provides that a reimbursement dispute shall be subject to binding arbitration in lieu of court proceedings. -- SB0940 CD1
Committee Reports: SSCR 107 (CPH) SSCR 1005 (JDC) HSCR 993 (CPC/ JHA/ HSCR 1237-02 (FIN) CCR 67-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 431:13-103, 663-10
- SB0996 HD1 CD1 (CCR 51-02) PROPOSING AMENDMENTS TO ARTICLE I, SECTION 10, OF THE HAWAII CONSTITUTION.
Introduced by: Bunda R (BR)
Proposes to amend the constitution. Provides that a person shall not be held to answer for a capital or otherwise infamous crime, unless upon information in writing signed by a legal prosecuting officer under conditions and in accordance with procedures that the legislature may provide. -- SB0996 CD1
Committee Reports: SSCR 985 (JDC) HSCR 1115-02 (JHA) CCR 51-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: ART I S10
- SB0997 HD1 CD1 (CCR 52-02) RELATING TO CRIMINAL OFFENSES.
Introduced by: Bunda R (BR)
Requires the judicial council to convene a task force to review criminal charging

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procedures for the purpose of recommending to the legislature amendments, if any, to existing procedures. Provides criteria. Report to the legislature. -- SB0997 CD1
Committee Reports: SSCR 1011 (JDC) HSCR 1116-02 (JHA) CCR 52-02
Current Status: Apr-30 02 Passed Legislature

SB1188 SD2 HD2 CD1 (CCR 96-02) RELATING TO SENTENCING FOR DRUGS AND INTOXICATING COMPOUNDS OFFENSES.

Introduced by: Bunda R (BR)

Establishes provisions relating to interagency coordination. Requires the department of public safety, Hawaii paroling authority, judiciary, department of health, department of human services, and any other agencies assigned oversight responsibilities for offender substance abuse treatment law or administrative order, to establish a coordinating body to oversee the development and implementation of offender substance abuse treatment programs in the State. Requires the department of health to be the lead agency for the program. Requires any agency of the agreement to provide, upon request of another participating agency, all medical, psychological, or mental health records of the offender. Establishes provision relating to sentencing for 1st time drug offenders; expungement. Provides that a person convicted for the 1st time for any offense relating to drugs and intoxicating compounds or involving possession or use of drug paraphernalia, who is non violent as determined by the court, shall be sentenced to probation to undergo and complete a drug treatment program. Provides that the court may require the person to contribute to the cost of the drug treatment program. Provides that the court, upon written application from a person sentenced under this provision, shall issue a court order to expunge the record of arrest for that particular conviction, provided that a person shall be eligible for 1 time only for expungement under this provision. Amends provisions relating to terms and conditions of parole; suspension and revocation, modification of probation conditions. Provides that parole shall not be revoked for a 1st violation involving possession or use of any dangerous drug or intoxicating compound, or drug paraphernalia, provided that the person shall be required to undergo and complete a drug treatment program. Provides that if the person fails to complete the drug treatment program and if no other suitable treatment is amenable to the offender, the person shall be subject to revocation of parole and return to incarceration. Amends provisions relating to the offenses of promoting a dangerous drug. Provides exceptions for 1st time offenders sentenced under this provision. Provides that the Hawaii paroling authority shall conduct a review of all current incarcerated persons serving a sentence for conviction of promoting a dangerous drug. Provides that if the authority determines that a person is eligible for the drug treatment program rather than further incarceration, the authority shall grant parole to any person who has served at least 30 days of incarceration, with the mandatory condition of undergoing and completing a drug treatment program. Department of health to annually report to the legislature. -- SB1188 CD1

Committee Reports: SSCR 565 (JDC) SSCR 961 (WAM) HSCR 911 (PSM/ HLT/)
HSCR 1419 (FIN) CCR 96-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 321- (1 SECTION), 706- (1 SECTION), 353-66, 706-625, 712-1241, 712-1242, 712-1243

SB1320 SD2 HD1 (HSCR 1118-02) RELATING TO ANTITRUST.

Introduced by: Matsunaga M

Establishes provision relating to class actions by private persons. Provides that a class action for claims for a violation of the monopolies, restraint of trade law other than claims for unfair or deceptive acts or practices may be filed, and may be prosecuted on behalf of indirect purchasers by a person other than the attorney general. Provides criteria. Amends provision relating to unfair competition, practices, declared unlawful. Provides that any person may bring an action based upon unfair methods of competition declared unlawful. -- SB1320 HD1

Committee Reports: SSCR 448 (CPH) SSCR 931 (JDC) HSCR 1118-02 (CPC/ JHA/)

Current Status: Apr=30 02 Passed Legislature

Section Affected: 480- (1 SECTION), 480-2, 480-13, 480-14

SB2036 SD1 HD2 CD1 (CCR 154-02) RELATING TO EDUCATION.

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Introduced by: Sakamoto N, Kanno B, Matsuura D
Amends provisions relating to the allocation for coaches. Allows coaches to waive all or part of their stipend. Requires the department of budget and finance to dispense funds waived directly to the school to be used for the coaches' team. Requires the department of education to provide for allocations for coaches for fiscal year 2002 - 2003, within available resources. -- SB2036 CD1
Committee Reports: SSCR 2751 (EDU/ WAM/) HSCR 873-02 (EDN) HSCR 1252-02 (FIN) CCR 154-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 302A-633.6

SB2043 SD1 HD1 CD1 (CCR 131-02) RELATING TO ADOPTION.
Introduced by: Kanno B
Establishes the temporary advisory task force on hanai relationships and adoption rights, to be known as the hanai adoption advisory task force, to be convened by Volunteer Legal Services Hawaii, to review applicable case law, statutory law, and customary traditional practices related to the hanai relationship. Interim and final report to the legislature. Task force to be terminated upon submission of the final report (sunset). -- SB2043 CD1
Committee Reports: SSCR 2329 (HAW/ JDC/) SSCR 2581 (WAM) HSCR 908-02 (JHA) HSCR 1181-02 (FIN) CCR 131-02
Current Status: Apr-30 02 Passed Legislature

SB2046 SD1 HD1 CD1 (CCR 58-02) RELATING TO GUIDE DOGS, SIGNAL DOGS, AND SERVICE ANIMALS.
Introduced by: Kanno B
Establishes provisions relating to causing injury or death to a guide dog, signal dog, or service animal. Provides that a person commits the offense of causing injury or death to a guide dog, signal dog or service animal if that person recklessly causes injury or death to the animal; or the person is the owner of a dog and recklessly permits that dog to attack the animal, resulting in the injury or death of the animal. Provides that any person who commits the offense of causing injury or death to a guide dog, signal dog or service animal shall be punished for a 1st offense by a fine of not more than 2,000 dollars, imprisonment of not more than 30 days, or both; and for a subsequent offense by a fine of not more than 5,000 dollars, imprisonment of not more than 30 days, or both. Further provides that any person who is convicted of the violation of causing injury or death to a guide dog, signal dog, or service animal shall make restitution to the disabled person who has custody or ownership of the animal for any veterinary bills and out of pocket costs incurred as a result of the injury to the dog, and to the person or organization that incurs the cost of retraining or replacing the animal if it is disabled or killed. Provides that a person commits the offense of intentional interference with the use of a guide dog, signal dog, or service animal if the person intentionally or knowingly harms, strikes or kicks the animal while it is in the discharge of its duties. Provides that intentional interference with the use of a guide dog, signal dog, or service animal is a misdemeanor. -- SB2046 CD1
Committee Reports: SSCR 2516 (JDC) HSCR 950-02 (JHA) CCR 58-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 711- (2 SECTIONS) CAUSING INJURY OR DEATH TO A GUIDE DOG, SIGNAL DOG, OR SERVICE ANIMAL

SB2052 HD1 (HSCR 818-02) RELATING TO SPECIAL PURPOSE REVENUE BONDS.
Introduced by: Taniguchi B
Repeals provision relating to sunset provision that prohibits the issuance of special purpose revenue bonds after June 30, 2003, issued under provisions relating to assisting not for profit corporations that provide health care facilities to the general public. Authorizes the issuance of special purpose revenue bonds to assist Hawaii Pacific Health, a Hawaii corporation, and 1 or more of its not for profit affiliates in financing, refinancing, and reimbursing costs related to the acquisition or construction of health care facilities including, without limitation, costs related to the acquisition of Straub Hospital pursuant to the affiliation of Hawaii Pacific Health and Straub Clinic & Hospital, the renovation of existing health care facilities, the acquisition of equipment, the purchase of tangible assets including land and improvements, the acquisition and

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installation of information technology, and other capital related projects for Hawaii Pacific Health and any 1 or more of its not for profit affiliates. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB2052 HD1

Committee Reports: SSCR 2006 (HHS) SSCR 2589 (WAM) HSCR 818-02 (HLT) HSCR 1156-02 (FIN)

Current Status: Apr=30 02 Passed Legislature

Section Affected: 39A-52

SB2067 SD2 HD1 CD1 (CCR 135-02) RELATING TO HIGHER EDUCATION.

Introduced by: Sakamoto N

Changes the Hawaii opportunity program in education endowment special fund by changing it to the Hawaii opportunity program in education (HOPE) placed within the university of Hawaii to support the financially needy students with priority given to students from ethnic groups that are underrepresented in the university. Encourages the university to provide tuition waivers and seek private donations for scholarship support for the HOPE students. Requires the university to transfer balances in the endowment special fund to the university of Hawaii tuition and fees special fund. -- SB2067 CD1

Committee Reports: SSCR 2364 (EDU) SSCR 2558 (WAM) HSCR 900-02 (HED) HSCR 1172-02 (FIN) CCR 135-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 304-8.95, 304-16.5

SB2068 SD2 HD2 CD1 (CCR 136-02) RELATING TO SCHOOL REPAIR AND MAINTENANCE.

Introduced by: Sakamoto N

Amends Act 309, session laws of 2001, relating to school repair and maintenance. Establishes provisions relating to providers of construction or project related professional services for the repair and maintenance of public schools; volunteer status. Requires the department of accounting and general services to accept as volunteers qualified professional providers of construction or project related professional services who are under contract with Helping Hands Hawaii in its Hawaii 3R's project. Provides that the provider shall be entitled to protection from liability for volunteers, unless the injury or damage is caused by or is the result of the professional provider's wilful and wanton act or omission. -- SB2068 CD1

Committee Reports: SSCR 2362 (EDU/ TMG/) SSCR 2645 (WAM) HSCR 868-02 (EDN) HSCR 1246-02 (FIN) CCR 136-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: ACT 309 2001, (1 SECTION)

SB2075 SD2 HD1 CD1 (CCR 68-02) RELATING TO DENTAL HYGIENISTS.

Introduced by: Kokubun R

Amends provision relating to dental hygienists. Authorizes licensed dental hygienists to provide dental services in a public health setting, including a legally incorporated eleemosynary dental dispensary or infirmary, private school, welfare center, hospital, nursing home, adult day care center or assisted living facility, mental institution, nonprofit health clinic, or the State or any county, under the general or direct supervision of a licensed dentist. Further authorizes licensed dental hygienists employed in a public health setting to perform dental education, dental screenings, and fluoride applications. Provides that other permissible duties shall be prescreened and authorized by a supervising licensed dentist. Prohibits direct reimbursements to be provided to dental hygienists. Requires the board of dental examiners to evaluate this provision and report to the legislature. -- SB2075 CD1

Committee Reports: SSCR 2035 (HHS) SSCR 2679 (CPH) HSCR 718-02 (HLT/ HSH/) HSCR 903-02 (CPC) HSCR 1160-02 (FIN) CCR 68-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 447-3

SB2078 SD1 HD1 CD1 (CCR 93-02) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Hanabusa C

Amends provision relating to allowance on service retirement. Provides that after June

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30, 2002, if the member of the employees' pension and retirement system has at least 10 years of credited service as a firefighter, and is deemed permanently medically disqualified due to a service related disability to be a firefighter by the employer's physician, and continues employment in a class A or B position other than a firefighter; then for each year of service as a firefighter, the retirement allowance for those members shall be 2 1/2 per cent of the member's average final compensation. -- SB2078 CD1

Committee Reports: SSCR 2290 (LBR/ TMG/) SSCR 2622 (WAM) HSCR 807-02 (LAB) HSCR 1203-02 (FIN) CCR 93-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 88-74

SB2093 SD1 HD1 (HSCR 1000-02)

RELATING TO HEALTH INSURANCE.

Introduced by: Matsuura D

Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) to establish that a person shall not be subject to civil liability for providing information relating to insurance fraud. -- SB2093 HD1

Committee Reports: SSCR 2307 (HHS/ CPH/) SSCR 2508 (JDC) HSCR 1000-02 (CPC/ JHA)

Current Status: Apr=30 02 Passed Legislature

Section Affected: 431:10A- (1 SECTION), 432:1- (1 SECTION), 432D- (1 SECTION)

SB2094 SD2 (SSCR 2524)

RELATING TO HEALTH INSURANCE REIMBURSEMENT.

Introduced by: Matsuura D

Amends Act 99, session laws of 1999, relating to health insurance reimbursement by repealing the sunset date. -- Amends provisions relating to reimbursement for health insurance benefits. Provides that if a claim is contested or denied or requires more time for review a notice shall not be required if the entity provides a reimbursement report at least monthly to the provider. Increases the time limit to pay for a claim after receiving additional information which is satisfactory, from 7 days to 15 days. Provides that any interest in the sum of at least 2 dollars on delayed clean claims shall be automatically added to the amount of the unpaid claim due to the provider. Redefines claim to include using the entity's standard claim form with all required fields completed with correct and complete information. Defines clean claim to mean a claim in which the information in the possession of an entity adequately indicates that the claim is for a covered health care service provided by an eligible health care provider to a covered person under the contract; the claim has no material defect or impropriety; there is no dispute regarding the amount claimed; and the payer has no reason to believe that the claim was submitted fraudulently. -- SB2094 SD2

Committee Reports: SSCR 2019 (HHS) SSCR 2524 (CPH) HSCR 769-02 (CPC) HSCR 1227-02 (FIN)

Current Status: Apr-11 02 Received by the Governor

Apr-25 02 Approved by Governor (Act 52 2002)

Section Affected: ACT 99 1999, 478-8, 431:13-108

SB2106 SD2 HD1 (HSCR 821-02)

RELATING TO MARRIAGE AND FAMILY THERAPISTS

Introduced by: Matsuura D

Establishes provision relating to reciprocity under marriage and family therapists law. Authorizes the director of commerce and consumer affairs to enter into reciprocity agreements with other states and issue a license to a marriage and family therapist who has been licensed in that state. -- Amends provision relating to repeal dates of the Hawaii regulatory licensing reform Act. Repeals sunseting of requirements of marriage and family therapists. -- SB2106 HD1

Committee Reports: SSCR 2020 (HHS) SSCR 2680 (CPH) HSCR 821-02 (HLT) HSCR 1133-02 (CPC)

Current Status: Apr=30 02 Passed Legislature

Section Affected: 451J- (1 SECTION), 26H-4

SB2112 SD1 HD1 (HSCR 756-02)

RELATING TO COLLECTIVE BARGAINING.

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Introduced by: Nakata B (BR)

Amends provision relating to the Hawaii labor relations board. Repeals the board's ability to appoint members of fact finding boards. Amends provisions relating to the resolution of disputes, grievances, and impasses. Provides that the board may compel the parties to attend mediation until the 15th day of impasse. Provides that the board shall report to the legislature the status of any mediation. Amends provision relating to strikes, rights, and prohibitions. Provides that, along with the notice of intent to strike, the exclusive representative of an appropriate bargaining unit shall provide a statement of its position on all remaining issues in dispute to the employer and the board. Provides that within 3 days of receipt of the notice of intent to strike, the employer shall submit its position on the remaining issues in dispute that are included in the statement transmitted by the exclusive representative. Requires the board to immediately release the information on the positions of the parties to the public. -- SB2112 HD1

Committee Reports: SSCR 2394 (LBR) SSCR 2723 (WAM) HSCR 756-02 (LAB)
HSCR 1209-02 (FIN)

Current Status: Apr=30 02 Passed Legislature

Section Affected: 89-5, 89-9, 89-11, 89-12, 89-2

SB2127 HD1 CD1 (CCR 142-02)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Kanno B

Amends provision relating to bonus; amounts available by including pensioners' special compensation. Establishes that effective July 1, 1990, and each July 1 thereafter until June 30, 1999, bonuses shall be paid to retirants and pensioners with 10 or more years of service or to their beneficiaries who are receiving a monthly benefit from the employees' retirement system. Provides criteria. Provides that in fiscal year 2002 - 2003, each state and county retiree who is 70 years of age and older with at least 20 years of credited service as of June 30, 2002 shall receive a 1 time, lump sum bonus of 200 dollars. Appropriation to the employees' retirement system. (\$\$) -- SB2127 CD1

Committee Reports: SSCR 2292 (LBR) SSCR 2626 (WAM) HSCR 754-02 (LAB)
HSCR 1211-02 (FIN) CCR 142-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 88-11

SB2179 SD2 HD1 CD2
(FLOOR AMENDMENT 10)

RELATING TO ENERGY RESOURCES.

Introduced by: Chun Oakland S

Establishes provision relating to maximum pre tax wholesale price for the sale of gasoline, civil actions. Provides that no manufacturer, wholesaler, or jobber may sell regular unleaded gasoline to a dealer retail station, an independent retail station, or to another jobber or wholesaler at a price above the maximum pre tax wholesale prices. Requires the public utilities commission to publish the maximum pre tax wholesale prices by means that shall include the internet website for the state of Hawaii. Provides criteria for determining the maximum pre tax wholesale price of regular unleaded gasoline. Establishes provision relating to maximum pre tax retail price for gasoline sold on a self serve basis, civil actions. Provides that no retail station may sell regular unleaded gasoline at retail, on a self serve basis, at a price above the maximum pre tax retail price. Provides criteria. Establishes provision relating to the governor's emergency powers. Provides that the governor may suspend in whole or in part any rule adopted relating to the maximum pre tax price for the sale of gasoline whenever the governor issues a written determination that strict compliance will cause a major adverse impact on the economy, public order, or the health, welfare, or safety of the people of Hawaii. Provides that a manufacturer, wholesaler, or jobber may petition the commission to adjust the maximum pre tax wholesale price. Provides criteria. -- Defines petroleum commissioner as the administrator of the energy, resources, and technology division of the department of business, economic development, and tourism. Substitutes the word commissioner wherever the words department of business, economic development, and tourism or director appears, as the context requires. -- Requires the department of business, economic development, and tourism, assisted by the attorney general and the legislative reference bureau, to gather, review, analyze, and evaluate information relating to Anzai v. Chevron et al., and the applicability of appropriate benchmarks to Hawaii's wholesale and retail gasoline markets. Requires the department to review options available and make findings and recommendations

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concerning appropriate remedies and solutions available to reduce wholesale and retail gasoline prices. Report to the legislature. Appropriation out of the public utilities commission special fund to the public utilities commission. Appropriation to the department of business, economic development, and tourism. -- Establishes provisions relating to energy efficiency in state facilities. Defines life cycle cost effective as the life cycle costs of a product, project, or measure that are estimated to be equal to or less than the current or standard practice or product. Provides that, through life cycle cost effective measures, each state agency shall reduce greenhouse gas emissions attributed to facility energy use by 30 per cent by January 1, 2012, compared to emission levels in calendar year 1990. Provides that, through life cycle cost effective measures, each agency shall reduce energy consumption per gross square foot of its facilities, excluding laboratories, by 20 per cent by January 1, 2007, and 30 per cent by January 1, 2012, relative to calendar year 1990. Provides that each agency shall reduce energy consumption per square foot, or per other unit as applicable, of its laboratory facilities by 15 per cent by January 1, 2007, and 25 per cent by January 1, 2012, relative to calendar year 1995. Provides that each agency shall strive to expand the use of renewable energy, reduce the use of petroleum, and reduce water consumption. Establishes an interagency energy policy committee consisting of senior agency officials to encourage implementation of energy efficiency policies and practices. Establishes provision relating to financing mechanism. Provides that agencies shall maximize their use of available alternative financing contracting mechanisms, including energy saving performance contracts and utility energy efficiency service contracts, when life cycle cost effective, to reduce energy use and cost in their facilities and operations. Provides criteria. Requires the director of finance to develop and issue guidelines to agency budget officers on the preparation of annual funding requests associated with the implementation of the provisions relating to energy efficiency in state facilities; in collaboration with the coordinator, inform agencies how to retain savings and reinvest in other energy and water management projects; and in collaboration with the coordinator, periodically brief agency procurement executives on the use of energy management tools, including energy savings performance contracts, utility energy efficiency service contracts, and procurement of energy efficient products and electricity from renewable energy sources. Requires the coordinator to develop and issue guidelines to assist agencies in measuring energy use and in implementing the provisions relating to energy efficiency. (\$\$) -- SB2179 CD2

Committee Reports: SSCR 2211 (WLE/ TMG/) SSCR 2661 (WAM) HSCR 856-02 (EEP) HSCR 1220-02 (FIN) CCR 163-02 - filed FLOOR AMENDMENT 10 FLOOR AMENDMENT

Current Status: May-02 02 Passed Legislature

Section Affected: 486H- (4 SECTIONS), 486H-1, 486H-10.4, 486J-1, 486J-5, 486J-9, 486J-2, 486J-3, 486J-4, 486J-6, 486J-7, 486J-8, 486J-10, 486J-12, 196- (19 SECTIONS) ENERGY EFFICIENCY IN STATE FACILITIES

SB2180 SD2 HD1 (HSCR 1059-02)

RELATING TO GENETIC INFORMATION AND GENETIC TESTING.

Introduced by: Nakata B

Amends provisions relating to employment practices law. -- Amends provisions relating to accident and sickness insurance contracts law and fraternal benefit societies provisions to prohibit any insurer or fraternal benefit society to use an individual's or a family member's genetic information to deny or limit any coverage or establish eligibility, continuation, enrollment, or premium payments; request or require collection or disclosure of an individual's or a family member's genetic information; or disclose an individual's or a family member's genetic information without written consent of the person affected, the legal guardian, or a person with power of attorney. -- SB2180 HD1

Committee Reports: SSCR 2213 (LBR/ HHS/) SSCR 2818 (CPH/ JDC/) HSCR 1059-02 (LAB/ JHA/ CPC/)

Current Status: Apr=30 02 Passed Legislature

Section Affected: 378-1, 431:10A- (1 SECTION), 432:2- (1 SECTION)

SB2228 SD1 HD2 CD1 (CCR 99-02)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES.

Introduced by: Chun J

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Authorizes the issuance of special purpose revenue bonds to assist Hawaii Macadamia Tree, Incorporated, a Hawaii corporation, for the establishment of facilities in the county of Hawaii to process macadamia nuts and to manufacture and produce macadamia products. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB2228 CD1
Committee Reports: SSCR 2335 (AGT/ EDT/) SSCR 2534 (WAM) HSCR 877-02 (AGR) HSCR 1179-02 (FIN) CCR 99-02
Current Status: Apr-30 02 Passed Legislature

SB2231 SD1 HD1 (HSCR 1242-02)

RELATING TO KAHO'OLAWA ISLAND RESERVE.
Introduced by: Chun J, English J, Buen J, Kokubun R
Establishes provisions relating to conclusive presumptions; unexploded ordnance on Kaho'olawe (Kahoolawe) and in the ocean adjacent to Kaho'olawe. Provides that the State shall warn persons who enter the Kaho'olawe island reserve of the dangers posed by any unexploded ordnance on the island or in the adjacent ocean. Provides criteria. -- Establishes a task force on warning signs and devices for Kaho'olawe island reserve, to be administratively attached to the Kaho'olawe island reserve commission. Further provides that the task force shall provide consultation to the Kaho'olawe island reserve commission regarding the design and placement of warning signs and devices on the island and in the adjacent ocean. -- SB2231 HD1
Committee Reports: SSCR 2245 (HAW/ TMG/) SSCR 2755 (JDC) HSCR 728-02 (WLU) HSCR 1242-02 (JHA)
Current Status: Apr=30 02 Passed Legislature
Section Affected: 662- (1 SECTION) CONCLUSIVE PRESUMPTIONS

SB2232 SD1 (SSCR 2582)

RELATING TO KIKALA-KEOKEA.
Introduced by: Chun J, Kokubun R
Amends Act 144, session laws of 2001, by providing that the authorization to expend any unexpended balances of the appropriation made to develop the infrastructure of the Kikala Keokea subdivision shall be extended to June 30, 2003, provided that any unexpended balances of the appropriation remaining on June 30, 2004 shall be transferred to the credit of the Kikala Keokea housing revolving fund. -- SB2232 SD1
Committee Reports: SSCR 2250 (HAW/ CPH/) SSCR 2582 (WAM) HSCR 1398-02 (FIN)
Current Status: May-02 02 Passed Legislature
Section Affected: ACT 144 2001, (1 SECTION)

SB2234 SD2 HD2 CD1 (CCR 79-02)

RELATING TO SEXUAL EXPLOITATION.
Introduced by: Chun J, Matsuura D, Kanno B
Establishes provisions relating to sexual exploitation of a minor. Provides that a person commits the offense of sexual exploitation of a minor if that person intentionally, knowingly, or recklessly engages or retains the services of a minor for money or property in consideration to provide exotic or nude dancing or entertainment in a public establishment or a private club or event; provided that a patron or customer of a private club or event shall be deemed to engage or retain the services of a minor for such purposes; or provides erotic or nude massage services if the person massaged or performing the massage is nude; or entices customers through advertising that offers services of a minor prohibited under sexual exploitation laws. Provides that sexual exploitation of a minor is a class B felony. Establishes provisions relating to age verification records of sexual performers. Provides that a person commits the offense of failure to maintain age verification records of sexual performers if the person knowingly produces any pornographic performance, book, magazine, periodical, film, videotape, computer image, or other matter that contains 1 or more pornographic visual depictions of sexual conduct and knowingly fails to create and maintain age verification records for each sexual performer, knowingly makes or causes to be made any false entry into the records, or knowingly fails to produce the records when a law enforcement officer requests production of the records. Provides that failure to maintain age verification records of sexual performers is a class C felony. Establishes provisions relating to failure to maintain age verification records of sexually exploited individuals. Provides that a person commits the offense of failure to maintain age verification records of sexually exploited individuals if the person knowingly provides sexually exploited

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individuals to patrons or customers of a public establishment or in a private club or event, and the person knowingly fails to create and maintain age verification records for each sexually exploited individual, knowingly makes or causes to be made any false entry into the records, or knowingly fails to produce the records when a law enforcement official requests production of the records. Defines sexually exploited individuals to mean erotic or nude massagers, escorts, and exotic or nude dancers. Provides that failure to maintain age verification records of sexually exploited individuals is a class C felony. Amends provision relating to forfeiture. Provides that offenses for which property is subject to forfeiture include sexual exploitation of a minor. Provision to be repealed on July 1, 2004 (sunset). Report by each county prosecutor to the legislature. -- SB2234 CD1

Committee Reports: SSCR 2021 (HHS) SSCR 2509 (JDC) HSCR 742-02 (HLT/HSH/) FLOOR AMENDMENT CCR 79-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 707- (1 SECTION), 712- (4 SECTIONS), 712-1210, 712A-4

SB2242 SD1 HD1 (HSCR 848-02)

RELATING TO PUBLIC LAND LEASES.

Introduced by: Inouye L, Chun Oakland S

Amends provision relating to lease restrictions. Provides that the board of land and natural resources may modify or extend the terms of a lease to qualify the lessee for any state or private lending institution loan, private loan guaranteed by the State, or any loan in which the State and any private lender participates; or to amortize the cost of substantial improvements to the demised premises that are financed by the lessee without institutional financing. Provides requirements. Provides that the board, upon issuance or during the term of any agricultural, intensive agricultural, aquaculture, commercial, mariculture, special livestock, pasture, or industrial lease may modify or eliminate any of the general restrictions, extend or modify the fixed rental period of the lease, or extend the term of the lease upon a showing of significant economic hardship. Provides criteria. -- SB2242 HD1

Committee Reports: SSCR 2333 (AGT/ WLE/) SSCR 2536 (WAM) HSCR 848-02 (WLU/ AGR/) HSCR 1196-02 (FIN)

Current Status: Apr=30 02 Passed Legislature

Section Affected: 171-36

SB2270 SD2 HD2 CD1 (CCR 137-02)

RELATING TO EDUCATION.

Introduced by: Matsunaga M, Matsuura D, Fukunaga C, Kanno B

Requires the department of education, in collaboration with the Hawaii teacher standards board to convene a working group to consider the findings of the department of education pursuant to Act 188, session laws of 2001, and any subsequent studies pertaining to school administrator or educational officer job duties, responsibilities, or competencies before submitting final recommendations to the legislature for addressing school administrator quality. Requires the Hawaii educational policy center to provide research and technical assistance as requested by the working group. Report to the legislature. -- SB2270 CD1

Committee Reports: SSCR 2425 (EDU) SSCR 2567 (WAM) HSCR 872-02 (EDN) HSCR 1243-02 (FIN) CCR 137-02

Current Status: Apr-30 02 Passed Legislature

SB2283 SD1 (SSCR 2030)

RELATING TO EDUCATION.

Introduced by: Chun J, Kawamoto C

Amends Act 77, session laws of 1997, as amended by Act 60, session laws of 2000, relating to early education and care. Establishes provisions relating to school readiness and progress report. Defines school readiness to mean that young children are ready to have successful learning experiences in school when there is a positive interaction among the child's developmental characteristics, school practices, and family and community support. Requires the nonprofit corporation and the interdepartmental council in its annual report to the governor and the legislature, to include a description of the progress achieved in enlisting public, private, and community support and family participation in school readiness and in developing policies and strategies for measuring results and performance indicators of school readiness that will strengthen Hawaii's early childhood system and build capacity for sustainability. -- SB2283 SD1

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Committee Reports: SSCR 2030 (EDU) SSCR 2233 (EDU) SSCR 2568 (WAM) HSCR 736-02 (EDN)
Current Status: Mar-21 02 Received by the Governor
Apr-08 02 Approved by Governor (Act 13 2002)
Section Affected: ACT 77 1997, ACT 60 2000, (1 SECTION)

SB2289 SD1 HD2 (HSCR 1062-02)

RELATING TO CONDOMINIUM PROPERTY REGIMES.

Introduced by: Menor R (BR)

Establishes provision relating to telecommunications equipment. Provides that the board of directors of an association of apartment owners may install or cause the installation of television signal distribution and telecommunications equipment upon the common elements of the project. Further provides that such equipment shall not be installed upon any limited common element without the consent of the owners of the apartments for the use of which the limited common element is reserved. Further provides that installation of such equipment upon the common elements shall not be deemed to alter, impair, or diminish the common interest, elements, and easements appurtenant to each apartment, or to be a structural alteration or addition to any building, provided that no such installation shall directly affect any nonconsenting apartment owner. Further provides that the board may abandon or change the use of any equipment on account of obsolescence or to provide an equivalent function by different means and methods. Further provides that the term television signal distribution and telecommunications equipment shall be broadly construed to encompass all present and future forms of communications technology. -- SB2289 HD2

Committee Reports: SSCR 2776 (EDT/CPH/) HSCR 954-02 (CPC) HSCR 1062-02 (CPC)

Current Status: Apr=30 02 Passed Legislature

Section Affected: 514A- (1 SECTION) TELECOMMUNICATIONS EQUIPMENT

SB2290 SD1 HD1 CD1 (CCR 63-02)

RELATING TO INDEPENDENT BILL REVIEWERS.

Introduced by: Menor R (BR)

Amends provisions relating to qualification for independent bill reviewer's license by providing that any reviewer applicant having the credentials of certified professional coder granted by the American Academy of Professional Coders or the credential of registered health information administrator, registered health information technician, certified coding specialist, or certified coding associate granted by the American Health Information Management Association shall be exempt from being domiciled in the State; having experience, special education, or training with reference to the review or audit of billings for medical services under insurance contracts; and passing an examination. -- SB2290 CD1

Committee Reports: SSCR 2040 (HHS) SSCR 2773 (CPH) HSCR 955-02 (CPC) CCR 63-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 431:9-243

SB2306 SD2 HD2 CD1 (CCR 149-02)

RELATING TO TRANSPORTATION.

Introduced by: Kawamoto C, Tam R

Amends provision relating to contracts for concessions; bid required, exception. Provides that a revocable permit issued by the department of transportation for operation of a concession at a state airport may be valid for a maximum of 2 years if the director of transportation determines that an extension of a permit is necessary due to a natural disaster or a continuation of an adverse economic condition occurring within the previous 12 months that would adversely affect the State's ability to solicit and obtain favorable bid proposals. Amends provisions relating to the modification of contract terms. Provides that if following the terrorist events of September 11, 2001, a public airport concession contract has suffered a reduction of 15 per cent or more for a period of 30 days, computed on the average monthly gross receipts for 6 months immediately prior to the period or as long as the concessionaire has been in business, whichever period is shorter, and such reduction as determined by the state official letting the contract is caused by a reduction in the east bound or west bound passengers arriving during the period of time, the official may modify any terms of the contract by granting rent relief. Provides for relief if a contract has no percentage rents, or if such reduction

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in gross receipts is at least 25 per cent for 90 days and the concession has suffered major difficulties in being able to conduct future sale due to security changes or other reasons. Provides that if a public airport concession requests economic relief and the State does not provide relief or the State and the concessionaire cannot agree, the State shall provide relief to the concession by waiving guaranteed rents to break even in its concession operations. Provides provisions for period of relief and written evidence and accounting. Provides that the State shall have the right to terminate the concession contract when the State has a new concessionaire who is willing to pay the State at least 10 per cent more than the latest rental amount as a condition for relief. Provides provisions for security and collateral; inconsistent laws; and compliance with federal laws and regulations. Requires the State to submit monthly and annual reports to the legislature. -- Amends provisions relating to public lands disposition to include an exemption for termination of concession contract provided that the concessionaire has paid the State the amount due prior to the relief. -- Authorizes the department of transportation to establish passenger facility charges up to 4.50 dollars for each overseas or international passenger who uses a state airport. Provides that only a concessionaire who qualified for and received relief pursuant to Act 15, 3rd special session of 2001 shall be deemed qualified. -- SB2306 CD1

Committee Reports: SSCR 2271 (TMG/ TIA) SSCR 2648 (WAM) HSCR 896-02 (TRN) HSCR 1192-02 (FIN) CCR 149-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 102-2, 102-10, 171-13, 261-7

SB2331 SD2 HD2 CD1 (CCR 148-02) MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION.

Introduced by: Kawamoto C

Reestablishes the 50th anniversary commemoration of the Korean War commission. Commission to terminate either upon the conclusion of its work, or December 31, 2003, whichever occurs 1st (sunset). Appropriation to the department of defense to carry out the functions of the 50th anniversary commemoration of the Korean War commission. (\$\$) -- SB2331 CD1

Committee Reports: SSCR 2189 (TMG) SSCR 2650 (WAM) HSCR 841-02 (TAC) HSCR 1223-02 (FIN) CCR 148-02

Current Status: Apr-30 02 Passed Legislature

SB2337 SD2 HD2 CD1 (CCR 73-02) RELATING TO RACING ON HIGHWAYS.

Introduced by: Kawamoto C

Amends provisions relating to racing on highways. Establishes penalties for a person who violates this provision while operating a vehicle exceeding the posted speed limit by 30 miles per hour or more. Provides that the penalty for a 1st offense shall include a fine and or imprisonment; an additional penalty for a 2nd offense shall include a 1 year driver's license suspension; and an additional penalty for a 3rd offense shall include a 3 year driver's license suspension and a vehicle owned by the defendant and used in the commission of the offense in at least 2 prior offenses that have resulted in convictions may be ordered by the court to be subject to forfeiture under the under criminal forfeiture law. -- SB2337 CD1

Committee Reports: SSCR 2174 (TMG) SSCR 2474 (JDC) HSCR 789-02 (TRN) HSCR 1239-02 (JHA) CCR 73-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 291C-103

SB2341 SD1 (SSCR 2774) RELATING TO CONDOMINIUM PROPERTY REGIMES.

Introduced by: Chumbley A

Amends provision relating to insurance for condominium property regimes. Provides that the association of apartment owners shall purchase and maintain flood insurance if the property is located in a special flood hazard area as delineated by the Federal Emergency Management Agency. Further provides that the flood insurance policy shall comply with the requirements of the National Flood Insurance Program and the Federal Insurance Administration. Repeals the provision that flood insurance shall also be provided under the federal Flood Disaster Protection Act. -- SB2341 SD1

Committee Reports: SSCR 2774 (CPH) HSCR 970-02 (CPC)

SENATE BILLS WHICH PASSED THE LEGISLATURE

Current Status: Apr-03 02 Received by the Governor
Apr-12 02 Approved by Governor (Act 17 2002)
Section Affected: 514A-86

- SB2350 SD2 HD2 CD1 (CCR 89-02) RELATING TO TRANSIENT ACCOMMODATIONS TAX.
Introduced by: Bunda R
Establishes the transient accommodations tax trust fund administered by the director of finance. Provides that the trust fund shall serve as a holding account for transient accommodations tax revenues to supplement shortfalls in the tourism special fund if the special fund does not receive 63,292,000 dollars in transient accommodations tax revenues. -- Amends provisions relating to the state parks special fund. Requires transient accommodations tax revenues to be deposited into the fund, provided that these moneys shall be expended in response to a master plan developed in coordination with the Hawaii tourism authority. -- Amends provisions relating to the Hawaii statewide trail and access program by including funds from transient accommodations tax revenues. Requires the funds to be expended for the management, maintenance, and development of trails and access areas frequented by visitors in response to a master plan developed in coordination with the Hawaii tourism authority. -- Amends provisions relating to the tourism special fund to require that a least 1 million dollars be made available to support efforts to manage, improve, and protect Hawaii's natural environment and areas frequented by visitors. -- Provides that 32.6 per cent of the transient accommodations tax revenues collected shall be deposited into the tourism special fund for tourism promotion and visitor industry research. Provides that if the amount of revenues deposited into the tourism special fund exceeds 62,292,000 dollars the of the 1st million dollars in revenues deposited in excess of 62,292,000 dollars, 90 per cent shall be deposited into the state parks special fund and 10 per cent shall be transferred to the Hawaii statewide trail and access program. Further provides that 5.3 per cent of the revenues collected shall be deposited into the transient accommodations tax trust fund. -- SB2350 CD1
Committee Reports: SSCR 2255 (TIA) SSCR 2726 (WAM) HSCR 835-02 (TAC)
HSCR 1226-02 (FIN) CCR 89-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 237D- (1 SECTION), 184-3.4, 198D-2, 201B-11, 237D-6.5
- SB2383 SD2 HD2 CD1 (CCR 155-02) RELATING TO TAXATION TO STIMULATE THE ECONOMY.
Introduced by: Tam R
Provides a qualified project construction income tax credit. Defines qualified project construction costs to mean any costs incurred after December 31, 2002, and before January 1, 2007 (sunset), for plans, design, construction, infrastructure, amenities, equipment, alterations, modifications, telecommunications, and information technology relating to a qualified project. -- Amends provisions relating to the hotel construction and remodeling income tax credit by redefining qualified hotel facility to include any property on which commercial or recreational use is permitted to support or service a hotel / hotel condo or resort use or offsite improvements necessary to service destination resort areas where a hotel / hotel condo is situated. -- SB2383 CD1
Committee Reports: SSCR 2160 (EDT) SSCR 2791 (WAM) HSCR 878-02 (EDB)
HSCR 1258-02 (FIN) CCR 155-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 235- (1 SECTION), 235-110.4
- SB2416 SD2 HD2 CD2
(FLOOR AMENDMENT 9) RELATING TO THE HAWAII LONG-TERM CARE FINANCING ACT.
Introduced by: Matsuura D
Requires the executive office on aging to convene a long term care summit to bring together private and public organizations, including State, county, and community organizations, to collaborate to identify the types and quality of services, service delivery system, and service delivery policies to ensure the development of a comprehensive and affordable long term care system for the State. Report to the legislature. Appropriation. (\$\$) -- SB2416 CD2
Committee Reports: SSCR 2139 (HHS) SSCR 2714 (WAM) HSCR 928-02 (HLT)
HSCR 1165-02 (FIN) CCR 97-02 - filed FLOOR AMENDMENT
9 FLOOR AMENDMENT

SENATE BILLS WHICH PASSED THE LEGISLATURE

Current Status: May-02 02 Passed Legislature

SB2422 SD2 HD2 (HSCR 1189-02)

RELATING TO MOTOR VEHICLE INSPECTIONS.

Introduced by: Kim D, Hogue B, English J

Amends provisions relating to certificate of inspection (safety check). Changes the certificate of inspection requirements from every 6 months to every year for vehicles including trucks, truck tractors, semitrailers, trailers, or pole trailers having a gross vehicle weight rating of more than 10,000 pounds, buses, rental or u drive motor vehicles 2 years of age or older, and taxicabs. Provides that vehicles including motorcycles, trailers, semitrailers, and pole trailers having a gross vehicle weight rating of 10,000 pounds or less, and antique motor vehicles shall not require an inspection within 2 years of the date on which the vehicle was 1st sold. Provides that vehicles which transport passengers in the furtherance of a commercial enterprise including car rental transport vehicles shall be inspected and certified once every 12 months instead of once every 6 months. -- SB2422 HD2

Committee Reports: SSCR 2273 (TMG/ TIA) SSCR 2764 (JDC) HSCR 740-02 (TRN)
HSCR 1189-02 (FIN)

Current Status: Apr=30 02 Passed Legislature

Section Affected: 286-26, 286-209

SB2431 SD2 HD1 CD1 (CCR 151-02)

RELATING TO CAMPAIGN SPENDING.

Introduced by: Hanabusa C, Matsuura D, Buen J

Amends provision relating to the duties of the campaign spending commission by repealing the commission's duty to adopt a code of fair campaign practices as a part of its rules, and the commission's duty to censure any candidate who fails to comply with the code of fair campaign practices. Amends provision relating to campaign contributions, restrictions against transfer. Provides that a candidate, campaign treasurer, or candidate's committee, as a contribution may make contributions from its campaign fund to any community service, educational, youth, recreational, charitable, scientific, or literary organization, provided that in any election cycle, the total amount of all contributions from campaign funds and surplus funds shall be no more than 2 times the maximum amount that 1 person or other entity may contribute to that candidate. Amends provision relating to campaign contributions, limits as to persons. Provides that no person or any other entity shall make contributions to a candidate seeking nomination to the state senate in an aggregate amount greater than 4,000 dollars during an election period. Provides that no person or any other entity shall make contributions in the aggregate amount greater than 25,000 dollars to any number of candidates in a 2 year election period. Exempts a loan made to a candidate by a financial institution in the ordinary course of business. Provides that any excess contribution may be returned to the original donor within 30 days from receipt or submitted to the Hawaii election campaign fund. Provides that after 30 days from receipt, all excess contributions shall escheat to the Hawaii election campaign fund. Provides that no state or national bank, or any corporation organized by authority of any law of the US Congress or any state may make a contribution in connection with any election of a candidate, candidate committee, or noncandidate committee. Provides that a corporation, financial institution, or labor organization (labor union) may establish a separate segregated fund to be used for political purposes. Prohibits the use of contributions from a separate segregated fund obtained by the use or the threat of reprisals, or the imposition of fees as a condition of membership in a labor organization, or as a condition of employment, or which have been obtained in a commercial transaction. Prohibits the solicitation of contributions from people other than stockholders and their families for corporations, and from people other than members and their families for labor organizations. -- Amends provision relating to campaign contributions by state contractors by including county contractors. Provides that it shall be unlawful for the State, any of its counties, departments, agencies, or entities to enter into any contract or agreement with any person or entity who has made contributions of money or other things of value, directly or indirectly, or promised or implied to make any such contributions to any candidate for public office or their candidate committee 2 years prior to the notice of the availability of the contract or agreement, or the commencement of the negotiations for the contract or agreement, whichever is earlier, during the performance of the contract or agreement, or 2 years subsequent to the completion of

SENATE BILLS WHICH PASSED THE LEGISLATURE

performance or termination of the contract or agreement. Provides exemptions. -- Amends provision relating to eligibility for payments by providing that candidates qualified to be on the election ballot for a special election shall not be eligible to receive payments under the provision relating to Hawaii election campaign fund, creation. Exempts those special elections held in conjunction with primary and general elections of the applicable year. -- SB2431 CD1

Committee Reports: SSCR 2434 (TMG/ TIA/ JDC/) SSCR 2808 (WAM) HSCR 1131-02 (JHA) CCR 151-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 11-191, 11-193, 11-200, 11-204, 11-205.5, 11-206, 11-207, 11-218, 11-219, 11-220, 11-221, 11-222, 11-223, 11-224, 11-229

SB2477 SD2 HD2 (HSCR 1187-02)

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

Introduced by: English J, Chun J

Establishes provision relating to grants; conditions and qualifications within the office of Hawaiian affairs by providing criteria for awarding grants. Amends provision relating to the powers and duties of the board of trustees of the office of Hawaiian affairs. Provides that the board shall have the power to provide grants to individuals, and public or private organizations to better the conditions of native Hawaiians and Hawaiians. Exempts grants awarded by the office from the public procurement code and the purchases of health and human services laws. -- SB2477 HD2

Committee Reports: SSCR 2219 (HAW) SSCR 2809 (WAM) HSCR 906-02 (JHA) HSCR 1187-02 (FIN)

Current Status: May=02 02 Passed Legislature

Section Affected: 10- (1 SECTION), 10-2, 10-5, 103D-102, 103F-101

SB2478 HD1 CD1 (CCR 132-02)

RELATING TO THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS.

Introduced by: English J, Chun J

Establishes provision relating to service while a member of the board of trustees of the office of Hawaiian affairs. Provides that any trustee in service on July 1, 2002, or elected or appointed after July, 1, 2002 may become a member of the employees' retirement system upon the trustee's election. Provides criteria. Provides that any trustee in service on July 1, 2002 that may previously have been precluded from becoming a member of the employees' retirement system may become a member. Provides criteria. Amends provision relating to salaries, benefits, and expenses by repealing the exemption for benefit programs relating to retirements from benefit programs in which all members of the board of trustees shall be included. Amends provision relating to reimbursement for state contributions. Requires the office of Hawaiian affairs to reimburse the State for contributions made by the State on account of a former member of the board of trustees who is a retired member of the system. Amends provision relating to retirement for public officers and employees by redefining employee to include the trustees of the office of Hawaiian affairs. Amends provision relating to membership service generally by providing that membership service includes service rendered as a trustee during the period of July 1, 1993, through June 30, 2002. -- SB2478 CD1

Committee Reports: SSCR 2169 (HAW) SSCR 2583 (WAM) HSCR 1126-02 (FIN) CCR 132-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 88- (1 SECTION), 10-9, 87-5, 88-21, 88-47, 88-51, 88-125

SB2498 SD2 HD1 (HSCR 927-02)

RELATING TO SOCIAL WORK.

Introduced by: Matsuura D, Kokubun R, Taniguchi B, Chun Oakland S, Nakata B, Kanno B

Amends Act 229, session laws of 2001, relating to social workers, by repealing the sunset date. -- SB2498 HD1

Committee Reports: SSCR 2047 (HHS) SSCR 2782 (CPH) HSCR 927-02 (HSH/ HLT/) HSCR 1004-02 (CPC)

Current Status: May=02 02 Passed Legislature

Section Affected: ACT 229 2001

SB2500 SD2 HD1 CD1 (CCR 144-02)

RELATING TO HUMAN SERVICES.

SENATE BILLS WHICH PASSED THE LEGISLATURE

Introduced by: Chun J, Matsuura D, Chun Oakland S
Requires the department of human services to contract for legal services to maximize collections from the federal Medicare program. Provides that the contractor shall be on a contingency fee basis where the contractor is paid 1/3 of the funds received by the department from the program as a result of the contract. Further requires the department to make available to the contractor all information required to adequately identify claims for dually eligible Medicare and Medicaid recipients. -- SB2500 CD1
Committee Reports: SSCR 2043 (HHS) SSCR 2806 (WAM) HSCR 747-02 (HSH)
HSCR 1142-02 (FIN) CCR 144-02
Current Status: Apr-30 02 Passed Legislature

SB2512 SD2 HD2 CD1 (CCR 138-02) RELATING TO CHARTER SCHOOLS.

Introduced by: Sakamoto N
Amends provisions relating to new century charter schools. Reduces the limit on the number of new century charter schools from 25 to 23 schools. Prohibits a new century charter school to bring suit against any other entity or agency of the State. Provides that the legislative auditor shall determine the appropriate allocation to new century charter schools based on the total department of education appropriation for EDN 100, 200, 300, and 400 and projected per pupil allocation for the current fiscal year. Repeals the requirement to consider the advice of the superintendent of education and local school boards in setting the allocation. Requires the department to provide appropriate transitional resources to a conversion charter school for its 1st year of operation as a charter school based on the department's allocation to the school for the year prior to conversion. Requires the auditor to exclude services that must be provided at the state level; specific programs or projects that target individual schools, complexes, or districts; grants in aid; and resources of new facilities that target specific, new construction projects from the per pupil allocation funds. Requires the department to determine and provide the appropriate level of special education staff and services necessary to ensure that the student's educational needs as indicated in the individualized education plans are met. Requires the auditor to develop a methodology for allocating funds for conversion charter school. Provides that if administrative services related to federal grants and subsidies are provided to the charter school by the department the school shall reimburse the department for the actual costs of the services for up to 6.5 per cent of the charter school's grants and subsidies. Provides enrollment reporting and payment of per pupil allocations guidelines for the charter schools and the department. Amends the board of education's independent evaluation of each new century charter school to assure organizational viability and compliance to applicable state laws. -- Establishes provisions relating to new century charter schools sports. Requires the department of education to provide students at new century charter schools with the same opportunity to participate in athletics provided to students at other public schools. -- SB2512 CD1
Committee Reports: SSCR 2384 (EDU/LBR/) SSCR 2570 (WAM) SSCR 2703 (WAM)
HSCR 890-02 (EDN/ LAB/) HSCR 1251-02 (FIN) CCR 138-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 302A-1182, 302A-1184, 302A-1185, 302A-1186, 302A- (1 SECTION)

SB2518 SD1 (SSCR 2449)

RELATING TO MEASUREMENT STANDARDS.

Introduced by: Kokubun R, English J, Matsuura D, Nakata B
Establishes provision relating to representing content of Acacia koa wood. Provides that in addition to all other label requirements, no person shall offer, display, expose for sale, or solicit for the sale of any wood or wood product described or labeled using the term koa unless the item is Acacia koa. Provides that nothing in this provision shall prevent the use of the term koa to describe wood products which are in part made of Acacia koa and, in part, other materials provided that the extent to which Acacia koa is used is not misrepresented. -- SB2518 SD1
Committee Reports: SSCR 2449 (AGT/ CPH/) HSCR 875-02 (AGR) HSCR 1003-02 (CPC)
Current Status: Apr-03 02 Received by the Governor
Apr-12 02 Approved by Governor (Act 18 2002)
Section Affected: 486- (1 SECTION) ACACIA KOA WOOD

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB2526 SD2 HD1 CD1 (CCR 64-02) RELATING TO PARENTAL PREFERENCES IN GOVERNMENT CONTRACTS, PROGRAMS, AND SERVICES.
Introduced by: Kanno B
Amends provision relating to parental preferences. Provides that judiciary contracts shall not favor 1 parent over the other in terms of child rearing. Requires the judiciary and each state and county executive agency that affects parental roles in children's health, welfare and education to annually report to the legislature. -- SB2526 CD1
Committee Reports: SSCR 2406 (TMG/ JDC/) SSCR 2733 (WAM) HSCR 1122-02 (FIN) CCR 64-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 577-7.5
- SB2568 SD2 HD1 CD1 (CCR 145-02) RELATING TO LANGUAGE ACCESS FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY.
Introduced by: Nakata B, Chun Oakland S
Establishes the Hawaii commission on language access within the department of the attorney general to develop a statewide plan to enhance access to services for persons with limited English proficiency. Report to the legislature. Commission to dissolve when the 2004 regular session adjourns (sunset). -- SB2568 CD1
Committee Reports: SSCR 2049 (HHS) SSCR 2715 (WAM) HSCR 921-02 (HSH) HSCR 1147-02 (FIN) CCR 145-02
Current Status: Apr-30 02 Passed Legislature
- SB2582 RELATING TO CAPTIVE INSURANCE.
Introduced by: Menor R (BR)
Amends provisions relating to the captive insurance administrative fund by increasing the amount that the insurance commissioner must transfer to the insurance regulation fund. Repeals the tax on pure captive insurance companies and establishes a graduated tax on premiums. -- SB2582
Committee Reports: SSCR 2090 (CPH) SSCR 2544 (WAM) HSCR 770-02 (CPC) HSCR 1399-02 (FIN)
Current Status: May-02 02 Received by the Governor
Section Affected: 431:19-101.8, 431:19-116
- SB2613 SD2 HD1 CD1 (CCR 61-02) RELATING TO FISHING RIGHTS AND REGULATIONS.
Introduced by: Inouye L
Establishes provisions relating to shark feeding; prohibitions, exceptions, and penalties. Prohibits people from feeding sharks in state marine waters. Exempts the feeding of sharks for traditional Hawaiian cultural or religious practices. -- SB2613 CD1
Committee Reports: SSCR 2410 (EDT/ WLE/) SSCR 2814 (JDC) HSCR 1061-02 (WLU/ EDB/) CCR 61-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 188- (1 SECTION) SHARK FEEDING
- SB2628 SD2 HD2 (HSCR 1241-02) RELATING TO THE USE OF INTOXICANTS.
Introduced by: Bunda R (BR)
Amends the use of intoxicants while operating a vehicle law. Amends provisions relating to implied consent of operator of a vehicle to submit to testing to determine alcohol concentration and drug content, relating to probable cause determination, and relating to documents required to be submitted for administrative review; sworn statements by requiring the law enforcement officer to inform the sanctions under administrative revocation provisions. Amends provisions relating to administrative hearings by requiring the administrative director of the courts to consider sworn statements in the absence of the law enforcement officer or other person. Provides that personal service upon the law enforcement officer or other person who made a sworn statement shall be made no later than 48 hours prior to the hearing time. Provides that the absence from a hearing of a law enforcement officer or other person upon whom personal service of a subpoena has been made constitutes good cause for a continuance. Amends provisions relating to administrative revocation to include alcohol enforcement contact. Provides that conditional motor vehicle driver's license permit shall not be issued to a respondent under 18 years of age who was arrested for driving while intoxicated nor to

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a respondent who has refused to take a breath, blood, or urine test to determine alcohol concentration or drug content. -- SB2628 HD2
Committee Reports: SSCR 2274 (TMG/ TIA) SSCR 2766 (JDC) HSCR 861-02 (TRN) HSCR 1241-02 (JHA)
Current Status: Apr=30 02 Passed Legislature
Section Affected: 291E-11, 291E-33, 291E-36, 291E-38, 291E-41, 291E-44

SB2632

RELATING TO ARRESTS.
Introduced by: Bunda R (BR)
Amends provision relating to arrests. Provides that a knowing failure to appear in answer to a citation may be punished by a fine of not more than 1,000 dollars, rather than 100 dollars, or imprisonment of not more than 30 days or both. -- SB2632
Committee Reports: SSCR 2445 (JDC) HSCR 1396-02 (JHA)
Current Status: May-02 02 Received by the Governor
Section Affected: 803-6

SB2635 SD1 (SSCR 2642)

RELATING TO TOURISM.
Introduced by: Bunda R
Amends provisions relating to the powers of the Hawaii tourism authority. Provides that the board shall be responsible for promoting, marketing, and developing tourism; arranging for the conduct of research concerning social, economic, and environmental aspects of tourism development; providing technical or other assistance to agencies and private industry upon request; developing and implementing the state tourism marketing plan; and reviewing annually the expenditure of public funds by any visitor industry organization which the board contracts. Annual report to the legislature and governor. Repeals provision relating to tourism within the department of business, economic development, and tourism and the tourism development law. Amends provision relating to the tourism special fund by repealing the provision that moneys in the fund shall be used for the salaries and expenses of the office of tourism. -- SB2635 SD1
Committee Reports: SSCR 2258 (TIA) SSCR 2642 (WAM) HSCR 838-02 (TAC) HSCR 1222-02 (FIN)
Current Status: Apr-11 02 Received by the Governor
Apr-23 02 Approved by Governor (Act 38 2002)
Section Affected: 201B-3, 201-91, 201-92, 201-93, 201-94, 201-95, 201-96, 201-97, 201-98, 201-99, 203-1, 203-2, 203-3, 203-4, 203-5, 201B-11

SB2662 SD2 (SSCR 2573)

RELATING TO NEW CENTURY CONVERSION CHARTER SCHOOLS.
Introduced by: Sakamoto N
Establishes provisions relating to new century conversion charter schools; conversion schools. Allows a nonprofit organization to submit a letter to the board of education to operate and manage existing public schools as a conversion school, establish a local school board as its governing body, and develop a detailed implementation plan. Establishes criteria for conversion. Allows up to 25 schools to be established as new century conversion charter schools. -- Amends provisions relating to new century charter schools. Repeals provisions allowing any public school to form a new century charter school. -- Amends provision relating to the immunity from liability for members of boards and commissions. Redefines member to include members of the local school board of any new century charter school or new century conversion charter school. -- Amends provisions relating to school based budget flexibility and prioritization of repair and maintenance to include new century conversion charter schools. -- SB2662 SD2
Committee Reports: SSCR 2386 (EDU) SSCR 2573 (WAM) HSCR 707-02 (EDN)
Current Status: Mar-19 02 Received by the Governor
Apr-04 02 Approved by Governor (Act 2 2002)
Section Affected: 302A- (1 SECTION), 302A-1182, 26-35.5, 302A-1302, 302A-1505

SB2666 SD2 HD1 CD1 (CCR 90-02)

RELATING TO A SEAL OF QUALITY FOR FRESH AND PROCESSED AGRICULTURAL PRODUCTS.
Introduced by: Buen J
Establishes the seal of quality program within the department of agriculture to establish

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official seal of quality for fresh and processed agricultural products produced within the State. Provides that the department may enter into contracts with non profit corporations to develop a seal of quality for agricultural products grown, processed, or manufactured in Hawaii; develop standards; develop and implement marketing programs; issue licenses for the use of the seal; develop promotional materials; and assist the department in monitoring compliance with the program. Provides that the non profit corporations may accept gifts or grants from any public agency or any other source. -- SB2666 CD1

Committee Reports: SSCR 2339 (AGT/ CPH/) SSCR 2693 (WAM) HSCR 780-02 (AGR) HSCR 1177-02 (FIN) CCR 90-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 148- (6 SECTIONS) SEAL OF QUALITY

SB2667 HD1 (HSCR 847-02)

RELATING TO PUBLIC LANDS.

Introduced by: Kokubun R

Amends provision relating to public lands for urban historic preservation and restoration. Provides that the board of land and natural resources may lease public lands in the State for use in historic preservation and restoration projects, and eliminates urban as a requirement for historic preservation and restoration projects. Exempts the department of land and natural resources from the public notice and hearing requirement of administrative procedure law. -- SB2667 HD1

Committee Reports: SSCR 2123 (WLE) SSCR 2665 (WAM) HSCR 847-02 (WLU) HSCR 1195-02 (FIN)

Current Status: Apr=30 02 Passed Legislature

Section Affected: 171-36.2

SB2680 HD1 (HSCR 1245-02)

RELATING TO SCHOOL FACILITIES.

Introduced by: Bunda R (BR)

Amends provisions relating to state educational facilities repair and maintenance account. Requires the comptroller to develop project specifications based on generic specifications or prescriptive specifications rather than on qualified product lists. -- SB2680 HD1

Committee Reports: SSCR 2372 (EDU/ TMG/) SSCR 2574 (WAM) HSCR 863-02 (EDN) HSCR 1245-02 (FIN)

Current Status: Apr=30 02 Passed Legislature

Section Affected: 36-35

SB2681 SD1 (SSCR 2275)

RELATING TO PUBLIC WORKS.

Introduced by: Bunda R (BR)

Amends provision relating to public works. Requires public works projects involving alteration or new construction to be required to have plans or specifications prepared by or under the supervision of an appropriately licensed professional engineer, architect, or landscape architect; and a designated licensed professional that is undertaking the project to observe the alteration or new construction. Further requires the plans or specifications to be stamped by the licensed professional. Exempts observation of construction and maintenance work from such requirements. Provides that the licensed land surveyor shall stamp the land surveys or plans, and indicate that the licensee has prepared or supervised the preparation of the surveys or plans. -- SB2681 SD1

Committee Reports: SSCR 2275 (TMG/ TIA/) SSCR 2741 (WAM) HSCR 1119-02 (FIN)

Current Status: Apr-11 02 Received by the Governor

Apr-25 02 Approved by Governor (Act 53 2002)

Section Affected: 464-4

SB2682 SD1 HD2 CD1 (CCR 88-02)

MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.

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 State due to overpayment of taxes, refunds, reimbursements, payments of judgments or settlements, or other liabilities. (\$\$) -- SB2682 CD1

SENATE BILLS WHICH PASSED THE LEGISLATURE

Committee Reports: SSCR 2673 (WAM) HSCR 751-02 (JHA) HSCR 1185-02 (FIN)
CCR 88-02
Current Status: Apr-30 02 Passed Legislature

SB2692

RELATING TO MEDICAL SUPPORT FOR CHILDREN.

Introduced by: Bunda R (BR)

Amends provision relating to medical support enforcement. Provides that where the responsible parent is ordered to provide medical insurance coverage for the dependent child, the standard notice for such medical support, as amended by the child support enforcement agency, shall be issued. Further provides that the agency shall forward a copy of the notice to the responsible parent's employer or union when the responsible parent fails to provide written proof to the agency within 2 business days after the date of entry of a responsible parent in a medical support case in the state directory of new hires. Requires that the employer or union shall also provide any other information and perform all tasks as required by the issue of the standard notice for medical support. -- SB2692

Committee Reports: SSCR 2079 (HHS) SSCR 2489 (JDC) HSCR 948-02 (JHA/
CPC/)
Current Status: Apr-02 02 Received by the Governor
Apr-12 02 Approved by Governor (Act 19 2002)
Section Affected: 576E-17

SB2693

RELATING TO CHILD SUPPORT ENFORCEMENT.

Introduced by: Bunda R (BR)

Amends provision relating to payment of public assistance for child constitutes debt to department of human services by natural or adoptive parents. Provides that payment of the public assistance for any dependent child or children shall require payment of child support to the department, rather than constituting a debt. Further provides that if there is no existing court order, the debt for a period during which public assistance was provided to the child may be established by agreement of the parties or application of the child support guidelines, rather than by the order of the family court. Authorizes an order or judgment regarding child support filed in judicial or administrative proceedings of any other state to be recorded in the bureau of conveyances. Provides that the attorney general shall have the power to establish an order for child support for periods which public assistance was provided to the child by the department, rather than establish a public assistance debt. -- SB2693

Committee Reports: SSCR 2080 (HHS) SSCR 2490 (JDC) HSCR 1395-02 (JHA/
HSH/)
Current Status: May-02 02 Received by the Governor
Section Affected: 346-37.1, 346-37.3, 576D-1, 576D-8, 576D-10, 576D-10.5,
576E-1, 576E-2, 576E-11, 576E-16

SB2698 SD2 HD1 CD1 (CCR 74-02)

RELATING TO CHAPTER 846E, HAWAII REVISED STATUTES.

Introduced by: Bunda R (BR)

Amends provision relating to access to registration information of sex offenders. Provides that relevant information that is necessary to protect the public include current and future educational institutions with which the sex offender is affiliated as a faculty member, an employee, or a student. Provides that prior to release of a sex offender's relevant information to the public, the State shall petition the court for an order permitting release. Provides that the State shall have the burden of proving that the sex offender is required to register under sex offender registration laws. Provides that the sex offender shall be given the opportunity to present evidence to show that he or she does not represent a threat to the community and that public notification is not necessary. Provides that if the court determines that public notification is necessary to protect the public, the court shall issue an order for the release, which shall be for a minimum of 10 years. Provides criteria where the time duration of the public release shall be for the life of the sex offender. Provides that the sex offender may petition the court once every 10 years to reconsider its determination of lifetime public release, and the court may relieve the sex offender from the determination of lifetime public release upon written findings that the offender does not present a threat to the community. Exempts offenders who have been convicted of a single misdemeanor sexual offense from provisions relating

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to public access to registration information. -- SB2698 CD1
Committee Reports: SSCR 2081 (HHS) SSCR 2825 (JDC) - filed HSCR 1130-02 (JHA) CCR 74-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 846E-2, 846E-3

SB2702 SD2 HD2 CD1 (CCR 147-02) RELATING TO THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT.
Introduced by: Bunda R (BR)
Establishes Kalaeloa community development district under Hawaii community development authority provision. Provides that the Hawaii community development authority shall be the designated agency of the State to act as the local redevelopment authority to facilitate the redevelopment of Barbers Point (Kalaeloa) naval air station. Provides authority's duties. Establishes criteria for member selection. Establishes the Kalaeloa community development revolving fund into which shall be deposited all revenues, incomes, and receipts of the authority; moneys directed, allocated, or disbursed to the Kalaeloa community development district from government agencies or private individuals or organizations; moneys appropriated to the fund by the legislature; and investment earnings credited to the assets of the fund. Repeals provisions relating to the Kalaeloa community development district. Transfers the lands, powers, functions, and duties of the Barbers Point naval air station redevelopment commission to the authority. Appropriation out of the Kalaeloa community development revolving fund for the development district. (\$\$) -- SB2702 CD1
Committee Reports: SSCR 2408 (TMG/ EDT/) SSCR 2653 (WAM) HSCR 842-02 (WLU) HSCR 1200-02 (FIN) CCR 147-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 206E- (6 SECTIONS) KALAELOA COMMUNITY DEVELOPMENT DISTRICT, 206E-3, 206E-4, 206G-1, 206G-2, 206G-3, 206G-4, 206G-5, 206G-6, 206G-7, 206G-8, 206G-9, 206G-10, 206G-11, 206G-12, 206G-21, 206G-22, 206G-23, 206G-24, 206G-25, 206G-26, 206G-27, 206G-28, 206G-29

SB2705 RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.
Introduced by: Bunda R (BR)
Amends provision relating to judicial review. Provides that within 20, rather than 15, days after the determination of the contents of the record on appeal, or within further time as the court may allow, the housing and community development corporation shall transmit to the reviewing court the record of the proceedings under review. -- SB2705
Committee Reports: SSCR 2067 (CPH) SSCR 2492 (JDC) HSCR 744-02 (HSH) HSCR 1400-02 (JHA)
Current Status: May-02 02 Received by the Governor
Section Affected: 201G-57

SB2708 SD1 HD1 CD1 (CCR 78-02) RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.
Introduced by: Bunda R (BR)
Amends provision relating to real property, restrictions on transfer, waiver of restrictions. Provides that the housing and community development corporation is authorized but not required to waive buyback restrictions until December 31, 2004 (sunset), at which time the authority to waive the buyback restriction is repealed. Amends provisions relating to real property, restrictions on use. Provides that the provision requiring the purchaser to occupy the real property purchased during the 3 year restriction period may be waived until December 31, 2004. Provides that the waiver shall apply to all real property sold and purchased from the effective date of this provision. -- SB2708 CD1
Committee Reports: SSCR 2521 (CPH) HSCR 743-02 (HSH) HSCR 1144-02 (FIN) CCR 78-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 201G-127, 201G-129

SB2715 SD1 HD1 (HSCR 880-02) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Bunda R (BR)

SENATE BILLS WHICH PASSED THE LEGISLATURE

Amends provision relating to payment on death of pensioner by providing that effective January 1, 2003 whenever a person receiving a pension from the state retirement system dies, the full monthly pension shall be payable for the month in which the pensioner is deceased. Amends provision relating to payment of retirement benefits by providing that effective January 1, 2003, all retirees and beneficiaries of the state retirement system who either retire or become beneficiaries after January 1, 2003, shall be paid monthly. Amends provision relating to general administration of system vested in board. Provides that to fulfill its responsibilities, the system may require any department or agency of the State or counties to furnish information to the system to carry out the pension and retirement system law. Amends provision relating to ordinary disability retirement by providing that the member shall be eligible to receive an ordinary disability retirement benefit no earlier than 30 days from the date the application was filed or the date the member terminated service, whichever is later. Provides that retirement shall become effective on the 1st day of the month, except for December when retirement on the 1st or last day of the month shall be allowed. Amends provision relating to service connected disability retirement by providing that the member shall be eligible to receive retirement benefits after the member has terminated service. Amends provisions for calculating average final compensation. Amends provisions relating to accidental death, service retirement, and death benefits by providing that death benefit or retirement shall be effective on the 1st day of a month, except for December when retirement on the 1st or last day of the month shall be allowed. -- SB2715 HD1

Committee Reports: SSCR 2146 (LBR) SSCR 2629 (WAM) HSCR 880-02 (LAB)
HSCR 1204-02 (FIN)

Current Status: Apr=30 02 Passed Legislature

Section Affected: 88-3, 88-6, 88-23, 88-73, 88-75, 88-79, 88-81, 88-84, 88-85,
88-281, 88-284, 88-286

SB2721 SD1 HD1 (HSCR 1152-02)

RELATING TO DENTAL INSURANCE.

Introduced by: Bunda R (BR)

Amends Act 132, session laws of 2001, relating to the regulation of dental service corporation by adding that no action brought pursuant to this Act shall abate on account of the subsequent repeal of this Act. Extends the sunset date to July 1, 2003. -- SB2721 HD1

Committee Reports: SSCR 2107 (HHS) - filed SSCR 2313 (HHS) SSCR 2525 (CPH)
HSCR 724-02 (HLT) HSCR 1152-02 (FIN)

Current Status: Apr=30 02 Passed Legislature

Section Affected: ACT 132 2001, (1 SECTION)

SB2723 SD1 (SSCR 2069)

RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS.

Introduced by: Bunda R (BR)

Repeals the exemption of the insurance examiners' revolving fund, the motor vehicle insurance administration revolving fund and the public broadcasting revolving fund from the compliance resolution fund. Amends provisions relating to the compliance resolution fund. Repeals the insurance regulation fund and replaces it with the compliance resolution fund. Amends Act 142, session laws of 1998, as amended by Act 163, session laws of 1999. Requires the director of finance to transfer balances to the compliance resolution fund. -- SB2723 SD1

Committee Reports: SSCR 2069 (CPH) SSCR 2547 (WAM) HSCR 772-02 (CPC)
HSCR 1236-02 (FIN)

Current Status: Apr-11 02 Received by the Governor

Apr-23 02 Approved by Governor (Act 39 2002)

Section Affected: 26-9, 36-27, 36-30, 431:2-203, 431:2-215, 431:2-216, 431:2-306,
431:2-307.5, 431:3-221, 431:7-101, 431:7-203, 431:9-238,
431:11-111, 431:15-334, 431:15-335, 431:19-101.8, 432E-11,
ACT 142 1998, ACT 163 1999, 397-5

SB2724 SD2 HD1 CD1 (CCR 94-02)

RELATING TO REAL ESTATE.

Introduced by: Bunda R (BR)

Amends provision relating to arbitration of disputes within limited equity housing cooperatives. Provides that arbitration shall be conducted in accordance with the arbitration and awards Act, rather than the rules of the real estate commission and the

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uniform arbitration Act, and the condominium property regime rules on arbitration of disputes of the American arbitration association, provided that where any arbitration rule conflicts with the uniform arbitration Act, the uniform arbitration Act shall prevail. -- Amends provision relating to principal brokers. Authorizes the principal broker to delegate management and supervision duties to 1 or more brokers in charge. Requires the principal broker to be responsible for the required education, enforcement, and records. -- Provides that upon submission of a real estate renewal application, an individual licensee may request a determination of equivalency to the elective course hours of the continuing education requirement. -- Exempts active real estate brokers from the registration and fidelity bond requirements of managing agents of condominium property regimes. -- Repeals provision relating to the registration and administration requirements of limited equity housing cooperatives. -- SB2724 CD1

Committee Reports: SSCR 2070 (CPH) SSCR 2548 (WAM) HSCR 825-02 (CPC)
HSCR 1234-02 (FIN) CCR 94-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 421H-6, 467-1.6, 467-9.5, 467-11.5, 514A-95, 421H-5

SB2725

RELATING TO NATUROPATHY.

Introduced by: Bunda R (BR)

Amends provision relating to licensing requirements to practice naturopathy. Provides that any person desiring to practice naturopathy shall submit an application, pay a nonrefundable application fee, meet the education and examination requirements, and meet other requirements prescribed by the board of naturopathy and the naturopathy law. Allows an applicant to apply to take the examination for licensure and pay any required examination fees directly to the professional testing agency that prepares, administers, and grades the examination. -- SB2725

Committee Reports: SSCR 2108 (HHS) SSCR 2526 (CPH) HSCR 969-02 (CPC)

Current Status: Apr-03 02 Received by the Governor

Apr-11 02 Approved by Governor (Act 14 2002)

Section Affected: 455-2, 455-3, 455-7

SB2727 SD1 (SSCR 2183)

RELATING TO THE UNIFORM PROFESSIONAL AND VOCATIONAL LICENSING ACT.

Introduced by: Bunda R (BR)

Amends provision relating to the uniform professional and vocational licensing Act. Provides that the licensing rules for the respective profession or vocation shall prevail and this law shall apply whenever the licensing rules are silent. -- SB2727 SD1

Committee Reports: SSCR 2183 (CPH) HSCR 951-02 (CPC)

Current Status: Apr-02 02 Received by the Governor

Apr-12 02 Approved by Governor (Act 20 2002)

Section Affected: 436B-3

SB2728 SD1 (SSCR 2522)

RELATING TO ESCROW DEPOSITORIES.

Introduced by: Bunda R (BR)

Amends provision relating to termination of escrow depository operations. Provides that a solvent escrow depository may cease business and surrender its license by submitting to the commissioner of financial institutions in writing the name, address, and telephone number of the contact person who shall be responsible for answering questions and providing documents. Requires the notification of the commissioner on any changes in the information concerning the contact person. -- SB2728 SD1

Committee Reports: SSCR 2522 (CPH) HSCR 952-02 (CPC)

Current Status: Apr-02 02 Received by the Governor

Apr-12 02 Approved by Governor (Act 21 2002)

Section Affected: 449-24

SB2729 SD2 (SSCR 2493)

RELATING TO BUSINESS REGISTRATION.

Introduced by: Bunda R (BR)

Repeals the exemption of the insurance examiners' revolving fund, the motor vehicle insurance administration revolving fund and the public broadcasting revolving fund from the compliance resolution fund. -- Amends provisions to replace references to the Hawaii business corporation Act and the Hawaii nonprofit corporation Act with the Hawaii revised business corporation Act and the nonprofit corporation Act. Amends

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provision relating to the state service fees. Provides that the authority to increase or decrease fees or nontax revenues shall be subject to the approval of the governor including the uniform limited partnership and uniform limited liability company. Amends Act 15, session laws of 2001. -- SB2729 SD2

Committee Reports: SSCR 2071 (CPH) SSCR 2493 (JDC) HSCR 773-02 (CPC/JHA/) HSCR 1228-02 (FIN)

Current Status: Apr-11 02 Received by the Governor

Apr-23 02 Approved by Governor (Act 40 2002)

Section Affected: 26-9, 46-80.5, 92-28, 163D-6, 207-12, 235-68, 237-24.3, 238-1, 247-3, 323D-76, 412:1-105, 412:2-508, 412:3-101, 412:3-102, 412:3-208, 412:3-304, 412:3-401, 412:3-402, 412:3-403, 412:3-604, 412:3-605, 412:3-606, 412:3-607, 412:3-608, 412:3-609, 412:3-610, 412:3-613, 412:3-617, 412:5-101, 412:6-101, 412:7-101, 412:9-101, 412:10-101, 412:12-104, 412:12-105, 412:13-202, 412:13-203, 412:13-216, 412:13-217, 414-53, 414D-63, 415A-2, 415A-3, 415A-5, 415A-8.5, 415A-14.6, 415A-14.7, 415A-14.8, 415A-16.5, 415A-17, 415A-18, 415A-27, 419-2, 419-3, 419-8, 421-5, 421-6, 421-21, 421H-1, 421I-11, 423-1, 424-1, 425-196, 425D-102.5, 428-105.5, 428-901, 428-907, 431:4-104, 431:4-202, 431:14A-103, 431:19-101, 431:19-102.4, 431:19-106.5, 432C-1, 441-24, 482-3, 485-5, ACT 15 2001

SB2730 SD1 (SSCR 2072)

RELATING TO MERGERS.

Introduced by: Bunda R (BR)

Repeals and replaces provisions relating to mergers in business corporations, partnerships, limited partnerships, and nonprofit corporations. Amends provision relating to merger and consolidation within professional corporation Act and within the uniform limited liability company Act. Defines merger to mean the procedure in which 1 domestic or foreign entity combines with 1 or more domestic or foreign entities resulting in either 1 surviving entity or 1 new entity. -- SB2730 SD1

Committee Reports: SSCR 2072 (CPH) SSCR 2494 (JDC) HSCR 774-02 (CPC/JHA/) HSCR 1229-02 (FIN)

Current Status: Apr-11 02 Received by the Governor

Apr-23 02 Approved by Governor (Act 41 2002)

Section Affected: 414- (2 SECTIONS), 414D- (1 SECTION), 425- (6 SECTIONS) MERGERS, 425D- (6 SECTIONS) MERGERS, 428- (1 SECTION), 414-311, 414-312, 414-313, 414-315, 414-316, 414-318, 414D-14, 414D-201, 414D-202, 414D-203, 414D-204, 415A-16, 425-192, 425-195, 425D-1110, 425D-1113, 428-901, 428-904, 428-905, 428-906, 414-317, 414-319, 414D-205, 425-191, 425D-1109

SB2732 SD1 HD1 CD1 (CCR 53-02)

RELATING TO BUSINESS REGISTRATION.

Introduced by: Bunda R (BR)

Amends provision relating to the Hawaii revised business corporation Act. Establishes that when any corporation organized and authorized to issue shares shall be or shall have been dissolved, or shall cease or shall have ceased to exist, the circuit court, upon finding that the application meets the requirements and that the persons responsible for settling the unfinished business of the corporation either are not diligently pursuing such obligations, or cannot be found or otherwise are unavailable, may either appoint 1 or more of the directors of the corporation to be trustees or appoint 1 or more persons to be receivers of and for the corporation to do all acts that are necessary for the final settlement of the corporation. Requires the director of commerce and consumer affairs to charge and collect 20 dollars for furnishing a certified copy of any document relating to the corporation, and 25 dollars for the time of service of process on the director as agent for service of process of a corporation. -- Provides that each domestic or foreign partnership, domestic or foreign limited partnership, business corporation, nonprofit corporation, and domestic or foreign corporation shall continuously maintain a registered office and a registered agent in this State. Provides that to designate the office or agent, a statement shall be filed with the director of commerce and consumer affairs with its

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initial registered address and with its current registered address for a change in office or agent. -- Establishes provision relating to administrative order of abatement for infringement of trade name. Provide that any individual or sole proprietor with a currently registered trade name claiming that the name of any entity registered or authorized to transact business is substantially identical to, or confusingly similar to, its trade name may file a petition with the director of commerce and consumer affairs for an administrative order of abatement to address the infringement of its trade name. -- Amends provision relating to the Hawaii revised business corporation Act by including provisions for the use of electronic transmissions, including notice to shareholders, annual meetings, and special shareholders' meetings. Defines electronic transmission to mean any form of communication, not directly involving the physical transmission of paper, that creates a record that may be retained, retrieved, and reviewed by a recipient, and that may be directly reproduced in paper form by such a recipient through an automated process. -- Amends provision relating to the annual reports of the corporations, partnerships, associations, and limited liability companies. Amends Act 15, session laws of 2001. -- SB2732 CD1

Committee Reports: SSCR 2074 (CPH) SSCR 2515 (JDC) HSCR 887-02 (CPC/JHA) HSCR 1230-02 (FIN) CCR 53-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 414- (1 SECTION), 414-3, 414D- (1 SECTION) SUPERSEDING CHAPTERS, 414D- (1 SECTION), 425- (5 SECTIONS), 425D- (4 SECTIONS), 482- (1 SECTION), 414-4, 414-14, 414-32, 414-61, 414-62, 414-85, 414-121, 414-122, 414-123, 414-124, 414-125, 414-126, 414-141, 414-197, 414-212, 414-214, 414-287, 414-314, 414-317, 414-319, 414-401, 414-402, 414-433, 414-438, 414-439, 414-451, 414-461, 414-470, 414-472, 414D-15, 414D-32, 414D-71, 414D-72, 414D-74, 414D-89, 414D-102, 414D-104, 414D-105, 414D-109, 414D-113, 414D-114, 414D-115, 414D-149, 414D-153, 414D-155, 414D-156, 414D-164, 414D-207, 414D-232, 414D-244, 414D-248, 414D-253, 414D-273, 414D-276, 414D-277, 414D-278, 414D-282, 414D-283, 414D-302, 414D-305, 414D-308, 414D-321, 414D-323, 415A-2, 415A-10, 415A-14.6, 415A-16.7, 415A-18, 415A-22, 421-22, 421C-29, 425-1, 425-1.7, 425-11, 425-12, 425-14, 425-153, 425-154, 425-156, 425-158, 425-162, 425-163, 425-164, 425-167, 425-168, 425D-201, 425D-203.5, 425D-203.6, 425D-204, 425D-902, 425D-906.5, 425D-906.6, 428-108, 428-109, 428-203, 428-207, 428-210, 428-904, 428-1002, 428-1006, 482-2, ACT 15 2001, 482E-3, 414D-88, 414D-108, 425-165, 425-166, 425-170

SB2733 SD2 HD1 CD1 (CCR 76-02)

RELATING TO INSURANCE.

Introduced by: Bunda R (BR)

Amends provisions relating to insurance. Establishes provisions relating to managing general agents, process against nonresident licensees, reporting and accounting for premiums, and controlled business. Repeals and replaces provisions relating to limited licenses. Changes disability insurance to accident and health or sickness insurance. Changes accident and sickness insurance to accident and health or sickness insurance. Changes general agent to producer. Amends provisions relating to licensing of agents, brokers, solicitors, adjusters, and bill reviewers by repealing continuing education provisions. -- SB2733 CD1

Committee Reports: SSCR 2092 (CPH) SSCR 2754 (JDC) HSCR 935-02 (CPC) HSCR 1231-02 (FIN) CCR 76-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 431:- (7 SECTIONS) MANAGING GENERAL AGENTS, 431:9A- (4 SECTIONS), 431:1-203, 431:1-205, 431:1-209, 431:3-212, 431:3-212.5, 431:3-215, 431:4-307, 431:5-201, 431:7-101, 431:8-102, 431:8-202, 431:8-300, 431:8-307, 431:8-310, 431:8-311, 431:8-312, 431:8-317, 431:9-105, 431:9-227, 431:9-232, 431:9-235, 431:9A-102, 431:9A-103, 431:9A-104, 431:9A-105, 431:9A-106, 431:9A-107, 431:9A-114, 431:9A-115,

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431:9A-123, 431:9A-124, 431:9A-129, 431:9B-101, 431:10-201, 431:10-203, 431:10-205, 431:10-206, 431:10-207, 431:10-208, 431:10-214, 431:10-218, 431:10-230, 431:10-231, 431:10A-101, 431:10A-102, 431:10A-104, 431:10A-105, 431:10A-106, 431:10A-114, 431:10A-116, 431:10A-116.3, 431:10A-117, 431:10A-120, 431:10A-121, 431:10A-201, 431:10A-203, 431:10A-206, 431:10A-207, 431:10A-307, 431:10A-402, 431:10A-404, 431:10B-102, 431:10B-110, 431:10C-117, 431:10D-107, 431:10D-115, 431:10D-206, 431:10D-502, 431:10E-102, 431:10H-229, 431:10H-230, 431:11-103, 431:11A-101, 431:12-114, 431:12-115, 431:13-103, 431:14-102, 431:15-104, 431:15-303, 431:15-311, 431:15-312, 431:15-323, 431:15-403, 431:16-103, 431:16-115, 431:16-202, 431:16-203, 431:16-206, 431:16-208, 431:16-218, 431:20-103, 431:21-106, 431K-3, 431K-7.5, 431K-8, 431P-14, 431P-16, 432:1-105, 432:2-609, 435C-4, 435C-8, 431:9-214, 431:9-301, 431:9-302, 431:9-303, 431:9-304, 431:9-305

SB2734 SD1 (SSCR 2786)

RELATING TO COMMERCIAL EMPLOYMENT AGENCIES.

Introduced by: Bunda R (BR)

Amends provisions relating to commercial employment agencies. Redefines principal agent to include a person who is responsible for all business transactions and actions by the agency's employees. Provides that every applicant to the director of commerce and consumer affairs to operate as an employment agency shall not have been convicted of a felony directly related to the operation of an agency, unless the conviction has been expunged or annulled. Prohibits any license to be issued to an agency which conducts business from a home, apartment, hotel room, or any other location that may be considered not in the public interest, unless approved by the director. Provides that failure, refusal, or neglect to maintain a bond in full force shall cause the automatic forfeiture, rather than suspension, of the license. Further provides that failure to restore the forfeited license within 60 days shall cause the license to remain forfeited. -- SB2734 SD1

Committee Reports: SSCR 2786 (CPH) HSCR 953-02 (CPC)

Current Status: Apr-02 02 Received by the Governor

Apr-12 02 Approved by Governor (Act 22 2002)

Section Affected: 373-1, 373-3, 373-4, 373-5, 373-6, 373-10, 373-11, 373-13.5, 373-14, 373-19

SB2737 HD1 CD1 (CCR 95-02)

RELATING TO DISASTER RELIEF.

Introduced by: Bunda R (BR)

Amends provision relating to immunities and rights. Provides that neither the State; any political subdivision of the State; any public utility or vital facility; private agencies or entities, shall be civilly liable for the death of or injury to persons, or for property damage, as a result of any act or omission in the course of the employment or duties. Provides that members of the US army, air force, navy, marines, or coast guard on any duty or service done under or in pursuance of an order or call of the President of the US or any other proper authority, and the national guard from any other state ordered into service by any proper authority, to assist civil authorities engaged in civil defense functions shall not be liable, civilly or criminally, for any act done or caused by them in pursuance of duty in such service. Amends provision relating to immunity from liability of private shelters by providing that for the purposes of this provision the consideration paid by any guest or person for transient accommodation lodging shall not be considered compensation. -- SB2737 CD1

Committee Reports: SSCR 2276 (TMG/ TIA/) SSCR 2655 (WAM) HSCR 885-02 (JHA/ CPC/) HSCR 1182-02 (FIN) CCR 95-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 128-18, 128-19

SB2750 SD1 HD2 (HSCR 1184-02)

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

Introduced by: Bunda R (BR)

Amends the Hawaiian homes commission Act. Provides that the native Hawaiian

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rehabilitation fund shall be used to rehabilitate native Hawaiian families and Hawaiian homestead communities. -- SB2750 HD2

Committee Reports: SSCR 2168 (HAW) - filed SSCR 2795 (WAM) HSCR 799-02 (JHA) HSCR 1184-02 (FIN)

Current Status: Apr=30 02 Passed Legislature

Section Affected: HAWAIIAN HOMES COMMISSION ACT 1920 213

SB2757 SD2 HD2 CD1 (CCR 84-02) RELATING TO AMENDMENTS TO ACT 253, SESSION LAWS OF HAWAII 2000.

Introduced by: Bunda R (BR)

Amends Act 253, session laws of 2000, relating to public employment. Amends provision relating to adjustments authorized; limitations; restrictions. Provides that the compensation of excluded employees, whose pay is prescribed by a salary commission, shall not be adjusted under the public officers and employees law and shall continue to be limited or fixed by the salary commission. Provides that the repeal date shall be June 30, 2008, rather than June 30, 2003 (sunset). -- SB2757 CD1

Committee Reports: SSCR 2062 (LBR) SSCR 2631 (WAM) HSCR 808-02 (LAB) HSCR 1206-02 (FIN) CCR 84-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: ACT 253 2000, 89C-2

SB2763 SD2 HD2 CD1 (CCR 86-02) RELATING TO BIRTH DEFECTS.

Introduced by: Bunda R (BR)

Establishes the birth defects program within the department of health to collect and report information on the incidence and trends of defects and other adverse reproductive outcomes; report information for the development of prevention strategies to reduce the incidence of birth defects and other adverse outcomes; and develop strategies to improve the access of children with birth defects to health and early intervention services. Provides that the identity or information collected shall be confidential. Requires the department to provide information about appropriate health and early intervention services to persons who request the information. Establishes the Hawaii birth defects special fund to be administered and expended by the department of health for the operating expenses of the program. -- Establishes provision relating to the birth defects studies within the medical research and morbidity and mortality information law. Requires health care facilities and providers to make available to the program information contained in health care records that pertains to birth defects or other adverse reproductive outcomes. Provides that information shall not be collected from records in which individuals note in writing that the collection of information conflicts with their religious beliefs. Further provides that the information collected shall be used by the department or researchers only for the purpose of advancing medical and public health research, medical education, or education of the public in the interest of reducing morbidity or mortality, and only as approved by an institutional review board. -- Amends provision relating to marriage licenses. Increases the marriage license fee from 50 dollars to 60 dollars of which 51 dollars shall go to the director of health. Provides that of the fees received by the director for the marriage license application, 10 dollars shall be deposited into the Hawaii birth defects special fund. Appropriation out of the Hawaii birth defects special fund. (\$\$) -- SB2763 CD1

Committee Reports: SSCR 2417 (HHS) SSCR 2710 (WAM) HSCR 764-02 (HLT) HSCR 1163-02 (FIN) CCR 86-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 321- (6 SECTIONS) HAWAII BIRTH DEFECTS PROGRAM, 324- (4 SECTIONS) BIRTH DEFECTS STUDIES, 572-5

SB2765 SD2 (SSCR 2497) RELATING TO REGISTRATION OF DIVORCES AND ANNULMENTS.

Introduced by: Bunda R (BR)

Repeals provision requiring registration of divorces and annulments on a form approved by the department of health and endorsed by the clerk of the court. -- SB2765 SD2

Committee Reports: SSCR 2315 (HHS) SSCR 2497 (JDC) HSCR 721-02 (HLT) HSCR 886-02 (JHA) HSCR 1149-02 (FIN)

Current Status: Apr-25 02 Vetoed

Section Affected: 338-29

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB2768 SD1 (SSCR 2277) RELATING TO ACCESS FOR PERSONS WITH DISABILITIES.
Introduced by: Bunda R (BR)
Amends provision relating to building design to consider needs of persons with disabilities. Provides that public buildings, facilities, and sites shall conform to the requirements of the Federal Fair Housing Amendments Act. Redefines public buildings, facilities, and sites to include buildings, facilities, and sites that are designed, constructed, purchased or leased with the use of federal funds administered by the State or a county. -- SB2768 SD1
Committee Reports: SSCR 2277 (TMG/ TIA/) SSCR 2781 (CPH) HSCR 762-02 (HLT/ HSH/) HSCR 1154-02 (FIN)
Current Status: Apr-11 02 Received by the Governor
Apr-23 02 Approved by Governor (Act 42 2002)
Section Affected: 103-50
- SB2769 RELATING TO MENTAL HEALTH.
Introduced by: Bunda R (BR)
Amends provision relating to the licensing of mental health facilities within mental health, mental illness, drug addiction, and alcoholism law. Requires short term crisis residential and long term residential treatment facilities to be licensed, including provisional licenses. Further requires transitional residential program and semisupervised, independent, but structured living facilities to be accredited rather than licensed. -- SB2769
Committee Reports: SSCR 2110 (HHS) SSCR 2528 (CPH) HSCR 715-02 (HLT/ HSH/) HSCR 1148-02 (FIN)
Current Status: Apr-11 02 Received by the Governor
Apr-25 02 Approved by Governor (Act 54 2002)
Section Affected: 334-106
- SB2772 HD1 (HSCR 999-02) RELATING TO TATTOO ARTISTS.
Introduced by: Bunda R (BR)
Amends provision relating to the suspension or revocation of a tattoo artist license. Authorizes the director of health to deny the renewal of a license to any person that is found to be guilty of any fraud, deceit, or misconduct in the practice of the occupation, or violates any provision or rules of the department of health. -- SB2772 HD1
Committee Reports: SSCR 2143 (HHS) SSCR 2529 (CPH) HSCR 999-02 (HLT)
Current Status: Apr=30 02 Passed Legislature
Section Affected: 321-377
- SB2774 SD2 HD2 (HSCR 1216-02) RELATING TO ENVIRONMENTAL PROGRAM FINANCING.
Introduced by: Bunda R (BR)
Authorizes the drinking water fund and the water pollution control revolving fund to be used to provide interest rate subsidies by depositing revolving fund moneys into interest bearing accounts in participating financial institutions that issue loans for the implementation of eligible projects. Changes counties and state agencies to eligible parties. Defines eligible parties to mean a county, state, or private person. (\$\$) -- SB2774 HD2
Committee Reports: SSCR 2153 (WLE) SSCR 2668 (WAM) HSCR 714-02 (EEP) HSCR 1216-02 (FIN)
Current Status: Apr=30 02 Passed Legislature
Section Affected: 340E-36, 342D-80, 342D-81, 342D-82, 342D-83, 342D-84, 342D-85
- SB2775 HD1 CD1 (CCR 87-02) MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION.
Introduced by: Bunda R (BR)
Appropriation to the Hawaii health systems corporation to repay the State for moneys advanced and to pay for mandated and rural healthcare services. (\$\$) -- SB2775 CD1
Committee Reports: SSCR 2112 (HHS) SSCR 2606 (WAM) HSCR 1127-02 (FIN) CCR 87-02
Current Status: Apr-30 02 Passed Legislature

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB2782 SD1 HD1 (HSCR 719-02) RELATING TO HOSPITAL LICENSING.
Introduced by: Bunda R (BR)
Establishes provision relating to licensing hospitals within the department of health. Requires all hospitals to be licensed by the department to ensure the health, safety, and welfare of the individuals. Provides that accreditation by the joint commission on accreditation of healthcare organizations (JCAHO) shall demonstrate a hospital's compliance with all licensing inspections required for the year in which JCAHO accreditation is issued. Exempts a hospital from a licensing inspection if the hospital provides a certified copy of the accreditation report to the department, the hospital holds full accreditation by JCAHO, and the hospital holds a current and valid license. Authorizes the department to conduct inspections and investigations of exempt hospitals to investigate complaints, follow up findings, or conduct periodic validation surveys. -- SB2782 HD1
Committee Reports: SSCR 2114 (HHS) SSCR 2609 (WAM) HSCR 719-02 (HLT) HSCR 1150-02 (FIN)
Current Status: Apr=30 02 Passed Legislature
Section Affected: 321- (1 SECTION) HOSPITALS
- SB2784 SD1 HD1 (HSCR 879-02) RELATING TO WORKERS' COMPENSATION.
Introduced by: Bunda R (BR)
Amends provision relating to reports of injuries within the workers' compensation law. Provides that by January 31, rather than on December 31, of each year, an employer shall report to the director of labor and industrial relations with respect to each injury on which the employer is continuing to pay compensation. -- SB2784 HD1
Committee Reports: SSCR 2454 (LBR) HSCR 879-02 (LAB) HSCR 1205-02 (FIN)
Current Status: Apr=30 02 Passed Legislature
Section Affected: 386-95
- SB2786 SD1 HD1 CD1 (CCR 65-02) RELATING TO THE HOISTING MACHINE OPERATORS ADVISORY BOARD.
Introduced by: Bunda R (BR)
Amends the occupational safety and health law. Requires the hoisting machine operators advisory board to be placed within the department of labor and industrial relations. Authorizes the board to employ a 1/2 full time executive director, exempt from civil service and collective bargaining provisions. Further authorizes the board to fix the director's compensation. -- SB2786 CD1
Committee Reports: SSCR 2064 (LBR) SSCR 2634 (WAM) HSCR 1125-02 (FIN) CCR 65-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 396-19
- SB2787 RELATING TO THE WAGE AND HOUR LAW.
Introduced by: Bunda R (BR)
Amends provision relating to the wage and hour law. Redefines employee to exclude any individual employed at a guaranteed compensation totaling 2,000 dollars, rather than 1,250 dollars, or more a month. -- SB2787
Committee Reports: SSCR 2455 (LBR) HSCR 805-02 (LAB) HSCR 1212-02 (FIN)
Current Status: Apr-11 02 Received by the Governor
Apr-23 02 Approved by Governor (Act 43 2002)
Section Affected: 387-1
- SB2788 RELATING TO UNEMPLOYMENT INSURANCE APPEALS.
Introduced by: Bunda R (BR)
Amends provision relating to appeals, filings, and hearing within the employment security law. Provides that the claimant or any other party entitled to notice of a determination or redetermination may file an appeal with a copy of the contested determination at the employment security appeals referee's office. -- SB2788
Committee Reports: SSCR 2456 (LBR) HSCR 767-02 (LAB)
Current Status: Mar-22 02 Received by the Governor
Apr-04 02 Approved by Governor (Act 3 2002)
Section Affected: 383-38

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB2791 SD2 (SSCR 2499) RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM.
Introduced by: Bunda R (BR)
Amends provision relating to criminal history checks to include checks on persons employed or seeking employment in the Hawaii state public library system. -- SB2791 SD2
Committee Reports: SSCR 2376 (EDU) SSCR 2499 (JDC) HSCR 869-02 (EDN) HSCR 1401-02 (JHA)
Current Status: May-02 02 Received by the Governor
Section Affected: 846-43
- SB2792 SD2 (SSCR 2576) RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM.
Introduced by: Bunda R (BR)
Amends provision relating to the department of public safety. Transfers the functions and authorities of the director of public safety and the department relating to after hours security contracts at department of education facilities, including all security functions being performed by employees of the public library system, as well as the contractual security services for the libraries, to the department of education and the Hawaii state public library system as appropriate. -- SB2792 SD2
Committee Reports: SSCR 2377 (EDU/ JDC/) SSCR 2576 (WAM) HSCR 931-02 (EDN/ PSM) HSCR 1248-02 (FIN)
Current Status: Apr-11 02 Received by the Governor
Apr-23 02 Approved by Governor (Act 44 2002)
Section Affected: 26-14.6
- SB2802 SD2 HD2 CD1 (CCR 85-02) RELATING TO LEASING OF PUBLIC LANDS TO RENEWABLE ENERGY PRODUCERS.
Introduced by: Bunda R (BR)
Amends provision relating to the disposition of public lands to governments, governmental agencies, and public utilities by including renewable energy producers. Defines renewable energy producer as any producer of electrical energy produced from wind, solar energy, hydropower, landfill gas, and other renewable, organic, and waste to energy sources. Provides that up to 25 per cent of the power produced by the renewable energy producer and sold to the utility may be derived from fossil fuels. -- SB2802 CD1
Committee Reports: SSCR 2286 (WLE/ CPH/) SSCR 2745 (WAM) HSCR 883-02 (WLU/ EEP/) HSCR 1197-02 (FIN) CCR 85-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 171-95
- SB2804 HD1 (HSCR 1198-02) RELATING TO SUBLEASING OF PUBLIC LANDS.
Introduced by: Bunda R (BR)
Amends Act 261, session laws of 2000, relating to lease restrictions by providing that the board of land and natural resources, for good cause, may waive the requirement that a lessee shall obtain the board's approval to sublet the whole or any part of the demised premises. Provides that specified portions of the Act shall be repealed as of June 30, 2005 (sunset). Provides criteria. -- SB2804 HD1
Committee Reports: SSCR 2125 (WLE) SSCR 2746 (WAM) HSCR 729-02 (WLU) HSCR 1198-02 (FIN)
Current Status: Apr-30 02 Passed Legislature
Section Affected: 171-36, ACT 261 2000, 171-53
- SB2805 RELATING TO SOIL AND WATER CONSERVATION DISTRICTS.
Introduced by: Bunda R (BR)
Amends provision relating to the budget of the department of land and natural resources by repealing the requirement that all contributions, moneys, and funds received by any district shall be deposited to the credit of the state general fund. -- SB2805
Committee Reports: SSCR 2126 (WLE) SSCR 2669 (WAM) HSCR 730-02 (WLU) HSCR 1194-02 (FIN)
Current Status: Apr-25 02 Vetoed
Section Affected: 180-16

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB2816 SD2 HD1 CD1 (CCR 62-02) RELATING TO STUDENT LOANS FOR TEACHERS.
Introduced by: Bunda R (BR)
Establishes the Hawaii educator incentive program to be administered by a designated federal credit union with existing services for teachers that is under contract with the department of education to provide tuition reimbursement to students who complete a state approved teacher education program in Hawaii and who teach in the public school system for at least 6 consecutive years. Provides that if the student completes the education program and teaches full time in hard to fill positions (special education, shortage categories, title 1 schools), 1/10 of the total tuition reimbursement and interest shall be paid to the tuition reimbursement recipient for every year of the 1st 5 years and the remaining amount of the total reimbursement shall be paid after the 6th year. Provides that if a loan recipient discontinues teaching, payment shall be discontinued. Establishes the Hawaii educator incentive program special fund to be administered by a federal credit union designated by the department to provide financial assistance to the participants in the program. -- SB2816 CD1
Committee Reports: SSCR 2437 (EDU) SSCR 2577 (WAM) HSCR 898-02 (HED/EDN/) HSCR 1169-02 (FIN) CCR 62-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 304- (2 SECTIONS) HAWAII EDUCATOR INCENTIVE PROGRAM
- SB2817 SD2 HD1 (HSCR 800-02) RELATING TO THE REPEAL OF NULL AND VOID AND UNNECESSARY ADMINISTRATIVE RULES.
Introduced by: Bunda R (BR)
Repeals, because they are already null and void, provisions relating to rules governing irrigation water service to consumers of the Molokai, Waimea, and Waimanalo irrigation systems; and provisions relating to fund raising and service and charges for the Hawaii public broadcasting authority. Repeals, having been found to be unnecessary, provisions relating to exclusion of students having communicable diseases, parent teacher conferences, release of students for religious holy days, married students, pregnant students, student examinations, reporting pupil progress, test information to parents, homework, student promotion, high school graduation through the adult schools, student travel, soliciting information from students, school services, junior police organization, student accident insurance, solicitation by non departmental personnel, and solicitation by the school. Provides that all contracts entered into pursuant to administrative rules that have been repealed by this Act shall continue to be honored until their termination. Provides that no agency affected by this Act shall be required to give advanced public notice, provide a public hearing, or distribute copies of repealed rules. -- SB2817 HD1
Committee Reports: SSCR 2391 (TMG/ CPH/) SSCR 2657 (WAM) HSCR 800-02 (JHA) HSCR 1183-02 (FIN)
Current Status: Apr=30 02 Passed Legislature
- SB2824 SD2 HD1 CD1 (CCR 70-02) RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.
Introduced by: Bunda R (BR)
Amends provision relating to conforming to the Federal Internal Revenue Code for taxable years beginning after December 31, 2001. Provides that section 222 (with respect to qualified tuition and related expenses), section 646 (with respect to tax treatment of electing Alaska Native settlement trusts), and subchapter W (with respect to District of Columbia enterprise zone) shall not be operative. Provides an income tax deduction pursuant to section 529 (with respect to qualified state tuition programs). -- SB2824 CD1
Committee Reports: SSCR 2450 (WAM) SSCR 2671 (WAM) HSCR 1123-02 (FIN) CCR 70-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 235-2.3, 235-2.4
- SB2831 SD1 HD1 CD1 (CCR 139-02) RELATING TO AN EXTENSION OF THE RESIDENTIAL CONSTRUCTION AND REMODELING INCOME TAX CREDIT.
Introduced by: Bunda R (BR)

SENATE BILLS WHICH PASSED THE LEGISLATURE

Amends Act 10, 3rd special session laws of 2001, relating to the residential construction and remodeling income tax credit by changing the sunset date from July 1, 2002 to July 1, 2003. Specifies that the taxpayer be the owner, developer, or lessee of residential real property. Redefines construction or remodeling cost to mean any costs for plans, design, construction, and equipment that is permanently affixed to the building or structure related to new construction, alterations, or modifications to a residential apartment unit or house, and shall not include any costs for which another income tax credit was claimed. -- SB2831 CD1

Committee Reports: SSCR 2749 (WAM) HSCR 858-02 (EDB) HSCR 1257-02 (FIN)
CCR 139-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: ACT 10 2001 3SP

SB2867 SD1 HD1 CD1 (CCR 98-02)

RELATING TO MEDICAID.

Introduced by: Bunda R

Requires the department of human services to not submit to the US Centers for Medicare and Medicaid Services (CMS) any proposed state Medicaid plan amendment to eliminate or diminish the DRI McGraw Hill inflation component or the return on equity (ROE) until the legislature approves and fully funds a mandatory program to replace them brings reimbursements to providers closer to the actual cost of care a state medicaid plan amendment to implement a program to bring reimbursements to providers closer to the actual cost of care; and to set concurrent implementation dates for both the elimination of the DRI McGraw Hill inflation component and the ROE, and the mandatory date to bring reimbursements to providers closer to the actual cost of care. -- SB2867 CD1

Committee Reports: SSCR 2317 (HHS) SSCR 2610 (WAM) HSCR 922-02 (HSH)
HSCR 1145-02 (FIN) CCR 98-02

Current Status: Apr-30 02 Passed Legislature

SB2881 SD1 (SSCR 2611)

RELATING TO ELDERLY CARE.

Introduced by: Chun Oakland S

Amends Act 211, session laws of 1992, as amended by Act 338, session laws of 1997, relating to PACE (program for all inclusive care for the elderly), by extending the repeal date to June 30, 2005 (sunset). -- Amends Act 338, session laws of 1997. Provides that the evaluations documenting the quality of care and health outcomes shall be measured by the department of health's office of health care assurance branch, rather than the hospital and medical facilities branch, as defined by the Medicare and Medicaid licensing requirements under the department of human service's adult and community care services branch, rather than the community long term care branch. Further provides that the charges to the clients shall be approved or estimated to be approved by the centers of Medicare and Medicaid services, rather than the health care financing administration. Adds that the program shall report to the legislature in 2004 and 2005. -- SB2881 SD1

Committee Reports: SSCR 2319 (HHS) SSCR 2611 (WAM) HSCR 892-02 (HLT/
HSH) HSCR 1159-02 (FIN)

Current Status: Apr-11 02 Received by the Governor

Apr-26 02 Approved by Governor (Act 57 2002)

Section Affected: ACT 211 1992, ACT 338 1997

SB2883 SD1 HD1 CD1 (CCR 150-02)

RELATING TO INSURANCE.

Introduced by: Menor R

Establishes provisions relating to limited lines motor vehicle rental company producer. Authorizes the insurance commissioner to issue a limited lines motor vehicle rental company producer license to an motor vehicle rental company. Defines limited lines motor vehicle rental company producer or rental company producer to mean a motor vehicle rental company that is licensed by the commissioner to solicit and sell insurance coverages only in connection with and which are incidental to the rental company's business of renting motor vehicles. -- Establishes provisions relating to offers or sales of collision insurance by lessors or limited line motor vehicle rental company producers. -- SB2883 CD1

Committee Reports: SSCR 2392 (TMG/ CPH/) SSCR 2800 (WAM) HSCR 934-02

SENATE BILLS WHICH PASSED THE LEGISLATURE

(CPC) HSCR 1232-02 (FIN) CCR 150-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 431:9A- (2 SECTIONS) LIMITED LINES MOTOR VEHICLE
RENTAL COMPANY PRODUCER, 437D- (1 SECTION),
437D-16

SB2885 SD2 HD1 (HSCR 824-02)

RELATING TO TAXATION.

Introduced by: Menor R (BR)

Amends provisions relating to general excise tax and public service company tax. Allows a person engaged in selling interstate or foreign common carrier telecommunications services or any public utility having income from the conveyance or transmission of telephone or telegraph messages or from the furnishing of facilities for the transmission of intelligence by electricity to reasonably segregate the income taxable under general excise tax and public service company tax provisions. -- SB2885 HD1

Committee Reports: SSCR 2181 (CPH) SSCR 2790 (WAM) HSCR 824-02 (CPC)
HSCR 1233-02 (FIN)

Current Status: May=02 02 Passed Legislature

Section Affected: 237- (1 SECTION), 239- (1 SECTION)

SB2898 SD2 HD2 CD1 (CCR 77-02)

RELATING TO CAVE PROTECTION.

Introduced by: English J, Kokubun R

Establishes the cave protection law. Prohibits any person from destroying, disturbing, defacing, marring, or harming the surfaces of any cave; or from depositing or removing anything from any cave. Exempts caves encountered within the normal course of a construction context, provided that any cave protection measures imposed through the environmental review process or any land use permit conditions shall be followed. Defines construction context as all permitted land altering activities necessary to construct any and all manner of improvements on the surface of a property including but not limited to foundations, basements, roads, buildings, and subsurface tunnels for highways and utilities. Provides that it shall be unlawful for any person to remove, kill, or harm any native organism within a cave except as provided by a scientific permit. Prohibits the sale of speleothems and speleogens removed from caves. Provides that any person allowing commercial entry to a cave shall obtain a permit. Provides that any person allowing commercial entry at the time of the passage of this Act shall file a declaration of the person's use with the department of land and natural resources; and, within 1 year, shall conform to said rules and all applicable state and county statutes, ordinances, and rules. Provides that anyone traversing a cave who discovers a burial site shall immediately cease their activity and leave the cave, and report as soon as possible to the department. Provides that where the department determines in consultation with the owner that dissemination of knowledge of cave location or resources could be detrimental to their protection, then the government information on the cave location and sensitive resources shall be kept confidential. Provides that where the owner still believes that dissemination of knowledge of cave location or resources could be detrimental to their protection, then the department shall keep all government information on the cave location and sensitive cave resources confidential. -- SB2898 CD1

Committee Reports: SSCR 2288 (WLE/ HAW/) SSCR 2826 (JDC) HSCR 853-02
(EEP) HSCR 1240-02 (JHA) CCR 77-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: (13 SECTIONS) PROTECTION OF CAVES

SB2900 HD1 CD1 (CCR 133-02)

MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE.

Introduced by: English J, Kokubun R, Chumbley A

Appropriation to the research corporation of the university of Hawaii to continue the emergency environmental workforce. Requires the department of land and natural resources, department of health, and department of agriculture to work with the research corporation. (\$\$) -- SB2900 CD1

Committee Reports: SSCR 2215 (LBR/ WLE/) SSCR 2636 (WAM) HSCR 917-02
(EEP/ WLU/) HSCR 1214-02 (FIN) CCR 133-02

SENATE BILLS WHICH PASSED THE LEGISLATURE

Current Status: Apr-30 02 Passed Legislature

SB2907 SD2 HD2 CD1 (CCR 100-02) RELATING TO TAXATION.
Introduced by: Hanabusa C, Slom S
Provides an attractions and educational facilities income tax credit for qualified costs in the development of facilities for attractions and educational purposes at Ko Olina resort and marina for qualified costs incurred after December 31, 2002 and before January 1, 2009 (sunset). Defines qualified costs to include a world class aquarium, marine science and mammal research facilities, international sports training complex, a travel industry management intern campus, infrastructure for the transfer of ocean waters to the aquarium or marine mammal facilities, or both, and other educational facilities developed or operated in cooperation with the university of Hawaii or other educational institutions. -- SB2907 CD1
Committee Reports: SSCR 2268 (TIA/ TMG/) SSCR 2729 (WAM) HSCR 796-02 (EDB) HSCR 1259-02 (FIN) CCR 100-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 235- (1 SECTION), 235-2.45

SB2926 SD1 HD2 CD1 (CCR 59-02) RELATING TO EDUCATION.
Introduced by: Sakamoto N
Requires the department of education to conduct a comprehensive occupational validation study of all educational officers that includes a determination of whether the responsibilities, duties, and required competencies of educational officers are valid and in compliance with federal and state employment laws, regulations, and professional human resources standards; a determination of whether the educational officer class should continue to include principals and vice principals as well as business administration positions in areas such as accounting, budgeting, procurement, payroll, information and technology services, civil rights compliance communication, human resources and development, school repair and maintenance, and teacher certification; a determination of whether the current minimum qualifications for school administrators and business administrators are valid and necessary to predict successful job performance; a determination of whether noncompliance with civil service exempt provisions, which limits the exemption of not more than 20 non certificated administrative, technical, and professional personnel is justified, as there are currently more than 300 such positions; recommendations for action related to the determination previously made; the identification of artificial barriers to employment for educational officers which are prohibited by the Federal Uniform Guidelines or Employee Selection Procedures issued in August 1978, or which are contrary to accepted principles and practices in public administration of human resources; an evaluation of whether the department's current dichotomy of recruitment and retention functions for certificated school personnel and civil service personnel is warranted, and identification of functions that can be consolidated to improve efficiency and effectiveness; an evaluation of the principal and vice principal positions to determine if they should be 12 month positions; the development of an information and technology plan that integrates databases for human resources, budget, accounting, procurement, payroll functions, and identification of resources needed to implement the plan; the development of written class specifications that do not currently exist; and the identification of statutory barriers and recommendations for statutory amendments to enable the department to effectively modify the educational officer class. -- Further requires the department to develop and implement a market based recruitment and retention plan for educational officers, with an emphasis on recruitment and retention of school administrators. Interim and final reports to the legislature. -- SB2926 CD1
Committee Reports: SSCR 2427 (EDU) SSCR 2706 (WAM) HSCR 867-02 (EDN) HSCR 1249-02 (FIN) CCR 59-02
Current Status: Apr-30 02 Passed Legislature

SB2934 HD2 CD1 (CCR 60-02) RELATING TO INTOXICATING LIQUOR.
Introduced by: Fukunaga C, Ihara L
Amends provisions relating to intoxicating liquor licenses. Redefines special liquor district to include historic preservation and residential protection. Provides that when a liquor license application is for a premise that is within a county encompassing a

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population of 500,000 residents or more, the investigator's report on a liquor license application shall specify the possible adverse effects the premises may have on the surrounding community. -- SB2934 CD1

Committee Reports: SSCR 2117 (HHS) SSCR 2678 (TIA) HSCR 845-02 (WLU)
HSCR 1139-02 (JHA) CCR 60-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 281-41, 281-56

SB2964 SD2 HD2 CD1 (CCR 55-02) RELATING TO THE 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 university of Hawaii 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 its mission. Transfers all functions and personnel of the commission for national and community service established by Executive Order 94-01 to this commission. Requires all federal funds received for the commission established by Executive Order to be transferred to the university of Hawaii. -- SB2964 CD1

Committee Reports: SSCR 2150 (HHS) SSCR 2718 (WAM) HSCR 766-02 (LAB/HED/) HSCR 1207-02 (FIN) CCR 55-02

Current Status: Apr-30 02 Passed Legislature

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

SB2985 SD2 HD2 CD1 (CCR 156-02) RELATING TO QUALIFIED IMPROVEMENT TAX CREDIT.

Introduced by: Hanabusa C

Provides a qualified improvement income tax credit for improvement costs to a federally qualified health center facility (FQHC) incurred after December 31, 2001, and before January 1, 2011 (sunset). -- SB2985 CD1

Committee Reports: SSCR 2323 (HHS) SSCR 2719 (WAM) HSCR 893-02 (HLT/HSH/) HSCR 1260-02 (FIN) CCR 156-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 235- (1 SECTION) QUALIFIED IMPROVEMENT TAX CREDIT

SB3010 SD2 (SSCR 2639) RELATING TO PENSION AND RETIREMENT SYSTEMS.

Introduced by: Nakata B

Amends provision relating to the allowance on service retirement. Provides that after June 30, 2002, if the member of the employees' pension and retirement system has at least 10 years of credited service as a firefighter, and is deemed permanently medically disqualified to be a firefighter by the employer's physician, and continues employment in a class A or B position other than a firefighter, then for each year of service as a firefighter the retirement allowance shall be 2 1/2 per cent of the member's average final compensation. -- SB3010 SD2

Committee Reports: SSCR 2395 (LBR) SSCR 2639 (WAM) HSCR 806-02 (LAB) HSCR 1202-02 (FIN)

Current Status: Apr-26 02 Vetoes

Section Affected: 88-74

SB3018 SD1 HD1 CD1 (CCR 153-02) RELATING TO EDUCATION.

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

Requires the speaker of the house of representatives and the president of the senate shall convene a joint senate house educational governance task force to determine the appropriate governance structure for Hawaii's public school system to create a system that is more student centered and responsive to diverse communities, and that will enhance student outcomes, school accountability, and system effectiveness and efficiency. Requires the task force to focus on board of education policies, operations, and structures; department of education regulations, operations, and structures; and the

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effectiveness of the complex administrative councils, whether they should be continued or abolished, and what constitutional amendments, if any, may be necessary for their continuation beyond the sunset date of June 30, 2004. Requires the task force to enlist the assistance of the legislative reference bureau and the Hawaii educational policy center for research and drafting of proposed legislation. Requires the bureau and the center to consult with the office of elections and the department of the attorney general regarding apportionment of new electoral districts, if such changes are recommended. Report to the legislature. Act to be repealed on June 30, 2004 (sunset). -- SB3018 CD1
Committee Reports: SSCR 2430 (EDU/ JDC/) SSCR 2708 (WAM) HSCR 758-02 (EDN) HSCR 1254-02 (FIN) CCR 153-02
Current Status: Apr-30 02 Passed Legislature

SB3028 SD1 HD2 CD1 (CCR 152-02) RELATING TO THE REGULATION OF WARRANTORS OF VEHICLE PROTECTION PRODUCTS.
Introduced by: Matsunaga M
Establishes the vehicle protection product warrantors law. Requires the payment of damages by the warrantor if loss or damage results from the failure of the vehicle protection product to perform as represented in the warranty. Requires business registration with the insurance commissioner. -- SB3028 CD1
Committee Reports: SSCR 2393 (TMG/ CPH/) SSCR 2740 (WAM) HSCR 897-02 (TRN/ CPC/) HSCR 1193-02 (FIN) CCR 152-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: (13 SECTIONS) VEHICLE PROTECTION PRODUCT WARRANTORS, 431:7-101

SB3040 SD2 HD2 CD1 (CCR 57-02) RELATING TO CAPTIVE INSURANCE.
Introduced by: Taniguchi B
Amends provisions relating to the confidential treatment of nonpublic financial information of a captive insurance company by the insurance commissioner. Repeals the limitation of the commissioner to disclose only financial information. Changes nonpublic financial information to nonpublic information. Allows the commissioner to disclose nonpublic financial information to courts of competent jurisdiction and insurance departments or regulatory agencies of other competent jurisdictions without prior notification to the person whom the information pertains. -- SB3040 CD1
Committee Reports: SSCR 2398 (CPH) SSCR 2505 (JDC) HSCR 823-02 (CPC) HSCR 1140-02 (JHA) CCR 57-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 431:19-101.2

SB3041 SD1 HD1 (HSCR 735-02) RELATING TO THE DEPARTMENT OF EDUCATION STOREROOM REVOLVING FUND.
Introduced by: Taniguchi B
Repeals the department of education storeroom revolving fund and requires the superintendent of education to transfer any unexpended and unencumbered funds remaining in the revolving fund to the general fund. -- SB3041 HD1
Committee Reports: SSCR 2433 (EDU) SSCR 2580 (WAM) HSCR 735-02 (EDN) HSCR 1250-02 (FIN)
Current Status: Apr=30 02 Passed Legislature
Section Affected: 302A-1304

SB3047 SD1 HD1 CD1 (CCR 143-02) MAKING AN APPROPRIATION FOR THE WAIPAHA COMMUNITY ADULT DAY HEALTH CENTER AND YOUTH DAY CARE CENTER PILOT PROJECT.
Introduced by: Kawamoto C, Matsuura D, Kanno B
Appropriation to the department of health for the operation of the Waipahu community adult day health center and youth day care center pilot project. (\$\$) -- SB3047 CD1
Committee Reports: SSCR 2325 (HHS) SSCR 2613 (WAM) HSCR 716-02 (HLT/ HSH/) HSCR 1158-02 (FIN) CCR 143-02
Current Status: Apr-30 02 Passed Legislature

SB3048 SD2 HD1 CD1 (CCR 140-02) RELATING TO BONDS.
Introduced by: Kawamoto C, Matsuura D, Kanno B

SENATE BILLS WHICH PASSED THE LEGISLATURE

Authorizes the department of transportation to issue of special facility revenue bonds for appropriation to build a world class destination visitor attraction on Ford Island to tell the Navy Marine Corps story in World War II. Appropriation out of the special facility revenue bond proceeds to the department. (\$\$) -- SB3048 CD1

Committee Reports: SSCR 2206 (TMG) SSCR 2737 (WAM) HSCR 1124-02 (FIN) CCR 140-02

Current Status: Apr-30 02 Passed Legislature

SB3049 SD2 HD2 CD1 (CCR 146-02) RELATING TO BONDS.

Introduced by: Kawamoto C, Matsuura D, Kanno B

Authorizes the department of transportation to issue special facility revenue bonds for appropriation to construct facilities for a ferry service between west and east Oahu. Appropriation out of the special facility revenue bond proceeds to the department. (\$\$) -- SB3049 CD1

Committee Reports: SSCR 2282 (TMG) SSCR 2658 (WAM) HSCR 833-02 (TRN) HSCR 1191-02 (FIN) CCR 146-02

Current Status: Apr-30 02 Passed Legislature

SB3053 SD2 HD1 CD1 (CCR 56-02) RELATING TO PUBLIC HEALTH NURSING.

Introduced by: Matsuura D

Establishes provision relating to public health nursing program. Establishes the program within the department of health to mobilize the department's nursing resources and respond to catastrophic and traumatic emergency events; respond to communicable diseases and other public health outbreaks; provide care coordination services to the most vulnerable populations of special needs children, elderly, and other populations having difficulty accessing the health care system; provide services that involve the family in collaboration and coordination with other agencies; collaborate with the department of education and Hawaii chapter of the American academy of pediatrics in the provisions of school health services; develop collaborative partnerships with individuals, families, communities, and providers to improve health and safety; provide the safety net health care services; and collect and evaluate data that addresses family and community needs for nursing and health services delivery changes to enhance the quality of life for families. -- SB3053 CD1

Committee Reports: SSCR 2145 (HHS) SSCR 2614 (WAM) HSCR 720-02 (HLT) HSCR 1162-02 (FIN) CCR 56-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 321- (1 SECTION) PUBLIC HEALTH NURSING PROGRAM

SB3063 SD2 HD2 CD1 (CCR 83-02) RELATING TO THE ENVIRONMENT.

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

Establishes provision relating to products to support the environment. Establishes within the department of land and natural resources a program to financially benefit the environment by the development of environmentally themed products such as collectible stamps, credit cards, and coins to be commercially sold to the public. Requires approval of the chairperson of the board of land and natural resources and the governor, after consultation with appropriate environmental organizations. Provides that revenues from the sale of products shall be paid into the endangered species trust fund to support programs of the department that benefit the environment and are related to the environmental theme of the product sold. Annual report to the legislature. -- SB3063 CD1

Committee Reports: SSCR 2409 (TMG/ JDC/) SSCR 2801 (WAM) HSCR 854-02 (EEP) HSCR 1217-02 (FIN) CCR 83-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 195- (1 SECTION) PRODUCTS TO SUPPORT THE ENVIRONMENT

HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB0001 HD1 (HSCR 1-02) MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN.
Introduced by: Takamine D
Appropriation for the expenses of the legislature, the office of the legislative auditor, the legislative reference bureau, the office of the ombudsman, 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. Amends Act 1, session laws of 2001, by changing the sunset date to June 30, 2003. (\$\$) -- HB0001 HD1
Committee Reports: HSCR 1-02 (FIN) SSCR 2001 (WAM)
Current Status: Jan-29 02 Received by the Governor
Jan-30 02 Approved by Governor (Act 1 2002)
Section Affected: ACT 1 2001
- HB0057 HD2 (HSCR 704-02) RELATING TO AGRICULTURE.
Introduced by: Chang J, Abinsay F, Hamakawa E, Fox G, Say C, Schatz B, Thielen C, Takumi R, Oshiro M, Kawakami B, Luke S, Espero W, McDermott B, Case E, Hiraki K, Marumoto B, Oshiro B, Pendleton D, Yonamine N, Meyer C, Gomes J, Morita H, Takai K, Suzuki N, Ahu Isa L, Jaffe M, Leong B, Hale H, Arakaki D, Kahikina M, Rath J, Kanoho E
Amends Act 305, session laws of 1999, relating to affirmative defense for the possession or cultivation of marijuana (hemp), by extending the sunset date from June 30, 2002 to June 30, 2005. -- HB0057 HD2
Committee Reports: HSCR 477 (AGR/ PSM/) HSCR 704-02 (JHA) SSCR 3225 (JDC)
Current Status: Apr-11 02 Received by the Governor
Apr-26 02 Approved by Governor (Act 55 2002)
Section Affected: ACT 305 1999
- HB0202 HD1 SD2 CD1 (CCR 40-02) RELATING TO HEALTH INSURANCE.
Introduced by: Hiraki K (BR)
Amends the mental health, alcohol, drug abuse treatment insurance benefits law to include benefits for minors. Defines minor as an individual under 18 years of age. Amends provisions relating to mental illness, alcohol and drug dependence to include benefits for minors. Provides that policies and contracts shall cover benefits for all minors except for those eligible to receive such services prescribed by the department of education (Felix v. Cayetano consent decree). Prohibits a health insurance plan to impose rates, terms, or conditions including service limits and financial requirements on benefits for minors if similar rates, terms, or conditions are not applied to services for other medical or surgical conditions. -- HB0202 CD1
Committee Reports: HSCR 672 (CPC) SSCR 1188 (HHS) SSCR 1565 (CPH/ JDC/) CCR 40-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 431M-1, 431M-4, 431M-5
- HB0223 HD1 SD2 CD1 (CCR 20-02) RELATING TO OPTOMETRY.
Introduced by: Takai K, Arakaki D, Suzuki N, Lee M, Espero W, Ito K, Takumi R, Kawakami B, Garcia N, Oshiro M, Oshiro B, Say C, Luke S, Leong B, Hamakawa E, Chang J, Cabrerros B
Establishes provision relating to restricted use on topical steroidal agents and topical anti viral agents. Authorizes a therapeutically certified optometrist to prescribe topical steroidal agents provided that an ophthalmologist shall be consulted if the patient's condition worsens, does not improve, or if the inflammation is still present 2 weeks after diagnosis, and when treating a corneal ulcer or peripheral inflammatory keratitis with a topical steroid; the patient shall be referred to an ophthalmologist if a topical steroid is still indicated 3 weeks after the diagnosis; and the only type of anterior uveitis to be treated under this provision is traumatic iritis. Further authorizes a therapeutically certified optometrist to prescribe topical anti viral agents for corneal epithelial lesions provided that if the patient's condition does not improve after initiating the treatment, the patient shall be immediately referred to an ophthalmologist. Prohibits the use of prescription anti fungal, injectable, or oral agents. Repeals the joint formulary advisory

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committee. Prohibits any wholesaler to sell, distribute, or dispense any prescription pharmaceutical agent that is not approved by the board of examiners in optometry -- HB0223 CD1

Committee Reports: HSCR 18 (HLT) HSCR 713 (CPC) SSCR 1227 (HHS) SSCR 1570 (CPH) CCR 20-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 459- (1 SECTION), 459-1, 459-7.4, 461-15

HB0536 SD1 (SSCR 3044)

RELATING TO COMMUNITY DEVELOPMENT.

Introduced by: Say C (BR)

Amends provisions relating to developments within special management areas and shoreline setback. Provides that all requests for developments within a special management area and shoreline setback variances for developments on any lands within a community development district, for which a community development plan has been developed and approved shall be submitted to and reviewed by the lead agency. Further provides that in community development districts for which a community development plan has not been developed and approved in accordance with the community development plans or coastal zone management and special management areas, shall continue to be administered by the applicable county authority until a community development plan for the district takes effect. Repeals provision relating to Hamakua community development district. -- HB0536 SD1

Committee Reports: HSCR 85 (WLU) HSCR 562-02 (FIN) SSCR 3044 (TIA/ WLE/) SSCR 3250 (WAM)

Current Status: Apr-30 02 Passed Legislature

Section Affected: 206E-8.5, 206E-171, 206E-172, 206E-173

HB0682

RELATING TO CONTESTS OF OCCUPATIONAL SAFETY AND HEALTH MATTERS.

Introduced by: Say C (BR)

Amends provision relating to the department of labor and industrial relations. Adds that the Hawaii labor relations board shall exercise powers and duties in accordance to the occupational safety and health law. Redefines appeals board to mean the Hawaii labor relations board, rather than the labor and industrial relations appeals board. -- HB0682

Committee Reports: HSCR 161-02 (LAB) HSCR 481-02 (FIN) SSCR 2963 (LBR) SSCR 3542 (WAM)

Current Status: May-02 02 Received by the Governor

Section Affected: 26-20, 396-3

HB0683 HD2 (HSCR 775)

RELATING TO STATE PARKS PENALTIES.

Introduced by: Say C (BR)

Authorizes the board of land and natural resources to set, charge, and collect administrative fines to recover administrative fees and costs as documented by receipts or affidavit. Sets administrative fines and penalties. -- HB0683 HD2

Committee Reports: HSCR 320 (WLU) HSCR 775 (JHA) SSCR 3000 (EDT) SSCR 3272 (JDC)

Current Status: Apr-12 02 Received by the Governor

Apr-23 02 Approved by Governor (Act 24 2002)

Section Affected: 184- (1 SECTION), 184-5

HB0703 HD1 SD2 (SSCR 3262)

RELATING TO CONTROLLED SUBSTANCES.

Introduced by: Say C (BR)

Amends provisions relating to the controlled substances Act. Prohibits a controlled substance in schedule II to be dispensed without a written prescription except in the case of an emergency situation, a pharmacist may dispense upon receiving oral authorization of a prescribing practitioner provided that the quantity dispensed shall adequately treat the patient during the emergency period, and the prescribing practitioner shall submit the written prescription to the dispensing pharmacist within 72 hours. Authorizes a prescription for a schedule II controlled substance for a patient in a long term care facility or with a medical diagnosis documenting a terminal illness to be filled in partial quantities, including individual dosage units. Allows a prescription for a controlled substance to be transmitted to a pharmacy via facsimile (fax) equipment, provided that the original written and signed prescription is presented to the pharmacist

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for review prior to the actual dispensing. -- Provides that the Substance Abuse and Mental Health Services Administration, rather than Food and Drug Administration, shall regulate the methadone treatment program. Appropriation out of the controlled substance registration revolving fund to the department of public safety to provide for equipment and current expenses to carry out the provisions of the medical use of marijuana Act. (\$\$) -- HB0703 SD2

Committee Reports: HSCR 668 (JHA) SSCR 1235 (HHS) SSCR 3262 (JDC)

Current Status: May-02 02 Passed Legislature

Section Affected: 329-16, 329-20, 329-38, 329-40, 329-59

HB0741 HD1 SD1 CD1 (CCR 21-02)

RELATING TO CIVIL LIABILITY.

Introduced by: Morita H, Thielen C, Takumi R, Lee M, Hale H, Oshiro M, Takai K, Oshiro B, Schatz B

Establishes the citizen participation in government Act. Defines strategic lawsuit against public participation (SLAPP) to mean a lawsuit that lacks substantial justification or is interposed for delay or harassment and that is solely based on the party's public participation before a governmental body. Establishes required motion procedures. Provides that upon the filing of any motion to dispose of a claim in a judicial proceeding on the grounds that the claim is based on, relates to, or involves public participation and is a SLAPP lawsuit, the moving party shall have a right to an immediate appeal from a court order denying the motion, and to file for a writ of mandamus if the court fails to rule on the motion in an expedited fashion. -- HB0741 CD1

Committee Reports: HSCR 703 (JHA) SSCR 1113 (TMG) SSCR 2506 (JDC) CCR 21-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: (4 SECTIONS) CITIZEN PARTICIPATION IN GOVERNMENT ACT

HB0771 HD1 SD1 CD1 (CCR 35-02)

RELATING TO CRIME.

Introduced by: Hamakawa E, Thielen C

Amends provision relating to the rights lost by convicted persons. Provides that a public office held shall be forfeited at the time of conviction rather than the time of sentence. Defines time of conviction as the day upon which the person was found guilty of the charges by the trier of fact or determined to be guilty by the court. -- HB0771 CD1

Committee Reports: HSCR 549 (JHA) SSCR 1554 (JDC) CCR 35-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 831-2

HB0870 SD1 CD1 (CCR 16-02)

RELATING TO PUBLIC LANDS.

Introduced by: Abinsay F, Kanoho E, Cabrerros B, Gomes J

Amends provision relating to designation of industrial park. Provides that the board of land and natural resources may otherwise determine a contiguous area of not less than 5 acres of public lands as suitable and economically feasible for industrial use. Amends provision relating to joint venture or development agreement. Provides that if the industrial park is to be developed in partnership or under a development agreement with a private party, the private party shall be selected in accordance with the competitive sealed bidding or the competitive sealed proposals provisions of the Hawaii public procurement code. Provides that a partnership or development agreement may provide for the board to issue master leases within an industrial park negotiation, without regard to disposition by negotiation or notice limitations, to the entity that developed the industrial park or the nominee or nominees of the entity that developed the industrial park; and for a master lease with terms and conditions upon which the master lessee may issue tenant subleases within the industrial park without the consent of the board. Amends provision relating to lease for eligible permittee in industrial park. Provides that the board may issue a master lease to a corporation whose members or shareholders shall all be either eligible permittees or eligible sublessees of the industrial park. -- HB0870 CD1

Committee Reports: HSCR 112 (WLU) HSCR 787 (FIN) SSCR 3019 (WLE) SSCR 3278 (WAM) CCR 16-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 171-132, 171-135, 171-141

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- HB1011 HD1 SD1 (SSCR 3070) RELATING TO ELECTIONS.
Introduced by: Say C (BR)
Amends provision relating to voting assistance. Provides that any voter who requires assistance to vote may be given assistance, rather than any voter who requires assistance to vote by reason of blindness, disability, or inability to read or write. Repeals requirement for precinct officials to be satisfied that a physical disability exists prior to permitting assistance to be rendered to the voter. Provides that a voter needing assistance may be handed a ballot within the polling place parking lot. -- HB1011 SD1
Committee Reports: HSCR 173-02 (JHA) SSCR 3070 (JDC)
Current Status: Apr-30 02 Passed Legislature
Section Affected: 11-139
- HB1012 SD1 CD1 (CCR 2-02) PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 6, OF THE HAWAII CONSTITUTION, TO CHANGE THE ELIGIBILITY TO SERVE AS A MEMBER OF THE SENATE OR HOUSE OF REPRESENTATIVES.
Introduced by: Say C (BR)
Proposes to amend the constitution. Provides that no person shall be eligible for a state legislative office unless the person has been a resident of the State for not less than 3 years, has attained the age of majority and is, prior to filing nomination papers and thereafter continues to be, a qualified voter of the district from which the person seeks to be elected; except that in the year of the 1st general election following reapportionment, but prior to the primary election, and incumbent may move to a new district without being disqualified from completing the remainder of the incumbent's term. -- HB1012 CD1
Committee Reports: HSCR 78 (LMG) HSCR 153-02 (JHA) HSCR 607-02 (FIN) SSCR 3226 (JDC) CCR 2-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: ART III S6
- HB1093 RELATING TO THE USE OF WASHINGTON PLACE FOR CAMPAIGN ACTIVITIES.
Introduced by: Say C (BR)
Establishes provision relating to Washington Place for campaign activities. Prohibits the governor to allow Washington Place to be used for any events intended to solicit funds, support, or votes for any candidate for elective public office. -- HB1093
Committee Reports: HSCR 526-02 (JHA) SSCR 2977 (TMG) SSCR 3264 (JDC)
Current Status: Apr-11 02 Received by the Governor
Apr-25 02 Approved by Governor (Act 46 2002)
Section Affected: 84- (1 SECTION) WASHINGTON PLACE
- HB1245 HD1 SD1 CD1 (CCR 159-02) RELATING TO THE STATE BUDGET.
Introduced by: Halford C
Appropriation out of the emergency and budget reserve fund to the department of health for a grant to Hawaii Intergenerational Network for program expenses, a grant to Wahiawa General Hospital for program expenses, for oral health (dental sealant and dental hygiene) program expenses, for the tobacco prevention and cessation program, for substance abuse treatment program expenses, for program expenses for rural hospitals, and for program expenses relating to the mentally uninsured; to the department of human services for a grant to Parents and Children Together for program expenses, for a grant to Good Beginnings Alliance for program expenses, for a grant to Blueprint for Change for program expenses, and for pre school open doors program; to the housing and community development corporation of Hawaii for program expenses relating to the homeless and for rent supplement payments. (\$\$) -- HB1245 CD1
Committee Reports: HSCR 694 (FIN) SSCR 1557 (WAM) CCR 159-02
Current Status: Apr-30 02 Passed Legislature
- HB1256 HD2 SD2 CD1 (CCR 124-02) RELATING TO SOLID WASTE MANAGEMENT.
Introduced by: Morita H, Schatz B, Oshiro B, Jaffe M, Hale H, Lee M, Kanoho E
Establishes provisions relating to deposit beverage container program under integrated solid waste management law. Requires every beverage distributor to pay to the department of health a beverage container fee on each polyethylene terephthalate, high density polyethylene, or metal deposit beverage container manufactured or imported into

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the State. Provides that the fee shall be imposed only once on the same beverage container and shall be 0.5 cents per beverage container, beginning October 1, 2002. Increases the fee to 1 cent per beverage container beginning October 1, 2004. Prohibits the county to impose or collect any fee for the same or similar purpose. Requires all deposit beverage distributors operating within the State to register within the department by September 1, 2002. Establishes the deposit beverage container deposit special fund to reimburse refund values and pay handling fees to certified redemption centers. Requires the auditor to conduct a management and financial audit of the program and report to the legislature. Provides that every beverage container sold in this State shall have a refund value of 5 cents. Provides that every deposit beverage distributor who pays a deposit shall charge the dealer or consumer a deposit equal to the refund value for each deposit beverage container sold in Hawaii. Requires every beverage container sold to clearly indicate the refund value of the container and the word Hawaii or the letters HI. Establishes provisions for redemption of empty deposit beverage containers, criteria for redemption centers, and requirements for reverse vending machines. Requires the department to convene an advisory committee to assist in developing any rules needed to implement this law. -- Establishes a general excise tax exemption for amounts received as a beverage container deposit. -- Exempts the deposit beverage container deposit special fund and the glass advance disposal fee special fund from contributing to the central service expenses of the government. -- Provides that beginning October 1, 2004, the glass advance disposal fee shall only apply to glass containers that are not glass deposit beverage containers. -- Amends provision relating to deposits into the environmental management special fund. Provides that all moneys distributed to the counties from the special account in the environmental management fund, and not used by the counties as specified in the county glass recovery program shall be returned to the State for deposit into the environmental management special fund at the end of each annual contract period. -- Provides that beginning October 1, 2004, the amount due from glass container importers shall be the sum equal to the number of non deposit beverage glass containers less non deposit beverage glass containers exported and multiplied by the advance disposal fee. Further provides that a glass container importer who imports or manufactures in the State fewer than 5,000 non deposit beverage glass containers within a 1 year period shall be exempt from payment of the fee. Further provides that an importer who imports or manufactures 5,000 or more non deposit beverage glass containers, but less than or equal to 100,000 non deposit beverage glass containers, shall be permitted to provide an annual, rather than quarterly, report and payment of fee. Department to quarterly report to the legislature and the governor until December 31, 2004 (sunset). -- HB1256 CD1

Committee Reports: HSCR 116 (EEP/ EDB/) HSCR 825 (FIN) SSCR 1245 (WLE/ CPH) SSCR 1550 (WAM) CCR 124-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 342G- (20 SECTIONS) DEPOSIT BEVERAGE CONTAINER PROGRAM, 237- (1 SECTION), 342G-1, 342G-81, 36-27, 342G-71, 342G-72, 342G-82, 342G-83, 342G-84, 342G-85, 342G-86, 342G-88, 342G-89

HB1357 HD1 SD2 CD1 (CCR 50-02) RELATING TO HEALTH.

Introduced by: Arakaki D, Takai K

Amends provision relating to the hospital and medical facilities special fund. Adds that moneys in the fund shall be expended by the department of health to enhance the capacity of hospital and medical facilities to improve public outreach efforts and consultations to regulated industries and to educate the public, staff, and regulated industries. Department to annually report to the legislature. -- Amends provision relating to licensing of adult residential care homes (ARCH). Requires any fines collected by the department of health for violation of this provision to be deposited in the state general fund. -- Requires the Healthcare Association of Hawaii to report to the legislature on the status of how hospitals in the State handle and provide for the security of personal effects of their patients. -- HB1357 CD1

Committee Reports: HSCR 260 (HLT) HSCR 521 (HLT) HSCR 657 (FIN) SSCR 1264 (HHS) SSCR 3285 (WAM) CCR 50-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 321-1.4, 321-15.6

HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB1542 HD1 (HSCR 83-02) RELATING TO VOTER REGISTRATION.
Introduced by: Hamakawa E
Repeals provision disqualifying mentally retarded persons from the voter registry. --
HB1542 HD1
Committee Reports: HSCR 83-02 (JHA) HSCR 484-02 (FIN) SSCR 3081 (JDC/
TMG/)
Current Status: Apr-02 02 Received by the Governor
Apr-12 02 Approved by Governor (Act 15 2002)
Section Affected: 11-23
- HB1595 HD1 SD1 CD1 (CCR 102-02) RELATING TO PUBLIC EMPLOYEES.
Introduced by: Takamine D
Amends Act 253, session laws of 2000. Provides that each jurisdiction shall provide
adjustments for its respective excluded civil service employees based on
recommendations from its respective personnel director. Provides that the adjustments
for excluded civil service employees shall be at least equal to the compensation and
benefit packages provided under collective bargaining agreements for counterparts and
subordinates and are consistent with civil service provisions and equivalent or not less
than adjustments provided within the employer's jurisdiction. -- HB1595 CD1
Committee Reports: HSCR 435 (LAB) HSCR 792 (FIN) SSCR 1204 (LBR) SSCR
1386 (WAM) CCR 102-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: ACT 253 2000, 89C-3
- HB1684 HD1 SD2 (SSCR 3290) RELATING TO STATE AND LOCAL TAXATION OF MOBILE TELECOMMUNICATIONS
SERVICES.
Introduced by: Souki J
Amends provisions relating to public service company tax to establish sourcing of mobile
telecommunications services income. Provides that if a taxing jurisdiction does not
subject charges for mobile telecommunications services to taxation, a customer may not
rely upon the nontaxability of charges for mobile telecommunications services unless
the customer's home service provider separately states the charges for nontaxable
mobile telecommunications services from taxable charges or the home service provider
elects, after receiving a written request from the customer in the form required by the
provider, to provide verifiable data based upon the home service provider's books and
records that are kept in the regular course of business that reasonably identifies the
nontaxable charges. Further provides that a home service provider shall be responsible
for obtaining and maintaining the customer's place of primary use. Defines home
service provider to mean the facilities based carrier or reseller with whom the customer
contracts for the provision of mobile telecommunications services. -- Amends provisions
relating to general excise taxes to provide that where a person is engaged in the
business of a home service provider, the tax shall be imposed on the gross income
received or derived from providing interstate or foreign mobile telecommunications
services to a customer with a place of primary use in this State when such services
originate in 1 state and terminate in another state, territory, or foreign country; provided
that all charges for mobile telecommunications services which are billed by or for the
home service provider are deemed to be provided by the home service provider at the
customer's place of primary use, regardless of where the mobile telecommunications
originate, terminate, or pass through. -- HB1684 SD2
Committee Reports: HSCR 314 (CPC) HSCR 634 (FIN) SSCR 1282 (CPH) SSCR
3290 (WAM)
Current Status: Apr-30 02 Passed Legislature
Section Affected: 239- (5 SECTIONS) SOURCING OF MOBILE
TELECOMMUNICATIONS SERVICES INCOME, 237-13, 239-2
- HB1700 HD1 SD1 (SSCR 3302) RELATING TO INSURANCE POLICIES.
Introduced by: Hiraki K
Amends the life insurance and annuities law by amending provisions relating to standard
nonforfeiture law for individual deferred annuities. Provides that for any contract issued
after June 30, 2002, and before July 1, 2004 (sunset), the interest rate at which net
considerations, prior withdrawals, and partial surrenders shall be accumulated, for the

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purpose of determining minimum nonforfeiture amounts, shall be 1 1/2 per cent. --
HB1700 SD1
Committee Reports: HSCR 546-02 (CPC) SSCR 3302 (CPH)
Current Status: Apr-30 02 Passed Legislature
Section Affected: 431:10D-107

HB1713 HD1 SD1 CD1 (CCR 41-02) RELATING TO CONDOMINIUM PROPERTY REGIMES.
Introduced by: Espero W
Provides that no apartment owner who requests legal or other information from the association of apartment owners, the board of directors, the managing agent, or their employees or agents shall be charged for the cost of that information, unless the association notifies the owner in writing at least 10 days prior to incurring the cost of providing the information. Provides that prior notice shall not be required on delinquent assessments or in connection with proceedings to enforce the law or the association's governing documents. Provides that after being notified of the cost of providing the information, the apartment owner may withdraw the request, in writing, and shall not be charged for the cost of providing the information. -- HB1713 CD1
Committee Reports: HSCR 171-02 (CPC) SSCR 3125 (CPH) CCR 41-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 514A- (1 SECTION) ASSOCIATION OF APARTMENT OWNERS

HB1715 HD1 SD1 CD1 (CCR 42-02) RELATING TO CONDOMINIUM PROPERTY REGIMES.
Introduced by: Espero W
Amends provision relating to condominium property regime. Increases the number of days a vote or written consent must be obtained to adopt the proposed bylaw submitted by either the board of directors or a volunteer apartment owners' committee from 120 days to 365 days. -- HB1715 CD1
Committee Reports: HSCR 172-02 (CPC) SSCR 3126 (CPH) CCR 42-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 514A-82

HB1716 HD1 SD1 CD1 (CCR 43-02) RELATING TO CONDOMINIUM PROPERTY REGIMES.
Introduced by: Espero W
Amends provisions relating to condominium property regime mediation. Adds that each party shall be wholly responsible for its own individual costs of participating in mediation unless otherwise agreed by the parties at the end of the mediation process. -- HB1716 CD1
Committee Reports: HSCR 267-02 (CPC) SSCR 3005 (CPH) SSCR 3273 (JDC) CCR 43-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 514A-121.5

HB1722 SD1 CD2
(FLOOR AMENDMENT 8) RELATING TO TRANSPORTATION.
Introduced by: Souki J
Amends Act 332, session laws of 1993, relating to Hawaii air carriers, by repealing the sunset date. Further repeals the deadline for collateral to be deposited into the Hawaii interisland loan guarantee trust fund. -- HB1722 CD2
Committee Reports: HSCR 3-02 (TRN) HSCR 152-02 (CPC) HSCR 589-02 (FIN) SSCR 3058 (TMG/CPH/) SSCR 3253 (WAM) CCR 48-02 - filed FLOOR AMENDMENT 8 FLOOR AMENDMENT
Current Status: May-02 02 Passed Legislature
Section Affected: ACT 332 1993

HB1723 RELATING TO MOTOR VEHICLE SAFETY.
Introduced by: Souki J (BR)
Amends provisions relating to motor vehicle safety responsibility. Changes the exemption from security requirements for a driver of a motor vehicle owned by that person's employer involved in an accident during the normal scope of that person's employment by repealing the requirement that the vehicle be owned by the employer. -- HB1723
Committee Reports: HSCR 4-02 (TRN) HSCR 561-02 (CPC/ JHA/) SSCR 2899

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(TMG) SSCR 3222 (CPH/ JDC/)
Current Status: Apr-11 02 Received by the Governor
Apr-25 02 Approved by Governor (Act 47 2002)
Section Affected: 287-8

HB1724 SD1 CD1 (CCR 11-02) RELATING TO SPECIAL NUMBER PLATES FOR MILITARY SERVICE.
Introduced by: Souki J (BR)
Repeals the limit of special number plates (license plates) for military service to a noncommercial passenger vehicle, a noncommercial motorcycle, or motor scooter registered in the name of the qualified applicant. -- HB1724 CD1
Committee Reports: HSCR 7-02 (TRN) HSCR 563-02 (FIN) SSCR 2900 (TMG) SSCR 3208 (WAM) CCR 11-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 249-9.2

HB1725 HD1 (HSCR 452-02) RELATING TO DRIVER LICENSE RENEWAL BY MAIL.
Introduced by: Souki J (BR)
Amends provision relating to motor vehicle driver's license renewal by mail. Provides that if the renewal of motor vehicle driver's license is not applied for within 90 days after the expiration of the license, the applicant for renewal shall be treated as an applicant for reactivation of an expired license. Repeals the residency requirement for license renewal. Allows a license to be renewable by mail on the 6th birthday after issuance. -- HB1725 HD1
Committee Reports: HSCR 5-02 (TRN) HSCR 452-02 (JHA) SSCR 2901 (TMG) SSCR 3265 (JDC)
Current Status: Apr-11 02 Received by the Governor
Apr-25 02 Approved by Governor (Act 48 2002)
Section Affected: 286-107

HB1726 RELATING TO DRIVER'S LICENSE INSTRUCTION PERMIT.
Introduced by: Souki J (BR)
Amends provision relating to the examination of motor vehicle driver's license applicants. Allows the examiner of drivers to examine an applicant without requiring an additional 90 day period if the applicant's instruction permit has expired and a new instruction permit was issued within 30 days of its expiration. -- HB1726
Committee Reports: HSCR 8-02 (TRN) HSCR 425-02 (JHA) SSCR 2942 (TMG)
Current Status: Mar-27 02 Received by the Governor
Apr-05 02 Approved by Governor (Act 4 2002)
Section Affected: 286-108

HB1727 HD1 (HSCR 453-02) RELATING TO DRIVER'S LICENSE INSTRUCTION PERMIT RENEWAL.
Introduced by: Souki J (BR)
Allows the examiner of drivers to accept an application for the renewal of a motor vehicle driver's instruction permit no more than 30 days prior to or 90 days after the expiration of the permit. Provides that if the applicant does not apply for renewal within 90 days after expiration of the permit, the applicant shall be treated as an applicant for a new permit. -- HB1727 HD1
Committee Reports: HSCR 6-02 (TRN) HSCR 453-02 (JHA) SSCR 2902 (TMG) SSCR 3153 (JDC)
Current Status: Apr-11 02 Received by the Governor
Apr-23 02 Approved by Governor (Act 25 2002)
Section Affected: 286-110

HB1730 HD1 SD1 CD1 (CCR 29-02) RELATING TO DRIVERS EDUCATION FUND UNDERWRITERS FEE.
Introduced by: Souki J (BR)
Amends provisions relating to drivers education fund underwriters fees. Increases the fee from 2 to 3 dollars a year on each motor vehicle insured by each insurer or self insurer. Changes the allocation of the fee per registration by the insurance commissioner from 50 per cent to 1 dollar per registration for the operation of its driver education program and from 50 per cent to 2 dollars per registration to the director of commerce and consumer affairs for the drivers education program and traffic safety

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education program administered by the department of education. -- HB1730 CD1
Committee Reports: HSCR 11-02 (TRN) HSCR 364-02 (EDN) HSCR 657-02 (FIN)
SSCR 3032 (TMG/ EDU/) SSCR 3209 (WAM) CCR 29-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 431:10C-115

HB1731 HD2 SD1 CD1 (CCR 30-02) RELATING TO DRIVERS EDUCATION FUND UNDERWRITERS FEES.
Introduced by: Souki J (BR)
Amends provisions relating to drivers education fund underwriters fee to establish a motorcycle and motor scooter operators education fund. Provides that the fees shall be distributed to the fund and available to the department of transportation instead of the university of Hawaii community colleges and used for the administration of a drivers education program for operators of motorcycles or motor scooters, when appropriated.
-- HB1731 CD1
Committee Reports: HSCR 12-02 (TRN) HSCR 239-02 (HED) HSCR 564-02 (FIN)
SSCR 3033 (TMG/ EDU/) SSCR 3210 (WAM) CCR 30-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 431:10G-107

HB1740 HD1 (HSCR 18-02) RELATING TO ENTERPRISE ZONES.
Introduced by: Magaoay M
Amends provision relating to state enterprise zones. Defines disease management services as patient self management education services, which may include primary prevention, behavioral modification, compliance / surveillance, and routine reporting and feedback including communication with patients, physicians, health plans, or ancillary providers. Redefines call center to include businesses providing service at an establishment in which customer and technical support service for disease management services is provided by telephone, provided that the business shall not include telemarketing or sales. -- HB1740 HD1
Committee Reports: HSCR 18-02 (EDB) HSCR 485-02 (FIN) SSCR 3001 (EDT)
SSCR 3586 (WAM)
Current Status: May=02 02 Passed Legislature
Section Affected: 209E-2

HB1746 HD1 SD1 (SSCR 2903) RELATING TO UNATTENDED VEHICLES.
Introduced by: Hiraki K
Amends provision relating to vehicles left unattended on private and public property. Requires the notice prohibiting vehicles to park to state that the vehicle will be towed and held at the expense of the vehicle owner, as well as the name, address, and a telephone number of the facility where the vehicle will be towed and held. Further requires that the notice be placed in a location that is clearly visible to the driver of a vehicle approaching any individual marked or unmarked parking space provided that where an entire parking lot consists of restricted parking spaces, placement of the notice at each entrance of the parking lot shall suffice.-- HB1746 SD1
Committee Reports: HSCR 14-02 (TRN) HSCR 426-02 (JHA) SSCR 2903 (TMG)
SSCR 3154 (JDC)
Current Status: Apr-19 02 Received by the Governor
Section Affected: 290-11

HB1749 HD2 SD1 CD1 (CCR 27-02) RELATING TO ADULT RESIDENTIAL CARE HOMES.
Introduced by: Espero W, Kahikina M, Magaoay M, Cabrerros B, Marumoto B, Takai K, Garcia N, Arakaki D
Establishes provision relating to criminal history disclosure within the department of health. Requires the department to disclose to the operator of an adult residential care home (ARCH), to the extent that the division or office of the department that is referring the individual to the care home possesses, the criminal history of a prospective resident applying for entry to the care home when the prospective resident had previously been convicted of an offense involving violence to a person or admitted to the state hospital as a result of an acquittal under penal responsibility and fitness to proceed law for an offense involving violence to a person. -- Amends provision relating to the licensing of adult residential care homes (ARCH). Provides that the social model of care shall

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provide for aging in place and be designed to protect the health, safety, civil rights, and rights of choice of the persons residing in the nursing facility or in home or community based care. Amends provision relating to licensing of expanded adult residential care homes. Provides that type I expanded residential care homes shall consist of 5 or less residents with no more than 2 nursing facility level residents, provided that more nursing facility level residents may be allowed at the discretion of the department of health. Further provides that the department shall exercise its discretion to allow a resident of a type I or type II home to remain as an additional nursing facility level resident based upon the best interests of the resident. -- HB1749 CD1

Committee Reports: HSCR 367-02 (HLT/ HSH/) HSCR 690-02 (JHA) SSCR 2912 (HHS) SSCR 3159 (JDC) CCR 27-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 321- (1 SECTION), 321-15.6, 321-15.62

HB1758 HD1 SD1 CD1 (CCR 6-02)

RELATING TO DOMESTIC ABUSE.

Introduced by: Hamakawa E

Amends provision relating to notice of order. Provides that a law enforcement officer may use a copy, facsimile (fax) telecommunication, or other reliable reproduction of a domestic abuse protective order in lieu of the original order, which may only be transmitted from law enforcement officer to law enforcement officer until served. -- HB1758 CD1

HB1758 CD1

Committee Reports: HSCR 553-02 (JHA) SSCR 3270 (JDC) CCR 6-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 586-6

HB1761 HD1 SD2 CD1 (CCR 162-02)

RELATING TO INSURANCE.

Introduced by: Hiraki K, Yonamine N, Takumi R, Hamakawa E, Case E, Whalen P, Morita H

Establishes provisions relating to health insurance rate regulation which shall apply to all types of health insurance offered by managed care plans. Defines managed care plans to mean any health plan defined in accident and sickness contracts law, benefit societies law, and the health maintenance organizations act (HMOs) offered or administered by a health care insurer including a mutual benefit society or a health maintenance organization, mutual benefit societies of employee organizations, or voluntary employee beneficiary associations (VEBA). Authorizes the insurance commissioner to mandate filings for health insurance when the commissioner has information that current rates may be excessive, inadequate, or unfairly discriminatory. Act to be repealed on June 30, 2006 (sunset). -- HB1761 CD1

Committee Reports: HSCR 295-02 (CPC/ HLT/) HSCR 435-02 (FIN) SSCR 3006 (CPH/ HHS/) SSCR 3221 (WAM) CCR 162-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 431: - (13 SECTIONS) HEALTH INSURANCE RATE REGULATION, 432:1-102, 432D-19

HB1768 HD1 SD1 (SSCR 3083)

RELATING TO VEHICLE REGISTRATION.

Introduced by: Chang J, Souki J, Hale H, Morita H, Rath J, Takamine D

Amends provisions relating to highway safety to define vehicle identification number to mean the unique series of letters and numerals assigned to a vehicle either by the vehicle manufacturer or incomplete vehicle manufacturer as required by federal law, or by the county director of finance to identify a reconstructed vehicle, special interest vehicle, or motorcycle. Authorizes the director to issue vehicle identification numbers for reconstructed vehicles, special interest vehicles, or motorcycles. Further authorizes the director to register a motorcycle with an after market frame, using the vehicle identification number of the frame as issued by the incomplete vehicle manufacturer of the frame. Provides that a bill of sale and manufacturers statement of origin for the frame, engine, and transmission must be presented and retained as a part of the permanent county registration records and if a manufacturers statement of origin is not available due to the use of a used or reconstructed engine, transmission, or both, then a bill of sale or other proof of ownership, satisfactory to the director must be presented. -- HB1768 SD1

-- HB1768 SD1

Committee Reports: HSCR 13-02 (TRN) HSCR 454-02 (JHA) SSCR 3083 (TMG/

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TIA/
Current Status: Apr-19 02 Received by the Governor
Section Affected: 286-2, 286-42

HB1772

RELATING TO RESIDENCY OF POLICE OFFICER APPLICANTS.
Introduced by: Nakasone B
Amends provision relating to citizenship and residence of government officials and employees. Provides that applicants for police officer positions are not required to be state residents, provided that upon employment the officer shall establish residency as a condition of continued employment. -- HB1772
Committee Reports: HSCR 204-02 (LAB/ PSM/) HSCR 486-02 (FIN) SSCR 2965 (LBR/ TIA/) SSCR 3543 (WAM)
Current Status: May-02 02 Received by the Governor
Section Affected: 78-1

HB1777 HD1 SD1 CD1 (CCR 114-02)

RELATING TO PUBLIC UTILITIES.
Introduced by: Hiraki K
Amends provisions relating to telecommunications providers and services. Allows the public utilities commission to exempt a telecommunications provider or a telecommunications service from regulation of public utility rates and ratemaking procedures provisions relating to public hearing and contested case requirements. -- HB1777 CD1
Committee Reports: HSCR 279-02 (CPC) HSCR 567-02 (FIN) SSCR 3054 (CPH) SSCR 3218 (WAM) CCR 114-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 269-16.9

HB1800 HD1 SD1 CD1 (CCR 165-02)

RELATING TO THE STATE BUDGET.
Introduced by: Say C (BR)
Supplemental Appropriations Act of 2002 (executive budget). Amends Act 259, session laws of 2001, as amended by Act 3, 3rd special session laws of 2001, relating to the state budget. (\$\$) -- HB1800 CD1
Committee Reports: HSCR 725-02 (FIN) SSCR 3269 (WAM) CCR 165-02
Current Status: Apr-30 02 Received by the Governor
Section Affected: ACT 259 2001, ACT 3 2001 3SP, ACT 91 1999, ACT 281 2000, ACT 328 1997, ACT 116 1998, ACT 218 1995, ACT 287 1996, ACT 289 1993, ACT 252 1994, ACT 296 1991, ACT 300 1992, ACT 317 1991, ACT 316 1989, ACT 299 1990, ACT 391 1988, ACT 216 1987, ACT 390 1988, ACT 217 1987, ACT 347 1987, ACT 300 1985, ACT 345 1986, ACT 301 1983, ACT 285 1984, ACT 1 1981 1SP, ACT 264 1982, ACT 214 1979, ACT 300 1980, ACT 10 1977 1SP, ACT 243 1978, ACT 195 1975, ACT 226 1976, ACT 218 1973, ACT 218 1974, ACT 197 1971, ACT 263 1982, ACT 347 1986, ACT 300 1990

HB1804

RELATING TO EXPUNGEMENT.
Introduced by: Hamakawa E
Establishes provision relating to orders expunging juvenile arrest records. Provides that upon written application by the person, or if the person is a minor, the minor's parent or guardian, the court may issue an order expunging the juvenile arrest record of the person. Adds that prior to issuing an expungement order that was never referred to the court, the court shall consult with the prosecuting attorney in the appropriate circuit. -- HB1804
Committee Reports: HSCR 259-02 (JHA) SSCR 2914 (HHS) SSCR 3160 (JDC)
Current Status: Apr-11 02 Received by the Governor
Apr-23 02 Approved by Governor (Act 26 2002)
Section Affected: 571-88

HB1806

RELATING TO OFFENSES AGAINST PROPERTY RIGHTS.
Introduced by: Hamakawa E
Amends provision relating to offenses against property rights. Redefines hotel to mean

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a structure in which a majority of the tenants are roomers or boarders. -- HB1806
Committee Reports: HSCR 176-02 (JHA) SSCR 2461 (TIA) SSCR 3167 (JDC)
Current Status: Apr-11 02 Received by the Governor
Apr-24 02 Approved by Governor (Act 45 2002)
Section Affected: 708-800

HB1821 HD2 SD1 CD1 (CCR 127-02) RELATING TO THE LEGISLATIVE AUDITOR.
Introduced by: Suzuki N
Establishes provision relating to fees for financial audits. Provides that the auditor may charge an audited entity a reasonable fee for the cost of performing a financial audit. Provides that moneys collected pursuant to this provision shall be deposited in the audit revolving fund. Establishes the audit revolving fund in the office of the auditor. Provides that the fund shall consist of any moneys received from departments, offices, and agencies of the State and its political subdivisions for financial statement audits and audits required under federal law; legislative appropriations; and all interest earned on the deposit or investment of the moneys in the fund. Requires the auditor to use the fund moneys to conduct financial statement audits and audits required under federal law, or to pay for certified public accountants to conduct such audits. Amends Act 1, session laws of 2002, by decreasing appropriation to the office of the auditor for expenses. Appropriation to the office of the auditor for deposit into the audit revolving fund. Appropriation out of the audit revolving fund to the office of the auditor to conduct a financial audit of the department of education. (\$\$) -- HB1821 CD1
Committee Reports: HSCR 98-02 (LMG) HSCR 283-02 (LMG) HSCR 650-02 (FIN) SSCR 3257 (WAM) CCR 127-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 23- (2 SECTIONS), ACT 1 2002

HB1825 HD1 (HSCR 479-02) RELATING TO THE REVISED UNIFORM COMMERCIAL CODE ARTICLE 9 - SECURED TRANSACTIONS.
Introduced by: Hiraki K
Amends provision relating to secured transactions within the uniform commercial code by redefining agricultural lien to repeal the exclusion of security interest in farm products. Changes debtor to customer. Adds that a sale by an individual of an account that is a right to payment of winning in a lottery or other game of chance shall be perfected upon attachment. -- HB1825 HD1
Committee Reports: HSCR 310-02 (CPC/ JHA/) HSCR 479-02 (FIN) SSCR 2966 (AGT/ CPH) SSCR 3168 (JDC)
Current Status: Apr-11 02 Received by the Governor
Apr-23 02 Approved by Governor (Act 27 2002)
Section Affected: 490:9-102, 490:9-304, 490:9-309

HB1842 HD1 SD2 CD1 (CCR 33-02) RELATING TO THE PRACTICE OF PHARMACY.
Introduced by: Lee M, Arakaki D, Hale H, Takai K
Amends provisions relating to pharmacists and pharmacy by redefining the practice of pharmacy to include administering drugs orally, topically, or by injection, pursuant to an order by the patient's licensed medical doctor by a pharmacist having appropriate training that includes programs approved by the American Council of Pharmaceutical Education (ACPE), curriculum based programs from an ACPE accredited college of pharmacy, state or local health department programs or programs recognized by the board of pharmacy; administering immunization by injection to a person 18 years of age or older, by a pharmacist having appropriate training; initiating or adjusting the drug regimen of a patient pursuant to an authorization made by the patient's licensed medical doctor; transmitting prescriptions to another pharmacist for the purpose of filling or dispensing; or providing consultation, information, or education to patients and health care professionals. Repeals the definition of licensed acute care hospital. -- HB1842 CD1
Committee Reports: HSCR 335-02 (HLT) HSCR 617-02 (CPC) SSCR 2946 (HHS) SSCR 3115 (CPH) CCR 33-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 461-1, 328-6, 328-16

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- HB1843 SD1 CD1 (CCR 13-02) RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT.
Introduced by: Lee M, Takumi R, Morita H, Arakaki D
Amends provision relating to the resolution of disputes, grievances, and impasses. Provides that if a dispute between a public employer and bargaining unit 9, registered professional nurses, exists, the Hawaii labor relations board shall assist in the resolution of the impasse. Provides that during the 1st 20 days of an impasse between bargaining unit 9 and a public employer, the board shall immediately appoint a mediator to assist the parties in a voluntary resolution. Provides that if the impasse continues to exist 20 days after the date of impasse, the board shall immediately notify both parties that the dispute shall be submitted to arbitration. -- HB1843 CD1
Committee Reports: HSCR 235-02 (LAB) HSCR 487-02 (FIN) SSCR 2876 (LBR) SSCR 3248 (WAM) CCR 13-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 89-11
- HB1864 HD1 SD1 (SSCR 2864) RELATING TO VISITATION.
Introduced by: Arakaki D, Takai K, Hamakawa E, Morita H, Thielen C, Leong B, Case E, Auwae E, Kawakami B, Lee M, Kahikina M, Fox G, Chang J, Ito K, Jaffe M, Meyer C, Marumoto B, Ahu Isa L, Yoshinaga T, Suzuki N, Magaoay M, Cabrerros B, Abinsay F, Oshiro M, Hale H
Amends provision relating to custody and visitation. Provides that reasonable visitation rights may be awarded to siblings. -- HB1864 SD1
Committee Reports: HSCR 419-02 (JHA) SSCR 2864 (HHS) SSCR 3129 (JDC)
Current Status: Apr-30 02 Passed Legislature
Section Affected: 571-46
- HB1878 HD2 SD1 (SSCR 2922) RELATING TO EDUCATION.
Introduced by: Takai K, Ito K, Thielen C, Abinsay F, Hale H, Arakaki D
Establishes provisions relating to the Hawaii state student council within the department of education. Requires the council to consist of a representative from each departmental school district. Requires the council to determine whether to select the student member of the board of education or run an election to select that individual. Requires the council to cooperate with the student conference committee in planning the annual conference of secondary school students. -- HB1878 SD1
Committee Reports: HSCR 168-02 (EDN) HSCR 656-02 (FIN) SSCR 2922 (EDU) SSCR 3183 (WAM)
Current Status: Apr-26 02 Received by the Governor
Section Affected: 302A- (1 SECTION) HAWAII STATE STUDENT COUNCIL
- HB1901 HD2 SD1 CD1 (CCR 34-02) RELATING TO HIV TESTING FOR SEXUAL OFFENSES.
Introduced by: Marumoto B, Leong B, Lee M, Meyer C, Jaffe M, Thielen C, Morita H, Hale H, Auwae E, Luke S, Ahu Isa L, Kawakami B, Arakaki D
Amends provision relating to informed consent for testing or disclosure. Provides that consent to testing shall not be required for persons charged, convicted or adjudicated for sexual assault in the 1st or 2nd degree; recklessly subjects another person to an act of sexual penetration by compulsion; continuous sexual assault of minor under the age of 14 years; or incest. Repeals the provision prohibiting any provider, agency, or individual, in good faith, to be in violation of confidentiality requirements by providing the results of any test for the presence of HIV to a specified 3rd party. Requires any sexual assault victim or the parent or guardian of a minor or incapacitated victim, to be informed as soon as practicable after the conviction, of the availability of human immunodeficiency virus (HIV) testing for the victim, the availability of counseling for the victim, and the right of the victim to demand that the person convicted of the offense be tested for HIV. -- HB1901 CD1
Committee Reports: HSCR 303-02 (HLT) HSCR 691-02 (JHA) SSCR 3063 (HHS) SSCR 3263 (JDC) CCR 34-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 325-16, 325-16.5
- HB1941 RELATING TO AGRICULTURE.
Introduced by: Abinsay F, Magaoay M, Davis R, Ahu Isa L, Halford C, Cabrerros B,

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Suzuki N, Gomes J, Chang J

Amends Act 120, session laws of 1997, exempting persons transporting seed corn from motor carrier laws by repealing the sunset date. -- HB1941

Committee Reports: HSCR 439-02 (AGR) SSCR 2904 (TMG/ AGT/) SSCR 3119 (CPH)

Current Status: Apr-11 02 Received by the Governor
Apr-23 02 Approved by Governor (Act 28 2002)

Section Affected: ACT 120 1997, 271-5

HB1942 SD1 CD1 (CCR 5-02)

ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF FILIPINOS TO HAWAII.

Introduced by: Abinsay F, Magaoay M, Cabrerros B, Garcia N, Espero W, Arakaki D, Takumi R, Lee M, Chang J

Establishes a temporary commission to be known as the Filipino centennial celebration commission within the office of the governor. Provides that the commission shall have charge of all arrangements for the commemoration of the centennial anniversary of the arrival of the 1st Filipinos to Hawaii. Requires the commission to consist of 15 members of the Filipino community to be appointed by the governor. Provides that an individual appointed to another commission shall be eligible to be appointed as member of this commission. Provides that any member of the commission shall be immune from civil liability. Requires the commission to identify a non profit organization that will be responsible for any moneys received or expended for the centennial anniversary celebration. Provides that the commission may seek grants from public and private sources and may accept donations to finance the projects, programs, and activities of the centennial anniversary celebration. Further provides that the grants and subsidies law shall not apply to any grant or subsidy made pursuant to this provision. Requires the commission to report to the governor. Provides that the commission shall cease to operate after December 31, 2006 (sunset). -- HB1942 CD1

Committee Reports: HSCR 370-02 (TAC) HSCR 488-02 (FIN) SSCR 2883 (EDU)
SSCR 3184 (WAM) CCR 5-02

Current Status: Apr-30 02 Passed Legislature

HB1950 SD2 CD1 (CCR 107-02)

RELATING TO PRESCRIPTION DRUGS.

Introduced by: Takumi R, Takai K, Lee M, Kanoho E, Ahu Isa L, Arakaki D, Morita H, Ito K, Cabrerros B, Schatz B, Saiki S, Magaoay M, Abinsay F, Espero W, Suzuki N

Establishes the Medicaid prescription drug expansion program and drug rebate special fund within the department of human services into which shall be deposited all moneys received by the State as rebates from pharmaceutical manufacturers for Medicaid prescription drugs expansion program and appropriations made by the legislature. Requires the fund to be used to expand Medicaid prescription drug benefits and to administer and operate the program. Requires the department to provide for an expansion of prescription drug benefits under the Medicaid program which shall offer discounted prescription drugs to qualified individuals whose income is at or below 300 per cent of the federal poverty level. -- Appropriation to the department of human services to be deposited into the Medicaid prescription drug rebate special fund. Appropriation out of the Medicaid prescription drug rebate special fund to the department of human services to pay 1 dollar to a participating pharmacist under the Medicaid program for each prescription written for a qualified individual; for administrative costs associated with the program. Requires the department to obtain a waiver from the federal government to provide prescription drugs at Medicaid rates to qualified individuals, defined to be an individual whose income is at or below 300 per cent of the federal poverty level. Requires funds to be reimbursed by the Medicaid prescription drug rebate special fund by June 30, 2005, consistent with the fiscal resources of the fund and the best interest of the program. (\$\$) -- HB1950 CD1

Committee Reports: HSCR 75-02 (HSH) HSCR 569-02 (FIN) SSCR 2992 (HHS/ CPH/) SSCR 3282 (WAM) CCR 107-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 346- (1 SECTION) MEDICAID PRESCRIPTION DRUG EXPANSION PROGRAM

HB1969 SD1 CD1 (CCR 120-02)

RELATING TO THE BOARD OF EDUCATION.

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Introduced by: Ito K, Takai K, Arakaki D, Kahikina M, Abinsay F, Magaoay M, Cabrerros B, Morita H, Suzuki N, Espero W

Establishes provisions relating to department attorneys. Allows the board of education to appoint or retain attorneys independent of the attorney general to provide legal services for the department of education. -- HB1969 CD1

Committee Reports: HSCR 103-02 (EDN) HSCR 598-02 (FIN) SSCR 2945 (EDU/JDC/) SSCR 3238 (WAM) CCR 120-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 302A- (1 SECTION) DEPARTMENT ATTORNEYS

HB1970 SD1 (SSCR 2943)

RELATING TO THE HAWAII STATE EMERGENCY RESPONSE COMMISSION.

Introduced by: Ito K, Suzuki N, Ahu Isa L, Espero W

Amends provision relating to the state emergency response commission. Changes membership to include either the dean of the university of Hawaii school of public health or the dean of the university of Hawaii school of medicine, as determined by the governor. -- HB1970 SD1

Committee Reports: HSCR 410-02 (PSM) SSCR 2943 (TMG)

Current Status: Apr-19 02 Received by the Governor

Section Affected: 128E-2

HB1996 SD1 CD1 (CCR 19-02)

RELATING TO THE ADMINISTRATION OF TAXES.

Introduced by: Nakasone B

Amends provisions relating to estimated tax payments. Decreases the adjusted gross income for an individual from 150,000 dollars to 50,000 dollars. Also decreases the required annual payment from 90 per cent to 60 per cent. -- HB1996 CD1

Committee Reports: HSCR 559-02 (FIN) SSCR 3258 (WAM) CCR 19-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 235-97

HB1999 SD1 (SSCR 3171)

RELATING TO HUNTING.

Introduced by: Chang J

Amends Act 254, session laws of 1997, as amended by Act 96, session laws of 2000, relating to hunting, by repealing the sunset date. -- HB1999 SD1

Committee Reports: HSCR 527-02 (JHA) SSCR 3171 (JDC)

Current Status: Apr-30 02 Passed Legislature

Section Affected: ACT 254 1997, ACT 96 2000, 134-5, 134-9

HB2002 SD1 CD1 (CCR 9-02)

RELATING TO PUBLIC LANDS.

Introduced by: Kanoho E, Kawakami B, Morita H

Authorizes the department of land and natural resources to issue new leases to the existing lessee of certain properties in the county of Kauai. Provides criteria. -- HB2002 CD1

Committee Reports: HSCR 344-02 (WLU) HSCR 490-02 (FIN) SSCR 3027 (WLE/TIA) SSCR 3279 (WAM) CCR 9-02

Current Status: Apr-30 02 Passed Legislature

HB2006 HD1 SD1 CD1 (CCR 123-02)

RELATING TO SPECIAL WASTES RECYCLING.

Introduced by: Hamakawa E

Authorizes the director of health to institute a citation, administrative action, or civil action in any court of competent jurisdiction for injunctive and other relief to prevent any violation of lead acid battery recycling. -- Requires each motor vehicle tire retailer to post written notice stating that the final price of a new tire includes disposal of old tire and that the disposal fee is not subject to reduction or refund. Adds that the advertising of motor vehicle tires shall disclose whether a separate disposal fee may be added to the final price of the tire and the cost of such disposal. -- Establishes that accumulation of used tires at the retail point of collection shall not exceed 250 tires, unless the collection is an authorized tire collection facility, and shall be stored in a manner consistent with fire prevention and vector control. -- Amends provision relating to motor vehicle tire surcharge. Allows companies that sell vehicles to motor vehicle rental companies to subtract the number of tires on motor vehicles that are exported when calculating the surcharge. Authorizes a motor vehicle rental company that purchases new motor

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vehicles to be designated as the importer of motor vehicles, upon approval by the director. Prohibits any demand to be made on the State for payment of surcharge credit if the number of exported vehicles exceeds the number of imported vehicles in any reporting period. Requires the director to waive the 1 dollar tire surcharge on Hawaii tire importers when the amount of the collected surcharge has reached a total of between 2.75 million dollars and 3 million dollars. Provision to be repealed on January 1, 2006 (sunset). -- Provides that a motor vehicle rental company shall pay the motor vehicle tire surcharge annually. -- Requires the department to annually report to the legislature on the status of the special account in the environmental management special fund and on the status of tire cleanup projects for tire cleanup and associated environmental assessments and remediation. -- HB2006 CD1

Committee Reports: HSCR 97-02 (EEP) HSCR 397-02 (JHA) HSCR 594-02 (FIN)
SSCR 2905 (TMG/ WLE/) SSCR 3155 (JDC) CCR 123-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 3421-8, 3421-23, 3421-25, 3421-27, 3421-28

HB2009 HD1 SD1 (SSCR 2944)

RELATING TO AGRICULTURE.

Introduced by: Abinsay F

Amends provision relating to plant and non domestic animal quarantine by adding microorganism import. Provides that the department of agriculture may issue an emergency permit to allow import and possession of a restricted microorganism for emergency preparedness. Provides that permits issued under rules adopted prior to Act 211, session laws of 2000, relating to plant and non domestic animal quarantine, are valid until the expiration date shown on the permit with no entitlement to renewal on the original import terms and conditions. Provides that the board may amend or cancel permits, letters of authorization, and registrations. Provides criteria. -- HB2009 SD1

Committee Reports: HSCR 212-02 (AGR) HSCR 440-02 (AGR) SSCR 2944 (AGT)

Current Status: Apr-19 02 Received by the Governor

Section Affected: 150A-6.3, 150A-6.4

HB2018 HD1 SD2 CD1 (CCR 106-02)

RELATING TO AGRICULTURAL LEASES.

Introduced by: Abinsay F, Kanoho E, Cabrerros B, Ahu Isa L, Gomes J, Whalen P, Chang J, Magaoay M, Davis R

Provides that any qualified lessee of an agricultural lease may apply to the department of land and natural resources to re auction the lease; provided that the lease has run at least 30 years and has less than 5 years remaining on the lease term. Provides criteria. Defines qualified lessee as a lessee who is not in default of the terms and conditions of the existing lease and who has fully utilized the premises for the intended agricultural use under the existing lease. Act to be repealed July 1, 2007 (sunset). -- HB2018 CD1

Committee Reports: HSCR 71-02 (WLU/ AGR/) HSCR 590-02 (FIN) SSCR 2925
(AGT/ WLE/) SSCR 3232 (WAM) CCR 106-02

Current Status: Apr-30 02 Passed Legislature

HB2045 HD1 SD2 CD1 (CCR 15-02)

RELATING TO REVENUE BONDS.

Introduced by: Say C (BR)

Amends provision relating to revenue bonds. Redefines board to include any corporation authorized to issue revenue bonds. Redefines county to include, for any county with a current resident population under 100,000, any corporation established by a county ordinance, resolution, or charter for the purpose of owning or operating facilities for the furnishing of electricity or any board of a county that owns or operates facilities for the furnishing of electricity; provided that the corporation or board direct all of its revenues toward the furnishing of electrical services, and not toward the general fund of the county, unless the transfer of revenues constitutes a payment in lieu of taxes. Provision to be repealed June 30, 2004 (sunset). -- HB2045 CD1

Committee Reports: HSCR 230-02 (EEP) HSCR 601-02 (FIN) SSCR 2971 (TIA)
SSCR 3251 (WAM) CCR 15-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 49-1

HB2056 HD2 SD2 (SSCR 3116)

RELATING TO SOCIAL WORK.

Introduced by: Arakaki D, Yonamine N, Kahikina M, Takai K

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Amends provision relating to social workers. Replaces clinical social worker with licensed clinical social worker within the mental health, alcohol and drug abuse treatment insurance benefits law. Amends the definition of the practice of social work by including mediation services, advocacy services, education of individuals, groups, couples, and families; and psychosocial assessment, diagnostic impression, treatment of individuals, couples, families, and groups, prevention of psychosocial dysfunction, disability, or impairment. Redefines social worker to mean a person who has been issued a license as a licensed bachelor social worker, licensed clinical social worker, or a licensed social worker. Prohibits any person from engaging in autonomous and independent clinical social work practice unless the person is a licensed clinical social worker. Amends Act 229, session laws of 2001, relating to social work, by repealing the sunset date. -- HB2056 SD2

Committee Reports: HSCR 282-02 (HSH/ HLT/) HSCR 681-02 (CPC) SSCR 2947 (HHS) SSCR 3116 (CPH)

Current Status: Apr-19 02 Received by the Governor

Section Affected: 467E- (1 SECTION), 431M-1, 431M-3, 431M-4, 467E-1, 467E-2, 467E-3, 467E-5, 467E-6, 467E-7, 467E-7.5, 467E-9, 467E-12, 467E-13, 467E-15, ACT 229 2001

HB2065 HD1 SD1 CD1 (CCR 37-02) RELATING TO NURSES.

Introduced by: Lee M, Suzuki N, Arakaki D

Amends provisions relating to prescriptive authority for advanced practice registered nurses. Provides that the state board of nursing, rather than the department of commerce and consumer affairs, shall grant prescriptive authority to qualified advanced practice registered nurses and the board, rather than the board of medical examiners shall designate the requirements for advanced nursing practice related to prescriptive authority. Requires the board of medical examiners to annually report to the board of nursing on the formularies. Requires the department of commerce and consumer affairs to establish a joint formulary advisory committee to recommend applicable formulary. Provides that the board of medical examiners shall consider the recommendations of the committee in adopting the formulary. Further provides that the board of nursing shall establish nursing requirements for education, experience, and national certification. Committee to report to the legislature. Act to be repealed on June 30, 2004 (sunset).

-- HB2065 CD1

Committee Reports: HSCR 276-02 (HLT) HSCR 682-02 (CPC) SSCR 3297 (CPH/ HHS/) CCR 37-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 457-8.6

HB2072 HD2 SD1 CD1 (CCR 108-02) RELATING TO SOCIAL WELFARE.

Introduced by: Kahikina M, Lee M, Ahu Isa L, Morita H, Marumoto B, Hale H, Auwae E, Jaffe M, Kawakami B, Thielen C, Luke S, Arakaki D

Appropriation out of the emergency budget and reserve fund (rainy day fund) to the housing and community development corporation of Hawaii to provide financial assistance to address the housing needs of Hawaii's needy including rent, mortgage, utility, and other housing expenses. Expenditure of funds to be subject to financial audits by the office of the auditor. Report to the legislature. (\$\$) -- HB2072 CD1

Committee Reports: HSCR 81-02 (HSH) HSCR 653-02 (FIN) SSCR 2993 (HHS/ CPH/) SSCR 3177 (WAM) CCR 108-02

Current Status: Apr-30 02 Passed Legislature

HB2117 HD1 (HSCR 540-02) RELATING TO HAWAII PENAL CODE.

Introduced by: Hamakawa E

Amends provisions relating to penalty for abuse of family or household members. Provides that abuse of a family or household member and refusal to comply with the lawful order of a police officer is a misdemeanor. Further provides that for a 2nd offense that occurs within 1 year of the 1st conviction, the person shall be termed a repeat offender and serve a minimum jail sentence of 30 days. Further provides that for any 3rd or subsequent offense occurring within 2 years of a 2nd or subsequent conviction, the person shall be charged with a class C felony. -- HB2117 HD1

Committee Reports: HSCR 540-02 (JHA) SSCR 2949 (JDC)

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Current Status: Mar-27 02 Received by the Governor
Apr-05 02 Approved by Governor (Act 5 2002)
Section Affected: 709-906

HB2120 HD1 SD1 CD1 (CCR 22-02) RELATING TO THE UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT.

Introduced by: Hamakawa E

Establishes the uniform child custody jurisdiction and enforcement Act. Exempts a child custody proceeding that pertains to an Indian child, who shall be governed by the Indian Child Welfare Act. -- Provides that a child custody determination made by a court of the State that had jurisdiction, binds all persons who have been served in accordance with the laws of the State. -- Provides that a party to a child custody proceeding, is not subject to personal jurisdiction for another proceeding or purpose solely by reason of having participated in the proceeding. Adds that a person who is subject to personal jurisdiction on a basis other than physical presence is not immune from service of process. Provides that the court may communicate with a court in another state concerning a proceeding and may allow the parties to participate in the communication. -- Establishes jurisdiction. Adds that physical presence of a party or a child is not necessary or sufficient to make a child custody determination. Provides that before a child custody determination is made, an opportunity to be heard must be given to all persons entitled to notice, any parent whose parental rights have not been previously terminated, and any person having physical custody of the child. Prohibits a court from exercising its jurisdiction at the time of the commencement of the proceeding, a proceeding concerning the custody of the child has been commenced in a court of another state having jurisdiction substantially, unless the proceeding has been terminated or is stayed by the court of the other state. -- Provides that in a child custody proceeding, the court may order a party to the proceeding to appear before the court with or without the child. -- Establishes enforcement. Provides that if the court finds, upon the testimony of the petitioner or other witness, that the child is imminently likely to suffer serious physical harm or be removed from this State, it may issue a warrant to take physical custody of the child. Provides that the petition shall be heard on the 1st judicial day possible. Provides that a court may order the return of a child made under the Hague Convention on the civil aspects of international child abduction as if it were a child custody determination. Provides criteria. -- Repeals the uniform child custody jurisdiction law. -- HB2120 CD1

Committee Reports: HSCR 542-02 (JHA) SSCR 3072 (JDC) CCR 22-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: (39 SECTIONS) UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT, 571-46.1, 583-1, 583-2, 583-3, 583-4, 583-5, 583-6, 583-7, 583-8, 583-9, 583-10, 583-11, 583-12, 583-13, 583-14, 583-15, 583-16, 583-17, 583-18, 583-19, 583-20, 583-21, 583-22, 583-23, 583-24, 583-25, 583-26

HB2128 HD1 (HSCR 249-02) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROJECTS ON THE ISLAND OF HAWAII.

Introduced by: Chang J

Amends Act 263, session laws of 1993 by adding an authorization for the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. Amends Act 263, session laws of 1993, as amended by Act 135, session laws of 1998, by changing the lapse date to June 30, 2007 (sunset). (\$\$) -- HB2128 HD1

Committee Reports: HSCR 249-02 (EEP) HSCR 491-02 (FIN) SSCR 2855 (WLE) SSCR 3549 (WAM)

Current Status: May-02 02 Received by the Governor

Section Affected: ACT 263 1993, (1 SECTION), ACT 135 1998

HB2158 HD2 (HSCR 693-02) RELATING TO COMMERCIAL DRIVER LICENSING.

Introduced by: Yoshinaga T

Amends provisions relating to commercial motor vehicle driver's license to exempt law enforcement officers who drive authorized emergency vehicles. -- HB2158 HD2

Committee Reports: HSCR 61-02 (TRN/ PSM/) HSCR 693-02 (JHA) SSCR 3034 (TMG/ TIA) SSCR 3156 (JDC)

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Current Status: Apr-11 02 Received by the Governor
Apr-23 02 Approved by Governor (Act 29 2002)
Section Affected: 286-235.5

HB2163 SD2 (SSCR 3239)

RELATING TO REHIRING RETIRED TEACHERS IN THE DEPARTMENT OF EDUCATION.

Introduced by: Ito K, Garcia N, Magaoay M, Takai K, Espero W, Lee M, Arakaki D, Ahu Isa L, Suzuki N

Amends Act 308, session laws of 2001, relating to rehiring retired teachers in the department of education. Reduces the requirement that the teacher be retired for 2 calendar years to 1 calendar year. -- HB2163 SD2

Committee Reports: HSCR 233-02 (EDN/ LAB/) HSCR 566-02 (FIN) SSCR 2930 (EDU/ LBR/) SSCR 3239 (WAM)

Current Status: Apr-26 02 Received by the Governor
Section Affected: ACT 308 2001

HB2164 HD2 SD2 CD1 (CCR 116-02)

RELATING TO THE HAWAII EDUCATOR LOAN PROGRAM.

Introduced by: Ito K, Takai K, Lee M, Arakaki D, Ahu Isa L, Espero W

Amends provisions relating to the Hawaii educator loan program special fund administered by the university of Hawaii. Reduces the repayment period from 10 years to 6 years for a borrower after graduation or who ceases to be enrolled in the state approved teacher education program. Provides that for a loan recipient who teaches full time in hard to fill positions (special education, shortage categories, or title 1 schools) and has completed the program, 1/10 of the total amount of the loan and interest shall be waived for every year of the 1st 5 years and the remaining balance shall be waived after the 6th year. Allows appropriations by the legislature, private contributions, and repayment of loans to be deposited into the special fund. Further allows a portion of the fund to be used for administrative expenses. Amends provision allowing a collection agency to collect or attempt to collect from a debtor a commission authorized under contract with the university of Hawaii. -- HB2164 CD1

Committee Reports: HSCR 35-02 (HED) HSCR 468-02 (FIN) SSCR 2885 (EDU) SSCR 3186 (WAM) CCR 116-02

Current Status: Apr-30 02 Passed Legislature
Section Affected: 304-20.6, 443B-9

HB2165 HD1 SD2 CD1 (CCR 111-02)

RELATING TO EDUCATION.

Introduced by: Ito K, Takai K, Suzuki N

Amends provisions relating to teacher certificates, licenses, and credentials by repealing credentials. Specifies that the Hawaii teacher standards board rather than the board of education shall issue licenses. Allows the department of education to revoke any certificate if the holder does not possess the requisite qualifications. -- Amends Act 312, session laws of 2001, by adding that the department of human resources development shall also facilitate the transfer or establishment of positions, as required by the standards board for licensing. -- Establishes provisions relating to instructional materials. Requires all publishers of textbooks or other instructional materials sold to the State or any local education agency to furnish computer diskettes for literary subjects in the American Standard Code for Information Interchange from which braille versions can be produced. Further requires publishers to furnish computer diskettes in American Standard Code for Information Interchange for nonliterary subjects including natural sciences, computer science, mathematics, and music when braille specialty code translation software is available. Appropriation. (\$\$) -- HB2165 CD1

Committee Reports: HSCR 232-02 (EDN/ LAB/) HSCR 666-02 (FIN) SSCR 3046 (EDU/ LBR/) SSCR 3291 (WAM) CCR 111-02

Current Status: Apr-30 02 Passed Legislature
Section Affected: 302A-602, 302A-602.5, 302A-603, 302A-803, ACT 312 2001, 302A- (1 SECTION)

HB2166 HD1 SD2 CD1 (CCR 18-02)

RELATING TO EDUCATION.

Introduced by: Ito K, Garcia N, Magaoay M, Takai K, Kahikina M, Abinsay F, Espero W, Lee M, Arakaki D, Suzuki N

Establishes provisions relating to assisting not for profit private nonsectarian and

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sectarian elementary schools, secondary schools, colleges, and universities serving the general public. Authorizes the department of budget and finance to enter into an agreement with a not for profit private nonsectarian and sectarian elementary school, secondary school, college, or university serving the general public (project party) for the issuance of special purpose revenue bonds to finance facilities of the project party or for the project party or to loan the proceeds of such bonds to assist the project party. Provides that bonds for each single project or multi project program for the project party shall be authorized by a separate act of the legislature. Authorizes the State to combine into a single issue of special purpose revenue bonds 2 or more proposed issues of special purpose revenue bonds to assist the project party, separately authorized by the legislature, in the total amount of not exceeding the aggregate of the proposed separate issues of special purpose revenue bonds. Provides that income derived from the bonds shall be exempt from state, county, and municipal taxation, except for inheritance, transfer, and estate taxes. Further provides that interest on the special purpose revenue bonds shall be excluded from gross income for federal income tax purposes. Further provides that revenues derived by the department from any project under the project agreement shall be exempt from all state, county, and municipal taxation. Allows the legislature to authorize the issuance of refunding special purpose revenue bonds to refund any special purpose revenue bonds. -- HB2166 CD1

Committee Reports: HSCR 41-02 (EDN/ HED/) HSCR 382-02 (JHA) HSCR 463-02 (FIN) SSCR 2892 (EDU) SSCR 3187 (WAM) CCR 18-02

Current Status: Apr=30 02 Passed Legislature

Section Affected: 39A- (22 SECTIONS) ASSISTING NOT-FOR-PROFIT PRIVATE NONSECTARIAN AND SECTARIAN ELEMENTARY SCHOOLS, SECONDARY SCHOOLS, COLLEGES, AND UNIVERSITIES SERVING THE GENERAL PUBLIC

HB2167 HD1 SD1 (SSCR 3043)

RELATING TO TRAFFIC ENFORCEMENT.

Introduced by: Ito K, Takai K, Bukoski K, Kahikina M

Repeals Act 234, session laws of 1998, Act 263, session laws of 1999, and Act 240, session laws of 2000, relating to the traffic enforcement demonstration project (photo enforcement). Requires the department of transportation to terminate all contracts with private entities for photo traffic enforcement services. Requires all moneys remaining in the photo enforcement revolving fund to be transferred to the state general fund. -- HB2167 SD1

Committee Reports: HSCR 339-02 (TRN) HSCR 614-02 (FIN) SSCR 3043 (TMG/ TIA/ JDC/) SSCR 3254 (WAM)

Current Status: Apr-12 02 Received by the Governor

Apr-30 02 Became Law Without the Governor's Signature (Act 58 2002)

Section Affected: ACT 234 1998, ACT 263 1999, ACT 240 2000, 286-45, 286-172, 291C-38, 291C-163, 291C-165, 291C-223

HB2169 HD2 SD1 (SSCR 2916)

RELATING TO COFFEE.

Introduced by: Abinsay F, Kawakami B, Magaoay M, Davis R, Suzuki N, Gomes J, Chang J, Cabrerros B, Ahu Isa L

Amends provision relating to Kona coffee minimum content and labeling requirements by changing it to Hawaii grown roasted or instant coffee labeling requirements. Provides that the identity statement used for labeling or advertising coffee produced in whole or in part from Hawaii grown green coffee beans shall consist of either the geographic origin of the Hawaii grown coffee consisting of beans from only 1 geographic origin followed by the word coffee, provided that the geographic origin may be preceded by the term 100 per cent; or if the coffee consists of Hawaii grown coffee from several origins, the per cent coffee by weight of 1 of the Hawaii grown coffees used, followed by the geographic origin of the beans used in that coffee and the terms coffee and all Hawaiian. Provides that for coffee consisting of a blend of 1 or more Hawaii grown coffees with coffee not grown in Hawaii shall consist of the per cent coffee by weight of 1 of the Hawaii grown coffees used in the blend, followed by the origin of the beans used and the term coffee blend. Provides criteria for the type size used for the label. Requires persons who package coffee covered by these provisions to maintain records on the geographic origin of coffees purchased and sold for 2 years. Provides that

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manufacturers, roasters, and other persons having existing supplies of labels that are not in compliance with these provisions shall have 1 year in which to use them. -- HB2169 SD1

Committee Reports: HSCR 146-02 (AGR) HSCR 684-02 (CPC) SSCR 2916 (AGT) SSCR 3117 (CPH)

Current Status: Apr-19 02 Received by the Governor

Section Affected: 486-120.6

HB2176 HD1 SD1 (SSCR 2917)

RELATING TO AGRICULTURAL MARKETING.

Introduced by: Nakasone B

Requires the agribusiness development corporation to provide its knowledge and resources, as well as solicit assistance from successful local agricultural entrepreneurs and other sources, to develop a marketing plan and strategy that fully represents all segments of the diversified agricultural sector in Maui. Annual report to the legislature. Act to be repealed June 30, 2005 (sunset). -- HB2176 SD1

Committee Reports: HSCR 39-02 (AGR) HSCR 592-02 (FIN) SSCR 2917 (AGT) SSCR 3280 (WAM)

Current Status: Apr-30 02 Passed Legislature

HB2192 HD1 SD1 CD1 (CCR 113-02)

RELATING TO THE HAWAII TOURISM AUTHORITY.

Introduced by: Chang J, Suzuki N, Oshiro B, Hale H, Morita H, Ahu Isa L, Cabrerros B, Marumoto B, Rath J

Establishes provision relating to the Hawaii tourism authority; audit. Requires the auditor to conduct a management and financial audit at least once every 5 years of all contracts or agreements valued over 15 million dollars. Provides criteria. Report to the legislature. Amends provision relating to the establishment, board, and staff of the Hawaii tourism authority. Provides that the membership of the board of directors shall be increased from 10 to 12 public, voting members appointed by the governor. Provides that 7 rather than 6 members shall constitute a quorum. Repeals provision requiring the governor to appoint a public, nonvoting member. Amends provision relating to powers. Provides that, except as otherwise limited by the Hawaii tourism authority law, the authority may contract for or accept revenues, compensation, proceeds, and gifts or grants in any form from any source. Provides that the authority may develop and implement state policies for tourism related activities taking into account the State's natural resources infrastructure, provided that the authority shall support the efforts of other state and county departments or agencies to manage, improve, and protect Hawaii's natural environment and areas frequented by visitors. Amends provisions relating to tourism related activities. Provides that the authority may enter into contracts and agreements that include product development and diversification focused on visitors. Repeals the authority's ability to enter into contracts that include tourism public information and educational programs, and programs to monitor and investigate complaints about the problems resulting from tourism. Provides that the authority must report to the legislature any contract or agreement valued at 25,000 dollars and over. -- HB2192 CD1

Committee Reports: HSCR 275-02 (TAC) HSCR 430-02 (FIN) SSCR 2972 (TIA) SSCR 3213 (WAM) CCR 113-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 23- (1 SECTION), 201B-2, 201B-3, 201B-7, 201B-11

HB2199 HD1 (HSCR 541-02)

RELATING TO LIQUOR.

Introduced by: Whalen P, Gomes J, Marumoto B, Ahu Isa L

Amends provision relating to intoxicating liquor to allow any liquor commission to grant permission to a bona fide hotel, restaurant, or club licensed under class 2 (restaurant), class 6 (club), class 11 (cabaret), class 12 (hotel), or class 14 (brewpub) to allow a patron to remove any portion of wine that was purchased for consumption with a meal that is recorked or resealed in its original container. -- HB2199 HD1

Committee Reports: HSCR 541-02 (JHA) SSCR 2973 (TIA/CPH) SSCR 3227 (JDC)

Current Status: Apr-11 02 Received by the Governor

Apr-25 02 Approved by Governor (Act 49 2002)

Section Affected: 281-31

HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB2212 HD1 SD2 CD1 (CCR 122-02) RELATING TO ALIEN INVASIVE SPECIES.
Introduced by: Morita H, Abinsay F, Schatz B, Case E, Say C, Luke S
Establishes the invasive species law. Provides that there may be established a Hawaii invasive species council that shall be attached to the office of the governor to coordinate state activities to fight invasive species. Requires the council to coordinate the efforts of the participating state departments and agencies related to invasive species. Requires the council to advise the governor and legislature on budgetary issues regarding invasive species and annually report to the legislature. Act to be repealed June 30, 2007 (sunset). -- HB2212 CD1
Committee Reports: HSCR 402-02 (EEP/ JHA/) HSCR 597-02 (FIN) SSCR 3020 (AGT/ WLE/) SSCR 3295 (WAM) CCR 122-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: (1 SECTION) INVASIVE SPECIES
- HB2216 HD1 SD1 (SSCR 2994) RELATING TO MENTAL HEALTH, ALCOHOL, AND DRUG ABUSE.
Introduced by: Arakaki D, Kahikina M, Takai K
Amends Act 202, session laws of 1988, as amended by Act 111, session laws of 1994, as amended by Act 78, session laws of 1998, as amended by Act 18, session laws of 1999, establishing the mental health, alcohol, and drug abuse treatment insurance benefits law by repealing the sunset date of July 1, 2002. -- HB2216 SD1
Committee Reports: HSCR 395-02 (CPC/ HLT/) HSCR 494-02 (FIN) SSCR 2994 (HHS/ CPH/) SSCR 3178 (WAM)
Current Status: Apr-30 02 Passed Legislature
Section Affected: ACT 202 1988, ACT 111 1994, ACT 78 1998, ACT 18 1999
- HB2231 RELATING TO THE AUDITOR.
Introduced by: Saiki S, Oshiro B, Marumoto B, Leong B, Kawakami B, Ito K
Establishes provision relating to access to confidential records. Provides that during the course of performing the official duties of the office of the auditor, the office shall be an authorized representative of the department of education and the department of health, a state educational authority, or a state educational official, and shall have access to any student or other records that may be necessary in connection with the audit and evaluation of federally or state supported education programs, or in connection with the enforcement of the federal legal or state legal requirements which relate to the educational program. Provides that, unless otherwise authorized by federal or state law, any data collected by the office shall be protected in a manner that will not permit the personal identification of students and their parents by anyone outside of the office, and that the data shall be destroyed when no longer needed. -- HB2231
Committee Reports: HSCR 33-02 (LMG) HSCR 311-02 (JHA) HSCR 602-02 (FIN) SSCR 2898 (EDU/ JDC/) SSCR 3539 (WAM)
Current Status: May-02 02 Received by the Governor
Section Affected: 23- (1 SECTION) ACCESS TO CONFIDENTIAL RECORDS
- HB2232 HD1 (HSCR 552-02) RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT.
Introduced by: Saiki S, Oshiro B, Marumoto B, Leong B, Kawakami B, Ito K
Amends the whistleblowers' protection Act by prohibiting an employer to discharge, threaten, or otherwise discriminate against an employee because the person reports or is about to report to the employer or a public body a violation or suspected violation of a law, rule, regulation, or ordinance, or a contract executed by the State, a political subdivision of the State, or the US. Allows a person who alleges a violation to bring civil action for appropriate injunctive relief, or actual damages, or both within 2 years after the occurrence of the alleged violation. Violators shall be fined not less than 500 dollars nor more than 5,000 dollars for each violation. -- HB2232 HD1
Committee Reports: HSCR 552-02 (LAB/ JHA/) SSCR 2964 (LBR) SSCR 3275 (JDC)
Current Status: Apr-11 02 Received by the Governor
Apr-26 02 Approved by Governor (Act 56 2002)
Section Affected: 378-62, 378-63, 378-65
- HB2248 HD1 (HSCR 360-02) RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES.
Introduced by: Say C, Abinsay F, Ahu Isa L

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Authorizes the issuance of special purpose revenue bonds to assist Poaka, Incorporated in planning and constructing a food processing plant for coffee and other agricultural products. (\$\$) -- HB2248 HD1

Committee Reports: HSCR 360-02 (AGR) HSCR 497-02 (FIN) SSCR 2918 (AGT)
SSCR 3536 (WAM)

Current Status: May-02 02 Received by the Governor

HB2266 HD2 (HSCR 700-02)

RELATING TO ACCRETED LANDS.

Introduced by: Say C, Kanoho E

Amends provisions relating to public lands. Defines accreted land to mean land formed by the gradual accumulation of land on a beach or shore along the ocean by the action of natural forces. Redefines public lands to include accreted lands. Amends provision relating to public records and notice. Provides that the office of environmental quality control shall inform the public of an application for the registration of land by accretion for any land accreted along the ocean filed with the land court. Amends provision relating to accretion to land by providing that no applicant other than the State shall register land accreted along the ocean, except that a private property owner whose eroded land has been restored by accretion may file an accretion claim to regain title to the restored portion. -- HB2266 HD2

Committee Reports: HSCR 270-02 (WLU) HSCR 700-02 (JHA) SSCR 2856 (WLE)
SSCR 3130 (JDC)

Current Status: Apr-26 02 Vetoed

May=02 02 Fail to Override Veto - Senate

Section Affected: 171-1, 171-2, 343-3, 501-33, 669-1

HB2276 HD2 SD1 CD1 (CCR 103-02)

RELATING TO COLLECTIVE BARGAINING.

Introduced by: Saiki S (BR)

Amends provision relating to written agreements, enforceability, and cost items. Provides that except for cost items and non cost items that are tied to or bargained against cost items, all provisions in the agreement, including a grievance procedure and an impasse procedure culminating in an arbitration decision, shall be effective as specified in the agreement, regardless of the requirements to submit cost items. -- HB2276 CD1

Committee Reports: HSCR 385-02 (LAB) HSCR 645-02 (FIN) SSCR 2990 (LBR)
SSCR 3192 (WAM) CCR 103-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 89-10

HB2282

RELATING TO AGREEMENTS TO ARBITRATE MADE BEFORE JULY 1, 2002.

Introduced by: Hamakawa E

Amends provision relating to arbitration. Provides that if the parties to the agreement or to the arbitration do not so agree in a record, an agreement to arbitrate that is made before July 1, 2002, shall be governed by the law specified in the agreement to arbitrate or, if none is specified, by the state law in effect on the date when the arbitration began or on June 30, 2002, whichever 1st occurred. -- HB2282

Committee Reports: HSCR 260-02 (JHA) SSCR 2850 (LBR) SSCR 3169 (JDC)

Current Status: Apr-11 02 Received by the Governor

Apr-25 02 Approved by Governor (Act 50 2002)

Section Affected: 658A-3

HB2298 HD1 (HSCR 415-02)

RELATING TO ELECTIONS.

Introduced by: Say C (BR)

Amends provision relating to nomination papers, time for filing, fees. Provides that nomination papers shall be filed for the board of trustees for the office of Hawaiian affairs with the chief election officer not later than 4:30 p.m. on the 60th calendar day prior to the immediately preceding primary election. Provides exceptions. -- HB2298 HD1

Committee Reports: HSCR 415-02 (JHA) SSCR 3022 (HAW/ TMG/) SSCR 3268 (JDC)

Current Status: Apr-11 02 Received by the Governor

Apr-23 02 Approved by Governor (Act 30 2002)

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Section Affected: 12-6

HB2300 HD2 SD1 CD1 (CCR 164-02) RELATING TO THE JUDICIARY.
Introduced by: Say C (BR)
Judiciary Supplemental Appropriations Act of 2002. Amends Act 1, special session laws of 2001, relating to the judiciary budget. (\$\$) -- HB2300 CD1
Committee Reports: HSCR 342-02 (JHA) HSCR 726-02 (FIN) SSCR 3271 (JDC/WAM) CCR 164-02
Current Status: Apr=30 02 Passed Legislature
Section Affected: ACT 1 2001 1SP, (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), ACT 299 1991, ACT 301 1992

HB2302 HD2 SD1 CD1 (CCR 31-02) RELATING TO MOTOR VEHICLE DRIVERS' LICENSES.
Introduced by: Say C (BR)
Amends provisions relating to motor vehicle driver's license or instruction permits. Prohibits a license or permit to be issued or renewed where the examiner of drivers is notified by the district judge, traffic violations bureaus of the district courts, or the judge of the circuit court that the applicant has failed to appear in court after an arrest for the violation of any traffic laws of a county, motor vehicle insurance laws or motorcycle or motor scooter insurance laws. Allows the district court to approve the issuance or renewal of a driver's license or instruction permit upon conditions imposed by the court for the satisfaction of the outstanding court order and any other conditions as may be imposed by the court if the applicant is unable to drive or the applicant has no access to alternative transportation and therefore must drive to work. -- Amends the adjudication of traffic infractions law to authorize a district court judge to approve the issuance or renewal of a driver's license or instruction permit. -- HB2302 CD1
Committee Reports: HSCR 63-02 (TRN) HSCR 455-02 (JHA) SSCR 3051 (TMG/TIA) SSCR 3266 (JDC) CCR 31-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 286-109, 291D-12

HB2304 HD1 SD1 (SSCR 2908) RELATING TO JUROR PRIVACY.
Introduced by: Say C (BR)
Amends provisions relating to juror qualification forms. Provides that juror qualification forms shall not be deemed a public record, nor shall they become part of the court record unless the court so orders and places under seal of the court; provided that a redacted form shall be disclosed to the litigants pursuant to provisions relating to trial jury; or when permitted in accordance with provisions relating to challenging compliance with selection procedures. Further provides that the names on the certified lists of grand jurors and trial jurors shall be open to public inspection, after redaction of addresses and other personal information and identifiers. Amends provision relating to trial juries of the 1st circuit. Provides that juror qualification forms shall be made available to the litigants concerned, provided that the jurors' social security number, driver's license number and home and business telephone numbers are 1st redacted. Further provides that litigants and their attorneys shall not further divulge the forms or the contents of the forms except in conjunction with the juror selection process. -- HB2304 SD1
Committee Reports: HSCR 443-02 (JHA) SSCR 2908 (TMG) SSCR 3157 (JDC)
Current Status: May-02 02 Passed Legislature
Section Affected: 612-11, 612-13, 612-15, 612-17

HB2305 HD1 SD1 CD1 (CCR 7-02) RELATING TO THE UNIFORM PROBATE CODE.
Introduced by: Say C (BR)
Amends provisions relating to probate proceedings. Repeals requirement that a proceeding to contest an informally probated will may be commenced the later of 12 months from the informal probate or 3 years from the decedent's death. Provides that the proceeding may either be commenced within 90 days after receiving notice of an informal proceeding pursuant to notice requirement laws; 12 months from the date the will was informally admitted to probate; or 30 days from the entry of a formal order approving the accounts and settlement of the estate by an informally appointed personal representative, whichever time period expires 1st. Amends provision relating to allowance and disallowance of creditor's claims. Provides that every claim which is

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disallowed by the personal representative of the decedent's estate is barred so far as not allowed, unless the claimant files a petition or commences a proceeding not later than 60 days after the mailing of the notice. Provides that if the notice does not warn the claimant of the impending 60 day bar, then the claim shall be barred if no petition for allowance or other proceeding on the claim has been brought within 18 months of the date of the decedent's death. -- HB2305 CD1

Committee Reports: HSCR 442-02 (JHA) SSCR 2950 (JDC) CCR 7-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 560:3-108, 560:3-806

HB2306 HD2 (HSCR 477-02)

RELATING TO JUDICIARY RECORDS.

Introduced by: Say C (BR)

Amends provision relating to disposition of judiciary records by changing it to judiciary records. Establishes that the supreme court shall determine whether to create, accept, retain, or store in electronic form, any case, fiscal, and administrative records, and convert written records to electronic records. -- HB2306 HD2

Committee Reports: HSCR 407-02 (JHA) HSCR 477-02 (FIN) SSCR 2951 (JDC)

Current Status: Mar-27 02 Received by the Governor

Apr-05 02 Approved by Governor (Act 6 2002)

Section Affected: 602-5.5

HB2307 HD1 (HSCR 420-02)

RELATING TO ELECTRONIC TRANSACTIONS.

Introduced by: Say C (BR)

Amends provision relating to notarization and acknowledgment by changing it to notarization, certification, acknowledgment, and verification. Provides that an electronic signature or seal satisfies the requirement if a law requires a signature or record to be notarized, certified, acknowledged, verified, or made under oath or seal. -- HB2307 HD1

Committee Reports: HSCR 420-02 (JHA) SSCR 3008 (CPH) SSCR 3430 (JDC)

Current Status: Apr-19 02 Received by the Governor

Section Affected: 489E-11

HB2308 HD2 (HSCR 478-02)

RELATING TO THE COURTS.

Introduced by: Say C (BR)

Amends provision relating to family court. Repeals requirement that the family court director collect necessary statistics and prepare an annual report of the work of the court. -- HB2308 HD2

Committee Reports: HSCR 221-02 (JHA) HSCR 478-02 (FIN) SSCR 2952 (JDC)

Current Status: Mar-27 02 Received by the Governor

Apr-05 02 Approved by Governor (Act 7 2002)

Section Affected: 571-6

HB2310

RELATING TO VENUE.

Introduced by: Say C (BR)

Amends provision relating to district court venue. Repeals exception for initial changes of venue in civil actions where parties cannot be served in that judicial circuit in which the defendant or a majority of the defendants reside. -- HB2310

Committee Reports: HSCR 261-02 (JHA) SSCR 2953 (JDC)

Current Status: Mar-27 02 Received by the Governor

Apr-05 02 Approved by Governor (Act 8 2002)

Section Affected: 604-7

HB2311 HD2 SD2 CD1 (CCR 110-02)

RELATING TO JUDGES FOR THE CIRCUIT COURT.

Introduced by: Say C (BR)

Amends provision to increase circuit court judges in the 2nd and 3rd circuits to 4 judges. -- HB2311 CD1

Committee Reports: HSCR 190-02 (JHA) HSCR 466-02 (FIN) SSCR 2954 (JDC)
SSCR 3206 (WAM) CCR 110-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 603-4

HB2315 HD1 SD1 CD1 (CCR 23-02)

RELATING TO THE OBSTRUCTION OF INGRESS OR EGRESS.

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Introduced by: Say C (BR)
Amends provision on refusal to provide ingress or egress by replacing police or other peace officer with law enforcement officer. -- HB2315 CD1
Committee Reports: HSCR 320-02 (JHA) SSCR 3127 (JDC) CCR 23-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 852-1

HB2317 RELATING TO THE JURISDICTION OF THE COURTS.
Introduced by: Say C (BR)
Amends provision relating to family courts jurisdiction of adults to include concurrent jurisdiction with the district court over violations of unlawful imprisonment in the 2nd degree, and interference with reporting an emergency or crime. -- HB2317
Committee Reports: HSCR 262-02 (JHA) SSCR 2955 (JDC)
Current Status: Mar-27 02 Received by the Governor
Apr-05 02 Approved by Governor (Act 9 2002)
Section Affected: 571-14

HB2318 RELATING TO FORFEITURE OF BAIL OR BONDS.
Introduced by: Say C (BR)
Amends provision relating to bail forfeiture. Provides that whenever the court forfeits any bond or recognizance given in a criminal cause, the court shall cause execution to issue immediately after the expiration of 30 days from the date the notice is given via personal service or certified mail, to the surety or sureties on the bond, of the entry of the judgment in favor of the State. -- HB2318
Committee Reports: HSCR 263-02 (JHA) SSCR 2956 (JDC)
Current Status: Mar-27 02 Received by the Governor
Apr-05 02 Approved by Governor (Act 10 2002)
Section Affected: 804-51

HB2329 RELATING TO MANAGED COMPETITION.
Introduced by: Say C
Amends provisions relating to the establishment of the authority of the counties to engage in the process of managed competition, and the office of collective bargaining and managed competition. Defines managed competition as the process established by which the county and a private contractor compete to provide government services. Amends provision relating to the functions of the office of collective bargaining by changing it to functions of the office of collective bargaining and managed competition. -- HB2329
Committee Reports: HSCR 208-02 (LAB) HSCR 500-02 (FIN) SSCR 3049 (LBR/ TMG/ TIA) SSCR 3544 (WAM)
Current Status: May-02 02 Received by the Governor
Section Affected: 46-36, 89A-1, 89A-2

HB2349 HD1 SD1 (SSCR 2979) RELATING TO AUTHORIZED EMERGENCY VEHICLES.
Introduced by: Yoshinaga T
Amends provisions relating to authorized emergency vehicles by including vehicles used by police officers while in the performance of a police function. Allows authorized emergency vehicle drivers to drive on the shoulder and median of roadways and drive in controlled access roadways, highways, and facilities provided that the vehicle is making use of authorized audible and visual signals. Provides an exemption to the use of audible and visual signals for police motorcycles. -- HB2349 SD1
Committee Reports: HSCR 108-02 (TRN) HSCR 698-02 (JHA) SSCR 2979 (TMG) SSCR 3267 (JDC)
Current Status: Apr-30 02 Passed Legislature
Section Affected: 291C-26

HB2353 HD2 SD1 CD1 (CCR 112-02) RELATING TO EDUCATION.
Introduced by: Ito K
Amends provisions relating to statewide performance standards to requires the department of education to establish procedures and guidelines for its statewide assessment program to include norm referenced testing in the same grades that the

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federal No Child Left Behind Act of 2001 requires standards based assessment (grades 3 through 8 and 1 grade in high school) in reading and math, using the most appropriate nationally normed test. Requires the department of education to expend the funds necessary to carry out this Act and authorizes the department to use federal funds. -- HB2353 CD1

Committee Reports: HSCR 170-02 (EDN) HSCR 318-02 (EDN) HSCR 639-02 (FIN) SSCR 2893 (EDU) SSCR 3189 (WAM) CCR 112-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 302A-201

HB2365

RELATING TO TAXATION.

Introduced by: Takamine D

Provides an income tax credit of 1 dollar which shall be multiplied by the number of qualified exemptions and deducted from income tax liability for taxable year 2002. Provision is made pursuant to requirement of Article VII, section 6, Hawaii State Constitution. -- HB2365

Committee Reports: HSCR 555-02 (FIN) SSCR 3534 (WAM)

Current Status: May-02 02 Received by the Governor

HB2382 HD1 SD2 CD1 (CCR 3-02)

RELATING TO CORRECTIONAL FACILITIES.

Introduced by: Garcia N, Arakaki D, Morita H, Chang J, Kanoho E, Hiraki K, Hale H, Abinsay F

Amends provision relating to the development of in state correctional facilities to include expansion. Requires the governor to notify the public of each proposed site during the selection process, to accept public comments on each proposed site for a period of not less than 60 days before selecting any site, and to notify the public of proposed expansion and accept public comments for a period of not less than 60 days before expanding the inmate capacity or before any capital improvement in excess of 500,000 dollars of any existing correctional facility. -- HB2382 CD1

Committee Reports: HSCR 411-02 (PSM) SSCR 2989 (JDC) SSCR 3247 (WAM) CCR 3-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 353-16.35

HB2385

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WINES OF KAUAI, LLC.

Introduced by: Kanoho E, Kawakami B, Morita H

Authorizes the issuance of special purpose revenue bonds to assist Wines of Kauai, LLC, a Hawaii corporation, with the planning, design, construction, and equipping of a winery on the island of Kauai. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2385

Committee Reports: HSCR 327-02 (EDB) HSCR 501-02 (FIN) SSCR 2919 (AGT) SSCR 3537 (WAM)

Current Status: May-02 02 Received by the Governor

HB2387 HD1 SD1 (SSCR 2957)

RELATING TO THE PENAL CODE.

Introduced by: Magaoay M, Kanoho E, Luke S, Yonamine N, Lee M, Espero W, Kahikina M, Morita H, Cabrerros B

Amends provision relating to desecration. Provides that any person convicted of committing the offense of desecration shall be sentenced to a term of imprisonment of not more than 1 year, a fine of not more than 10,000 dollars, or both. -- HB2387 SD1

Committee Reports: HSCR 416-02 (JHA) SSCR 2957 (JDC)

Current Status: Apr-23 02 Received by the Governor

Section Affected: 711-1107

HB2413 HD1 SD1 (SSCR 3224)

RELATING TO CONDOMINIUM PROPERTY REGIMES.

Introduced by: Oshiro B (BR)

Amends provision relating to the power of association of apartment owners to negotiate, purchase, and sell lessor's interest. Provides that if the association of apartment owners is authorized to purchase the lessor's interest in the condominium project pursuant to this provision, the association shall have the power to sell the leased fee interest in a

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condominium unit to the lessee, or to the permitted assigns or successors of the lessee, or a subsequent purchaser of such unit; provided that if the lessee, permitted assigns or successors, or subsequent purchaser declines to purchase the leased fee interest, the leased fee interest may be sold to other persons so long as reasonable disclosure is made of the association's intent to sell the interest to other such persons, and the disclosure includes a statement that the lessees may have no legal remedy if they subsequently wish to purchase the leased fee interest and the other persons refuse to sell or will sell only at a price unacceptable to the lessees. Provides that if some but not all lessees have purchased the leased fee interest in their condominium units directly from the lessor, the association of apartment owners may undertake the purchase of all or any part of the leased fee interest in the remaining leasehold condominium units in the project; provided that 75 per cent of the remaining lessees approve an amendment to the declaration authorizing the purchase. -- HB2413 SD1

Committee Reports: HSCR 621-02 (CPC) SSCR 3224 (CPH)

Current Status: Apr-30 02 Passed Legislature

Section Affected: 514C-22

HB2426 HD1 SD1 CD1 (CCR 36-02) RELATING TO CRIMES AGAINST CHILDREN.

Introduced by: Say C (BR)

Establishes provisions relating to electronic enticement of a child. Provides that any person is guilty of electronic enticement of a child in the 1st degree if the person, using a computer or any other electronic device, intentionally or knowingly communicates with a minor known by the person to be under the age of 18 years; with the intent to promote or facilitate the commission of a felony that constitutes murder in the 1st or 2nd degree, a class A felony, a sexually violent offense, a criminal offense against a victim who is a minor, agrees to meet with the minor; and intentionally or knowingly travels to the agreed upon meeting place at the agreed upon meeting time. Provides that electronic enticement of a child in the 1st degree is a class B felony. Establishes provision relating to electronic enticement of a child in the 2nd degree. Establishes provision relating to promoting child abuse in the 3rd degree. Provides that a person commits the offense of promoting child abuse in the 3rd degree if, knowing or having reason to know its character and content, the person possesses child pornography; any book, magazine, periodical, film, videotape, computer disk, electronically stored data, or any other material that contains an image of child pornography; or any pornographic material that employs, uses, or otherwise contains a minor engaging in or assisting others to engage in sexual conduct. Amends provision relating to promoting child abuse in the 1st degree. Provides that a person commits the offense of promoting child abuse in the 1st degree if, knowing or having reason to know its character and content, the person produces or participates in the preparation of child pornography or pornographic material that employs, uses, or otherwise contains a minor engaging in or assisting others to engage in sexual conduct. Amends provision relating to child abuse in the 2nd degree. Changes promoting child abuse in the 2nd degree from a class C felony to a class B felony. Amends provision relating to forfeiture. Provides that offenses for which property is subject to forfeiture include promoting child abuse or electronic enticement of a child which is chargeable as a felony offense under state law. -- HB2426 CD1

Committee Reports: HSCR 417-02 (JHA) SSCR 2867 (HHS) SSCR 3131 (JDC) CCR 36-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 707- (4 SECTIONS), 707-750, 707-751, 712A-4

HB2427 HD1 SD1 CD1 (CCR 24-02) RELATING TO VICTIMS OF CRIMES.

Introduced by: Say C (BR)

Establishes provision relating to extension by sentencing of criminal defendant. Provides that for any victim of a particular crime, for surviving immediate family members of a victim, or for the estate of a victim, the statute of limitations for any civil cause of action against a person convicted of that crime shall be tolled from the moment the civil cause of action arises until the person convicted of that crime is released from imprisonment, released from parole, or released from probation if the crime upon which the civil action is based is a felony, or the victim is a victim of a sexually violent offense, or the victim is a minor. Amends provision relating to the basic bill of rights for victims and witnesses. Provides that the department of public safety, the Hawaii paroling

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authority, the judiciary probation divisions and branches, and the department of the attorney general shall make good faith efforts to notify the victim of a crime, or surviving immediate family members of a victim, of income received by a person imprisoned for that crime. Provides that payment of restitution and judgments to the victims, or surviving immediate family members of a victim shall be a precondition for release on parole for any imprisoned person who the Hawaii paroling authority determines has the financial ability to make complete or partial restitution or judgment payments. -- HB2427 CD1

Committee Reports: HSCR 418-02 (JHA) SSCR 2958 (JDC) CCR 24-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 657- (1 SECTION), 801D-4

HB2429 HD1 (HSCR 403-02)

RELATING TO TOBACCO.

Introduced by: Say C (BR)

Amends provisions relating to inspection under the cigarette tax and tobacco tax law. Allows the department of taxation and the attorney general to inspect the operation, premises, and storage areas of any entity engaged in the sale of cigarettes or the contents of a specific vending machine if suspected of counterfeit stamps or tax violations. Provides that property used in violation of this law may be seized and shall be subject to forfeiture. Allows the attorney general to seek assistance from other law enforcement agencies. Amends Act 249, session laws of 2000, relating to cigarette tax stamps, by repealing the sunset date. -- HB2429 HD1

Committee Reports: HSCR 403-02 (JHA/ CPC/) HSCR 502-02 (FIN) SSCR 3031 (HHS/ JDC/) SSCR 3553 (WAM)

Current Status: May-02 02 Received by the Governor

Section Affected: 245-9, 245-41, ACT 249 2000, 245-1, 245-3, 245-5, 245-6, 245-7, 245-8, 245-15, 712A-5, 712A-16

HB2432

RELATING TO DIRECT PAYMENT OF CHILD SUPPORT.

Introduced by: Say C (BR)

Amends provision relating to the collection and disbursal of child support. Repeals the authorization of the office of child support hearings to approve an alternative arrangement for the direct payment of child support where either the obligor or custodial parent demonstrates and the court finds that there is good cause not to require immediate withholding or a written agreement is reached between the obligor and the custodial parent and signed by both parties. Amends provision relating to child support enforcement hearings officers. Repeals the authority of hearings officers to conduct hearings and enter orders permitting alternative arrangements for the direct payment of child support. -- HB2432

Committee Reports: HSCR 175-02 (JHA) SSCR 2869 (HHS) SSCR 3228 (JDC)

Current Status: Apr-11 02 Received by the Governor

Apr-23 02 Approved by Governor (Act 31 2002)

Section Affected: 576D-10, 576E-10

HB2433 HD1 SD1 (SSCR 2870)

RELATING TO CHILD SUPPORT ENFORCEMENT.

Introduced by: Say C (BR)

Amends provisions relating to child support enforcement, and the administrative process for child support enforcement. Redefines order of support to include spousal support when ordered to be paid in conjunction with the support and maintenance of a child. Provides that the spousal support provision in an order of support shall only be enforced by the child support enforcement agency when the support and maintenance of a child is being enforced. Amends provision relating to implementation of income withholding. Provides that the child support enforcement agency may enforce the existing order of support by sending to the employer a notice to withhold child support issued by the agency that reflects the terms and conditions specified in the order for support or income withholding order. Amends provision relating to willful violations and penalties. Provides the agency may establish a system of fines for failure to promptly respond to the agency's request for information. Amends provision relating to investigators to include other state or territorial agencies that shall have access to records of state agencies and private entities of individuals relating to the child support program. Amends provision relating to service of process. Provides that in the case where the person to be served

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cannot be found, service shall be completed by leaving copies of the notice at the person's usual place of residence with some person of suitable age and discretion residing at that location. -- HB2433 SD1

Committee Reports: HSCR 445-02 (JHA) SSCR 2870 (HHS) SSCR 3132 (JDC)

Current Status: Apr-30 02 Passed Legislature

Section Affected: 576D-1, 576D-12, 576D-14, 576D-17, 576D-18, 576E-1, 576E-4, 576E-16

HB2437

RELATING TO FOREIGN PROTECTIVE ORDERS.

Introduced by: Say C (BR)

Amends provision relating to good faith immunity within domestic abuse protective orders law. Provides that any law enforcement officer acting in good faith shall be immune from civil or criminal liability in any action arising in connection with enforcement of a foreign protective order that appears to be authentic on its face. -- HB2437

Committee Reports: HSCR 264-02 (JHA) SSCR 2959 (JDC)

Current Status: Mar-27 02 Received by the Governor

Apr-05 02 Approved by Governor (Act 11 2002)

Section Affected: 586-25

HB2438 HD1 SD1 CD1 (CCR 25-02)

RELATING TO IDENTITY.

Introduced by: Say C (BR)

Establishes provision relating to offense of identity theft in the 1st, 2nd, and 3rd degree. Provides that a person commits identity theft in the 1st, 2nd, or 3rd degree if that person makes or causes to be made a transmission of any personal information with the intent to facilitate the commission of criminal activity. Provides criteria. Establishes provisions relating to offenses of obtaining a government issued identification document under false pretenses in the 1st and 2nd degree. Provides that a person commits the offense of obtaining a government issued identification document under false pretenses in the 1st or 2nd degree if that person, with intent to mislead a public servant, obtains an identification document issued by the State or any political subdivision thereof. Provides criteria. Amends provision relating to unlawful use of motor vehicle driver's license. Repeals provision prohibiting a person having in the person's possession any fictitious or fraudulently altered driver's license; or to use a false or fictitious name, knowingly make a false statement or knowingly conceal a material fact on a driver's license application. -- HB2438 CD1

Committee Reports: HSCR 446-02 (JHA/ CPC/) SSCR 2960 (JDC) CCR 25-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 708- (3 SECTIONS), 710- (2 SECTIONS), 286-131, 708-800

HB2443 HD2 SD1 CD1 (CCR 17-02)

A BILL FOR AN ACT RELATING TO THE PREVENTION OF THE FILING OF FRIVOLOUS FINANCING STATEMENTS.

Introduced by: Say C (BR)

Amends provision relating to nonconsensual common law liens by adding frivolous financing statements. Provides that the public is in need of a mechanism to address the filing of frivolous financing statements. Provides that a debtor who believes the filing of the financing statement was unauthorized, may file a request with the registrar to determine the validity of the filing, and shall be assessed a reasonable processing fee. Further provides that upon the receipt of the request, the registrar shall send a demand by certified or registered mail to the secured party that the secured party provide a copy of the security agreement which purportedly authorized the filing. Provides that if the security agreement is not received within a 30 day period, the registrar shall issue to the debtor and accept for filing a notice of unauthorized filing of financial statement that shall effectively terminate the unauthorized financing statement. Provides exceptions for any instrument that is recorded by the US, the State or any county. -- HB2443 CD1

Committee Reports: HSCR 349-02 (WLU) HSCR 694-02 (JHA) SSCR 3009 (CPH) SSCR 3164 (JDC) CCR 17-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 507D-2, 507D-1, 507D-4

HB2445 SD2 (SSCR 3219)

RELATING TO HOUSING.

Introduced by: Say C (BR)

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Amends the housing and community development corporation law. Defines elder or elderly household to mean households in which at least 1 member is 62 years of age, the spouse or partner has attained the age of majority, and the remaining members have attained the age of 55 at the time of application. Provides that a live in aide may reside with the elder provided that the live in aid shall cease to be a resident upon the recovery of, or removal from the project, of the elder. Defines elder or elderly housing to mean a housing project intended for and occupied by elder or elderly households, or housing provided under any state or federal program that the secretary of the US Department of Housing and Urban Development determines is specifically designed and operated to assist elder or elderly persons. -- HB2445 SD2

Committee Reports: HSCR 134-02 (HSH) HSCR 583-02 (FIN) SSCR 3010 (CPH)
SSCR 3219 (WAM)

Current Status: Apr-25 02 Received by the Governor

Section Affected: 201G-1, 201G-152, 201G-151

HB2449 HD1 SD2 (SSCR 3243)

RELATING TO SMALL BUSINESS.

Introduced by: Say C (BR)

Amends Act 168, session laws of 1998, relating to the Hawaii small business regulatory flexibility Act. Redefines small business as a for profit enterprise consisting of fewer than 100, instead of 200, full time or part time employees. Provides that the nominations to fill vacancies for the small business regulatory review board shall be made from names submitted by the review board. Board to annually report to the legislature. Repeals the small business defender law. Repeals the sunset date. -- HB2449 SD2

Committee Reports: HSCR 130-02 (EDB) HSCR 503-02 (FIN) SSCR 3047 (EDT)
SSCR 3243 (WAM)

Current Status: Apr-30 02 Passed Legislature

Section Affected: ACT 168 1998

HB2451 SD2 CD1 (CCR 128-02)

RELATING TO THE CONVENTION CENTER.

Introduced by: Say C (BR)

Establishes the convention center enterprise special fund to be used by the tourism authority for payment of any and all debt service relating to the convention center, any expense arising from any and all use, operation, maintenance, or improvement of the convention center, and future improvement of the convention center. Designates moneys to be deposited into the fund. Defines convention center facility or convention center to mean any combination of land, buildings, and improvements thereon, acquired or developed by the state of Hawaii, including exhibition halls, meeting rooms, a plenary session hall, and support space that reflect a Hawaiian sense of place; any other structure or facility required or useful for the operation of a convention center, including, commercial, office, community service, parking, garage, and other supporting service structures; and, all necessary, useful, and related equipment, furnishings, and appurtenances. Exempts the fund, rather than the convention center capital and operations special fund, from contributing to central service and administrative expenses of the government. Authorizes the authority to enter into contracts for a period of up to 10 years. Provides that the authority may set and collect rents, fees, charges, or other payments for use of the convention center; lease, own, rent, hold, and dispose of the convention center facility; and acquire and develop a convention center facility. Further provides that the authority may enter into contracts to market, manage, use, operate, or maintain the convention center facility, provided that effective January 1, 2003, and thereafter the contract for management of the convention center facility shall include marketing for all uses of the facility. Provides that 17.3 per cent of the revenues collected under the transient accommodations tax law shall be deposited into the convention center enterprise special fund. Amends Act 96, session laws of 1988, as amended by Act 159, session laws 1992; Act 241, session laws of 1993; Act 75, session laws 1994; Act 156, session laws of 1998; and Act 98, session laws of 1999, relating to the establishment of the Waikiki convention center authority. Repeals and replaces the phrase shall automatically expire on June 30, 2000 with the phrase is repealed on June 30, 2000. Appropriation out of the convention center enterprise special fund to the Hawaii tourism authority. Provides that effective June 30, 2000, every reference to the convention center authority shall be construed as a reference to the Hawaii tourism authority. (\$\$) -- HB2451 CD1

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Committee Reports: HSCR 241-02 (TAC) HSCR 431-02 (FIN) SSCR 2974 (TIA)
SSCR 3303 (WAM) CCR 128-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 201B- (1 SECTION), 201B-1, 36-27, 36-30, 102-2, 201B-3,
201B-7, 237D-6.5, ACT 96 1988, ACT 159 1992, ACT 241 1993,
ACT 75 1994, ACT 156 1998, ACT 98 1999

HB2453 SD1 CD1 (CCR 118-02)

RELATING TO THE CAPITAL LOAN PROGRAM.

Introduced by: Say C (BR)

Amends provision relating to direct loans, terms, and restrictions by providing that the prime rate shall be determined on the 1st day of each month, rather than on January 1 and July 1 of each year. -- HB2453 CD1

Committee Reports: HSCR 125-02 (EDB) HSCR 504-02 (FIN) SSCR 3003 (EDT)
SSCR 3216 (WAM) CCR 118-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 210-6

HB2454 SD1 CD1 (CCR 119-02)

RELATING TO ENTERPRISE ZONES.

Introduced by: Say C (BR)

Amends provision relating to eligibility, qualified business, sale of property or services. Provides that for any fiscal year that includes September 11, 2001, a business may use its average annual number of full time employees as of August 31, 2001 if necessary to meet specified requirements relating to state enterprise zones. Repeals requirement that the department of business and economic development shall certify annually to the department of taxation that any qualified business is exempt from the use tax for purchases by the qualified business. -- HB2454 CD1

Committee Reports: HSCR 126-02 (EDB) HSCR 505-02 (FIN) SSCR 3004 (EDT)
SSCR 3217 (WAM) CCR 119-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 209E-9, 209E-11

HB2455 SD1 (SSCR 3023)

RELATING TO ENVIRONMENTAL SITE CLEANUP.

Introduced by: Say C (BR)

Establishes the brownfields cleanup revolving loan fund into which shall be deposited funds from federal or private funding sources, moneys received as repayment of loans and interest payments, and any fees collected by the department of business, economic development, and tourism relating to brownfields cleanup. Provides that the loan fund shall be used by the department to provide low interest loans or other authorized financial assistance to public, private, and nonprofit borrowers for cleanup activities of contaminated sites, and site monitoring activities. Annual report to the legislature and governor. Appropriation out of the brownfields cleanup revolving loan fund. Act to be repealed June 30, 2007 (sunset). (\$\$) -- HB2455 SD1

Committee Reports: HSCR 113-02 (EEP) HSCR 588-02 (FIN) SSCR 3023 (WLE)
SSCR 3203 (WAM)

Current Status: May-02 02 Passed Legislature

Section Affected: 201- (1 SECTION) BROWNFIELDS CLEANUP REVOLVING
LOAN FUND

HB2459 SD2 CD1 (CCR 157-02)

MAKING EMERGENCY APPROPRIATION FOR SOCIAL SECURITY/MEDICARE EXPENSES.

Introduced by: Say C (BR)

Appropriation to the department of budget and finance to defray the social security / medicare expenses of the public employees' retirement program. (\$\$) -- HB2459 CD1

Committee Reports: HSCR 447-02 (FIN) SSCR 2840 (HHS) SSCR 3179 (WAM) CCR
157-02

Current Status: Apr-30 02 Passed Legislature

HB2460 HD2 (HSCR 462-02)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Say C (BR)

Amends provision relating to determination of employer normal cost and accrued liability contributions. Provides that the accrued liability contribution of employees shall be the

HOUSE BILLS WHICH PASSED THE LEGISLATURE

annual payment required to liquidate the unfunded accrued liability over a period of 29 years beginning July 1, 2000. -- HB2460 HD2
Committee Reports: HSCR 222-02 (LAB) HSCR 462-02 (FIN) SSCR 2877 (LBR) SSCR 3545 (WAM)
Current Status: May-02 02 Received by the Governor
Section Affected: 88-122

HB2467

RELATING TO NATUROPATHY.

Introduced by: Say C (BR)

Amends provision relating to licensing requirements to practice naturopathy. Provides that any person desiring to practice naturopathy shall submit an application, pay a nonrefundable application fee, meet the education and examination requirements, and meet other requirements prescribed by the board of naturopathy and the naturopathy law. Allows an applicant to apply to take the examination for licensure and pay any required examination fees directly to the professional testing agency that prepares, administers, and grades the examination. -- HB2467

Committee Reports: HSCR 258-02 (CPC) SSCR 2871 (HHS) SSCR 3118 (CPH)

Current Status: Apr-17 02 Vetoed

Section Affected: 455-2, 455-3, 455-7

HB2468 HD1 SD1 CD1 (CCR 115-02)

RELATING TO CEMETERY AND FUNERAL TRUSTS.

Introduced by: Say C (BR)

Establishes provision relating to retaining consultants within cemetery and funeral trusts law. Authorizes the director of commerce and consumer affairs to retain private consultants, by contract or otherwise, as determined by the director, in connection with the review of filings required of cemetery authorities, pre need funeral authorities, or applicants under this law. Provides that the cost shall be borne by the cemetery authority, the pre need funeral authority, or the applicant for a filing that does not exceed 25,000 dollars. Further provides that in the event the cost reaches 25,000 dollars and prior to any consultant continuing with the review, the authority or applicant shall provide written consent to exceed the 25,000 dollar fee, withdraw the filing, or receive a denial or refusal by the director to approve the filing. -- HB2468 CD1

Committee Reports: HSCR 305-02 (CPC) HSCR 469-02 (FIN) SSCR 3014 (CPH) SSCR 3220 (WAM) CCR 115-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 441- (1 SECTION) RETAINING CONSULTANTS

HB2473 HD1 (HSCR 480-02)

RELATING TO THE UNIFORM SECURITIES ACT.

Introduced by: Say C (BR)

Amends provision relating to the uniform securities Act. Provides that federal covered securities, registration of securities, and unlawful publishing of advertising matter without filing with the office of the commissioner of securities shall not apply to any security appearing on the list of over the counter and foreign securities approved for margin by the Board of Governors of the Federal Reserve, or any such security incorporated by reference to the list; any other securities of the same issuer that are of senior or substantially equal rank; and any warrant or right to purchase or subscribe to any security. -- Amends provision relating to investment advisers. Provides that an investment adviser applicant shall file a bond in a sum determined by the commissioner. -- HB2473 HD1

Committee Reports: HSCR 274-02 (CPC) HSCR 480-02 (FIN) SSCR 3015 (CPH) SSCR 3165 (JDC)

Current Status: Apr-11 02 Received by the Governor

Apr-23 02 Approved by Governor (Act 32 2002)

Section Affected: 485-4, 485-6, 485-14

HB2478

RELATING TO EMPLOYMENT STATUS OF PERSONNEL OF THE HAWAII NATIONAL GUARD YOUTH CHALLENGE ACADEMY.

Introduced by: Say C (BR)

Amends provision relating to civil service and exemptions by exempting positions in the Hawaii national guard youth challenge academy from the civil service law. Amends provision relating to appropriate collective bargaining units by excluding employees of

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the Hawaii national guard youth challenge academy from any collective bargaining unit.
-- HB2478
Committee Reports: HSCR 333-02 (PSM/ LAB/) HSCR 506-02 (FIN) SSCR 3037
(TMG/ LBR/) SSCR 3548 (WAM)
Current Status: May-02 02 Received by the Governor
Section Affected: 76-16, 89-6

HB2480 HD1 SD2 CD1 (CCR 121-02) RELATING TO SCHOOL BUS FARES.
Introduced by: Say C (BR)
Establishes the school bus fare revolving fund. Provides that moneys received for state provided school busing services between home and school shall be deposited into a school bus fare special fund. Provides that the fund shall be used for the operation of school bus services. Appropriation out of the school bus fare revolving fund to the department of education. (\$\$) -- HB2480 CD1
Committee Reports: HSCR 306-02 (EDN) HSCR 664-02 (FIN) SSCR 2894 (EDU) SSCR 3190 (WAM) CCR 121-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 302A- (1 SECTION), 302A-407

HB2481 HD1 (HSCR 626-02) RELATING TO CIVIL SERVICE EXEMPTIONS.
Introduced by: Say C (BR)
Amends provision relating to civil service and exemptions. Exempts employees in the department of education engaged in the supervision of students during meal periods in the distribution, collection, and counting of meal tickets from the civil service law. -- HB2481 HD1
Committee Reports: HSCR 626-02 (FIN) SSCR 3050 (LBR) SSCR 3546 (WAM)
Current Status: May-02 02 Received by the Governor
Section Affected: 76-16

HB2493 HD1 (HSCR 668-02) RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED.
Introduced by: Say C, Kahikina M, Kawakami B, Kanoho E, Morita H, Bukoski K, Davis R, Hamakawa E, Yoshinaga T
Amends the Hawaiian homes commission Act by providing that a lessee who is at least 1/4 Hawaiian who has received an interest in the tract through succession or transfer, with the approval of the department of Hawaiian home lands, may transfer the lessee's leasehold interest to a brother or sister who is at least 1/4 Hawaiian. Provides that if any provision of this Act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act, which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable. -- HB2493 HD1
Committee Reports: HSCR 340-02 (JHA) HSCR 668-02 (FIN) SSCR 2941 (HAW)
Current Status: Mar-27 02 Received by the Governor
Apr-05 02 Approved by Governor (Act 12 2002)
Section Affected: HAWAIIAN HOMES COMMISSION ACT 1920 208

HB2495 SD1 CD1 (CCR 47-02) MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES.
Introduced by: Say C (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. (\$\$) -- HB2495 CD1
Committee Reports: HSCR 78-02 (HSH) HSCR 570-02 (FIN) SSCR 2841 (HHS) SSCR 3180 (WAM) CCR 47-02
Current Status: Apr-30 02 Passed Legislature

HB2496 HD1 (HSCR 701-02) RELATING TO CHILD CARE.
Introduced by: Say C (BR)
Establishes provision relating to investigation within the department of human services. Provides that upon receiving a report that a person may be caring for more than 2 children who are unrelated to the caregiver by blood, marriage, or adoption, or providing

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care for the child for more than 6 hours per week, without a child care license issued by the department, the department may conduct an investigation. Further provides that a person caring for 2 or fewer children unrelated to the caregiver by blood, marriage, or adoption shall be excluded from child care provisions. -- HB2496 HD1

Committee Reports: HSCR 137-02 (HSH) HSCR 701-02 (JHA) SSCR 2872 (HHS) SSCR 3133 (JDC)

Current Status: Apr-11 02 Received by the Governor
Apr-23 02 Approved by Governor (Act 33 2002)

Section Affected: 346- (1 SECTION), 346-152

HB2500 HD1 SD1 CD1 (CCR 104-02) RELATING TO STATUTORY REFERENCES AFFECTED BY ACT 253, SESSION LAWS OF HAWAII 2000.

Introduced by: Say C (BR)

Amends or repeals various provisions of the Hawaii revised statutes relating to the civil service and public employees in order to conform to the correct statutory references and language contained in Act 253, session laws of 2000. -- HB2500 CD1

Committee Reports: HSCR 377-02 (LAB) HSCR 508-02 (FIN) SSCR 2878 (LBR) SSCR 3193 (WAM) CCR 104-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 10-9, 26-38, 29-1, 76-16, 88-60, 89-12, 103D-201, 103D-204, 103D-1102, 103F-301, 107-1.5, 109-2, 125-4, 125C-8, 128-10, 128-13, 193-23, 196D-13, 201B-2, 201B-3, 201G-474, 232E-1, 268-4, 269-2, 302A-636, 302A-637, 302A-639, 302A-1105, 304-4.3, 304-10.5, 304-13, 307-4, 307-5, 312-3, 321-5, 321-245, 323F-7, 323F-8, 349-2, 363-2, 371-4, 377-3, 608-1, 608-2, 612-51, 802-11, 846-21, HAWAIIAN HOMES COMMISSION ACT 1920 202

HB2501 HD1 SD1 (SSCR 2851) RELATING TO THE APPROPRIATION FOR STATE EMPLOYEE BENEFIT PROGRAMS.

Introduced by: Say C (BR)

Amends Act 259, session laws of 2001, relating to the state budget. Increases appropriation for workers' compensation claims and decreases appropriation for unemployment compensation claims of former state employees for work force attraction, selection, classification and effectiveness (HRD 102). (\$\$) -- HB2501 SD1

Committee Reports: HSCR 448-02 (FIN) SSCR 2851 (LBR) SSCR 3194 (WAM)

Current Status: May-02 02 Passed Legislature

Section Affected: ACT 259 2001

HB2507 HD3 (HSCR 670-02) RELATING TO REGISTRATION OF DIVORCES AND ANNULMENTS.

Introduced by: Say C (BR)

Repeals provision requiring registration of divorces and annulments on a form approved by the department of health and endorsed by the clerk of the court. -- HB2507 HD3

Committee Reports: HSCR 132-02 (HLT) HSCR 317-02 (JHA) HSCR 670-02 (FIN) SSCR 2873 (HHS) SSCR 3134 (JDC)

Current Status: Apr-11 02 Received by the Governor
Apr-25 02 Approved by Governor (Act 51 2002)

Section Affected: 338-29

HB2509 HD1 SD1 CD1 (CCR 32-02) RELATING TO PARKING FOR PERSONS WITH DISABILITIES.

Introduced by: Say C (BR)

Amends temporary removable parking placards by changing it to temporary removable windshield parking placards. Amends provisions relating to parking for people with disabilities. Provides that a person using the access aisle adjacent to the parking space reserved for persons with disabilities shall be guilty of a traffic infraction under the adjudication of traffic infractions and be fined. Amends provisions relating to the requirement to provide parking for disabled persons. Provides that a public or private entity that provides a parking space reserved for persons with disabilities shall comply with parking for disabled persons provisions by July 1, 2003, rather than July 1, 2002. Reduces minimum fines for traffic infractions relating to parking for people with disabilities from 250 dollars to 100 dollars. -- HB2509 CD1

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Committee Reports: HSCR 111-02 (TRN) HSCR 427-02 (JHA) SSCR 2980 (TMG)
SSCR 3229 (JDC) CCR 32-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 291-51.6, 291-57, 291-58

HB2512 SD2 CD1 (CCR 101-02)

RELATING TO THE PUBLIC HEALTH NURSING SERVICES SPECIAL FUND.

Introduced by: Say C (BR)

Establishes the public health nursing services special fund within the department of health to provide ongoing case management services and to provide staff training in case management services in collaboration with the department of human services' Medicaid early and periodic screening, diagnosis, and treatment program, including an assessment of children who are medically fragile. Appropriation out of the public health nursing services special fund. (\$\$) -- HB2512 CD1

Committee Reports: HSCR 197-02 (HLT/ HSH/) HSCR 579-02 (FIN) SSCR 2843 (HHS) SSCR 3181 (WAM) CCR 101-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 321- (2 SECTIONS) PUBLIC HEALTH NURSING SERVICES SPECIAL FUND

HB2514

RELATING TO TATTOO ARTISTS.

Introduced by: Say C (BR)

Amends provision relating to the suspension or revocation of a tattoo artist license. Authorizes the director of health to deny the renewal of a license to any person that is found to be guilty of any fraud, deceit, or misconduct in the practice of the occupation, or violates any provision or rules of the department of health. -- HB2514

Committee Reports: HSCR 523-02 (HLT) SSCR 2874 (HHS) SSCR 3120 (CPH)

Current Status: Apr-11 02 Received by the Governor

Apr-23 02 Approved by Governor (Act 34 2002)

Section Affected: 321-377

HB2518

RELATING TO EMERGENCY MEDICAL SERVICES.

Introduced by: Say C (BR)

Amends provision relating to the functions and duties of the department of health. Authorizes the department to assist in the implementation of a statewide poison information program, including the provision of a hospital based poison center's services certified by the department. -- HB2518

Committee Reports: HSCR 237-02 (HLT) HSCR 571-02 (FIN) SSCR 2844 (HHS) SSCR 3540 (WAM)

Current Status: May-02 02 Received by the Governor

Section Affected: 321-224

HB2521 HD2 SD2 CD1 (CCR 28-02)

RELATING TO CONTROL OF DISEASE.

Introduced by: Say C (BR)

Amends the infectious and communicable diseases law. Establishes that the director of health may enter into agreements for collaborative assistance with licensed health care facilities and health care providers to control an epidemic of a dangerous disease which requires more physical facilities, materials, or personnel than the department has available. Provides that when in the judgment of the director, there is deemed to be a potential health hazard, the department of health may take precautionary measures to protect the public by sequestering items suspected to be contaminated by toxic or infectious substances. Requires the director to find evidence of a health hazard within 7 days, rather than 72 hours, or rescind the action. Defines quarantine to mean the compulsory physical separation of individuals or groups believed to have been exposed to or known to have been infected with a contagious disease from individuals who are believed not to have been exposed or infected, by order of the department of health or a court of competent jurisdiction. Repeals provisions relating to the isolation of a tubercular person. -- HB2521 CD1

Committee Reports: HSCR 96-02 (HLT) HSCR 343-02 (JHA) HSCR 572-02 (FIN) SSCR 2881 (HHS) SSCR 3277 (JDC) CCR 28-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 325- (1 SECTION), 321-1, 321-311.5, 325-8, 325-79, 325-80,

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325-81, 325-82, 325-83, 325-84

- HB2523 RELATING TO EMERGENCY MEDICAL SERVICES.
Introduced by: Say C (BR)
Authorizes the department of health to implement and maintain a trauma registry for the collection of information concerning the treatment of critical trauma patients at state designated trauma centers. Provides that the centers shall periodically report to the department. -- HB2523
Committee Reports: HSCR 286-02 (HLT) HSCR 573-02 (FIN) SSCR 2845 (HHS) SSCR 3541 (WAM)
Current Status: May-02 02 Received by the Governor
Section Affected: 321-230
- HB2525 HD1 SD2 CD1 (CCR 105-02) RELATING TO PUBLIC WORKS PROJECTS.
Introduced by: Say C (BR)
Establishes provision relating to wages and hours of employees on public works construction contracts. Requires any bidder or offeror who enters into a contract for construction of a public work project in excess of 2,000 dollars, which is subject to the wages and hours of employees on public works law, to certify that individuals engaged in the performance of the contract on the job site shall be paid at least the prevailing wages for corresponding classes of laborers and mechanics employed on public works projects, and include overtime compensation plus fringe benefits. Further requires that all applicable laws relating to workers' and unemployment compensation, payment of wages, and safety shall be fully complied with. Amends the wages and hours of employees on public works law. Provides that this law shall apply to every contract in excess of 2,000 dollars for construction of a public work to which a governmental contracting agency is a party. Requires every laborer and mechanic to be paid at least the prevailing wages. Provides that prevailing wages shall be periodically adjusted during the performance of the contract according to a change in prevailing wage as determined by the director of labor and industrial relations. Amends provisions relating to the confidentiality of the agreement by parties to a collective bargaining agreement covering prevailing wage determinations. Allows the director to disclose terms of the agreement to any federal or state agency authorized to enforce this law. -- HB2525 CD1
Committee Reports: HSCR 366-02 (LAB) HSCR 509-02 (FIN) SSCR 2991 (LBR/TMG/ TIA) SSCR 3281 (WAM) CCR 105-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 103- (1 SECTION), 104-2, 104-34
- HB2527 SD1 CD1 (CCR 4-02) RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED EQUIPMENT.
Introduced by: Say C (BR)
Amends provision relating to boiler and elevator safety law. Repeals the provision requiring the period between an initial safety inspection or the inspection used as a basis for the issuance of a permit to operate, and any subsequent inspection of a boiler or pressure system to not exceed 13 months; and increases the period for elevators and kindred equipment from 8 months to 1 year. -- HB2527 CD1
Committee Reports: HSCR 287-02 (LAB) HSCR 511-02 (FIN) SSCR 3039 (TMG/LBR/) SSCR 3211 (WAM) CCR 4-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 397-4
- HB2531 HD2 (HSCR 465-02) RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS.
Introduced by: Say C (BR)
Amends Act 6, 3rd special session law of 2001, relating to temporary health insurance for unemployed persons. Provides that appropriation for the reimbursement of payments to continue the person's health insurance medical and prescription drug coverage shall be made for the period beginning after September 11, 2001 through June 30, 2002 or until the money has been expended, whichever occurs sooner. -- HB2531 HD2
Committee Reports: HSCR 164-02 (LAB) HSCR 465-02 (FIN) SSCR 2854 (LBR) SSCR 3547 (WAM)

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Current Status: May-02 02 Received by the Governor
Section Affected: ACT 6 2001 3SP

HB2536 SD1 CD1 (CCR 10-02) RELATING TO SECTION 17 OF ACT 85, SESSION LAWS OF HAWAII 1999.
Introduced by: Say C (BR)
Amends Act 85, session laws of 1999, relating to fishing rights and regulations, by repealing the sunset date. -- HB2536 CD1
Committee Reports: HSCR 116-02 (WLU) HSCR 512-02 (FIN) SSCR 2857 (WLE)
SSCR 3170 (JDC) CCR 10-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: ACT 85 1999

HB2537 SD1 (SSCR 2858) RELATING TO AQUATIC RESOURCES.
Introduced by: Say C (BR)
Amends provisions relating to permits for taking aquatic life for scientific, educational, or propagation purposes by changing it to special activity permits. Provides that the department of land and natural resources may possess or use any fishing gear for scientific, educational, management, or propagation purposes, for removal of aquatic species, or for implementing the powers and duties of the department. Provides that the department shall consider using chemicals or electrofishing devices only after determining that no other reasonable alternative would be appropriate, and that chemicals or electrofishing devices shall be used in accordance with established procedures and with the proper training. Provides that the department may issue permits to any person to take aquatic life, possess or use fishing gear, or engage in any feeding, watching, or other such non consumptive activity related to aquatic resources, otherwise prohibited by law, for scientific, educational, management, or propagation purposes. Amends provision relating to the possession or use of explosives, electrofishing devices, and poisonous substances in state waters by prohibiting the department from issuing permits for explosives, and by adding to the list of chemicals not to be introduced into state waters. -- HB2537 SD1
Committee Reports: HSCR 412-02 (WLU) SSCR 2858 (WLE) SSCR 3135 (JDC)
Current Status: Apr-30 02 Passed Legislature
Section Affected: 187A-6, 188-23

HB2538 RELATING TO AQUATIC RESOURCES.
Introduced by: Say C (BR)
Amends provision relating to transfers from special funds for central service expenses by exempting the sport fish special fund from contributing to central service and administrative expenses of the government. Amends provision relating to fishing in the northwestern Hawaiian islands. Repeals the ability of the department of land and natural resources to set fees to supplement funding for the enforcement of the fishing rights and regulations law, and for the activities relating to the disposition of revenues. Amends provision relating to license, application, fees, and restrictions by repealing provisions relating to the applicant's statement under oath, the expiration of licenses, and the replacement of lost or destroyed licenses. Amends provision relating to the commercial fisheries special fund by providing that fees for licenses and permits related to the sale of aquatic life shall be deposited into the fund. Repeals provision relating to the disposition of revenues under the fishing rights and regulations law. -- HB2538
Committee Reports: HSCR 117-02 (WLU) HSCR 574-02 (FIN) SSCR 2859 (WLE)
SSCR 3550 (WAM)
Current Status: May-02 02 Received by the Governor
Section Affected: 36-27, 36-30, 187A-9.5, 188-37, 188-50, 189-2, 189-2.4, 187A-11

HB2550 HD2 (HSCR 695-02) RELATING TO APPURTENANT RIGHTS UNDER THE WATER CODE.
Introduced by: Say C (BR)
Amends provision relating to general powers and duties of the commission on water resource management. Provides that the commission shall determine appurtenant water rights, including quantification of the amount of water entitled to by that right. -- HB2550 HD2
Committee Reports: HSCR 102-02 (WLU) HSCR 695-02 (JHA) SSCR 2860 (WLE)

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- SSCR 3136 (JDC)
Current Status: Apr-11 02 Received by the Governor
Apr-23 02 Approved by Governor (Act 35 2002)
Section Affected: 174C-5
- HB2552 HD1 SD1 CD1 (CCR 49-02) RELATING TO THE DEFINITION OF LANDOWNER FOR SAFE HARBOR AGREEMENTS AND HABITAT CONSERVATION PLANS.
Introduced by: Say C (BR)
Amends provisions relating to conservation of aquatic life, wildlife, and land plants law by redefining landowner to include public lands of the State limited to specified projects. Provides projects. -- HB2552 CD1
Committee Reports: HSCR 351-02 (WLU/ EEP/) HSCR 604-02 (FIN) SSCR 3172 (WLE/ JDC/) CCR 49-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 195D-2
- HB2553 SD1 (SSCR 2861) RELATING TO THE BUREAU OF CONVEYANCES.
Introduced by: Say C (BR)
Amends provisions relating to disposition of fees received by the bureau of conveyances to reduce the amount deposited to the state general fund and increases the amount deposited into the bureau of conveyances special fund. -- HB2553 SD1
Committee Reports: HSCR 101-02 (WLU) HSCR 587-02 (FIN) SSCR 2861 (WLE) SSCR 3204 (WAM)
Current Status: Apr-30 02 Passed Legislature
Section Affected: 501-23.5, 502-25
- HB2554 RELATING TO NONCOMMERCIAL PIERS.
Introduced by: Say C (BR)
Amends Act 261, session laws of 2000, relating to private residential noncommercial piers by changing private residential noncommercial piers to private noncommercial piers. -- HB2554
Committee Reports: HSCR 120-02 (WLU) HSCR 513-02 (FIN) SSCR 2968 (WLE) SSCR 3551 (WAM)
Current Status: May-02 02 Received by the Governor
Section Affected: ACT 261 2000, 171-36, 171-53
- HB2556 RELATING TO SECTION 13 OF ACT 15, THIRD SPECIAL SESSION LAWS OF HAWAII 2001.
Introduced by: Say C (BR)
Amends Act 15, 3rd special session 2001, relating to economic emergency, by providing that the repeal shall take effect as scheduled provided that the provisions relating to the disposition of public lands shall be reenacted in the form in which it read on the day before the approval of this Act. -- HB2556
Committee Reports: HSCR 525-02 (WLU) SSCR 3535 (WAM)
Current Status: May-02 02 Received by the Governor
Section Affected: ACT 15 2001 3SP, 171-13
- HB2560 HD1 (HSCR 696-02) RELATING TO SEXUAL OFFENSES.
Introduced by: Say C (BR)
Amends provisions relating to sexual assault in the 2nd and 3rd degrees to include a person while employed by a private company providing services at a correctional facility, while employed by a private company providing community based residential services to persons committed to the director of public safety and having received notice of sexual assault laws, or while employed by a private correctional facility operating in the State, who knowingly subjects to sexual penetration a person residing in a private correctional facility operating in the State. Amends Act 1, 2nd special session laws of 2001. -- HB2560 HD1
Committee Reports: HSCR 88-02 (PSM) HSCR 696-02 (JHA) SSCR 2913 (HHS) SSCR 3162 (JDC)
Current Status: Apr-11 02 Received by the Governor
Apr-23 02 Approved by Governor (Act 36 2002)

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Section Affected: 707-731, 707-732, ACT 1 2001 2SP, 707-730

HB2563 HD1 SD1 (SSCR 2961)

RELATING TO COMPENSATION OF CRIME VICTIMS.

Introduced by: Say C (BR)

Amends provision relating to criminal injuries compensation limitations. Prohibits any compensation to be awarded in an amount in excess of 10,000 dollars, provided that if a case involves compensable medical expenses in excess of 10,000 dollars, no award shall be in excess of 20,000 dollars or the amount of the medical expenses, whichever is lower. Requires the criminal injuries compensation commission to deduct the amounts or benefits in determining the amount to be awarded. -- HB2563 SD1

Committee Reports: HSCR 57-02 (PSM) HSCR 313-02 (JHA) HSCR 514-02 (FIN)
SSCR 2961 (JDC) SSCR 3207 (WAM)

Current Status: May-02 02 Passed Legislature

Section Affected: 351-62

HB2568 HD1 SD1 CD1 (CCR 8-02)

RELATING TO THE COLLECTION OF TAXES.

Introduced by: Say C (BR)

Amends the administration of taxes law. Establishes provisions relating to consideration paid not indicative of fair market value. Provides that where sales of products or services are made by a taxpayer to other affiliated companies or persons, or under other circumstances where the relation between the taxpayer and the buyer is such that the consideration paid is not indicative of the fair market value, the taxpayer shall pay taxes on the fair market value. -- Amends provisions allowing the director of taxation to enforce the payment of unpaid taxes. Provides that the effect of levy on salary or wages payable to or received by a taxpayer shall be continuous from the date the levy is 1st made until the levy is released. -- Amends provisions relating to income taxes withheld by employer held in trust by repealing corporations. -- Repeals general excise tax provisions relating to true value. -- HB2568 CD1

Committee Reports: HSCR 449-02 (FIN) SSCR 3173 (WAM) CCR 8-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 231- (1 SECTION), 231-25, 235-64, 237-19

HB2569 HD1 SD1 (SSCR 3294)

RELATING TO THE CONFORMITY OF THE STATE TAX LAWS TO THE UNITED STATES CONSTITUTION.

Introduced by: Say C (BR)

Amends provision relating to conformity of general excise taxes to the Constitution and laws of the US. Provides that a taxpayer who is liable for general excise taxes shall be entitled to full offset for the amount of legally imposed taxes paid with respect to imported property, service, or contracting to another state and any subdivision. -- HB2569 SD1

Committee Reports: HSCR 450-02 (FIN) SSCR 3294 (WAM)

Current Status: Apr-30 02 Passed Legislature

Section Affected: 237-22

HB2571 SD1 (SSCR 2846)

RELATING TO TAXATION OF PERSONS WITH IMPAIRED SIGHT OR HEARING OR WHO ARE TOTALLY DISABLED THAT ARE ENGAGED IN BUSINESS.

Introduced by: Say C (BR)

Amends provisions relating to general excise tax on persons with impaired sight, hearing, or are totally disabled. Extends the privilege tax to general, limited, or limited liability partnerships or companies, all of whose partners are blind, deaf, or totally disabled. -- HB2571 SD1

Committee Reports: HSCR 127-02 (EDB) HSCR 584-02 (FIN) SSCR 2846 (HHS)
SSCR 3246 (WAM)

Current Status: Apr-30 02 Passed Legislature

Section Affected: 237-17, 237-24

HB2577 HD1 SD1 CD1 (CCR 12-02)

RELATING TO DEVELOPMENT OF PUBLIC LANDS.

Introduced by: Say C (BR)

Amends provision relating to disposition by negotiation. Provides that disposition may be negotiated without regard to provisions relating to notices provided that the disposition encourages competition within maritime related industries, and the

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disposition shall not exceed 35 years. Defines maritime related as a purpose or activity that requires and is directly related to the loading, off loading, storage, or distribution of goods, and services of the maritime industry. -- HB2577 CD1

Committee Reports: HSCR 133-02 (TRN/ WLU/) HSCR 606-02 (FIN) SSCR 2910 (TMG/ WLE/) SSCR 3212 (WAM) CCR 12-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 171-59

HB2580

RELATING TO DRIVER LICENSING.

Introduced by: Say C (BR)

Amends provisions relating to motor vehicle driver's licenses. Changes category 1 licenses from motor scooters to mopeds. Repeals the provision that allows a driver licensed to operate a moped to operate a motor scooter. -- HB2580

Committee Reports: HSCR 20-02 (TRN) HSCR 688-02 (JHA) SSCR 2981 (TMG) SSCR 3231 (JDC)

Current Status: Apr-11 02 Received by the Governor

Apr-23 02 Approved by Governor (Act 37 2002)

Section Affected: 286-102, 291C-194

HB2582 HD1 SD1 (SSCR 2911)

RELATING TO HIGHWAY SAFETY.

Introduced by: Say C (BR)

Amends provisions relating to commercial motor vehicle driver's license. Prohibits an employer to allow a driver to drive a commercial motor vehicle during any period in which the driver, or the commercial motor vehicle that the driver is driving, or the motor carrier operation is subject to an out of state service order, or in violation of a federal, state, or local law, or regulation pertaining to railroad highway grade crossings. -- HB2582 SD1

Committee Reports: HSCR 22-02 (TRN) HSCR 456-02 (JHA) SSCR 2911 (TMG) SSCR 3158 (JDC)

Current Status: Apr-26 02 Received by the Governor

Section Affected: 286-234, 286-240

HB2595 HD1 SD1 CD1 (CCR 129-02)

MAKING AN APPROPRIATION TO ENHANCE AGRICULTURAL TOURISM VENUES.

Introduced by: Hamakawa E

Appropriation out of the tourism special fund to the Hawaii tourism authority for the enhancement of agricultural tourism venues. (\$\$) -- HB2595 CD1

Committee Reports: HSCR 149-02 (TAC/ AGR/) HSCR 516-02 (FIN) SSCR 2975 (TIA/ AGT/) SSCR 3215 (WAM) CCR 129-02

Current Status: Apr-30 02 Passed Legislature

HB2613

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. -- HB2613

Committee Reports: HSCR 414-02 (JHA) SSCR 3073 (JDC)

Current Status: Apr-02 02 Received by the Governor

Apr-12 02 Approved by Governor (Act 16 2002)

Section Affected: 11-1.6, 26-9, 26-15, 36-27, 134-16, 171-31.5, 205A-64, 219-5, 219-6, 235-102.5, 264-101, 266-19.5, 281-31, 286-104, 291-1, 291-51, 302A-101, 302A-410, 302A-802, 302A-803, 302A-807, 302A-1187, 302A-1504, 302A-1504.5, 328L-3, 651-1, 654-2, 658A-4, ACT 29 2001, 346-59, ACT 229 2001, 467E-1, 467E-13, ACT 265 2001, 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, ACT 312 2001, 302A-610, 302A-616

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- HB2638 HD2 SD1 CD1 (CCR 109-02) RELATING TO THE HAWAII LONG-TERM CARE FINANCING ACT.
Introduced by: Arakaki D, Lee M, Oshiro M
Establishes the Hawaii long term care financing program law. Defines long term care services to mean a broad range of supportive services needed by individuals with physical or mental impairments and have lost or never acquired the ability to function independently. Establishes the Hawaii long term care financing program placed within the department of budget and finance and administered by the board of trustees of the Hawaii long term care financing program to provide a universal and affordable system of providing for long term care. Establishes the board. Establishes the long term care benefits fund into which shall be deposited moneys collected as long term care taxes. Requires the department of budget and finance to cause the moneys in the fund to be deposited in federally insured financial institutions in Hawaii. Provides that expenditures from the fund shall be solely made for benefit payments and costs of administering the program. Annual reports to the legislature. -- Requires the auditor to conduct an audit of the fund annually for the 1st 3 years and every 3 years thereafter. -- Provides that an individual who needs assistance with 2 or more activities of daily living, or is afflicted with alzheimer's disease or dementia shall be eligible for a benefit payment for long term care services after certification from a physician or an advanced practice registered nurse, and approval by the board. -- Establishes a temporary board of trustees of the Hawaii long term care financing fund within the department of health's executive office on aging to serve from July 1, 2002, to June 30, 2003 (sunset). Requires the temporary board to design a long term care system to financing program. Report to the legislature. Requires the board to cause an actuarial report and opinion to be prepared by a member of the American Academy of Actuaries to certify that the program is in actuarial balance. Appropriation to design the program. (\$\$) -- HB2638 CD1
Committee Reports: HSCR 322-02 (HLT/ HSH/) HSCR 473-02 (FIN) SSCR 2995 (HHS/ CPH/) SSCR 3286 (WAM) CCR 109-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: (8 SECTIONS) HAWAII LONG-TERM CARE FINANCING PROGRAM
- HB2708 HD1 (HSCR 40-02) RELATING TO ANIMAL DISEASES.
Introduced by: Abinsay F, Cabrerros B, Magaoay M
Amends provision relating to quarantine by providing that the department of agriculture may quarantine and destroy any animal, rather than domestic animal, to prevent the spread of disease. Provides that the department may also require disinfection of premises and materials contaminated by or exposed to disease, including the proper disposition of hides and carcasses if such measures are necessary to prevent the spread of disease. -- HB2708 HD1
Committee Reports: HSCR 40-02 (AGR) HSCR 610-02 (FIN) SSCR 2920 (AGT) SSCR 3538 (WAM)
Current Status: May-02 02 Received by the Governor
Section Affected: 142-6
- HB2710 HD1 (HSCR 347-02) RELATING TO OCEAN LEASING.
Introduced by: Abinsay F, Cabrerros B, Takumi R, Chang J, Davis R, Suzuki N, Magaoay M, Whalen P
Amends Act 176, session laws of 1999, relating to ocean leasing, by repealing the sunset date. -- HB2710 HD1
Committee Reports: HSCR 347-02 (WLU) HSCR 518-02 (FIN) SSCR 2969 (WLE) SSCR 3552 (WAM)
Current Status: May-02 02 Received by the Governor
Section Affected: ACT 176 1999, 190D-2, 190D-3, 190D-11, 190D-21, 190D-22, 190D-23, 190D-32, 190D-33, 190D-34
- HB2720 HD1 SD1 CD1 (CCR 46-02) RELATING TO THE USE TAX.
Introduced by: Say C, Hiraki K
Amends provisions relating to use tax report by dealers by changing it to motor vehicle importation report by dealers and proof of payment. Requires the director of taxation to prepare forms for individuals importing motor vehicles into the State to prove payment of the use tax necessary to register the motor vehicle. Amends provisions relating to

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application for motor vehicle registration. Requires the owner of every motor vehicle bought out of state and subsequently brought into the State, and subject to the use tax to provide proof of payment of the tax with the application for registration. Prohibits a registration certificate to be issued without proof of payment of the use tax. -- HB2720 CD1

Committee Reports: HSCR 630-02 (FIN) SSCR 3259 (WAM) CCR 46-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 238-9.5, 286-41

HB2723 HD2 SD1 CD1 (CCR 14-02)

RELATING TO COUNTIES.

Introduced by: Say C

Establishes provisions relating to food waste recycling. Requires specified categories of food establishments to comply with food waste recycling, based upon the average number of prepared meals served or sold per day. Provides criteria for suspension of food waste recycling requirement. Authorizes the county agency responsible for solid and liquid waste management and recycling to enter any building or premises of an establishment and inspect the books and records of the establishment to determine compliance with the requirements of this provision. Requires each waste recycling facility to report to the agency. Provides that any person in violation of this provision shall be subject to a maximum 250 dollar civil fine and each day of the violation shall constitute a separate violation. Authorizes each county to assess an annual food waste recycling surcharge based on the partial costs of recycling. -- HB2723 CD1

Committee Reports: HSCR 155-02 (EEP) HSCR 406-02 (JHA) HSCR 586-02 (FIN)
SSCR 3069 (WLE/ TIA) CCR 14-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 46- (12 SECTIONS) FOOD WASTE RECYCLING

HB2741 HD2 SD2 CD1 (CCR 39-02)

RELATING TO THE CIGARETTE AND TOBACCO TAX.

Introduced by: Oshiro M, Arakaki D, Lee M, Kanoho E, Hale H

Amends provisions relating to the tobacco tax. Changes the tobacco tax on cigarettes to 6 cents for each cigarette sold after September 30, 2002, 6.50 cents for each cigarette sold after June 30, 2003, and 7 cents for each cigarette sold after June 30, 2004. Amends Act 249, session laws of 2000, relating to cigarette tax stamps, by repealing the sunset date for the tobacco tax on cigarettes. -- HB2741 CD1

Committee Reports: HSCR 238-02 (HLT) HSCR 475-02 (FIN) SSCR 3065 (HHS)
SSCR 3283 (WAM) CCR 39-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 245-3, ACT 249 2000, 245-1, 245-5, 245-6, 245-7, 245-8, 245-9, 245-15, 712A-5, 712A-16

HB2752 HD1 SD1 CD1 (CCR 117-02)

RELATING TO PROFESSIONAL AND VOCATIONAL LICENSES.

Introduced by: Kawakami B, Takamine D, Takumi R, Garcia N, Kanoho E, Yonamine N

Establishes the student loan defaults law. Provides that the applicable licensing authority shall not renew or reinstate, or shall deny, suspend, or revoke the license or application of any person who has been certified by an administering entity as being in default or breach of any obligation under any student loan, student loan repayment contract, or scholarship contract; or at least 60 days past due with payments under a repayment plan. Exempts individuals against whom a court order is entered in connection with the default or breach in the nature of a garnishment process or other form of court ordered repayment. -- Establishes provision relating to denial, suspension, or revocation of license for default of student loan or scholarship contract for professional and vocational licenses; the department of education; the department of health; insurance agents, brokers, solicitors, adjusters, and bill reviewers; nurses; radiologists; and attorneys. -- HB2752 CD1

Committee Reports: HSCR 191-02 (HED) HSCR 470-02 (FIN) SSCR 3062 (EDU)
SSCR 3289 (WAM) CCR 117-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: (2 SECTIONS) STUDENT LOAN DEFAULTS, 436B- (1 SECTION), 302A-807, 321-15, 431:9-235, 457-9, 466J-8, 605-1

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- HB2788 SD1 CD1 (CCR 158-02) RELATING TO STATE BONDS.
Introduced by: Takamine D
Establishes debt limit on general obligation bonds. Authorizes the issuance of general obligation bonds for appropriation to finance projects authorized in the supplemental appropriations Act of 2002 (state budget) and the judiciary supplemental appropriations Act of 2002 (judiciary budget), and that are designated to be financed from the general obligation bond fund and from the general obligation bond fund with debt service cost to be paid from special funds. Authorizes the issuance of general obligation bonds to refund any general obligation bonds. (\$\$) -- HB2788 CD1
Committee Reports: HSCR 556-02 (FIN) SSCR 3174 (WAM) CCR 158-02
Current Status: Apr-30 02 Passed Legislature
- HB2817 HD1 SD1 CD1 (CCR 26-02) RELATING TO THE HAWAII RULES OF EVIDENCE.
Introduced by: Hamakawa E
Amends the Hawaii rules of evidence. Provides that there is no physician patient or psychologist client privilege if the services of the physician or psychologist were sought to enable or aid anyone to commit what the patient or client knew or reasonably should have known to be a crime or tort; or to a communication reflecting the patient's or client's intent to commit a criminal or tortuous act that the physician or psychologist reasonably believes is likely to result in death or substantial bodily harm. Redefines psychologist to mean a person authorized to engage in the diagnosis or treatment of a mental or emotional condition. -- Provides that a statement offered against a party that has procured the unavailability of the declarant as a witness shall not be excluded by the hearsay rule. -- Provides that extrinsic evidence of authenticity as a condition precedent to admissibility is not required for certified records of regular conducted activity. Requires the declaration to be signed in a manner that, if falsely made, would subject the maker to a criminal penalty under the laws of the state or county. -- HB2817 CD1
Committee Reports: HSCR 545-02 (JHA) SSCR 3128 (JDC) CCR 26-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 626-1 RULE 504, 626-1 RULE 504.1, 626-1 RULE 801, 626-1 RULE 803, 626-1 RULE 804, 626-1 RULE 902
- HB2821 HD1 SD2 CD1 (CCR 130-02) RELATING TO STATE DEPARTMENTS.
Introduced by: Say C
Amends various provisions to repeal the position of deputy or assistant to the head of any department of the State. Exempts the university of Hawaii and the department of education. -- HB2821 CD1
Committee Reports: HSCR 423-02 (FIN) SSCR 3060 (TMG/ LBR/) SSCR 3305 (WAM) CCR 130-02
Current Status: Apr-30 02 Passed Legislature
Section Affected: 11-1.6, 26-21, 26-39, 26-53, 28-8, 28-10, 37D-1, 39-7, 39-8, 39-31, 39-56, 40-51, 40-53, 76-16, 84-17, 84-35, 88-29, 103D-204, 128-3, 174C-6, 201-94, 201-95, 238-1, 328-26, 383-91, 412:2-100, 431:2-103, 431:7-305, 486-1, 76-76, 121-11, 353C-3
- HB2827 HD1 SD2 CD1 (CCR 160-02) RELATING TO THE STATE FINANCES.
Introduced by: Say C
Establishes a litigation deposits trust fund, under the control of the department of the attorney general, into which shall be deposited all moneys received through any civil action where the settlement amount is 100,000 dollars or higher, and in which the State is a party to a civil action except for those departments able to procure their own legal services. Report to the legislature. Establishes provisions relating to the criteria for the establishment and continuance of special funds and revolving funds. Provides that special funds and revolving funds may only be established pursuant to an act by the legislature. Establishes provision relating to the criteria for the establishment and continuance of administratively established accounts and funds. Provides that any department or agency that administratively establishes any new account or fund shall, within 30 days of its establishment, transmit a report to the legislature. Requires each department or agency to submit a report to the legislature that shall include a list of all administratively established accounts or funds; and all revenues, expenditures,

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encumbrances, and ending balances of each account or fund. Amends provision relating to the emergency and budget reserve fund (rainy day fund) by providing that the legislature may make appropriations from the fund to maintain levels of programs essential to education. Repeals various special and revolving funds. Authorizes the director of finance to transfer money in excess of the requirements of various funds to the general fund. -- HB2827 CD1

Committee Reports: HSCR 632-02 (FIN) SSCR 3260 (WAM) FLOOR AMENDMENT
7 CCR 160-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 28- (1 SECTION), 37- (3 SECTIONS), 328L-3, 302A-806,
304-8.86, 81-3, 201G-325, 201G-342, 201G-421, 206E-109,
304-8.85, 346E-15

HB2832 HD1 SD2 CD1 (CCR 44-02)

RELATING TO TIME SHARING PLANS.

Introduced by: Schatz B (BR)

Amends provision relating to notification of intention. Provides that a developer shall not be required to deliver a disclosure statement if a copy of the disclosure statement required under time sharing plans law is required to be delivered to the purchaser or prospective purchaser, or a copy of the disclosure statement is not required to be delivered because the offer or sale of the time share interest is made outside of Hawaii. Exempts time share plans registered under the time share law from provisions relating to supplementary public report, disclosure requirements, and copy of public report to be given to prospective purchaser; if a copy of the disclosure statement required under time sharing plans law is required to be delivered to the purchaser or prospective purchaser, or a copy of the disclosure statement is not required to be delivered because the offer or sale of the time share interest is made outside of Hawaii. 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, including the authorization of independent contractors to invite others to attend a time share sales presentation so long as the invitation is made from a principal place of business, branch office, or other real estate office. Amends provision relating to time share units, time share plans, and transient vacation rentals to allow them on any property in a county with a population in excess of 500,000 on which the operation of an existing hotel is a valid non conforming use under county ordinance; provided that the property shall have at least 60 units and at least 40 per cent of the units upon completion of sales of the time share intervals in the project, shall be made available for sale as residential apartments or rented as residential apartments. Exempts apartments designated in the declaration of condominium property regime for hotel, time share, transient vacation rental, or commercial use from provisions relating to the right to own or have designated parking stalls. -- HB2832 CD1

Committee Reports: HSCR 413-02 (CPC) SSCR 2976 (TIA) SSCR 3137 (CPH) CCR
44-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 514A-14.5, 514A-31, 514A-41, 514A-61, 514A-62, 514E-2.5,
514E-5

HB2834 SD2 CD1 (CCR 161-02)

RELATING TO PRESCRIPTION DRUGS.

Introduced by: Say C, Ito K, Kanoho E, Oshiro M, Lee M, Takai K, Schatz B, Kahikina M, Hiraki K, Case E, Suzuki N, Cabrerros B, Souki J, Chang J, Magaoay M, Arakaki D, Takumi R, Garcia N, Hamakawa E, Espero W, Saiki S, Oshiro B, Morita H, Kawakami B, Yonamine N, Luke S, Hale H, Yoshinaga T, Abinsay F

Establishes the Hawaii Rx program within the department of human services to combine the purchasing power of all persons to reduce prescription drug costs for those in the group. Provides that all residents of the State shall be eligible to participate in the program. Allows all prescription drug manufacturers that sell prescription drugs to enter into a rebate program with the department for this program. Provides that each pharmacy participating in the program shall discount the price of drugs covered by the program and sold to program participants. Further requires the department to establish discounted prices for drugs covered by a rebate agreement and to promote the use of

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reduced cost drugs. Further requires a participating pharmacy to offer prescription drugs at or below the average wholesale price plus the dispensing fee designated by the department beginning July 1, 2004. Provides that the initial price levels shall be calculated by the department and the dispensing fee shall not be less than that is provided under the state medicaid program. Further provides that no later than January 1, 2005, a participating pharmacy shall offer prescription drugs at or below the initial price levels minus the amount of any discounts covered by a rebate agreement that shall be paid by the State to the pharmacy. Establishes the Rx program special fund into which moneys received from manufacturers who pay rebates, appropriations made by the legislature, and other revenues designated for the fund. Provides that the special fund shall be used to reimburse payments to pharmacies for discounts provided to program participants and the cost of administering the program, including salary and benefits of employees and computer costs. Annual report to the legislature. Requires the administrator of the program to use the administrator's best efforts to obtain an initial rebate amount equal to or greater than the rebate calculated under the Medicaid program. Provides that the department shall coordinate with other governmental programs and may take actions to enhance the efficiency, reduce the cost of prescription drugs, and maximize the benefits of this and other governmental programs. Authorizes the department to seek waivers of any federal law, rule, or regulation necessary to implement this provision. Appropriation to the department to develop a plan to implement the program, including hiring consultants to assist in the preparation of the program plan. Requires the plan to include a description of how the program will operate, how the Medicaid prescription drug expansion program will be integrated into the program or describe another design consistent with the goals of the program, recommend amendments to the enabling legislation, and estimate funding required for start up and operational costs. Report to the legislature. (\$\$) -- HB2834 CD1

Committee Reports: HSCR 293-02 (CPC/ HLT/) HSCR 433-02 (FIN) SSCR 3018 (CPH/ HHS/) SSCR 3235 (WAM) CCR 161-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 346- (9 SECTIONS) HAWAII RX PROGRAM

HB2840 SD2 CD1 (CCR 126-02)

RELATING TO STATE GOVERNMENT.

Introduced by: Case E, Ito K, Kanoho E, Oshiro M, Lee M, Arakaki D, Takumi R, Takai K, Garcia N, Hamakawa E, Schatz B, Abinsay F, Chang J, Espero W, Oshiro B, Kahikina M, Kawakami B, Hiraki K, Yonamine N, Luke S, Hale H, Suzuki N, Cabrerros B, Magaoay M, Morita H

Establishes the core government functions advisory commission within the legislature. Provides that the commission shall determine whether and to what extent state programs implement core government functions, as specified in the state plan and functional plans, and recommend how core government functions can be improved through the elimination, reorganization, or improvement of programs deemed non core programs or the redistribution of their resources, or both. Provides that the commission shall suggest how the state operating budget for fiscal biennium 2003 - 2005 can be reduced through the elimination, reorganization, or improvement of designated programs. Report to the legislature. Commission to be repealed June 30, 2003 (sunset). -- HB2840 CD1

Committee Reports: HSCR 557-02 (FIN) SSCR 3040 (TMG) SSCR 3288 (WAM) CCR 126-02

Current Status: Apr-30 02 Passed Legislature

HB2843 SD2 CD1 (CCR 45-02)

RELATING TO ELECTIONS.

Introduced by: Say C, Ito K, Hamakawa E, Kanoho E, Schatz B, Oshiro M, Lee M, Abinsay F, Yonamine N, Hiraki K, Oshiro B, Case E, Suzuki N, Magaoay M, Espero W, Arakaki D, Takumi R, Takai K, Garcia N, Cabrerros B, Kahikina M, Luke S, Souki J, Chang J, Ahu Isa L, Morita H

Establishes provision relating to special elections, special election polling place. Provides that all special elections, except special elections that are held in conjunction with a primary or general election, and except for the polling places established by this provision, shall be conducted solely by mail. Establishes provisions relating to automatic recount for small vote differences. Provides that the chief election officer or county clerk shall order a recount if the difference in the votes cast for the winning and

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losing candidates for a statewide election appears to be 1/8 of 1 per cent or less of the total ballots cast for the office, or for a state or county office appear to be 1/4 of 1 per cent or less of the total ballots cast for that office. Provides that in the case where several candidates are to be elected to an office, a recount shall be ordered if the provided percentage difference appears between the votes received by the lowest among the winning candidates and those received by the highest among the losing candidates. Provides that the ballots shall be recounted by machine no later than 7 days after the election. Amends provision relating to official party ballots. Provides that the names of the candidates of each party and of non partisan candidates shall be printed on separate ballots. Amends provision relating to penalties; disqualification for, removal from office; reports of convictions to chief election officer. Defines time of conviction as the day upon which the person was found guilty of the charges by the trier of fact or determined to be guilty by the court. -- HB2843 CD1

Committee Reports: HSCR 219-02 (JHA) HSCR 585-02 (FIN) SSCR 3041 (TMG/ TIA/ JDC/) SSCR 3296 (WAM) CCR 45-02

Current Status: Apr-30 02 Passed Legislature

Section Affected: 11- (1 SECTION), 11- (1 SECTION), 11-173.5, 11-174.5, 12-21, 19-4

HB2848 HD1 SD2 CD1 (CCR 1-02)

PROPOSING AMENDMENTS TO ARTICLE VII, SECTION 12, AND ARTICLE X, SECTION 1, OF THE CONSTITUTION OF THE STATE OF HAWAII TO AUTHORIZE THE STATE TO ISSUE SPECIAL PURPOSE REVENUE BONDS AND USE THE PROCEEDS FROM THE BONDS TO ASSIST NOT-FOR-PROFIT PRIVATE ELEMENTARY SCHOOLS, SECONDARY SCHOOLS, COLLEGES, AND UNIVERSITIES.

Introduced by: Ito K

Proposes to amend the constitution. Allows special purpose revenue bonds to be authorized or issued to finance facilities of or for, or to loan the proceeds of such bonds to assist not for profit private nonsectarian and sectarian elementary schools, secondary schools, colleges and universities. Authorizes the State to combine into a single issue of special purpose revenue bonds 2 or more proposed issues of special purpose revenue bonds to assist not for profit private nonsectarian and sectarian elementary schools, secondary schools, colleges and universities, separately authorized as aforesaid, in the total amount of not exceeding the aggregate of the proposed separate issues of special purpose revenue bonds. -- HB2848 CD1

Committee Reports: HSCR 49-02 (EDN/ HED/) HSCR 383-02 (JHA) HSCR 428-02 (FIN) SSCR 2897 (EDU/ JDC/) SSCR 3242 (WAM) CCR 1-02

Current Status: Apr=30 02 Passed Legislature

Section Affected: ART VII S12, ART X S1

HB2854 HD1 SD1 (SSCR 3057)

RELATING TO ACCOUNTANCY.

Introduced by: Nakasone B (BR)

Repeals provision relating to the educational requirements for examination of public accountants effective December 31, 2000. -- HB2854 SD1

Committee Reports: HSCR 441-02 (CPC) SSCR 3057 (CPH) SSCR 3236 (WAM)

Current Status: Apr-30 02 Passed Legislature

Section Affected: 466-5.5