

CROSSOVER BILLS

(Bills Which Passed Third Reading)

HAWAII STATE LEGISLATURE

REGULAR SESSION OF 2003

SHOWING ACTIONS TAKEN AS OF

March 6, 2003

Prepared by the:



LEGISLATIVE REFERENCE BUREAU SYSTEMS OFFICE

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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 includes all bills in the current legislature which passed Third Reading as of March 6, 2003. This publication has been created by the Legislative Reference Bureau - Systems Office.

This publication includes such data as the bill number, title, introducer, description, and current status of the bill. It reflects data recorded up to and including March 6, 2003.

Ken H. Takayama
Acting Director
Legislative Reference Bureau

March 2003

SENATE BILLS WHICH PASSED THIRD READING

- SB0001 SD2
(FLOOR AMENDMENT 3) RELATING TO EMPLOYMENT.
Introduced by: Kanno B
Establishes provision relating to worker retention. Requires the successor employer in a divestiture of an industrial, commercial, or other business entity that employs at any time in the preceding 12 month period more than 100 employees to retain at least 50 per cent of incumbent, nonsupervisory employees of the affected establishment. Excludes employers whose primary business function is construction. Defines divestiture to mean the transfer of any covered establishment from 1 employer to another because of the sale, transfer, merger, and other business takeover or transaction of business interests. -- Provides that an employer in a covered establishment shall provide to each employee and the director of labor and industrial relations written notification of divestiture. -- SB0001 SD2
Current Status: Mar=06 03 Passed Third Reading Senate
- SB0003 SD1 (SSCR 464) RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC.
Introduced by: Inouye L
Authorizes the issuance of special purpose revenue bonds to assist North Hawaii Community Hospital, Inc. for retirement of outstanding debt on existing health care facilities, for retirement of outstanding debt and purchase of leases on the existing equipment, for construction of new additions to existing facilities, for acquisition and installation of additional equipment and other assets, and for renovation and repair of existing facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB0003 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0006 SD1 (SSCR 666) MAKING AN APPROPRIATION FOR COACHES' STIPENDS.
Introduced by: Sakamoto N
Appropriation to the department of education for the payment of coaches' stipends. (\$\$) -- SB0006 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0011 RELATING TO TEMPORARY PUBLIC SCHOOL FACILITIES.
Introduced by: Sakamoto N
Establishes provisions relating to temporary school facilities. Provides an exemption for all public school facilities and temporary non public facilities of public schools from state or county law that requires public facilities to exceed the requirements of the Americans with Disabilities Act requiring those facilities to be accessible to and usable by persons with disabilities including any accessibility guidelines or rules adopted and amended by the disability and communication access board; and from building requirements designed to protect structures in the event of a hurricane. -- SB0011
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0012 SD1 (SSCR 230) RELATING TO THE DEPARTMENT OF EDUCATION.
Introduced by: Sakamoto N
Establishes provisions relating to department attorneys. Allows the department of education to appoint or retain attorneys independent of the attorney general to provide legal services for the department of education. -- Amends provision relating to employment of attorneys. Exempts the department from the provision prohibiting departments other than the attorney general from employing attorneys by contract or otherwise. Report to the legislature. -- SB0012 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0014 SD1 (SSCR 395) RELATING TO REHIRING RETIRED SCHOOL ADMINISTRATORS.
Introduced by: Sakamoto N
Allows the department of education to employ retired principals and vice principals at up to 100 per cent full time equivalent (FTE) status in shortage areas identified by the department. Provides that the principals and vice principals shall have been retired for at least 1 year. Prohibits retired principals and vice principals who are rehired to earn retirement service credit, to contribute to the retirement system, or to gain additional retirement system benefits, provided that the retired principal or vice principal continues to receive entitled normal retirement benefits without penalty. -- SB0014 SD1

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Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0016 SD2 (SSCR 668)

RELATING TO EDUCATION.

Introduced by: Sakamoto N

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 and who teach in the Hawaii 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, or 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. -- SB0016 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0017 SD1 (SSCR 304)

RELATING TO EDUCATION.

Introduced by: Sakamoto N

Amends provisions relating to kindergartens to include pre kindergartens. Authorizes the department of education to establish procedures and criteria to determine the psychological and physiological readiness of children for kindergarten and to grant exceptions. Establishes that beginning with the 2003 - 2004 school year, a child who will be at least 5 years of age before January 1 of the school year may attend kindergarten, beginning with the 2005 - 2006 school year, a child who will be at least 5 years of age before October 16 of the school year may attend kindergarten, and a child who will be at least 5 years of age before August 1 of the school year may attend kindergarten. Requires the department to provide pre kindergarten programs for children who do not qualify. -- Requires the department to conduct an analysis of the projected cost savings and adverse impacts on school personnel and facilities. Requires the superintendent to report to the legislature. Requires cost savings to be reallocated to pre kindergarten programs. -- Entitles a tenured teacher who is displaced by this Act to return to the teacher's former position within 2 years of being displaced. -- SB0017 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0024 SD2 (SSCR 670)

RELATING TO EDUCATION.

Introduced by: Sakamoto N, Chun Oakland S

Amends provisions relating to educational officers' salary schedules. Provides that the salary schedules of principals and vice principals and all other educational officers shall be based on a 12 month term of service. Further provides that principals and vice principals who commit to and complete 5 consecutive years of service shall be paid a retention bonus in an amount set by the board of education. Appropriation to the department of education for the 2 additional months salary for educational officers who are presently 10 month employees. (\$\$) -- SB0024 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0026

RELATING TO THE LEGISLATIVE JOURNALS.

Introduced by: Bunda R (BR)

Amends provision relating to the sale and distribution of legislative journals. Provides that the responsibility for the publication, sale, and distribution of house and senate journals shall be transferred from the lieutenant governor to the legislature. Further provides that the speaker of the house of representatives and the senate president shall fix the price of their journals and determine who shall receive the journals free of charge. -- SB0026

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0029 SD1 (SSCR 599)

RELATING TO SPECIAL WASTES RECYCLING.

Introduced by: Espero W

Establishes provisions relating to cathode ray tubes. Prohibits any person to place a used cathode ray tube in a landfill, municipal solid waste landfill or incinerator, or mixed municipal

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solid waste. Defines cathode ray tube to mean an intact glass tube used to provide the visual display in televisions, computer monitors, oscilloscopes and similar scientific equipment, but does not include the other components of an electric product containing a cathode ray tube even if the product and the tube are disassembled. Requires the department of health to provide for a cathode ray tube special wastes recycling program. Report to the legislature. -- SB0029 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0038

RELATING TO THE HAWAII TOURISM AUTHORITY.

Introduced by: Kim D

Establishes that the board of directors Hawaii tourism authority shall appoint or retain by contract 1 or more attorneys who are independent of the attorney general, to provide legal services for the authority. -- SB0038

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0039 SD1 (SSCR 381)

RELATING TO PARKS.

Introduced by: Kim D, Hogue B, Espero W

Establishes a task force within the office of the governor to study the feasibility of transferring state parks to the counties and to develop an action plan to substantially improve state parks maintenance and upkeep. Provides functions and duties of task force. Requires the chairperson of the board of land and natural resources to report to the legislature. Provides that the advisory task force shall be dissolved on June 30, 2004 (sunset). -- SB0039 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0041

RELATING TO PUBLIC CONTRACTS.

Introduced by: Kim D, Espero W

Amends provision relating to public access to procurement information. Provides that government records relating to procurement, including all subcontracts and partnership agreements entered into by a contractor using public funds shall be available to the public. Amends provision relating to exemption of authority from taxation and Hawaii public procurement code. Provides that the Hawaii tourism authority shall be subject to the public access to procurement information law. -- SB0041

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0042 SD1 (SSCR 578)

RELATING TO WATERCRAFT.

Introduced by: Kawamoto C

Establishes provision relating to emergency communication devices in ocean recreation. Provides that it shall be unlawful to operate in the waters of the State beyond 1 mile of shore, any vessel required to be registered by the State or documented by the US Coast Guard, or manual or sailed propelled vessel not required to be registered by the State or documented by the US Coast Guard unless the vessel or watercraft is equipped with properly functioning fixed mount or handheld marine VHF-FM radio (156-162 MHz band) or emergency position indicating radio beacon. Excludes canoes, thrill craft, surfboards, and paddleboards. Provides that kayaks and training sailboats shall be exempt when accompanied by at least 1 vessel that complies. -- SB0042 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0044 SD2 (SSCR 881)

RELATING TO TRANSPORTATION.

Introduced by: Kawamoto C, Espero W, Kanno B

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 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

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arriving during the period of time, the official may modify any terms of the contract by granting rent relief by waiving guaranteed rents and collecting. Provides that if a public airport concession requests economic relief and the State does not provide relief or if the State and concessionaire cannot agree as to the amount of such relief, the State shall provide relief to the concession, that will allow it to break even and the amount shall be determined by a sole arbitrator who shall be a certified public accountant who shall base the decision in accordance with generally accepted accounting principals. Provides that the period of relief shall end when for 3 consecutive months the average gross monthly receipts is equal to or greater than the average gross monthly receipts computed and used for the 6 months or less prior to the start of the relief period. 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. Requires a monthly report 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. -- SB0044 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0051 RELATING TO COMMERCIAL DRIVER'S LICENSES.
Introduced by: Kawamoto C, Chun Oakland S
Amends provisions relating to commercial motor vehicle driver's license. Requires the director of transportation to establish a screening process including approval by a licensed physician to grant an intrastate waiver to persons who are not physically qualified (insulin users). -- SB0051
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0058 SD1 (SSCR 671) RELATING TO SCHOOL REPAIR AND MAINTENANCE.
Introduced by: Sakamoto N, Chun Oakland S, Hooser G
Appropriation to the department of accounting and general services as a grant in aid to Hawaii 3R's for the school repair and maintenance fund and for a position to coordinate the public and private efforts to repair and maintain public schools. Allows the comptroller to employ the coordinator, who shall be exempt from civil service laws. Allows the governor to modify the provisions of this Act and promptly report to the legislature. (\$\$) -- SB0058 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0060 RELATING TO SCHOOL ASSESSMENT LIAISONS.
Introduced by: Sakamoto N
Appropriation to the department of education for an additional 20 full time equivalent (20.00 FTE) school assessment liaison positions. Report to the legislature concerning the effectiveness of school assessment liaisons in helping schools to meet the adequate yearly progress benchmarks required by the No Child Left Behind Act of 2001. (\$\$) -- SB0060
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0062 SD1 (SSCR 494) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Sakamoto N
Amends provision relating to membership of employees holding more than 1 position, appointment or office. Provides that any faculty member, lecturer, or administrative, professional, and technical employee of the university of Hawaii with multiple part time appointments or positions shall be based on an aggregate of all such part time appointments or positions not to exceed 1 full time position for membership in the employee's retirement system. Provides that the sum total of the compensation, pay, or salary received from the positions shall not, exceed an amount equal to the highest of the full time compensation, pay, or salary for any 1 of the part time appointments or positions. Provides that if any existing or former faculty member, lecturer, or administrative, professional, and technical employee of the university of Hawaii system who holds or held multiple part time appointments or positions prior to the effective date of this Act was reported by the university of Hawaii system to the system as eligible for membership in the system, the system shall not adjust its records for, or reduce the benefits of, such employee by reason of the failure of such employee to meet system membership eligibility requirements without aggregation of multiple part time appointments or positions. Provides that faculty, lecturers, administrative, professional and technical employees employed on 1 or more campuses of the university of Hawaii who hold multiple part time appointments or positions shall be exempt when the

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appointments or positions added together aggregate to at least 1 half full time equivalent positions from provisions allowing the employees retirement system board of trustees to deny membership to part time or temporary employees. -- SB0062 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0065 SD2 (SSCR 964)

RELATING TO AGRIBUSINESS INCUBATORS.

Introduced by: Sakamoto N

Appropriation to the university of Hawaii for the development of the agribusiness incubator initiative. (\$\$) -- SB0065 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0069 SD1 (SSCR 579)

RELATING TO THE TEACHER EDUCATION COORDINATING COMMITTEE.

Introduced by: Sakamoto N

Amends provisions relating to the teacher education coordinating committee to include a representative of the Hawaii teacher standards board. -- SB0069 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0075 SD2 (SSCR 915)

RELATING TO EDUCATION.

Introduced by: Sakamoto N

Establishes a state P-20 (P 20, life long learning) council to facilitate collaboration and innovation and to assist the president of the university of Hawaii, the superintendent of education, and the executive director of the Good Beginnings Alliance and their respective boards in advocating for the resources needed to carry out P-20 projects. Act to be repealed on June 30, 2007 (sunset). -- SB0075 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0078 SD2 (SSCR 987)

RELATING TO ELDER ABUSE.

Introduced by: Baker R, Fukunaga C, Chun Oakland S, Ihara L

Establishes provision relating to civil penalties and remedies within the department of human services for dependent elder abuse. Authorizes the attorney general to bring civil action against any person who commits abuse of a dependent elder, to prevent, restrain, or remedy such conduct. Allows a dependent adult or guardian of the dependent adult who suffers abuse, or the estate of the dependent adult who has died as a result of the abuse to bring action for damages against a caregiver who commits the abuse. Requires the person against whom the action is brought to be liable for up to 3 times the amount of damages sustained plus attorneys' fees and costs. Defines neglect to mean the failure to exercise that degree of care toward a dependent adult which a reasonable person with the responsibility of a caregiver would exercise, including assistance with personal hygiene; failure to provide provisions of necessary food, shelter, clothing, and health care; failure to prevent malnutrition or dehydration; or self neglect, or the failure of a dependent elder to satisfy the needs for oneself as a result of poor cognitive functioning, mental limitation, substance abuse, or chronic poor health. -- SB0078 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0085

RELATING TO TRANSPORTATION.

Introduced by: Kawamoto C

Amends provisions relating to racing on highways. Provides that for 2nd and 3rd offenses a vehicle owned by the defendant or by the defendant's parents or legal guardians if the defendant is a minor used in the commission of the offense and used in a prior offense that resulted in a conviction may be ordered by the court to be subject to forfeiture under the under criminal forfeiture law. -- SB0085

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0088 SD1 (SSCR 972)

RELATING TO MOTOR VEHICLES OWNED BY MILITARY PERSONNEL.

Introduced by: Kawamoto C, Espero W

Amends provision relating to a member of the armed forces and the removal of a motor vehicle from the island. Provides that a member of the armed forces of the US under contract with an out of state dealer or financial institution identified as lien holder of record on a vehicle registration or vehicle title may remove the vehicle from the State without the consent of the seller. -- SB0088 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

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- SB0091 SD2 (SSCR 776) RELATING TO HIGHWAYS.
Introduced by: Kawamoto C, Espero W, Aduja M
Establishes provisions for the removal of obstructions. Allows the department of transportation to move or remove personal property that is on or within a state highway without notice to or consent from the owner, carrier, or any other person if the department determines that the property blocks the highway, interferes with traffic, or endangers public health or safety, unless requested by the police to preserve a crime or an accident scene. Allows the department to expend funds out of the highway fund. Provides that neither the State nor the department and its officers and employees shall be liable for damage or claims of alleged damage to personal property resulting from the exercise or failure to exercise the authority. Requires the owner or other person or entity responsible for the personal property removed or moved to be jointly and severally responsible for reimbursing the department for the costs of removal or disposition. -- SB0091 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0094 SD2 (SSCR 947) RELATING TO CIVIL SERVICE.
Introduced by: Kanno B
Provides that certain employees within the department of land and natural resources historic preservation division, division of state parks, water commission and land division shall be granted civil service status and subject to civil service and collective bargaining laws. Further provides that an officer or employee of the State whose position is converted to a civil position as a consequence of this Act shall become a civil service employee without the loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefits or privileges and without the necessity of examination provided that the officer or employee possesses the minimum qualifications for the position to which transferred or appointed. -- SB0094 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0205 SD3 (SSCR 719) RELATING TO EMPLOYMENT.
Introduced by: Hanabusa C
Amends provision relating to paid leave; education or health of children. Provides that employees shall be eligible for at least 4 hours of paid leave from work per year to attend personal matters involving the education or health of their children including, but not limited to, attending parent teacher conferences and other school or health related meetings or activities that are important for the child's well being; provided that the time off shall not be credited against vacation or sick leave benefits. -- SB0205 SD3
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0209 SD3 (SSCR 673) RELATING TO PUBLIC EMPLOYMENT.
Introduced by: Hanabusa C
Appropriation to the department of education for the conversion of 10 month certificated positions to 12 month positions, as needed, for multi track schools. (\$\$) -- SB0209 SD3
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0235 SD3 (SSCR 882) RELATING TO GOVERNMENT.
Introduced by: Hanabusa C
Provides an income tax credit for qualified costs incurred in the development of law enforcement, emergency medical services, and public safety training facilities at Kalaeloa, Oahu, for qualified costs incurred after December 31, 2003 and before January 1, 2010 (sunset). -- SB0235 SD3
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0248 SD3 (SSCR 655) RELATING TO THE CONVENTION CENTER.
Introduced by: Hanabusa C
Amends provision relating to the transient accommodations tax. Increases the amount of revenues that may be deposited into the convention center enterprise special fund from 31 million to 34 million dollars. -- SB0248 SD3
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0254 SD2 (SSCR 873) RELATING TO AGRICULTURE.
Introduced by: Hanabusa C

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Amends Act 259, session laws of 2001, relating to the state budget, as amended by Act 3, 3rd special session of 2001, and by Act 177 session laws of 2002, by amending item A - 4C of AGR 141 in section 91 for fiscal year 2002 - 2003 to include appurtenant works. -- SB0254 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0255 SD2 (SSCR 772)

RELATING TO AGRICULTURE.

Introduced by: Hanabusa C

Establishes provision relating to private restrictions on agricultural uses and activities; not allowed. Provides that agricultural uses and activities on lands classified as agricultural shall not be restricted by any private agreement contained in any deed, lease, agreement of sale, or other conveyance of land. Provides that any such private restriction limiting or prohibiting agricultural use or activity shall be void or voidable by the person who is occupying and using the land classified as agricultural, except that restrictions taken to protect environmental or cultural resources shall not be void or voidable. -- SB0255 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0295 SD1 (SSCR 748)

RELATING TO MOTOR VEHICLE TOWING.

Introduced by: Espero W

Establishes provision relating to regulation of towing operations. Provides that the council of any county may adopt and provide for the enforcement of ordinances regulating towing operations. Amends provision relating to vehicles left unattended on private and public property; sale or disposition of abandoned vehicles. Repeals provision allowing each county to enact criminal sanctions. -- SB0295 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0296 SD1 (SSCR 348)

RELATING TO ETHICS.

Introduced by: Espero W, Chun Oakland S

Establishes provision relating to mandatory ethics training program. Provides that all legislators, elected members of the board of education, trustees of the office of Hawaiian affairs, governor, lieutenant governor, and executive department heads and deputies shall take ethics training courses administered by the state ethics commission. Excludes any other officer or employee of the state. Requires the commission to design, supervise, and conduct a program of ethics training. Provides criteria. -- SB0296 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0299 SD1 (SSCR 651)

RELATING TO STANDARDS OF CONDUCT.

Introduced by: Espero W

Amends provision relating to requirements of disclosure. Provides that any person required to file a disclosure of financial interest who has filed a form earlier in the year shall not be required to file another disclosure during that calendar year unless the person's financial condition has changed since the previous filing. -- SB0299 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0302

RELATING TO MOTOR VEHICLE REGISTRATION.

Introduced by: Espero W

Amends provisions relating to motor vehicle registration to allow pro rated refunds for an unexpired certificate of registration that is surrendered to the county director of finance. -- SB0302

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0312 SD2 (SSCR 948)

RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND.

Introduced by: Kawamoto C, Kanno B

Amends provision relating to the Hawaii public employees health fund. Requires that the health benefits plans for retired employees shall provide, pay for, arrange for, or reimburse the cost of hospitalization, surgery, medical, dental, treatment, and care, and may include prescribed drugs, medicines, prosthetic appliances, hospital in patient and out patient service benefits, vision treatment and care, medical, and dental benefits. Amends provision relating to supplemental plan to coverage under federal medicare shall be paid for by the fund. -- SB0312 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

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- SB0317 SD2 (SSCR 884) MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION.
Introduced by: Kawamoto C, Sakamoto N
Appropriation to the department of defense to carry out the functions of the 50th anniversary commemoration of the Korean War commission. (\$\$) -- SB0317 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0318 SD1 (SSCR 885) RELATING TO GOVERNMENT.
Introduced by: Kawamoto C
Amends Act 90, session laws of 2001, relating to privatization. Provides that prior to contracting with a private entity for services, the contracting agency shall attempt to obtain the services through a public private managed competition system pursuant to authority of counties and the office of collective bargaining and managed competition. Changes office of collective bargaining to include managed competition. -- SB0318 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0319 SD2 (SSCR 659) RELATING TO COUNTIES.
Introduced by: Kim D
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 that a food establishment that is required to recycle food waste may combine the waste with that of other establishments, or may separately collect and recycle its own food waste. 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. Provides that a county with a population of 500,000 or greater may request an exemption, based on a determination by the state department of health that a county does not have the recycling capacity to meet requirements. Requires the department of health to review all county exemptions annually and determine recycling capacity. Appropriation to the department of health and allocated to the agency in each county responsible for solid and liquid waste management recycling. (\$\$) -- SB0319 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0325 RELATING TO SPECIAL PURPOSE REVENUE BONDS.
Introduced by: Bunda R
Authorizes the issuance of special purpose revenue bonds to assist the Queen's health systems, a Hawaii nonprofit corporation, and 1 or more of its nonprofit affiliates, to finance the costs of construction of, improvements to, and equipping of health care facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB0325
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0327 SD1 (SSCR 792) RELATING TO THE STATE PROCUREMENT OFFICE.
Introduced by: Sakamoto N
Requires the state procurement office to report to the legislature on the status of public hearings. -- SB0327 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0337 SD1 (SSCR 320) RELATING TO THE MANAGEMENT OF SCHOOL FACILITIES.
Introduced by: Sakamoto N
Amends provisions relating to prioritization of school repair and maintenance by replacing business and fiscal officer with complex area administrative services manager and increases the number of positions to 15. Appropriation to the department of education to establish 15 full time equivalent (15.00 FTE) complex area administrative services manager positions, 1 for each complex area superintendent, by converting 8 temporary, full time equivalent (8.00 FTE) business and fiscal officer positions into 8 permanent, full time equivalent (8.00 FTE)

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complex area administrative services manager positions, and creating 7 permanent, full time equivalent (7.00 FTE) complex area administrative services manager positions, and by converting 42 full time equivalent (42.00 FTE) business assistant positions from temporary status to permanent status, provided that these business assistant positions report to the complex area facility managers. Appropriation for a management or engineering consultant to study and validate the existing school repair and maintenance backlog in the department of education. Report to the legislature, comptroller, and superintendent by consultant. (\$\$)
-- SB0337 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0339 SD1 (SSCR 561)

RELATING TO EDUCATION.

Introduced by: Sakamoto N

Establishes a temporary council on educational data and accountability indicators attached to the research corporation of the university of Hawaii to develop an independent set of measurable and understandable educational indicators designed to assist state policy makers in understanding the status and effectiveness of education finance, education personnel, education organizational structures, student outcomes, and preschool through grade 20 school, complex, and campus achievements and outcomes of Hawaii's public educational institutions, including the department of education and the university of Hawaii system. Reports to the legislature, governor, the chair of the board of education, the chair of the board of regents, the superintendent of education, the dean of the college of education, and the state auditor. Allows the council to hire an executive director who shall be exempt from civil service laws. Appropriation to the research corporation of the university of Hawaii for the hiring of necessary staff and other operational expenses and to the university of Hawaii, Hawaii educational policy center for technical support. (\$\$) -- SB0339 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0342

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANAHAUOLI SCHOOL.

Introduced by: Sakamoto N

Authorizes the issuance of special purpose revenue bonds to assist Hanahauoli school to finance the construction and improvement of its educational facilities and the acquisition of land for future school needs. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB0342

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0343

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY.

Introduced by: Sakamoto N

Authorizes the issuance of special purpose revenue bonds to assist Chaminade university of Honolulu to refinance, acquire, construct, and furnish its educational facilities, undertake improvements to and acquire furnishings for its existing facilities, as well as procure professional planning services. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB0343

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0344 SD2 (SSCR 886)

RELATING TO PUBLIC SHELTERS.

Introduced by: Sakamoto N

Authorizes the issuance of general obligation bonds for appropriation to the department of defense to increase the number of public shelters available by retrofitting public buildings with the installation of hurricane preventive measures. Requires the department of defense to coordinate all work performed with the state or county agency having responsibility for the repair, maintenance, and upkeep of any public building to be retrofitted. Allows any portion of the appropriations to be used to match federal hazard mitigation funds. (\$\$) -- SB0344 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0345 SD1 (SSCR 285)

RELATING TO MOTOR VEHICLES.

Introduced by: Menor R, Sakamoto N

Amends provision relating to requirements for motor vehicle dealer's and auction's license.

SENATE BILLS WHICH PASSED THIRD READING

Redefines dealer to include any person who sells 3 or more vehicles within a calendar year.
-- SB0345 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0353 SD1 (SSCR 562)

RELATING TO EDUCATION.

Introduced by: Sakamoto N

Amends provisions relating to the department of education budget by repealing school based budgeting program EDN 100 and comprehensive school support services program EDN 150 and establishing school complex budgeting. -- Establishes a general fund minimum appropriation for education. Requires the board of education to develop and implement an integrated financial management system based upon amounts allocated to and expended by each school complex. Further requires the department to develop and implement a statewide biennial education budget. Amends provisions relating to department of education regional administrative services to school complex administration. Repeals school based budget flexibility, school budget, general fund, school priority program, and distribution of resources. -- Amends provision relating to deputies or assistants to department heads. Establishes that the salary of the superintendent of education shall be set by the board of education. Authorizes the superintendent to appoint a deputy superintendent and assistants at a salary level set by the board. -- Establishes provisions relating to parent teacher conferences parental leave for participation. -- Requires the department to establish school complex units. -- Amends family leave to family and other leave and includes provisions relating to parent teacher conferences and parental leave for participation. -- Establishes community partnerships with public schools. Authorizes any individual public school or school complex to participate in a partnership with a community based organization or private business offering donated instructional goods and services to an individual school or school complex. Prohibits reductions or restrictions to be made by the legislature, the governor, the board of education, or the superintendent of education to general or federal fund appropriations, allotments, or allocations due to the receipt by an individual public school or school complex of donated instructional goods and services. -- Establishes a statewide community partnerships coordinating council within the department of education to annually report to the legislature, board of education, and superintendent of education of the activities of the council and data showing the numbers and types of active community partnerships operating within each school complex. -- Establishes provisions relating to student access to information technology. Requires the superintendent of education to develop and implement a systemwide information technology plan to ensure that all public school students will become progressively competent in the use of computer technology. -- Establishes quality schools and teachers; rewards and assistance. Requires each individual school and school complex to be eligible for annual rewards or assistance based upon achievement of their annual performance goals. -- Establishes a joint education finance task force to discuss issues related to the financing of the kindergarten through grade 12 public education system. Reports to the legislature, the board of education, and the governor. -- SB0353 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0354 SD2 (SSCR 920)

RELATING TO ENERGY.

Introduced by: Kawamoto C (BR)

Extends the sunset date for the tax credits relating to heat pumps and ice storage system from July 1, 2003 to July 1, 2008 (sunset) and changes the amount of the credits. -- SB0354 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0358 SD1 (SSCR 874)

RELATING TO ECONOMIC DEVELOPMENT.

Introduced by: Fukunaga C, Ige D, Aduja M

Establishes provision relating to corporation; designated qualified high technology business. Provides that any professional investigator that invests in the Hawaii development corporation by depositing money into the Hawaii strategic development corporation fund for use by the corporation shall be considered a taxpayer that has invested in a qualified high technology business. -- SB0358 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0359 SD2 (SSCR 965)

RELATING TO FILM INDUSTRY.

Introduced by: Fukunaga C, Ige D, Aduja M, Ihara L

SENATE BILLS WHICH PASSED THIRD READING

Changes the motion pictures and film production income tax credits to up to 15 per cent of the 1st 25,000 dollars of the wage and salary of each employee of the taxpayer. Provides that motion pictures and film production shall include commercials that advertise products and services. Requires the Hawaii television and film development board with participation from Hawaii's broader film and media industry, to review, analyze, and propose recommendations on possible tax or other incentives that may be enacted and implemented to encourage the acquisition, utilization, and local availability of television and movie production equipment in the State. Report to the legislature. -- SB0359 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0360

RELATING TO REUSABLE RESOURCE CENTER.

Introduced by: Fukunaga C, Chun Oakland S, Ihara L

Establishes provisions relating to the reusable resource center. Requires the department of education to provide for the establishment and ongoing operation of a reusable resource center to collect and distribute clean, safe, and new or recycled materials in a central location in each county to be located on state property, to be used by teachers, parents, and others for creative learning in classrooms, homes, and in the community, including schools, day care centers, Head Start program, colleges and universities, and theaters and museums, and to serve as a place where teachers and others in the community can come together to obtain materials and exchange ideas. Appropriation. (\$\$) -- SB0360

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0361 SD2 (SSCR 932)

RELATING TO THE WEED AND SEED PROGRAM.

Introduced by: Fukunaga C, Chun Oakland S, Kim D, Sakamoto N

Establishes a temporary interdepartmental council convened by the governor and attached to the lieutenant governor's office to contract with private nonprofit corporations to coordinate policy, disburse public funds, and implement community plans related to the Hawaii weed and seed program. Appropriation to the lieutenant governor to fund weed and seed programs and to fund grant writing services to pursue federal grants and other funding for substance abuse treatment services, homeless housing construction, employment and rehabilitative services, and neighborhood restoration. (\$\$) -- SB0361 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0363

RELATING TO EXPERIMENTAL MODERNIZATION PROJECTS FOR COUNTY BOARDS OF WATER SUPPLY.

Introduced by: Kawamoto C

Amends provision relating to experimental modernization projects for county boards of water supply. Provides that any county board of water supply serving a population of 500,000 or more persons shall be deemed a jurisdiction for the purposes of establishing an experimental modernization project. Provides that with or without approval from the chief executive, the director of any qualifying board of water supply may conduct an experimental modernization project to determine whether specific changes in its human resource program would result in a more desirable program for the jurisdiction. Further provides that if modification or waiver of any provision in a collective bargaining agreement is necessary to conduct a project under this provision, the representatives of the qualifying board of water supply and the exclusive representative must agree in writing to the modification, waiver or new provision before the project is implemented. -- SB0363

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0368

RELATING TO CRIMINAL PROPERTY DAMAGE.

Introduced by: Kawamoto C (BR), Kanno B

Amends provision relating to criminal property damage. Provides that a person commits the offense of criminal property damage in the 1st degree if the person intentionally or knowingly damages property and thereby recklessly places another person in danger of death or bodily injury; or intentionally or knowingly damages the property of another, without the owner's consent in an amount exceeding 20,000 dollars. Provides that a person commits the offense of criminal property damage in the 2nd degree if the person intentionally or knowingly damages the property of another without the owner's consent, by the use of widely dangerous means; or intentionally or knowingly damages the property of another, without the owner's consent in an amount exceeding 1,500 dollars. -- SB0368

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SENATE BILLS WHICH PASSED THIRD READING

- SB0373 SD1 (SSCR 609) RELATING TO CONDOMINIUM PROPERTY REGIMES.
Introduced by: Menor R
Amends provision relating to condominium property regimes by providing that the mortgagee of record or other purchaser of the apartment shall be deemed to acquire title and shall be required to pay the apartment's share of common expenses and assessments beginning 60 days after the hearing at which the court grants the motion to confirm the sale to the purchaser, or 30 days after the auction in a nonjudicial power of sale foreclosure, unless a party to the foreclosure action declares bankruptcy or is involuntarily placed into bankruptcy, a party to the hearing of the foreclosure action requests reconsideration of the motion to confirm sale, a party to the hearing of the foreclosure action subsequently objects to the form of the order to confirm sale, or a party to the hearing or foreclosure action appeals the decision of the court to grant the motion to confirm the sale. -- SB0373 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0374 SD1 (SSCR 749) RELATING TO REAL ESTATE.
Introduced by: Menor R (BR)
Amends provision relating to real estate. Provides that property owned in common by members of an owner's association but not specifically used as commercial property, industrial property, multi unit residential property, other residential property, agricultural property or rural property shall be subject to de minimis structure discrepancy tolerance of the abutting property on which the improvement is situated in part. -- SB0374 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0376 SD2 (SSCR 865) RELATING TO ART.
Introduced by: Trimble G
Establishes provisions for the foundation on culture and the arts to implement the sale of art in state offices. Provides criteria. Amends provision relating to works of art special fund. Provides that the works of art special fund may be used to purchase books, other library resources, and works of literacy art for the Hawaii state public library system. -- SB0376 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0377 SD1 (SSCR 957) RELATING TO TAXATION.
Introduced by: Hanabusa C, Kawamoto C, Kim D, English J, Kanno B
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, 2003 and before January 1, 2010 (sunset). Provides that the tax credit shall be equal to the qualified costs incurred in the previous taxable year for any 1 or more years in the 6 consecutive taxable years up to a maximum of ____ dollars of credits for all qualified taxpayers for all 6 years. 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. -- SB0377 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0378 SD1 (SSCR 777) RELATING TO ACCRETED LANDS.
Introduced by: Hanabusa C, Chun Oakland S, English J
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 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. -- SB0378 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0381 SD2 (SSCR 694) MAKING AN APPROPRIATION FOR THE PAYMENT OF DAMAGES FOR HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS.
Introduced by: Hanabusa C, Chun Oakland S, English J
Appropriation to the department of commerce and consumer affairs for payment of monetary

SENATE BILLS WHICH PASSED THIRD READING

damages to claimants whose claims have been adjudicated by the Hawaiian home lands trust individual claims review panel. (\$\$) -- SB0381 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0386

RELATING TO UTILIZATION OF FEDERAL FUNDS.
Introduced by: Hanabusa C, Kawamoto C, Chun Oakland S, English J
Establishes provision relating to federal grants in aid; governor and director of finance not to restrict. Prohibits the governor and the director of finance from restricting any state agency's ability to expend federal grant moneys if the granting federal agency has already approved the expenditure of funds as provided in the state agency's grant application. Provides that any modification of the amount expended by the state agency of federally granted funds to be agreed to by the granting federal agency and the state agency authorized under the grant to expend the funds shall not require the governor's or director of finance's approval. -- SB0386
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0390

RELATING TO EXPUNGEMENT.
Introduced by: Hanabusa C (BR)
Amends provision relating to expungement by providing that the court may issue an order to expunge a juvenile arrest record if the person was counseled and released by the police and the person is an adult. -- SB0390
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0394

RELATING TO CONDOMINIUM PROPERTY REGIMES.
Introduced by: Menor R (BR)
Amends Act 39 session laws of 2000 relating to condominium property regimes by changing the sunset date to December 31, 2007. Amends provision relating to priority of lien by providing that a person who subsequently purchases the delinquent apartment shall be obligated to make, and shall be liable for, payment of the special assessment on the condition that the association of apartment owners provides at no charge a notice of the association's intention to claim a lien against the delinquent apartment for the amount of the special assessment. Further provides that the notice shall state the amount of the special assessment, how the amount was calculated, including but not limited to the month or months of unpaid assessments, and the legal description of the apartment. -- SB0394
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0395 SD1 (SSCR 172)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HO'ALA SCHOOL.
Introduced by: Sakamoto N
Authorizes the issuance of special purpose revenue bonds to assist e ducere, inc., dba Ho'ala (Hoala) School, a Hawaii corporation, to finance or refinance the planning, acquisition, construction, and improvement of Hoala school's facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB0395 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0396 SD1 (SSCR 762)

RELATING TO CHARTER SCHOOLS.
Introduced by: Sakamoto N
Establishes provisions relating to the establishment of residency for e charter school. Allows a student who is 18 years of age or older to enroll in an e charter school if the student physically resides within the State or the student's parents or guardians reside within the State, or the student's parents or guardians are residing within the State while serving in the armed forces of the US. Defines an e charter school as a new century charter school in which the primary medium of instruction between teacher and student is long distance communication done by computer or other electronic device. -- SB0396 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0397

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MID-PACIFIC INSTITUTE.
Introduced by: Sakamoto N
Authorizes the issuance of special purpose revenue bonds to assist Mid Pacific Institute to

SENATE BILLS WHICH PASSED THIRD READING

finance and refinance the planning, acquisition, construction, and improvement of its educational facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB0397

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0399 SD2 (SSCR 888)

RELATING TO THE COMSTAT PROGRAM.

Introduced by: Sakamoto N

Requires the Honolulu police department to upgrade its networking system to establish and implement a COMSTAT (computer statistics) pilot law enforcement program. Appropriation to the city and county of Honolulu as a grant in aid for the establishment of COMSTAT, provided that ____ dollars be expended to acquire an electronic fingerprint imaging system, and to enable the Honolulu police department to interface computer links with other county police departments in the State to develop a network for a statewide COMSTAT law enforcement program. (\$\$) -- SB0399 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0402 SD2 (SSCR 681)

RELATING TO MEDICAL EDUCATION.

Introduced by: Sakamoto N

Establishes provisions relating to the Hawaii medical education council. Requires the medical education council to conduct a comprehensive analysis of the health care workforce requirements of the State; conduct a comprehensive assessment of the State's health care training programs; recommend to the legislature and the board of regents of the university of Hawaii changes to health care training programs; work with entities and state agencies to develop and implement a plan to assure the adequate funding of health care training programs, including the submission of an application for a demonstration project to the Center for Medicaid and Medicare Services for receiving and disbursing federal funds; and seek funding from public and private sources to support the plan. Establishes the Hawaii medical education special fund into which all funds received by the council shall be deposited. Creates a graduate medical education program to be administered by the council in cooperation with the department of health. Provides that the program shall be funded from moneys received for graduate medical education. -- SB0402 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0420 SD1 (SSCR 835)

RELATING TO STATE FINANCES.

Introduced by: Hemmings F, Hogue B, Trimble G, Slom S, Whalen P

Repeals various special funds. Authorizes the director of finance to transfer funds from the petroleum products control fund, the Hawaii film facility special fund, the clean Hawaii fund, the homes revolving fund, the state disaster revolving loan fund, the Hawaii innovation development fund, the statewide planning and geographic information system special fund, the boiler and elevator safety revolving fund, the Waialua loan and subsidy account, and the irrigation water development special fund to the general fund. Provides that any revenues owing to the homes revolving fund shall be deposited into the dwelling unit revolving fund. Appropriation to the department of business, economic development, and tourism to operate the Hawaii film studio. (\$\$) -- SB0420 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0425 SD2 (SSCR 858)

RELATING TO HIGH TECHNOLOGY.

Introduced by: Ige D, English J, Aduja M, Fukunaga C, Ihara L

Establishes the Hawaii instrument pool to be administered by the Hawaii high technology development corporation. Provides that the instrument pool shall serve as a pool of high technology instruments that are available for lending and usage by qualified borrowers. Provides that individuals and entities that donate use of industry entry high technology instruments shall be eligible for a tax credit. Further provides that the development corporation shall not take possession of any qualifying instrument at any time and shall not be held liable for any injuries or damages resulting from the lending or use of any instrument from the Hawaii instrument pool. Provides a Hawaii instrument pool donation income tax credit for donating use of a qualifying instrument. -- SB0425 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0426 SD1 (SSCR 369)

RELATING TO ECONOMIC DEVELOPMENT.

Introduced by: Ige D, Fukunaga C, Aduja M, Ihara L, English J

SENATE BILLS WHICH PASSED THIRD READING

Amends provision relating to data or information collection. Provides that the director of business, economic development and tourism, in consultation and cooperation with all affected governmental agencies shall inventory all economic, demographic, environmental and social science data available from all government agencies and relevant data from other jurisdictions, including, to the extent practicable, data and indexes related to the high technology industry. Provides that the department of business, economic development and tourism shall disseminate the information collected and analyzed to government agencies and the public on a timely basis and shall create an internet website for government agencies and the public to serve as a single point of access to the data gathered. Further provides that the data shall be in a format that is easily accessible and manipulated to conduct comparisons, cross references and comprehensive analysis. -- SB0426 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0427 SD1 (SSCR 790)

RELATING TO GOVERNMENT RECORDS.

Introduced by: Ige D, Aduja M, Fukunaga C, Ihara L

Amends provision relating to copies of records, other costs and fees and changes it to copies of government records, fees and remote access. Provides that the cost of reproducing paper copies of any government record, except geographic information system digital data, shall not be more than 25 cents per page; provided that the document page size does not exceed 8 1/2 inches by 14 inches. Provides that the cost of reproducing any government record in an electronic format shall be reasonable and uniform between agencies. -- SB0427 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0435

RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS.

Introduced by: Ige D

Establishes provisions relating to other health plan options required. Provides that the board of trustees of the Hawaii employer union health benefits trust fund shall offer a flexible health benefit option plan which enables a retired employee beneficiary to select types and levels of health benefits coverage. Provides minimum requirements for the plan. Defines flexible health benefit option plan as a health benefits plan that enables employee beneficiaries to select levels of coverage under separate option categories which include medical, drug, dental, vision, and long term care. Amends provision relating to eligibility by requiring the board to allow an employee beneficiary whose spouse is not a public employee or retired beneficiary with the option to enroll their spouse in an individual health plan if the employee beneficiary has no unmarried, dependent children on the employee beneficiary's health benefits plan, or enroll in a family health plan if the employee beneficiary has at least 1 dependent, unmarried child that is to be covered under the employee beneficiary's health benefits plan. -- SB0435

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0442 SD1 (SSCR 24)

RELATING TO THE RIGHTS OF VICTIMS.

Introduced by: Slom S

Establishes provision relating to notification not required. Provides that victims, witnesses, and surviving immediate family members of crime victims may waive their rights by providing written notice to police and the prosecuting attorney. Further provides that the director of health, upon written request, shall give notice to each victim, witness, and surviving immediate family member of crime victims, of any unauthorized absence of any person placed in a facility or services contracted by or operated by the director, by the most reasonable and expedient means available. Defines major developments to include when the offender is acquitted or found unfit to proceed on the ground of physical or mental disease, disorder, or defect; following an acquittal or finding of unfitness to proceed, the offender is released or discharged from custody, or committed to the custody of the director of health for placement in an appropriate public or private institution; or when the offender has regained fitness to proceed, including the date on which the penal proceedings are to be resumed. Amends provision relating to rights of accused by providing that on request, victims, witnesses, and surviving immediate family members of crime victims shall have the right to be informed by the department of health of changes planned by the department in the custodial status of the offender that allows or results in the release of the offender into the community, including escape and final discharge. Amends provision relating to intergovernmental cooperation by including the department of health. -- SB0442 SD1

Current Status: Feb-11 03 Introduction/Passed First Reading - House

SENATE BILLS WHICH PASSED THIRD READING

Feb-11 03 Single Referral to JUD (586-8480)

- SB0455 SD1 (SSCR 860) MAKING AN APPROPRIATION TO THE FRIENDS OF WAIPAHU CULTURAL GARDEN PARK.
Introduced by: Kawamoto C, Espero W, Kanno B
Appropriation to the department of accounting and general services for the Friends of Waipahu Cultural Garden Park to provide for ongoing programs at Hawaii's Plantation Village. Requires dollar for dollar match by the Friends of Waipahu Cultural Garden Park and that no moneys be used for personnel costs. (\$\$) -- SB0455 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0456 RELATING TO CAMPAIGN ADVERTISING.
Introduced by: Kawamoto C
Amends provision relating to outdoor advertising. Repeals the exception to permit signs to be displayed as an outdoor advertising device urging voters to vote for or against any person or issue if erected not more than 45 days before, and removed not less than 10 days after the election. -- SB0456
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0457 SD1 (SSCR 809) MAKING AN APPROPRIATION FOR THE WAIPAHU COMMUNITY ADULT DAY HEALTH CENTER AND YOUTH DAY CARE CENTER PILOT PROJECT.
Introduced by: Kawamoto C, Espero W
Appropriation to the department of health for the 2 year operation of the Waipahu community adult day health center and youth day care center pilot project. (\$\$) -- SB0457 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0458 SD2 (SSCR 889) RELATING TO THE PROCUREMENT CODE.
Introduced by: Kawamoto C, Espero W, Sakamoto N, Kanno B
Amends provision relating to small purchases; prohibition against parceling to include construction procurements of less than 250,000 dollars. Amends provision relating to preference to bidders on state agency contracts. Provides that in any competitive sealed bidding or competitive sealed proposal contract for a public works project, preference shall be given to contractors that are incorporated under the laws of the State of Hawaii and who affirm, in the contract, the contractor's Hawaii state general excise tax license; the contractor's Hawaii state UC - 1 (report to determine liability under the Hawaii employment security law); the contractor's Hawaii state DC - 3 (disability compensation questionnaire); the contractor's Hawaii state form TDI - 62 (temporary disability insurance certificate); and a copy of the contractor's prepaid health insurance plan are available for immediate inspection by the purchasing agency and any other duly authorized representative of the State. Provides that any contractor found to have made a false affirmation under this provision may have its offer rejected and may be disbarred or suspended. -- SB0458 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0459 SD1 (SSCR 974) RELATING TO CAMPAIGN SPENDING.
Introduced by: Kawamoto C
Amends provision relating to campaign spending. Defines bundle to mean contributions received from an individual that was obtained because a corporation, person, labor organization, or entity, required said individual to contribute to a candidate or a candidate's committee and the contribution is directly or indirectly traceable to the corporation, person, labor organization, or entity directing the contribution. Provides that the definition of expenditure shall include any contribution made from a candidate or candidate committee's campaign fund to any community service, educational, youth, recreational, charitable, scientific, or literary organization, provided that such contribution clearly identifies that the purpose of said contribution is to influence the nomination and election of the candidate to a particular office. 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 contribution limits. Provides that no person or any other entity shall make contributions aggregating more than 25,000 dollars in any calendar year. Provides that any excess contribution may be returned to the original donor within 30 days from receipt or submitted to the Hawaii election

SENATE BILLS WHICH PASSED THIRD READING

campaign fund. Provides that after 30 days from receipt, all excess contribution shall escheat to the Hawaii election campaign fund. Repeals the consideration of payments made by a corporation, political party, or labor organization as a payment made by a single person or political party. 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 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. Provides that any person soliciting an employee for a contribution shall inform the employee at the time of the solicitation of the employee's right to refuse to contribute without reprisal. 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 changing it to campaign contributions; by government contractors; prohibitions. Provides that it shall be unlawful for any government contractor to make a contribution to any candidate or candidate's committee at any time commencing with any procurement activity conducted by a purchasing agency or notice of appropriation and ending with 24 months after the either the termination of procurement activity or completion of any government contract. Provides that it shall be unlawful for any business against whom debarment or suspension proceedings are commenced to make a contribution to any candidate or candidate's committee at any time during the course of the proceedings, an administrative or judicial action and the period of debarment or suspension. Provides that it shall be unlawful for any person to knowingly solicit any contribution from any government contractor or business prohibited from making contributions. Provides that to make contributions from any individual who owes less than 25 per cent of the outstanding shares of a business that is a government contractor, provided that the contribution is from the individual's personal funds shall not be prohibited. 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 the Hawaii election campaign fund. Further provides that any person who knowingly or intentionally falsifies any report required with the intent to circumvent the law or deceive the commission shall be guilty of a class C felony. Repeals provisions relating to fundraisers and fundraising activities. -- SB0459 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0460

RELATING TO DUNE BUGGIES.

Introduced by: Kawamoto C (BR)

Amends provisions relating to special interest motor vehicles to include dune buggy replica vehicle assembled from a manufactured kit. Establishes provisions for certificate of title and state vehicle identification number. -- SB0460

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0463 SD2 (SSCR 778)

RELATING TO KAHO'OLAWE ISLAND RESERVE.

Introduced by: Kawamoto C, Aduja M

Amends provision relating to responsibilities and duties of the Kaho'olawe (Kahoolawe) island reserve commission. Provides that the commission shall provide the legislature with a master plan, by August 1, 2003, describing the commission's intentions for managing the reserve upon the transfer of administrative control of the island to the commission from the US Navy. -- SB0463 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0464 SD2 (SSCR 890)

RELATING TO IMPLEMENTATION OF A FIXED RAIL TRANSIT SYSTEM.

Introduced by: Kawamoto C, Espero W, Kanno B

Requires the department of transportation in conjunction with the Oahu Metropolitan Planning Organization and the department of transportation services of the city and county of Honolulu to develop an action plan for the implementation of a fixed rail transit system for Oahu. Report to the legislature. -- SB0464 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0469

RELATING TO EMPLOYMENT PRACTICES.

Introduced by: Hanabusa C, Espero W

Provides that it shall be an unlawful discriminatory practice for any employer to include in an

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employment document or agreement mandated as a condition of hiring or continued employment, any provision that interferes with the protected right of an employee or prospective employee to file a charge, provide information, or participate in any manner in an investigation, hearing, trial, or other proceeding, or to relinquish any right, protection, or remedy provided under the civil rights commission or employment practices laws. -- SB0469
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0473 SD1 (SSCR 544)

RELATING TO HALFWAY HOUSES.

Introduced by: Hanabusa C, Espero W

Amends provision relating to county zoning. Defines an intermediate care facility or mental retardation community to be an identifiable unit providing residence and care for 8 or fewer mentally retarded individuals, to provide health, social, and rehabilitation services through an individually designed active treatment program for each resident. Further provides that no person who is predominately confined to bed shall be admitted. Further provides that no permit shall be issued by a county agency for the operation of a group living facility for people who have been under supervised release from a correctional facility, institution for mental health, or are receiving substance abuse or sex offender treatment, unless a public informational meeting is held in the affected community. -- SB0473 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0474 SD2 (SSCR 695)

RELATING TO THE AUDITOR.

Introduced by: Hanabusa C

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 by anyone other than the auditor, the auditor's staff, or agents of the office of the auditor, and that personally identifiable data shall be destroyed when no longer needed for audit, evaluation, or enforcement of federal or state legal requirements. -- SB0474 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0477 SD1 (SSCR 696)

RELATING TO THE HAWAIIAN HOME LANDS COMMISSION ACT.

Introduced by: Hanabusa C, English J

Amends the Hawaiian homes commission Act relating to department officers, staff, commission, members and compensation to include attorneys. Provides that the department of Hawaiian home lands may hire 1 or more attorneys who are independent of the attorney general, to provide legal services for the department of Hawaiian home lands including representation for the department of Hawaiian home lands in civil actions, advice and assistance and review and approval of documents relating to the acquisition of land or interest in land by the department. Provides that the Hawaiian homes commission may fix the compensation of the attorneys hired. Exempts attorneys hired by the department of Hawaiian home lands from civil service and collective bargaining laws. -- SB0477 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0481 SD1 (SSCR 968)

RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY.

Introduced by: Menor R

Amends provisions relating to the motor vehicle rental industry. Defines direct commission to mean any compensation, bonus, award, or remuneration, that is calculated by means of a formula, process, evaluation, or other mechanism in which the amount of any compensation, bonus, award, or remuneration corresponds directly to the amount of sales of collision damage waivers. Excludes any compensation, commission, bonus, award, or remuneration to an employee that corresponds to the overall gross receipts of a sales location, where sales of collision damage waivers are 1 of many factors contributing to overall gross receipts. -- SB0481 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

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- SB0482 SD1 (SSCR 969) RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY.
Introduced by: Menor R
Amends provision relating to unfair trade practices of the motor vehicle rental industry. Provides that it shall be a violation of unfair practice if the lessor charges the lessee more than the diminution in value of a vehicle if it is not repaired or declared a total loss. Further provides that unless such value or means for determining such value is agreed to between lessor and lessee, the diminution in value may be determined by a court of law or at an auction at which the lessee is invited and allowed to participate. -- SB0482 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0489 RELATING TO THE PUBLIC UTILITIES COMMISSION.
Introduced by: English J
Requires the legislative auditor to conduct a management audit of the public utilities commission. Report to the legislature and the governor. -- SB0489
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0492 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR ENERGY EFFICIENCY IN STATE FACILITIES.
Introduced by: English J, Fukunaga C, Baker R, Chun Oakland S
Authorizes the issuance of general obligation bonds for appropriation to the department of business, economic development, and tourism for sea water air conditioning (SWAC), wind energy system, solar thermal technologies system, photovoltaic system, and additional energy efficient measures. (\$\$) -- SB0492
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0498 SD2 (SSCR 794) RELATING TO THE PUBLIC UTILITIES COMMISSION.
Introduced by: English J, Hooser G, Chun Oakland S, Fukunaga C
Establishes that the public utilities commission shall maintain a web site that includes all decisions and orders issued by the commission, a list of all open dockets, a list of all upcoming commission meetings, and a list of all pending deadlines. Requires application forms filed with the commission to be submitted in portable document format (PDF) or in any other electronic format prescribed by the commission. Appropriation out of the public utilities commission special fund. (\$\$) -- SB0498 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0505 MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE.
Introduced by: English J, Chun Oakland S, Hooser G, Baker R, Tsutsui S
Appropriation to the research corporation of the university of Hawaii to continue the emergency environmental workforce established under Act 4, 3rd special session laws of 2001. Requires the department of land and natural resources, department of health, and department of agriculture to work with the research corporation. (\$\$) -- SB0505
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0506 RELATING TO GEOTHERMAL ROYALTIES.
Introduced by: English J, Hooser G
Amends provision relating to geothermal royalties. Provides that 250,000 dollars per year of the State's portion of the royalties from geothermal resources shall be allocated to the department of business, economic development, and tourism to fund hydrogen research and development as an alternative energy source. -- SB0506
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0516 SD2 (SSCR 709) RELATING TO KANEOHE BAY PIERS.
Introduced by: Aduja M
Amends Act 261 session laws of 2000, as amended by Act 68 session laws of 2002, relating to private noncommercial piers. Provides that in calculating lease rents for private residential noncommercial piers in Kaneohe Bay, the board of land and natural resources shall use a methodology that values the submerged land under the piers at no more than ____ per cent of the fast land's value. -- SB0516 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0527 RELATING TO LAND USE.

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- Introduced by: Inouye L
Provides that counties shall permit solar energy facilities in agricultural districts. -- SB0527
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0528 SD2 (SSCR 891) RELATING TO THE TRANSFER OF COUNTY LANDS AND IMPROVEMENTS.
Introduced by: Inouye L, Kokubun R
Appropriation to the department of land and natural resources to transfer lands and improvements under the department of education from the county of Hawaii to the State. (\$\$)
-- SB0528 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0534 SD2 (SSCR 710) RELATING TO AGRICULTURE.
Introduced by: Inouye L, Espero W, Chun Oakland S
Appropriation to the university of Hawaii for the continued development of high value agricultural products and a breeding program to provide new agricultural products, for the development of the agricultural incubator initiative, for the agricultural biotechnology research and outreach, for value added food processing and food safety, and for the integrated bioremediation research, instruction and extension program. Requires sums appropriated to be added to the base budget request of the university of Hawaii. (\$\$) -- SB0534 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0538 SD1 (SSCR 601) RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION.
Introduced by: Inouye L
Amends provision relating to the definition of public lands. Provides that lands which are set aside by the governor to the agribusiness development corporation, lands leased to the agribusiness development corporation by any department of the State or lands to which the agribusiness development corporation in its corporate capacity holds title shall be excluded from the definition of public lands. -- SB0538 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0540 SD1 (SSCR 711) MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT.
Introduced by: Inouye L, Espero W
Appropriation to the department of agriculture as a grant in aid to the Hawaii farm bureau federation for research, and for market development and pineapple research. (\$\$) -- SB0540 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0542 SD1 (SSCR 145) RELATING TO ORGANIC LABELING.
Introduced by: Inouye L, English J, Espero W
Establishes provision relating to organically produced agricultural products. Provides that the department of agriculture shall establish requirements for registration and recognition of certifying agents and establish requirements for labeling of organically produced products. Establishes exceptions to labeling of organically produced agricultural products. Provides that no agricultural product may be labeled 100 per cent organic, organic, or made with organic (specified food group(s)) or claimed in any other manner to be organic unless the product meets the labeling requirements as specified in Title 7 Code of Federal Regulations section 205 part D. Establishes penalties. -- SB0542 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0548 RELATING TO FIREARMS.
Introduced by: Inouye L
Amends provision relating to firearms. Provides that any person over the age of 16, or anyone under the age of 16 who is accompanied by an adult may carry a lawfully acquired rifle or shotgun with suitable ammunition while actually engaged in lawful hunting or target shooting. -- SB0548
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0549 SD1 (SSCR 769) RELATING TO THE STATE WATER CODE.
Introduced by: Inouye L
Amends provision relating to the delegation of allocation authority under the State water code. Provides that the commission on water resource management shall delegate to the

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county water agencies the authority to allocate the use of water for municipal purposes, subject to the limits of water supply allocated to the county water agencies in their role as water purveyors; and to the board of agriculture the authority to allocate the use of water for agricultural purposes subject to the limits of water supply allocated to the board of agriculture in its role as irrigation water purveyors under the irrigation water development and irrigation and water utilization projects law. -- SB0549 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0550 SD1 (SSCR 162)

RELATING TO AGRICULTURAL COMMODITIES.

Introduced by: Inouye L

Amends provision relating to ownership and movement of agricultural commodities certification. Provides that every person upon sale of any agricultural commodity or upon transportation of lots of any agricultural commodity of more than 200 pounds or with a value of at least 100 dollars that is marketed for commercial purposes shall complete a certificate. Provides that 2 copies of the certificate shall accompany the shipment and a copy shall be retained by the person completing the certificate. Excludes the retail sale of an agricultural commodity to the final consumer. Redefines agricultural commodity to include silviculture. Defines person to mean any individual, firm, corporation, partnership, or association. -- SB0550 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0552 SD2 (SSCR 629)

RELATING TO LANDOWNERS' LIABILITY.

Introduced by: Inouye L, English J

Establishes provision relating to landowner's liability. Provides that an owner of land owes no duty of care to keep the premises safe for entry or use by others for invasive species control or eradication programs, or to give warning of a dangerous condition, use, structure, or activity on such premises to persons entering for such purposes, or to personnel or volunteers of an invasive species control or eradication program. Establishes limited liability of owner. Defines invasive species to mean any plant, plant pest, noxious weed, microorganism, biological control organism, or animal that can directly or indirectly injure or cause damage to the agriculture, horticulture, aquaculture, and animal or public health, or the interests of irrigation, navigation, natural resources of the State, of the environment. -- SB0552 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0553 SD1 (SSCR 770)

RELATING TO CONTROL OR ERADICATION OF PESTS.

Introduced by: Inouye L

Amends provision relating to designation of pests; control or eradication of pests; emergency power. Repeals the specification of insects, mites, diseases and noxious weeds as pests. Provides that nothing in this provision shall be construed to interfere with or supersede lawful actions taken by any other individual or entity to control or eradicate pests. -- SB0553 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0554

RELATING TO BROWN TREE SNAKES.

Introduced by: Inouye L

Amends provision relating to importation or possession prohibited of soil, plants, animals, etc. Provides that the department of agriculture may bring into and maintain in the State 4 live sterile brown tree snakes instead of 1. -- SB0554

Current Status: Feb-19 03 Introduction/Passed First Reading - House

Feb-27 03 Single Referral to EEP/ AGR/ (586-8435)

SB0560 SD2 (SSCR 691)

RELATING TO SMALL BUSINESS DEVELOPMENT.

Introduced by: Inouye L

Appropriation to the university of Hawaii to support existing programs and to expand services at the small business development center. Report to the legislature by the small business development center. (\$\$) -- SB0560 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0562

RELATING TO TERMINABLE RENTAL ADJUSTMENT CLAUSE VEHICLE LEASES.

Introduced by: Inouye L

Establishes provisions relating to terminable rental adjustment clause vehicle leases.

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Provides that a transaction does not create a sale or security interest merely because it provides that the rental price is permitted or required to be adjusted under the agreement by reference to the amount realized upon sale or other disposition of a motor vehicle or trailer.

-- SB0562

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0574 SD1 (SSCR 795)

RELATING TO CAPTIVE INSURANCE.

Introduced by: Taniguchi B

Amends provisions relating to the captive insurance administrator to provide that the administrator shall report directly to the insurance commissioner. Appropriation to fund positions. (\$\$) -- SB0574 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0576

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Taniguchi B

Amends provisions relating to the university of Hawaii tuition and fees special fund. Repeals the provision which allows the board of regents of the university of Hawaii to authorize expenditures from the fund to generate private donations for deposit into the university of Hawaii foundation. -- SB0576

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0577

RELATING TO PUBLIC EMPLOYEES.

Introduced by: Taniguchi B, Kanno B

Amends provision relating to adjustments for excluded civil service employees. Provides that proposed adjustments to compensation and benefit packages for excluded civil service employees shall be equivalent or not less than adjustments provided within the employer's jurisdiction. -- SB0577

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0579 SD1 (SSCR 290)

MAKING AN APPROPRIATION FOR DEVELOPMENT OF A NON-EMERGENCY REPORT SYSTEM, KNOWN AS 3-1-1.

Introduced by: Taniguchi B, Kanno B, Chun Oakland S, Kawamoto C

Appropriation to the Honolulu police department for a grant in aid for the development of a non emergency report system, known as 311. (\$\$) -- SB0579 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0582

RELATING TO STATE BONDS.

Introduced by: Taniguchi B

Establishes debt limit on general obligation bonds. Authorizes the issuance of general obligation bonds for appropriation to finance projects authorized in the general appropriations Act of 2003 (state budget) and the judiciary appropriations Act of 2003 (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. (\$\$) -- SB0582

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0585 SD1 (SSCR 826)

RELATING TO STATE FUNDS.

Introduced by: Taniguchi B

Appropriation out of the Hawaii tobacco settlement special fund to be transferred from the department of health to the department of human services for children's health programs. (\$\$) -- SB0585 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0610 SD2 (SSCR 697)

RELATING TO INDIVIDUAL CLAIMS RESOLUTION UNDER THE HAWAIIAN HOME LANDS TRUST.

Introduced by: Hanabusa C

Establishes provision relating to special master to resolve claims; appointment. Provides that the department of Hawaiian home lands shall apply to the court seeking a court appointed special master to review, evaluate, and recommend damages for each individual beneficiary claim filed with the Hawaiian home lands trust individual claims review panel prior to its

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expiration on December 31, 1999, that has not been settled. Requires a report to the legislature and the governor. Provides that all claims under the jurisdiction of the special master shall not affect any class action lawsuit pending in court. Repeals the Hawaiian home lands trust individual claims review panel. Amends provision relating to immunity of panel members from liability by changing it to immunity of special master from liability. Amends provision relating to right to sue, individual claims by repealing the definition of an aggrieved individual claimant. Appropriation to the governor. (\$\$) -- SB0610 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0611 SD1 (SSCR 698)

RELATING TO COURT APPOINTED COUNSEL.

Introduced by: Hanabusa C

Amends provision relating to appointed court counsel. Provides that the court shall determine the amount of reasonable compensation to appointed council, based on the rate of ____ dollars an hour for both in court and out of court services. Provides that maximum fees for any felony case shall be ____ dollars and ____ dollars for any appeals to the supreme court or intermediate appellate court. -- SB0611 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0614 SD1 (SSCR 273)

RELATING TO HEALTH INSURANCE.

Introduced by: Hanabusa C

Establishes the health insurance fraud investigations unit in the insurance division to investigate complaints of health insurance fraud by health insurers. -- Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) to establish provisions relating to civil immunity for persons reporting fraud. Provides that a person shall not be subject to civil liability for providing information to the insurance commissioner, the National Association of Insurance Commissioners, any federal, state, or county law enforcement or regulatory agency, or another insurer, if the information is for preventing, investigating, or prosecuting insurance fraud. Appropriation out of the compliance resolution fund. (\$\$) -- SB0614 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0616

RELATING TO HATE CRIMES.

Introduced by: Hanabusa C (BR)

Defines gender identity to mean a person's actual or perceived gender, as well as a person's gender identity, gender related self image, gender related appearance, or gender related expression; regardless of whether that gender identity, gender related self image, gender related appearance, or gender related expression is different from that traditionally associated with the person's sex at birth. Amends provision relating to criteria for extended terms of imprisonment by providing that a convicted defendant may be subject to an extended term of imprisonment if the convicted defendant intentionally selects a victim because of actual or perceived hostility toward the gender identity or expression. Amends provision relating to the Hawaii criminal justice data center; civil identification by including gender identity or expression in the definition of hate crime. -- SB0616

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0617

RELATING TO CRIMINAL OFFENSES.

Introduced by: Hanabusa C

Requires the judicial council of Hawaii to convene a task force to engage in a comprehensive review of criminal charging procedures including differing charging procedures throughout the nation; applicable state statutes and rules from jurisdictions other than Hawaii; cost factors involved with various charging procedures used in other jurisdictions; evaluations of statutes and charging procedures and the anticipated impact of enacting similar laws in Hawaii; any other relevant issues. Requires a report to the legislature. -- SB0617

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0618 SD2 (SSCR 933)

RELATING TO CRIME VICTIM COMPENSATION.

Introduced by: Hanabusa C (BR)

Establishes provision relating to transfer by the crime victim compensation commission. Provides that if the crime victim compensation commission has ordered the payment of an award of compensation to a minor, the commission may make an irrevocable transfer of that award to an appropriate state agency, adult, or trust company as custodian for the benefit

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of the minor. -- Amends provision relating to employment of attorneys by including employment by the crime victim compensation commission for any action to recover payment of crime victim compensation special funds. -- Amends provision relating to definitions. Redefines victim to include a child or person who is 60 years of age or older who is a witness to a crime and in need of mental health services. -- Amends provision relating to powers and procedures of commission. Provides that the commission may hire private counsel to pursue repayment of crime victim compensation special funds from victims, dependents, or private citizens to whom compensation was paid from the crime victim compensation special fund, and who receive moneys from a related civil law suit, court ordered restitution, or insurance proceeds. -- Amends provision relating to eligibility for compensation. Provides that the commission in its discretion, upon application may order the payment of compensation in cases involving a death or sexual assault, for mental health services for the surviving relatives; or in case involving a crime enumerated in violent crimes, for mental health services to or for the benefit of a child witness, or a witness who is 60 years old or older. -- Further requires the judiciary to report to the governor and the director of public safety. -- Amends provision relating to escheat process by providing that any funds collected from payment of restitution shall be deposited to the credit of the crime victim compensation special fund. -- Amends provision relating to victim restitution by providing that any amount of restitution collected that is not payable to the victim because the victim cannot be located, shall be deposited to the credit of the crime victim compensation fund. -- SB0618 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0624 SD1 (SSCR 533)

RELATING TO INFORMED CONSENT.

Introduced by: Hanabusa C

Amends provision relating to informed consent. Authorizes, rather than requires, the board of medical examiners to establish standards for health care providers to follow in giving information to a patient, or to a patient's guardian, including legal surrogate. Provides that information shall be provided to the patient, the patient's guardian, or legal surrogate prior to obtaining consent for proposed medical or surgical treatment, or for a diagnostic or therapeutic procedure. Further provides that the information to be provided shall consist of the condition to be treated; a description of the proposed treatment or procedure; the intended or anticipated results of the proposed treatment or procedure; the recognized alternative treatments or procedures, including the option of not providing these treatments or procedures; the medically recognized substantial risks of serious complications or mortality with the proposed treatment procedure, the recognized alternative treatments or procedures; and not undergoing any treatment or procedure; and the recognized benefits of the proposed treatment or procedure, and the recognized alternative treatments or procedures. -- SB0624 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0630 SD1 (SSCR 635)

RELATING TO DISPOSITION OF CONVICTED DEFENDANTS.

Introduced by: Hanabusa C

Amends provision relating to intermediate sanctions; eligibility; criteria and conditions. Provides that the judiciary may assume supervision and control over a person committed to the custody of the department of public safety if the person qualifies for the track IV phase of a drug court program. Amends provision relating to place of imprisonment. Provides that the director of public safety shall determine the proper program of redirection and any place of confinement of the committed person provided that the courts may assume supervision and control over a committed person qualifying the track IV phase of a drug court program. -- SB0630 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0632 SD2 (SSCR 934)

RELATING TO TAXATION APPEALS.

Introduced by: Hanabusa C, Hooser G

Amends tax appeals, income tax, general excise tax, transient accommodations tax, use tax, fuel tax, liquor tax, cigarette and tobacco tax, conveyance tax, and rented motor vehicle and tour vehicle surcharge tax provisions requiring the respective tax to be paid for appeals other than to the district board of review to provide that only 1st appeals to either the district board of review or the tax appeal court shall be made without payment of the tax so assessed. -- SB0632 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

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- SB0634 SD2 (SSCR 935) MAKING AN APPROPRIATION FOR TWO COUNSELORS TO TREAT WOMEN INCARCERATED FOR DRUG-RELATED OFFENSES ON MAUI.
Introduced by: Hanabusa C, Kokubun R, English J, Tsutsui S
Appropriation to the department of human services to hire 2 drug treatment counselors on Maui as well as for other related expenses for the treatment of women offenders incarcerated on drug related charges who qualify for the drug court program. (\$\$) -- SB0634 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0635 SD2 (SSCR 699) RELATING TO TRAFFIC FINES.
Introduced by: Hanabusa C
Establishes the problem solving courts special fund. Establishes criteria for funds that shall be deposited into the fund. Provides that the money in the fund shall be utilized and expended as directed by the chief justice of the supreme court for the administration of programs within the judiciary. Provides that money in the problem solving courts special fund shall not revert to the general fund. Amends provision relating to disposition of fines and forfeitures. Provides that all uncontested fines and forfeitures and all assessments, including penalties, collected relating to the commission of traffic infractions shall be deposited into the judiciary computer system special fund, provided that the total amount deposited for the fiscal year shall not exceed _____ dollars, and the excess fines and forfeitures shall be deposited into the problem solving courts special fund in fiscal years 2003 - 2004 and 2004 - 2005. Further provides that all adjudicated fines collected upon conviction of any person charged with a violation of any provision of the state traffic laws, and all assessments, including penalties collected relating to the commission of traffic infractions shall be paid to the director of finance of the State. -- SB0635 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0637 RELATING TO MISSING CHILDREN.
Introduced by: Hanabusa C, Chun Oakland S, Kokubun R, English J
Repeals provisions relating to the Hawaii missing children's clearinghouse trust fund, the Hawaii missing children's clearinghouse advisory board, and the annual audit of Hawaii justice foundation. Transfers money in the trust fund to friends of the missing child center Hawaii for locating, recovering, and protecting missing children, and to promote community awareness of the problem of missing children. -- SB0673
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0638 SD1 (SSCR 936) RELATING TO HAWAIIAN HOMES COMMISSION.
Introduced by: Hanabusa C, Kokubun R, English J
Amends the Hawaiian homes commission Act. Provides that no person shall be eligible for election to the commission or eligible to vote for commission members unless the person is a native Hawaiian defined as any descendent of not less than 1/2 part of the blood of the races inhabiting the Hawaiian islands previous to 1778 or, a successor to a lessee defined as relatives of the lessee who are at least 1/4 Hawaiian, husband, wife or children or grandchildren or native Hawaiian, father and mother, widows or widowers of the children, grandchildren, brothers and sisters, widows or widowers of the brothers and sisters, or nieces and nephews. Further provides that the person has attained the age of 18 years; and the person is otherwise qualified to register to vote in the State. Provides that no member of the commission shall hold or be a candidate for any other public office. Establishes election of commission members. Provides that members of the commission shall be elected at a special election held in conjunction with the general election in every even numbered year. Provides that the term of office for commission members shall be 4 years. Provides criteria for the composition of the commission. -- SB0638 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0643 SD2 (SSCR 712) RELATING TO BIOPROSPECTING.
Introduced by: Hanabusa C
Defines bioprospecting to mean the collection, removal, or use of biological and genetic resources of any organism, mineral, or other organic substance found within the ceded land trust for scientific research or commercial development. Provides that the sale or transfer of the biological resources and biological diversity on trust lands is prohibited. Provides that the university of Hawaii shall be exempt from the prohibition on the sale or transfer of biological resources and biological diversity on trust lands, including any employee, faculty

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member, officer, or other personnel employed by the university. Establishes the temporary bioprospecting advisory commission within the office of Hawaiian affairs to develop a comprehensive plan for the preservation and use of the biological diversity and biological resources of the trust lands within the office of Hawaiian affairs. Report to the legislature and the governor. Further provides that the commission shall cease to exist on June 20, 2005 (sunset). Appropriation to the office of Hawaiian affairs to enable the commission to fulfill its mandate. Act to be repealed on June 30, 2005 (sunset). (\$\$) -- SB0643 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0658 SD1 (SSCR 630) RELATING TO EMERGENCY CONTRACEPTIVES FOR SEX ASSAULT SURVIVORS IN EMERGENCY ROOMS.

Introduced by: Fukunaga C

Establishes provision relating to emergency contraceptives for sexual assault survivors. Requires hospitals that provide emergency care to sexual assault survivors to provide each sexual assault survivor with written and oral information about emergency contraception, inform each survivor of her option to receive emergency contraception at the hospital, and provide emergency contraception immediately at the hospital to each sexual assault survivor who requests it. Provides that the cost of the emergency contraception dispensed shall be paid by the department of health. Requires the hospital to ensure that each person is provided with accurate and unbiased information. Further requires the department to respond to complaints and to determine whether hospitals are complying with this provision. Provides that a religious hospital may request and the department may issue an exemption from these provisions for religious reasons. -- SB0658 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0661 SD1 (SSCR 59) RELATING TO SEXUAL ASSAULT.

Introduced by: Fukunaga C, Baker R, Hanabusa C, Inouye L, Chun Oakland S, Aduja M, Kim D

Establishes the sexual assault prevention special fund to be administered and expended by the department of health to fund sexual abuse prevention programs. Annual report to the legislature. -- Amends provision relating to marriage licenses. Changes the fee for marriage licenses and adds that ____ dollars for each license issued shall be credited to the special fund. -- SB0661 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0664 SD2 (SSCR 959) AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR THE DEVELOPMENT OF A VETERANS AFFAIRS LONG-TERM CARE FACILITY.

Introduced by: Kokubun R

Authorizes the issuance of general obligation bonds for appropriation to the Hawaii health systems corporation for the State's portion of construction of a 200 bed US Department of Veterans Affairs long term care facility on the Hilo medical center campus. Requires federal government to provide remaining funds to complete the project. (\$\$) -- SB0664 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0665 SD1 (SSCR 788) RELATING TO PREPAID HEALTH CARE PLAN.

Introduced by: Kokubun R

Amends provision relating to the prepaid health care advisory council. Prohibits a person representing a health maintenance organization (HMOs), a mutual benefit society issuing individual and group hospital or medical service plans, or any other health care organization. Requires the chairperson to be appointed by the governor and serve for a term of 4 years but shall not exceed 2 consecutive terms. -- SB0665 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0666 SD1 (SSCR 310) RELATING TO EDUCATION.

Introduced by: Sakamoto N

Requires the department of education to provide students with textbooks, workbooks, equipment, apparatus, and other supplies in sufficient number and of appropriate quality necessary for each student to perform the required school work and master the curriculum, and to provide each public school principal an allocation of ____ dollars per teacher to reimburse teachers' out of pocket expenses for supplies. Appropriation. (\$\$) -- SB0666 SD1

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Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0667 SD2 (SSCR 918)

RELATING TO EDUCATION.

Introduced by: Sakamoto N

Amends the designation of districts by repealing the designation of education districts. Changes the board of education to the state board of education composed of 13 members. Provides that 6 members shall be appointed by the governor with the advice and consent of the senate. Provides that 7 members shall be elected with 1 member being from each of the 7 school board districts. Changes the departmental school districts to school board districts. Repeals the salary of the deputy to the superintendent of education and provides that the superintendent may appoint a deputy and assistants to the superintendent at a salary level set by the board of education. Establishes 7 regional education agencies governed by a board of directors with a regional superintendent for each school board district for the delivery of educational services to all public school. Repeals learning support centers. Establishes provisions relating to school complex based management and implementation within regional education agencies. -- SB0667 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0676

RELATING TO MOTOR VEHICLES.

Introduced by: Kawamoto C

Amends provision relating to unlawful removal of motor vehicles from the State to add an exemption for any motor vehicle rental company that periodically ships in quantities of 10 vehicles or more. -- SB0676

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0678 SD1 (SSCR 584)

RELATING TO INSURANCE.

Introduced by: Kawamoto C

Amends provisions relating to records of general insurance agent, subagent, adjuster, and independent bill reviewer. Provides that the record retention time shall be 8 years for worker's compensation claims. -- SB0678 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0683 SD2 (SSCR 743)

RELATING TO DIABETES EDUCATION.

Introduced by: Kawamoto C

Amends provision relating to the coverage for diabetes under the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) to include diabetes education. -- SB0683 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0684 SD2 (SSCR 893)

RELATING TO PARKING FOR PERSONS WITH DISABILITIES.

Introduced by: Kawamoto C (BR)

Amends provisions relating to parking for people with disabilities. Includes the adjacent access aisle and 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. Redefines disabled person to include a person with a vascular condition or extreme colitis. Amends removable windshield placard, temporary removable windshield placard, and identification card provisions. -- SB0684 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0685

RELATING TO SOCIAL SECURITY NUMBERS PLACED IN POLL BOOKS.

Introduced by: Kawamoto C

Amends provision relating to poll book, identification and voting. Provides that a poll book shall not contain any social security number of any person. -- SB0685

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0686 SD2 (SSCR 894)

RELATING TO PROCUREMENT.

Introduced by: Kawamoto C (BR)

Establishes provision relating to evaluation of bids and offers for contracts valued at less than 25,000 dollars; state resident contractors; inclusion of applicable taxes; not considered. Provides that in addition to the procedures established pursuant to small purchases and not withstanding taxpayer preference, in evaluating bids or offers on contracts valued at less

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than 25,000 dollars, to determine the cost aspect of a bid or offer, the purchasing agency shall not consider as part of the bid or offer, the inclusion of a general excise tax or any applicable use tax by a bidder or offeror that is a state resident vendor or contractor. -- SB0686 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0687 SD1 (SSCR 789)

RELATING TO LEAVES OF ABSENCE.

Introduced by: Kawamoto C (BR)

Amends provision relating to leave of absence. Provides that an employee shall be discharged and paid forthwith, in lieu of the employee's vacation allowance, the amount of compensation to which the employee would be entitled or which the employee would be allowed during the vacation period if the employee were permitted to take the employee's vacation in the normal manner, through a contribution to a qualified retirement plan under section 401 (a) of the Internal Revenue Code which is considered supplemental compensation for each full day of accumulated vacation leave which is credited on the effective date of separation from service. Provides that any employee under the age of 55 may withdraw the employee's contribution to the special pay plan within 60 days of the effective date of separation from service; provided that the employer shall reimburse the employee an amount equal to the difference between any Federal Insurance Contribution Act (FICA) and Medicare tax savings to the employee, and any early withdrawal penalty imposed by the Internal Revenue Service. -- SB0687 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0689

RELATING TO THE STATEWIDE TRAFFIC CODE.

Introduced by: Kawamoto C (BR)

Establishes provisions relating to golf carts, speed, and restrictions. Prohibits a golf cart to be operated at more than 15 miles per hour, to be operated on a highway with a speed limit more than 20 miles per hour, and to be operated between sunset and sunrise on an island with a population of less than 5,000 people. -- SB0689

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0690 SD1 (SSCR 569)

RELATING TO ELECTIONS.

Introduced by: Hooser G

Amends provision relating to the filing of reports. Provides that all candidates for the state senate and the state house of representatives shall file electronic campaign financing reports. Further provides that candidates who do not have reasonable access to an internet ready computer or lack the capability to electronically file need not file by electronic means. Amends provision relating to criminal prosecution. Provides that a person shall be guilty of a class C felony where 2 or more unlawful contribution or expenditure violations are found to be part of a pattern intended to conceal an ongoing or past violations. -- SB0690 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0694 SD1 (SSCR 522)

RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT.

Introduced by: Kokubun R, Kanno B

Amends the whistleblowers' protection Act by prohibiting an employer to discharge, threaten, or otherwise discriminate against an employee because a public employee reports information relating to a condition that poses a danger to public health or safety, unless the employee knows the report is false. 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, except that a complaint for an alleged act of unlawful suspension, discharge, or discrimination occurring while the aggrieved employee is still physically or mentally incapacitated and unable to work may be filed before the expiration of 2 years after the date the aggrieved employee is able to return to work. -- SB0694 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0695 SD2 (SSCR 797)

RELATING TO PROFESSIONAL COUNSELORS.

Introduced by: Kokubun R, Baker R, Sakamoto N, Inouye L, Aduja M, Kanno B, Espero W, Chun Oakland S, Hanabusa C, Fukunaga C, English J

Establishes professional counselors law under the department of commerce and 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,

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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, 2005 and the remaining balance shall be deposited into the compliance resolution fund (sunset). Authorizes the department to appoint an administrative assistant and secretary, exempt from civil service, to assist with the program. -- SB0695 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0711 SD1 (SSCR 895)

RELATING TO HIGHWAYS.

Introduced by: Kokubun R, English J, Hooser G

Establishes provisions relating to scenic highways. Defines a scenic highway to mean a highway in the state highway system that has been formally identified and designated by the legislature and includes a highway that may have scenic, aesthetic, historic, cultural, or related impacts of a state highway. Requires the department of transportation to use federal alternative standards when feasible when a scenic highway requires new construction, reconstruction, or rehabilitation. Provides the State indemnity from liability under certain conditions. -- Establishes the scenic highways advisory commission within the office of the governor to determine which highways shall be designated as scenic highways. Report to the legislature. Provides that the commission shall cease to exist upon the adjournment sine die of the legislature at its regular session of 2004 (sunset). -- Establishes provisions relating to the liability of public utility companies. Provides that public utility companies that place and maintain their facilities on or within scenic highways in accordance with state highway standards shall not be liable for damages to parties to whom the State cannot be held liable. -- SB0711 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0713

RELATING TO CLOSURE OF MUNICIPAL FACILITIES.

Introduced by: Kokubun R, Inouye L

Redefines pollution control projects to include the closure of landfills. -- SB0713

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0719

RELATING TO AQUACULTURE.

Introduced by: Aduja M

Amends provisions relating to wharfage charges. Requires the department of transportation to adopt a reduced rate schedule for dockage, wharfage, demurrage, and other rates and fees pertaining to all harbors, wharves, and other properties, for Hawaii enterprises engaged in aquaculture. -- SB0719

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0726

RELATING TO THE SPECIAL ADVISORY COUNCIL FOR TECHNOLOGY DEVELOPMENT.

Introduced by: Aduja M

Amends provision relating to the governor's special advisory council for technology development; establishment; appointment, number, and term of members; duties. Provides that the council shall act as a liaison between government and high technology businesses in the private sector to keep government informed of the problems and barriers faced by the high technology businesses in entering and operating in Hawaii, and to seek ways to eliminate those problems and barriers. -- SB0726

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0739

RELATING TO ANATOMICAL GIFTS.

Introduced by: Baker R, Chun Oakland S, Espero W

Amends Act 88, session laws of 1999, relating to anatomical gifts, by repealing the sunset date. -- SB0739

Current Status: Mar-06 03 Introduction/Passed First Reading - House

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SB0740

RELATING TO HEALTH.

Introduced by: Baker R, Chun Oakland S, Fukunaga C, Kanno B, Inouye L

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 health care services when no other resources are available in the community; 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. -- SB0740

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0745 SD2 (SSCR 961)

RELATING TO EMERGENCY MEDICAL SERVICES.

Introduced by: Baker R, Tsutsui S, English J

Requires the department of health to establish, administer, and maintain an aeromedical emergency medical services system designed to collect and analyze data to measure the efficiency and effectiveness of each phase of an aeromedical program. Defines emergency aeromedical services to mean a secondary response system which provides immediate critical care and transport by rotary wing aircraft of a patient to a facility that provides specialized medical care. Provides that the aeromedical emergency medical services system shall serve the emergency health needs of the people of the State by identifying system strengths and weaknesses, the allocation of resources, and the development of aeromedical service standards. Requires the department to use an emergency aeromedical services quality improvement committee to analyze information collected from the aeromedical quality improvement performance measures and to recommend system standards and resources to improve the Hawaii emergency aeromedical services system. Appropriation to the department through its emergency medical service system to fund an helicopter aeromedical service for the county of Maui. Encourages the department to partner with the county of Maui, health care providers, and the private sector to ensure that this necessary service is provided in the most cost efficient manner, utilizing all available resources. Appropriation to the department for emergency medical services at the Waianae Coast Comprehensive Health Center, including ambulance services. Requires the city and county to provide _____ dollars. Appropriation to the department to provide sufficient 24 hour advanced life support ambulance services for the Kihei / Wailea region of Maui. Requires the county of Maui to provide _____ dollars. Appropriation to the department to provide emergency advanced life support ambulance service to the residents of Hawaiian Ocean View Estates on the island of Hawaii. Requires the island of Hawaii (county of Hawaii) to provide _____ dollars. Further requires the ambulance and its crew to be based at the fire station constructed by volunteer fire department in Hawaiian Ocean View Estates. (\$\$) -- SB0745 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0747 SD1 (SSCR 744)

RELATING TO INSURANCE.

Introduced by: Baker R, Inouye L

Amends the accident and sickness insurance contracts law, the benefit societies law, and the health maintenance organizations act (HMOs) to allow the insured to assign reimbursement for dental services directly to the provider of services (choice of dentist) regardless of whether the provider is a participating provider. -- SB0747 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0748 SD2 (SSCR 811)

RELATING TO NURSING EDUCATION.

Introduced by: Baker R

Establishes the nursing education loan program law. Establishes the nursing education loan program to be attached to the university of Hawaii. Provides that the university may provide loans up to _____ dollars per academic year to an eligible student upon confirmation from an approved educational institution that the student has been accepted for enrollment in an

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approved course of study. Requires the student to maintain residence and domicile in Hawaii during the term of the loan, maintain a minimum grade point average of 2.5, and enter into a written agreement to satisfy all requirements, including employment in this State within 6 months after completion of an approved degree in nursing, and reimburse the university if the student fails to comply with the requirements. Provides that for each of the 1st 5 years that a recipient works in a health care facility or provides health care services as a registered nurse, 1/10 of the total amount of the loan and interest shall be waived, and the remaining balance shall be waived after the 6th year. Annual report to the governor and the legislature. Appropriation. (\$\$) -- SB0748 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0759 SD1 (SSCR 410)

RELATING TO THE EMPLOYER-UNION BENEFITS TRUST PLAN.

Introduced by: Kanno B

Amends provision relating to other powers by prohibiting the board from establishing health benefits plan and long term care benefits plan rates that include administrative and other expenses necessary to effectuate the purpose of the fund. -- SB0759 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0761

RELATING TO THE HEALTH BENEFITS TRUST FUND.

Introduced by: Kanno B

Amends provision relating to the employment of attorneys. Provides that the Hawaii employer union health benefits trust fund board of trustees may hire independent legal council. -- SB0761

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0762 SD1 (SSCR 264)

RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.

Introduced by: Kanno B

Amends provision relating to state and county contribution; retired employees. Provides that the base monthly contribution shall be adjusted annually, beginning July 1, 2002. Provides that the base composite monthly contribution for each new plan year shall be calculated by increasing or decreasing the base monthly contribution in effect through the previous plan year by the percentage increase or decrease in the Medicare part B premium rate for those years, which percentage shall be calculated by dividing the Medicare part B premium rate in effect at the beginning of the new plan year by the rate in effect at the beginning of the previous plan year. -- SB0762 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0764 SD1 (SSCR 488)

RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT.

Introduced by: Kanno B

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 information demonstrating danger to public health and safety, unless the employee knows the report is false. 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, except that a complaint for an alleged act of unlawful suspension, discharge, or discrimination occurring while the aggrieved employee is still physically or mentally incapacitated and unable to work may be filed before the expiration of 2 years after the date the aggrieved employee is able to return to work. -- SB0764 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0765 SD2 (SSCR 723)

RELATING TO THE RETIREMENT ALLOWANCE FOR PRINCIPALS AND VICE PRINCIPALS.

Introduced by: Kanno B

Establishes the principals and vice principals allowance on service retirement. Requires a member to attain age 55 in order to qualify for an unreduced service retirement allowance, if the member has at least 25 years of credited service, of which the last 10 or more years prior to retirement is credited service as a public school principal or vice principal, then upon retirement and irrespective of age, that member's service retirement allowance shall not be reduced for actuarial purposes. -- SB0765 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

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SB0768 SD1 (SSCR 724)

RELATING TO COLLECTIVE BARGAINING.

Introduced by: Kanno B, Baker R

Amends provision relating to resolution of disputes, grievances, and impasse. Provides that if an impasse exists between a public employer and the exclusive bargaining representative of bargaining units including 2 (supervisory employees in blue collar positions), 3 (non supervisory employees in white collar positions), 4 (supervisory employees in white collar positions), 6 (educational officers and other personnel of the department of education), 8 (personnel of the university of Hawaii and community college system, other than faculty), 9 (registered professional nurses), or 13 (professional and scientific employees) the Hawaii labor relations board shall assist in the resolution of impasse through mediation and arbitration. -- SB0768 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0773

RELATING TO UNEMPLOYMENT INSURANCE.

Introduced by: Kanno B

Amends provision relating to employment security. Provides that an unemployed individual shall be eligible to receive benefits if the department of labor and industrial relations finds that an individual does not have sufficient qualifying weeks or wages within the individual's base period to qualify for benefits, the individual shall have the option of designating the base period to be the alternative base period. Further provides that if information regarding weeks and wages for the quarter immediately preceding the benefit period is not available and the department is not able to obtain the information using other means, the department may base the determination of benefits on the affidavit of an individual. Requires the individual to furnish payroll documentation in support of the affidavit. Defines alternative base period to mean the last 4 completed calendar quarters immediately preceding the individual's benefit period, or the last 3 completed calendar quarters immediately preceding the individual's benefit period and the portion of the quarter which occurs before the commencing of the benefit period. Requires the department to inform the individual of the option to choose the alternative base period. -- SB0773

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0779 SD2 (SSCR 951)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Kanno B

Establishes retirement for class H public officers and employees. Provides that any class C member in service on December 31, 2004, may be elect to become a class H member. Provides that the election shall be made within 90 days of the effective date of this Act and shall be irrevocable. Provides that former class C members shall have the option to upgrade some or all of their class C service to class H service by paying full actuarial cost of such an upgrade. Requires the actuarial cost to be based on the same actuarial factors as then in use to determine optional modes of retirement allowance. Provides that all employees hired on or after January 1, 2005, shall be class H members. Provides that if elected by the member, such hypothetical account balance can be taken in either a lump sum payment, rolled over, or annualized. Defines hypothetical account balance to mean twice the employee contribution made, either by the member or on behalf of the member, inclusive of accumulated interest at the hypothetical interest rate on such employee contributions, including roll overs and contributions used to upgrade to class C service, and related accumulated interest, used either to purchase service or treated as voluntary additional contributions. Provides that each class H member shall contribute 6 per cent of the member's compensation to the annuity savings fund. Provides that a member who has at least 5 years of credited service and has attained the age of 62, or a member with 30 years of credited service who has attained the age of 55, may receive an unreduced retirement allowance after the member has terminated service. Provides that a member who has 20 years of credited service who has attained the age of 55 may receive an early retirement allowance reduced for age after the member has terminated service. Establishes provision relating to service retirement allowance. Provides that upon retirement from service, a member shall receive a retirement allowance if the member is eligible for an unreduced service retirement allowance, a maximum allowance of 2 per cent of the member's average final compensation multiplied by the number of years of credited class H service plus 1 1/4 per cent of the member's average final compensation multiplied by the number of years of credited class C service or if the member is eligible for a reduced service retirement allowance, the allowance shall be reduced by 5 per cent per annum for each year the

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member is less than age 62 at retirement. Provides that the allowance shall be superseded by the member's annuitized hypothetical account balance, if greater. Provides that the minimum cash balance benefit shall be based on the vested hypothetical account balance at the date the member has terminated service. Provides that upon the retirement for ordinary disability, a member shall receive a retirement allowance of 2 per cent of the member's average final compensation for each year of credited service. Provides that upon retirement for service connected disability, a member shall receive a minimum retirement allowance of 25 per cent of the member's average final compensation. Provides that an ordinary death benefit shall be determined and the hypothetical balance shall be applied. Establishes post retirement allowances, retirement allowances, rollovers, and rights of members separated from service. -- SB0779 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0780 SD2
(FLOOR AMENDMENT 4)

RELATING TO TEMPORARY PARTIAL DISABILITY.

Introduced by: Kanno B

Amends provision relating to temporary partial disability. Provides that an employee who is not currently receiving temporary total disability or temporary partial disability benefits under workers' compensation for work injury, but who from time to time requires treatment prescribed by a physician for the work injury, and who cannot reasonably obtain the treatment during non working hours, shall be entitled to temporary partial disability benefits for the time spent obtaining the treatment for the work injury and traveling directly to and from the place of employment for treatment. -- SB0780 SD2

Current Status: Mar=06 03 Passed Third Reading Senate as amended (SD2)

SB0783 SD1 (SSCR 84)

RELATING TO THE EMPLOYEE'S RETIREMENT SYSTEM FOR EMERGENCY MEDICAL TECHNICIANS.

Introduced by: Kanno B

Defines emergency medical technician to mean any regularly employed member of any county of the State licensed to provide emergency medical services. Provides that if a member of the employees retirement system has at least 25 years of credited service as an emergency medical technician, of which the last 5 or more years prior to retirement is credited in that capacity they shall be eligible to receive a retirement benefit unreduced for age after the member has terminated service. -- SB0783 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0784 SD1 (SSCR 321)

RELATING TO THE BOARD OF EDUCATION.

Introduced by: Kanno B

Proposes to amend the constitution. Changes the number of members on the board of education to 17 members from school board districts. Requires each school board district to be composed of 3 representative districts. Requires the chief elections officer to designate the new board districts based upon the 2002 reapportionment. -- SB0784 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0787

RELATING TO DISASTER LEAVE.

Introduced by: Kanno B, Inouye L

Establishes provision relating to paid leave for state and county employees providing disaster relief services for the American Red Cross. Provides that the governor or mayor, or their respective designees, may grant a state or county employee who is a certified American Red Cross disaster volunteer up to 30 days of paid leave of absence to perform disaster relief services for the American Red Cross. Provides criteria. -- SB0787

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0789 SD1 (SSCR 727)

RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS.

Introduced by: Kanno B

Amends Act 88, session laws of 2001 by providing that employee organizations and insurance carriers may extend current health benefits and life insurance plans through June 30, 2004 without having to comply with the Hawaii procurement code and health insurance rate regulation. Provides that all unexpended funds not used by June 30, 2004 shall lapse back into the general fund of the state. -- SB0789 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SENATE BILLS WHICH PASSED THIRD READING

- SB0792 SD2 (SSCR 620) RELATING TO ADVANCED PRACTICE REGISTERED NURSES.
Introduced by: Kanno B
Establishes provisions relating to physician and advanced practice registered nurse collaboration and discrimination prohibited. Prohibits any insurer writing policies for medical malpractice to impose a surcharge or otherwise discriminate against any physician or surgeon for collaborating or entering into a collegial agreement with an advanced practice registered nurse. -- SB0792 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0797 SD2 (SSCR 728) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Kanno B
Amends provision relating to payment of retirement benefits. Provides that retirement shall be effective on the 1st day of the month, except for the month of December when retirement on the 1st or last day of the month shall be allowed provided that retirement shall be effective on the date specified in the written application of 9, 10, or 11 month employees, elective officers, and appointees of the governor. -- SB0797 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0799 SD1 (SSCR 526) RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS.
Introduced by: Kanno B, Baker R
Establishes the voluntary employees' beneficiary association (VEBA) trusts law. Provides criteria for employee organizations establishing voluntary employees' beneficiary association trusts. Establishes provision relating to state and county contributions to the trust, active employees. Provides that upon the establishment of the trust, the State, through the department of budget and finance, the counties, through their departments of finance, or the university of Hawaii, shall pay to the trust a monthly contribution equal to the amount specified in the applicable public sector collective bargaining agreement. Establishes provision relating to state and county contributions to the trust, retired employees. Provides that any individual who becomes a retiree on or after the establishment of a voluntary employees' beneficiary association trust, and who is a member of that employee organization, shall be enrolled in that voluntary employees' beneficiary association trust. Provides that any retiree, prior to the trust being established, who is a member of that employee organization, and who was previously covered by a collective bargaining agreement, shall be given a 1 time option to transfer participation from the Hawaii employer union health benefit trust to the corresponding employee organization VEBA trust once established. Provides that the State, through the department of budget and finance, the counties, through their departments of finance, or the university of Hawaii, shall pay to the trust for each retiree who participates, a monthly contribution pursuant to the applicable collective bargaining agreement which shall not exceed the base monthly contributions or the specific contribution limits set forth in the health benefits trust fund law. Establishes provision relating to termination of the trust. Provides that should an employee organization or a collective bargaining agreement which establishes a trust terminate or cease to provide health benefits, the participants in such trust shall be given the opportunity to return to the Hawaii employer union health benefits trust upon the date that health benefits cease to be provided. -- SB0799 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0802 SD1 (SSCR 21) RELATING TO GOVERNMENT RECORDS.
Introduced by: Ihara L, Hooser G
Amends provision relating to the cost and fees of copies of records. Provides that the cost of reproducing and government record, except geographic information system digital data, shall not be more than 25 cents per page instead of not less than 5 cents per page, provided that the document page size does not exceed 8 1/2 inches by 14 inches. Provides that government agencies, departments, or offices that routinely work with documents that exceed 8 1/2 inches by 14 inches shall adopt rules setting forth the maximum cost per page, sheet or fraction thereof. -- SB0802 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB0807 SD1 (SSCR 878) RELATING TO LIQUOR LICENSE APPLICATIONS.
Introduced by: Ihara L, Fukunaga C
Amends provision relating to intoxicating liquor. Repeals the requirement that the liquor

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commission or agency of each county deny the issuance of a license if 40 per cent of the registered voters for the area within 500 feet of the nearest point of the premises for which the license is asked or owners and lessees of record of real estate and owners of record of shares in a cooperative apartment within 500 feet of the nearest point of the premises for which the license is asked have filed or caused to be filed their protests against granting the license. -- SB0807 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0827 SD1 (SSCR 74)

RELATING TO LAND COURT.

Introduced by: Bunda R (BR)

Establishes provision relating to fee time share interests. Provides that upon presentation to the assistant registrar for filing or recording of any instrument, document, or paper conveying or encumbering a fee time share interest, or any interest therein, the assistant registrar shall not register the same but shall record in the bureau of conveyances the current certificate of title for the registered land in which the fee time share interest includes an undivided interest; record in the bureau of conveyances the instrument, document, or paper presented to the assistant registrar for filing or recording; cancel the certificate of title so recorded; note the recordation and cancellation of the certificate of title in the registration book and in the records of the application for registration of the land that is the subject of the certificate of title so recorded. Establishes the effects of deregistration. Provides that a certificate of title shall constitute a new chain of record title in the registered owner of any estate or interest as shown on the certificate of title so recorded. Establishes criteria. Establishes provision relating to deregistered land. Provides that in no event shall the period of limitations begin, with respect to land that was registered under the land court registration law, but that has been deregistered, prior to the recordation of the certificate of title for such land. -- Defines deregistered land to mean land that is the subject of a certificate of title recorded pursuant to these provisions. Defines fee time share interest to mean a time share interest, other than a leasehold time share interest, that consists of or includes a present undivided interest in registered land, including but not limited to an undivided interest in 1 or more fee simple condominium apartments established in whole or part on registered land. Amends provision relating to decree of registration; conditional when; quieting title, exceptions; reopened when. Provides that deregistration pursuant to these provisions shall not alter or revoke the conclusive nature or effect of a decree of registration, which shall continue to quiet the title to the deregistered land as to all claims based arising prior to the recording of the certificate of title, except such claims as would not otherwise be barred under this law if such lands were not deregistered. -- SB0827 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0830 SD1 (SSCR 596)

RELATING TO CRIMINAL HISTORY RECORD CHECKS.

Introduced by: Bunda R

Amends provisions relating to criminal history record checks. Provides that agencies and other entities authorized to conduct criminal history checks are: the department of health on operators of adult foster homes or developmental disabilities domiciliary homes and their employees and on prospective employees, persons seeking to serve as providers, or subcontractors in positions that place them in direct contact with clients when providing non witnessed direct mental health services on behalf of the child and adolescent mental health division; the department of education on employees, prospective employees, and teacher trainees in any public school in positions that necessitate close proximity to children; the counties on employees and prospective employees who may be in positions which place them in close proximity to children in recreation or child care programs and services; the county liquor commissions on applicants for liquor licenses; the department of human services on operators and employees of child caring institutions, child placing organizations, and foster boarding homes, services on prospective adoptive parents, applicants to operate child care facilities, prospective employees of the applicant, and new employees of the provider after registration or licensure, eligibility to provide child care and receive child care subsidies, on operators and employees of home and community based case management agencies and operators and other adults, except for adults in care, residing in foster family homes, staff members of the Hawaii youth correctional facility; the judiciary on employees and applicants at detention and shelter facilities; the department of public safety on employees and prospective employees who are directly involved with the treatment and care of persons committed to a correctional facility or who possess police powers; the department

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of commerce and consumer affairs on applicants for private detective or private guard licensure; private schools and designated organizations on employees and prospective employees who may be in positions that necessitate close proximity to children; the public library system on employees and prospective employees whose positions place them in close proximity to children; and the State or any of its branches, political subdivisions, or agencies on applicants and employees whose duty location, work site, or assignment places that person in close proximity to other positions in a department or agency which is authorized by law to conduct criminal history record checks for its employees who work there. -- SB0830 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0831 SD1 (SSCR 975)

RELATING TO CRIMINAL TRESPASS.

Introduced by: Bunda R

Amends provision relating to criminal trespass in the 2nd degree. Provides that a person commits the offense of criminal trespass in the 2nd degree if they enter or remain unlawfully in or upon commercial premises or any other public or private property after a reasonable warning or request to leave by the owner or lessee or their authorized agent or a police officer. -- SB0831 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0832 SD1 (SSCR 175)

RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM.

Introduced by: Bunda R (BR)

Amends provision relating to income check off authorized by providing that any individual may designate 2 dollars of their income tax refund to the libraries special fund. -- SB0832 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0835 SD2 (SSCR 896)

RELATING TO STORED VEHICLES.

Introduced by: Bunda R

Amends provisions relating to stored vehicles to provide a waiver for unpaid motor vehicle weight taxes or motor vehicle registration fees accrued if the owner is 70 years old or older and transfers ownership to a person who receives medical assistance or to an organization that has received tax exempt status from the Internal Revenue Service. -- SB0835 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0837 SD1 (SSCR 875)

RELATING TO WORKFORCE DEVELOPMENT.

Introduced by: Fukunaga C, Ige D, Aduja M

Establishes provision relating to report on workforce development programs. Requires the department of labor and industrial relations, university of Hawaii, department of human services, department of education, department of public safety, and department of business, economic development, and tourism to annually report to the legislature, the governor and the workforce development council. Establishes a workforce development task force within the office of the governor on a special and temporary basis until December 31, 2003 (sunset). Requires the task force to review and analyze all workforce development programs of the State; recommend the priorities for workforce development programs in the State; and develop a specific and detailed strategic plan for workforce development in the State. Report to the legislature and the governor. -- SB0837 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0840 SD1 (SSCR 581)

RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.

Introduced by: English J

Amends provision relating to applicability and requirements of environmental impact statements. Provides that an environmental assessment shall be required for actions which propose any wastewater facility, waste to energy facility, landfill, oil refinery, or power generating facility. Defines power generating facility to mean a new electricity generating facility or an expansion in generating capacity of an existing electricity generating facility where the incremental electrical output rating of the new equipment exceeds 5.0 megawatts. Provides that when a conflict of interest exists because the proposing agency and the agency making the determination are the same, the office of environmental quality control may review the agency's determination, consult the agency, and make a final determination. -- SB0840 SD1

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Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0843 SD1 (SSCR 444)

RELATING TO CONSERVATION OF AQUATIC LIFE, WILDLIFE, AND LAND PLANTS.

Introduced by: English J, Espero W

Amends provision relating to conservation of aquatic life, wildlife and land plants. Redefines landowner as an owner of land or any estate or interest in that land when acting with the fee owner's consent. Amends provision relating to habitat conservation plans and safe harbor agreements. Provides that in the event the board of land and natural resources votes to enter into a habitat conservation plan or safe harbor agreements for which the majority of the endangered species recovery committee recommended disapproval, the board may not enter into the plan or agreement unless the plan is approved by a majority vote of both houses of the legislature. Requires that a safe harbor agreement shall be approved if the agreement proposes to create, restore, maintain, or improve significant amounts of habitat for a minimum of 5 years for private lands and for a minimum of 15 years for public lands. Provides confidentiality of the precise locations for habitat conservation plans or safe harbor agreements for private lands. Provides that the board shall suspend or revoke the approval of any habitat conservation plan or any safe harbor agreement approved if any parties to the plan, or their successors, have breached their obligations under the plan or under any agreement implementing the plan and have failed to cure the breach in a timely manner, and effect of the breach is to diminish the likelihood that the plan will achieve its goals within the time frames or in the manner set forth in the plan. Provides that the endangered species recovery committee shall visit each property that is the subject of a habitat conservation plan or safe harbor agreement at least 1 time per year. -- SB0843 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0848

RELATING TO THE ISLAND OF KAHOO LAWE.

Introduced by: English J, Aduja M

Appropriation out of the special land and development fund to the Kahoolawe island reserve commission for the development and implementation of a strategy for the use of alternative energy resources to address the current and future energy needs of the island of Kahoolawe, including the establishment of 10 data collection sites, the development of an alternative energy system for a model encampment, and the continued evaluation of long term alternative energy solutions. (\$\$) -- SB0848

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0855 SD1 (SSCR 88)

RELATING TO ENERGY.

Introduced by: English J, Aduja M

Amends the duties of the tax review commission to include an annual review of the renewable energy income tax credits and report to the legislature. Changes the sunset date for the income tax credits relating to wind energy systems and solar energy systems and repeals the credit for heat pumps and ice storage systems. -- SB0855 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0857 SD2 (SSCR 663)

RELATING TO ALIEN INVASIVE SPECIES.

Introduced by: English J, Kokubun R

Establishes the invasive species law. Establishes the Hawaii invasive species council, that shall be administratively attached to the governor's office, 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 and to identify and prioritize each state department or agency's organizational and resource shortfalls with respect to invasive species. Requires the council to create and implement a plan that includes the prevention, early detection, rapid response, control, enforcement, and education of the public, with respect to invasive species, and fashion a mission statement articulating the State's position against invasive species. Requires the council to coordinate and promote the State's position with respect to federal issues, identify and record all invasive species present in the State. Annual report to the legislature. Establishes lead agency. Provides that a state department that is designated as a lead agency with respect to a particular function of invasive species control shall have sole administrative responsibility and accountability for that function and is authorized to examine, control, and eradicate all instances of invasive species identified on any public or private premises or in any aircraft or vessel landed or docked in waters of the State. Annual report to the legislature and governor. Requires

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reasonable notice to be given to the owner of the property whenever any invasive species is found on private property and pursuant to court order and a duplicate of the notice so given shall be left with 1 or more of the tenants or occupants of the premises. -- SB0857 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0859 SD2 (SSCR 837)

RELATING TO BRIDGE TO HOPE.

Introduced by: Chun Oakland S, Baker R

Amends provision relating to bridge to hope program. Includes heads of households in temporary assistance to other needy families program in a post secondary education benefits program known as the bridge to hope program. Appropriation to the university of Hawaii for the program, including 1 position for outreach. Requires appropriation to be reduced if federal funds are made available for any portion of bridge to hope temporary assistance to needy families (TANF) participant cost. Further requires only state general funds to be used to provide services to temporary assistance to other needy families (TAONF) recipients. (\$\$)
-- SB0859 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0864 SD1 (SSCR 402)

RELATING TO CHILD WELFARE SERVICES.

Introduced by: Chun Oakland S

Converts 31 case support services aid (CSA) positions and 8 multi agency case coordinator (MACC) positions within the child welfare services branch under the department of human services' social services division to civil service status and be subject to civil service and collective bargaining laws. Requires the employees to have performed satisfactory work in the position for a period of not less than 6 months prior and may be given a initial probationary appointment without examination. -- SB0864 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0870 SD2 (SSCR 839)

RELATING TO HOMELESS SERVICES.

Introduced by: Chun Oakland S

Appropriation to the housing and community development corporation of Hawaii for costs related to homeless assistance. (\$\$) -- SB0870 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0877 SD2 (SSCR 938)

RELATING TO CORRECTIONS.

Introduced by: Chun Oakland S, Baker R, Fukunaga C

Establishes parity for female offenders law. Provides that adult women and juvenile females charged or convicted of crimes shall be provided a range and quality of programming equivalent to programming offered to male persons similarly situated. Further provides that within the limits of money specifically appropriated, the director of public safety shall provide model gender responsive programs for female offenders that respond to statewide needs and geographical areas and award grants for the programs. Provides that programs shall respond in a rehabilitative way to the type of offenses female offenders generally commit; respond to the problems of female offenders with dependent children; respond to the importance of developing independent living and marketable job skills; assist female offenders to overcome their own extreme degree of dependency; and offer technical assistance and training toward the implementation of other similar programs. Requires the director of public safety to make grants in aid to private agencies electing to participate in the grant program to encourage cooperation and assist agencies that have existing programs for female offenders and to encourage agencies to develop and implement new programs. Requires the office of youth services to collaborate with the departments of human services, health, labor and industrial relations, and education, as well as with representatives of the private sector to develop a comprehensive continuum of care to address the gender responsive needs of juvenile female offenders. Requires the department of public safety and the office of youth services to annually report to the legislature. -- Establishes provision relating to gender responsive community based programs for female adjudicated youths and women. Provides that within the limits of money specifically appropriated, the office of youth services and the department of public safety shall make available programs for female adjudicated youths and women offenders by providing the appropriate range of opportunities to ensure that their needs are met. Provides that the programming shall include program models designed to address women's needs; appropriate treatment; individualized case management to help women offenders set and achieve goals; life skills development

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workshops; family focused programming; peer support and the development of peer networks; highly skilled staff experienced in working with women and their concerns; formal recognition of participant achievement; ongoing attention to building community based support; assistance for those offenders needing to develop a marketable job skill; geographical proximity to children and family; preparation of female adjudicated youths for the resumption of their education; and the goal of providing a gender responsive continuum of care. Appropriation to the department of public safety and the office of youth services for gender responsive community based programs for women and female adjudicated youths. (\$\$) -- SB0877 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0880

RELATING TO THE LEGISLATURE.

Introduced by: Chun Oakland S

Amends Act 218 session laws of 1991 by transferring all rights, powers, functions, and duties of the state capitol tour service from the office of the governor to the legislature. Appropriation to the legislature. (\$\$) -- SB0880

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0881 SD1 (SSCR 631)

RELATING TO CHILD ABUSE.

Introduced by: Chun Oakland S

Amends provision relating to child abuse reports. Provides that any public safety officer, including sheriffs and deputy sheriffs, who has a reason to believe that child abuse or neglect has occurred or exists a substantial risk that an abuse may occur shall immediately report the matter orally to the department of human services or to the police department. Redefines police officer to include public safety officer, sheriffs, and deputy sheriffs under the child protective Act. -- SB0881 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0883 SD2 (SSCR 840)

RELATING TO ADULT PROTECTIVE SERVICES.

Introduced by: Chun Oakland S

Appropriation to the department of human services to create 3 positions in the adult protective services program to include 1 social worker IV, 1 auditor III, and 1 social services assistant III to investigate incidents of suspected abuse, including financial exploitation of dependent adults. Requires the amount of the appropriation to be reduced if funding from alternative sources is obtained by the department for the Financial Exploitation Project. (\$\$) -- SB0883 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0884 SD1 (SSCR 841)

MAKING APPROPRIATIONS FOR MEDICAID PROGRAMS.

Introduced by: Chun Oakland S

Appropriation to the department of human services for the residential alternative community care program, the Hawaii prepaid medicaid management information system, and the chore services program. (\$\$) -- SB0884 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0889

RELATING TO INTOXICATING LIQUOR.

Introduced by: Chun Oakland S, Baker R

Amends provisions relating to intoxicating liquor advertisement and signs upon licensed premises to include a warning of the possible effects of drinking alcohol while pregnant. -- SB0889

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0895 SD1 (SSCR 331)

RELATING TO SICK LEAVE FOR PUBLIC EMPLOYEES.

Introduced by: Chun Oakland S, Baker R, Fukunaga C, Inouye L

Amends provision relating to leave of absence. Provides that an employer who provides sick leave for employees under collective bargaining law or under employees excluded from collective bargaining law, shall permit an employee to use the employee's sick leave to care for the employee's child, spouse or reciprocal beneficiary, or parent with a serious health condition. Provides that no employer shall deny an employee's right to use sick leave for this reason; or to discharge, demote, or discriminate against an employee for exercising employee's right to use the sick leave. -- SB0895 SD1

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Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0913

MAKING AN APPROPRIATION FOR THE LOSS MITIGATION GRANT PROGRAM.

Introduced by: Chun Oakland S

Appropriation to the insurance commissioner to be deposited into the loss mitigation grant fund to develop and implement the grant program established under Act 179, session laws of 2002. Appropriation out of the hurricane relief trust fund to the Hawaii hurricane relief fund to be deposited into the general fund. (\$\$) -- SB0913

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0918 SD2 (SSCR 970)

RELATING TO NONPROFIT CORPORATIONS AND ORGANIZATIONS.

Introduced by: Chun Oakland S

Amends provisions relating to motor vehicle insurance to establish provisions for additional required optional additional insurance. Requires every insurer issuing a motor vehicle insurance policy to make available to the insured an option in writing, for identical coverages that the insured has purchased for non business uses of the motor vehicle, to be applied when the insured's vehicle is used by the insured in the insured's capacity as a full time or part time employee or full time or part time volunteer for a nonprofit organization or nonprofit corporation. -- Provides an income tax deduction for amounts paid to a motor vehicle insurance company for optional additional insurance for coverage of a volunteer or employee of a nonprofit corporation or nonprofit organization. -- SB0918 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0919 SD1 (SSCR 423)

MAKING AN APPROPRIATION FOR BIOREMEDIATION RESEARCH.

Introduced by: Chun Oakland S, Sakamoto N

Appropriation to the university of Hawaii to conduct research and testing on sediments from the Ala Wai canal and other waterways statewide including a biotreatability evaluation, research on contaminated sediments, and small scale testing. Report to the legislature by the college of tropical agriculture and human resources. (\$\$) -- SB0919 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0921 SD2 (SSCR 992)

RELATING TO HAWAII WORKSITE TEMPORARY RESTRAINING ORDER ACT.

Introduced by: Chun Oakland S

Amends provision relating to power to enjoin and temporarily restrain harassment. Provides that any employer whose employee has been subjected to harassment from any individual that can reasonably be construed to be carried or to have been carried out at the worksite, may petition the district court for a temporary restraining order and an injunction from further harassment at the worksite. Further provides that the employee or employees subject to the harassment or threats shall not face disciplinary action based on their level of participation or cooperation with this process. Provides that if the defendant is a current employee of the petitioner, the judge shall receive evidence concerning that employer's decision to retain, terminate or otherwise discipline the defendant. -- SB0921 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0929 SD1 (SSCR 322)

RELATING TO AFTER-SCHOOL PROGRAMS.

Introduced by: Chun Oakland S

Amends the after school (A+, A-plus, A plus) program and weekend programs. Establishes an A+ programs special fund into which shall be deposited all fees collected for A+ programs administered by the department of education. Provides that the fund shall be administered by the department to pay the expenses of the programs. Appropriation to the fund and appropriation out of the fund. (\$\$) -- SB0929 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0931 SD2 (SSCR 993)

RELATING TO HAWAII VICTIMS LEAVE ACT.

Introduced by: Chun Oakland S

Establishes victims leave law. Establishes provision relating to leave of absence for domestic or sexual violence. Requires an employer to allow an employee to take up to 30 days unpaid leave from work per calendar year if the employer employs 50 or more employees, and up to 5 days unpaid leave from work per calendar year if the employer employs up to 49 employees, if the employee or the employee's minor child is a victim of domestic or sexual violence to seek medical attention to recover from physical or

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psychological injury; to obtain services from a victim services organization; to obtain counseling; to relocate; or to take legal action. Allows the employer to request evidence for leave of absence resulting from the violence. Prohibits provision relating to leave of absence for domestic or sexual violence to supersede any provision of any employment agreement, collective bargaining agreement, or employment benefits program or plan that provides greater benefits or rights than those established under this provision. -- SB0931 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0933 SD1 (SSCR 25)

RELATING TO STALKING.

Introduced by: Chun Oakland S

Amends provision relating to harassment by stalking. Provides that a person commits the offense of aggravated harassment by stalking if that person commits the offense of harassment by stalking and has been convicted previously of harassment by stalking within 10 years of the instant offense. Provides that a person commits the offense of harassment by stalking if that person engages in a course of conduct involving pursuit, surveillance, or nonconsensual contact upon the other person on more than 1 occasion without legitimate purpose. -- SB0933 SD1

Current Status: Feb-11 03 Introduction/Passed First Reading - House
Feb-11 03 Single Referral to JUD (586-8480)

SB0934 SD1 (SSCR 26)

RELATING TO TRANSFER OF OWNERSHIP OF FIREARMS AND AMMUNITION.

Introduced by: Chun Oakland S

Amends provision relating to transfer of ownership of firearms and ammunition. Provides that the restraining order or order of protection shall set forth conditions, limitations and prohibitions for the transference of ownership of a firearm. Provides that the court shall consider the ability of the person named in the order to obtain possession or control over the transferred firearm. Further provides that such person shall relinquish possession and control of any firearm and ammunition owned by that person or transfer the firearm in accordance with the conditions, limitations, and prohibitions set forth in the order. Provides that any person disqualified from the right to transfer ownership of firearms and ammunition shall surrender or dispose of all firearms and ammunition. -- SB0934 SD1

Current Status: Feb-11 03 Introduction/Passed First Reading - House
Feb-11 03 Single Referral to JUD (586-8480)

SB0935

RELATING TO ORDERS FOR PROTECTION.

Introduced by: Chun Oakland S

Amends provision relating to orders for protection. Repeals the distinction between domestic and non domestic abuse sentencing. -- SB0935

Current Status: Feb-11 03 Introduction/Passed First Reading - House
Feb-11 03 Single Referral to JUD (586-8480)

SB0936 SD1 (SSCR 448)

RELATING TO HAWAII VICTIMS' UNEMPLOYMENT BENEFITS ACT.

Introduced by: Chun Oakland S

Establishes provision relating to eligibility of benefits for domestic or sexual violence victims within the employment security law. Provides that a person's voluntary separation from employment shall be considered for good cause resulting from the person or a minor child of the person being a victim of domestic or sexual violence if the person has a reasonable fear of the occurrence of future violence at, enroute to, or enroute from the person's place of employment; the person's efforts to seek or reside in an emergency shelter or to relocate prevents the person from reporting to work; the person or the person's minor child need to obtain treatment to address the physical or psychological effects prevents the person from working; the person's request for leave was denied by the employer or any other employment alternative would not be sufficient to guarantee the safety of the person or the minor child; or any other circumstances in which domestic or sexual violence causes the person to reasonable believe that separation from employment is necessary for the future safety of the person or the person's minor child. Authorizes the department of labor and industrial relations to request evidence to demonstrate the person's eligibility for benefits. -- SB0936 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0945 SD1 (SSCR 855)

RELATING TO CHILDREN AND YOUTH.

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Introduced by: Chun Oakland S, Kanno B, Tsutsui S, Sakamoto N, Espero W, Hanabusa C, Kawamoto C, Aduja M, Ige D

Amends provisions relating to the Hawaii tobacco settlement moneys. Changes the percentage appropriated into the emergency and budget reserve fund (rainy day fund) from 24 1/2 per cent to ____ per cent. Adds that ____ per cent shall each be appropriated to the department of human services office of youth services and the department of education for nonschool hour programs for 6th to 8th graders and to the counties' department of parks and recreation for nonschool hour programs. Departments and the counties to annually report to the legislature. Appropriation. (\$\$) -- SB0945 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0946

RELATING TO CAREGIVER CONSENT.

Introduced by: Chun Oakland S, Kanno B, Hanabusa C, Sakamoto N, Kawamoto C, Aduja M, Ige D

Establishes the full participation in school act. Authorizes a caregiver to consent on behalf of a minor to enrollment in school and to full participation in curricular and co curricular school activities if the caregiver possesses a valid affidavit for caregiver consent provided by the department of education and executed by the caregiver. Defines caregiver as any person who is at least 18 years of age and related by blood, marriage, or adoption to the minor, including a person who is entitled to an award of custody but is not the legal custodian or guardian of the minor or resides with the minor for a continuous immediate preceding period of 6 months or more. -- SB0946

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0956 SD2 (SSCR 842)

RELATING TO PRESUMPTIVE MEDICAID ELIGIBILITY FOR PREGNANT WOMEN.

Introduced by: Chun Oakland S, Kanno B, Hanabusa C, Sakamoto N, Fukunaga C, Baker R, Kawamoto C, Aduja M

Requires the department of human services to presume that a pregnant woman applying for Medicaid or QUEST coverage for prenatal care or other medically indicated services relating to pregnancy to be eligible for coverage. Provides that all eligible women shall be provided immediate presumptive eligibility at the time of their Medicaid application, and shall be notified within 45 days of their eligibility for continuing coverage under Medicaid or QUEST. Further provides that infants of women presumptively covered by Medicaid shall also be deemed eligible for services and shall be processed for state children's health insurance program (SCHIP). Requires the department to explore modifying its SCHIP program to permit coverage of pregnant women and their infants. -- SB0956 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0958 SD1 (SSCR 603)

RELATING TO THE PRACTICE OF PHARMACY.

Introduced by: Chun Oakland S, Fukunaga C, Kawamoto C, Baker R

Amends provisions relating to pharmacy to include emergency contraception. Redefines the practice of pharmacy to include initiating emergency contraception oral drug therapy, between a practitioner and a pharmacist having appropriate training. Changes licensed medical doctor to licensed physician. Redefines contraceptive services within accident and sickness insurance contract provisions to include pharmacist delivered medical services. -- SB0958 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0959 SD1 (SSCR 843)

RELATING TO CHILD ABUSE.

Introduced by: Chun Oakland S, Kanno B, Fukunaga C, Aduja M, Ige D

Establishes provision relating to authorization for forensic medical examination, or other diagnostic examinations. Provides that any child health professional or paraprofessional, or licensed physician who observes a child whom the person believes may have been subjected to child abuse or neglect, and the department of human services upon taking custody of a child, shall make every good faith effort to refer the child to a medical facility to perform a forensic medical examination and to document the injuries observed; or take color photographs of the areas of trauma visible on the child if the referral is not practicable. --

Establishes provision relating to foster custody placements and mandatory physical examinations. Requires the department of human services to ensure that every child entering foster care receives a pre placement physical examination within 24 hours of each placement. Provides that if a child is found to have evidence of recent injuries, the child shall

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be immediately referred for a forensic medical examination. Appropriation. (\$\$) -- SB0959 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0961 SD1 (SSCR 844)

RELATING TO GOOD BEGINNINGS ALLIANCE.

Introduced by: Chun Oakland S, Kanno B, Hanabusa C, Sakamoto N, Fukunaga C, Kawamoto C, Aduja M, Ige D

Amends Act 77, session laws of 1997, as amended by Act 60, session laws of 2000, as amended by Act 13, session laws of 2002, relating to early education and care. Requires the department of human services to include in its budget request for each upcoming fiscal period, the amounts necessary for the private non profit corporation on early childhood education and services. Appropriation to the department for the good beginnings alliance. (\$\$) -- SB0961 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0963 SD1 (SSCR 962)

MAKING AN APPROPRIATION FOR THE POISON CENTER.

Introduced by: Chun Oakland S, Kanno B, Fukunaga C, Aduja M, Ige D

Appropriation to the department of health to operate a hospital based poison center 24 hours a day. (\$\$) -- SB0963 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0964 SD1 (SSCR 845)

MAKING AN APPROPRIATION FOR TREATMENT SERVICES FOR CHILD VICTIMS OF INTRAFAMILIAL SEXUAL ABUSE.

Introduced by: Chun Oakland S, Kanno B, Tsutsui S, Sakamoto N, Fukunaga C, Aduja M, Espero W, Hanabusa C, Kawamoto C

Appropriation to the department of human services to provide treatment services for child victims of intrafamilial sexual abuse, including psychological treatment and case management services for child victims and their families who are not covered under the child protective services system of the department. (\$\$) -- SB0964 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0966 SD2 (SSCR 898)

RELATING TO RESOURCE MAXIMIZATION.

Introduced by: Chun Oakland S, Kanno B, Hanabusa C, Sakamoto N, Fukunaga C, Aduja M, Ige D

Establishes the office of resource maximization within the office of lieutenant governor to secure federal and private foundation grants, consulting with the governor in the preparation of the state budget, advising each state department and agency receiving grants on the effective administration of the grant moneys and providing ombudsman services to encourage state agencies to enter partnerships with nonprofit organizations to maximize receipt of federal revenues. Provides criteria. Provides that the office shall work in coordination with the Hawaii office of federal programs coordinator in Washington, D.C. and the state comptroller or any person contracted to pursue and collect federal fund reimbursements for the interagency federal revenue maximization revolving fund, to facilitate statewide grant seeking efforts to maximize the amount of federal funding available to the State. Appropriation to the office of the lieutenant governor for the establishment of the office, including the hiring of a director and professional and administrative support staff. (\$\$) -- SB0966 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0974 SD1 (SSCR 846)

MAKING AN APPROPRIATION FOR THE PRESCHOOL OPEN DOORS PROGRAM.

Introduced by: Chun Oakland S, Kanno B, Tsutsui S, Hanabusa C, Sakamoto N, Fukunaga C, Aduja M, Ige D

Appropriation to the department of human services to increase the number of child care subsidies given through the preschool open doors program, pay administrative expenses, and provide parent workshops to recipients of child care subsidies in each county. (\$\$) -- SB0974 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0975

RELATING TO GOVERNMENT.

Introduced by: Chun Oakland S, Sakamoto N, Kawamoto C

Establishes provisions relating to immunity from liability; participation in hazardous

SENATE BILLS WHICH PASSED THIRD READING

recreational activities; limited immunity for counties. Provides that the State shall be immune from liability for any claim for damage or injury to property or persons arising from a person's direct, assisting, or spectating participation in a hazardous recreational activity, when the person knew or reasonably should have known that the hazardous recreational activity created a substantial risk of injury to themselves and was voluntarily in the place of risk, or having the ability to do so failed to leave the place of risk. Defines hazardous recreational activities to mean a recreational activity which creates substantial risk of injury; provides examples. Provides that in a claim by a person against a county alleging personal injury or death that occurred while the person was participating in, assisting, or observing a hazardous recreational activity on county owned or controlled property, the county shall be liable only if the injury or death occurred as a direct result of the county's failure to warn when the county had actual knowledge of a physically hazardous condition, sufficient time to warn against the condition, and failed to do so; and the physically hazardous condition was not known to the person and would not have been known to a reasonably prudent person participating in the same hazardous recreational activity; gross negligence; recklessness; or willful, wanton, or deliberate conduct. Adds that nothing in this provision shall limit the liability of an independent concessionaire, or any person or organization other than the State or a county, whether or not the person or organization has a contractual relationship with the State or county to use the public property, for injuries or damages suffered in any case as a result of the operation of a hazardous recreational activity on public property by the concessionaire, person, or organization. -- SB0975

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0993 SD1 (SSCR 758)

RELATING TO SMOKING.

Introduced by: Chun Oakland S, Ige D, Hemmings F

Prohibits smoking to be permitted in the state capitol building, including the basement, basement parking, all rooms, and all hallways and lanais regardless of whether or not they are enclosed. Establishes designated smoking areas on the 1st and 5th floors. Exempts the State from implementing and maintaining a written smoking policy for the state capitol building. -- SB0993 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0995 SD2 (SSCR 684)

RELATING TO EDUCATION.

Introduced by: Chun Oakland S (BR)

Amends provisions relating to educational textbooks and instructional materials. Requires the department of education shall develop and update on an annual basis, a statewide consolidated list of textbooks and instructional materials that are compatible with the Hawaii content and performance standards. Requires the principals in each school complex after consultation with their faculty to select a maximum of 6 textbooks or instructional materials for each approved course of study that shall be used consistently throughout the school complex. Prohibits deviation from this list without prior permission from the superintendent or receipt of state funds for any supplemental textbooks or instructional materials used. Requires the department to use cooperative purchasing including purchasing agreements with federal agencies and other state or local education agencies, to obtain a lower price per unit for textbooks and instructional materials than the department would otherwise obtain as a sole purchaser. Requires the department to assess and collect from each student or the student's parent or guardian, a 1 time textbook deposit fee of ____ dollars which shall be retained in the school's textbook account and returned to the student when the student leaves the school if the student has returned in usable condition all textbooks issued to the student by the school. Further requires the department to assess and collect from each student or the student's parent or guardian, a textbook and instructional materials fee not to exceed 20 dollars per student. Provides that the school principals shall retain the fees and replacement charges for lost, damaged, destroyed, or broken textbooks and instructional materials. -- SB0995 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB0996 SD1 (SSCR 939)

RELATING TO THE DEPARTMENT OF PUBLIC SAFETY.

Introduced by: Chun Oakland S, Fukunaga C, Ige D

Appropriation to the department of public safety for substance abuse treatment for levels I and II minimum custody inmates who are sentenced felons and parole violators with at least 30 months remaining on their sentences at Halawa correctional facility, for substance abuse

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treatment in the Crossroads program at Waiawa community facility, for diagnostic drug assessment and drug screening programs for Maui community correctional center and Kauai community correctional center, and for the project bridge program at Maui community correctional center. (\$\$) -- SB0996 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1002

PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO ALLOW THE STUDENT MEMBER OF THE BOARD OF EDUCATION TO VOTE.

Introduced by: Chun Oakland S, Fukunaga C, Sakamoto N

Proposes to amend the constitution. Changes the public high school student member on the board of education to be a voting member, excluding fiscal or personnel matters. -- SB1002

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1034 SD1 (SSCR 438)

RELATING TO AGRICULTURAL LANDS.

Introduced by: Inouye L

Establishes the other agricultural lands law. Establishes the transfer and management of other agricultural lands and related facilities to the department of agriculture from the department of land and natural resources. Establishes the other agricultural lands special fund. Establishes conversion of qualified and encumbered other agricultural lands to department of agriculture leases or other forms of encumbrance. Establishes the extension of other agricultural lands encumbered by permit and transferred to and managed by the department of agriculture. Provides that the boards of agriculture and land and natural resources shall jointly report to the legislature. -- SB1034 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1038 SD1 (SSCR 136)

RELATING TO WATER SUPPLY.

Introduced by: Slom S

Amends provision relating to prohibited acts within safe drinking water law. Prohibits any person to add any product, substance, or chemical to the public water supply, except federally owned and operated systems such as military facilities, to treat or affect the physical or mental functions of a person other than to make the water safe or potable. -- SB1038 SD1

Current Status: Feb-14 03 Introduction/Passed First Reading - House

Feb-18 03 Single Referral to WLH (586-6270)

SB1040 SD1 (SSCR 207)

RELATING TO TRANSIENT ACCOMMODATIONS TAX.

Introduced by: Hanabusa C

Amends provision relating to transient accommodations tax, remittances and distribution to counties. Provides that 10 per cent shall be deposited into the special land and development fund for the Hawaii statewide trail and access program. -- SB1040 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1041 SD1 (SSCR 636)

RELATING TO LIABILITY.

Introduced by: Hanabusa C

Establishes provision relating to community health center helicopter landing pad operation; liability. Provides that no community health center operating a helicopter landing pad, shall be liable for any civil damages for personal injury resulting from any act or omission by the community health center in the operation of the helicopter pad, where the helicopter involved in the events leading to the personal injury was a Military Assistance to Safety and Traffic (MAST) helicopter, except where the community health center's conduct was grossly negligent, wanton, willful, malicious, or intentional. -- SB1041 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1044

RELATING TO EXECUTIVE COMMUNICATIONS.

Introduced by: Ihara L

Establishes the availability of executive communications and other gubernational issuances. Provides that notice of every executive order, gubernational proclamation, and executive message to the legislature shall be made to the public within 5 days of its issuance by publication in a newspaper of general circulation in the State or in another manner designed to reach the general public, in hard copy and on the internet within the same time period. --

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SB1044

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1049 SD1 (SSCR 750)

RELATING TO THE PUBLIC UTILITIES COMMISSION.

Introduced by: Kawamoto C (BR)

Amends provisions relating to telecommunication providers and services to establish that a person, corporation, partnership, firm, or any other entity holding a license granted by the Federal Communications Commission to provide commercial mobile radio service shall be subject to partial regulation by the public utilities commission. -- SB1049 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1050 SD2 (SSCR 899)

RELATING TO VETERANS RIGHTS AND BENEFITS.

Introduced by: Kawamoto C, Espero W, Kanno B, Aduja M, Baker R

Establishes provisions relating to disbursement of world war II Filipino American veterans burial grant funds. Requires the comptroller to make payment at the request of a deceased Filipino American veteran's survivor or an interested party, for funeral and burial services for deceased veterans, and for transporting the remains to the Philippines. Provides that the maximum amount of burial grant funds to be distributed shall be 2,500 dollars. Requires the office of veterans services to not expend more than the amount appropriated for the fiscal year. Provides that payment shall be made by the comptroller upon the submission of a contract for services and an unpaid invoice to the office. Appropriation. (\$\$) -- SB1050 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1051

RELATING TO PERSONAL TRANSPORTATION.

Introduced by: Kawamoto C, Kanno B

Establishes provisions relating to electric personal assistive mobility devices within the statewide traffic code. Provides that an electric personal assistive mobility device may be operated on the sidewalks and bicycle paths of the State. Requires an operator to be 16 years of age or older, except for an operator with a mobility related disability. Defines electric personal assistive mobility device to mean a self balancing 2 wheeled, non tandem wheeled device, designed to transport only 1 person, using an electric propulsion system that limits the maximum speed of the device to 12.5 miles per hour or less. -- SB1051

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1055 SD1 (SSCR 226)

RELATING TO MOTOR VEHICLE INSURANCE.

Introduced by: Menor R

Amends provisions relating to verification of motor vehicle insurance. Requires every insurer to establish and maintain an information system that enables the insurer to electronically transmits the motor vehicles identification number of the insured vehicle to a designated government database upon the issuance of a motor vehicle insurance policy. Requires the motor vehicle and licensing division of the department of customer services of the city and county of Honolulu to develop and operate a database. Further requires the motor vehicle and licensing administrator to select a qualified contractor to work with insurers and appropriate state and county agencies to develop and maintain the database and any necessary processes that will minimize the costs of compliance for the insurers and state and county agencies. Appropriation to the city and county of Honolulu. (\$\$) -- SB1055 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1057

RELATING TO THE INSURANCE COMMISSIONER.

Introduced by: Menor R

Amends provisions relating to the insurance commissioner. Provides that the commissioner shall be nominated and appointed by the governor with the advice and consent of the senate instead of being appointed by the director of commerce and consumer affairs. -- SB1057

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1058 SD1 (SSCR 604)

RELATING TO CAPTIVE INSURANCE.

Introduced by: Menor R

Amends provisions relating to legal investments of captive insurance companies. Authorizes the insurance commissioner to approve other permitted investment provisions as the commissioner deems appropriate for each company. -- SB1058 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SENATE BILLS WHICH PASSED THIRD READING

- SB1061 SD1 (SSCR 640) RELATING TO ADULT RESIDENTIAL CARE HOMES.
Introduced by: Baker R
Establishes provisions relating to adult residential care homes (ARCH). Establishes the primary caregiver qualifications and the personnel requirements of type I, type II, and expanded adult residential care homes. Requires the department of health to conduct unannounced inspections of every licensed ARCH or expanded ARCH on an annual basis or as determined by the department. -- SB1061 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1065 RELATING TO MANAGED COMPETITION.
Introduced by: Tsutsui S
Establishes the process for managed competition law which state and county agencies shall use to obtain the services they need or are required to provide. Provides that the process shall consist of agency determinations to identify whether services an agency needs or is required to provide are performed more efficiently and economically by public employees or by contractors; agency formulation of objective performance specifications and evaluation criteria for selecting a service provider competitively; and selection of a service provider from among public agency and private sector participants, utilizing the specification and criteria developed. Requires the directors of finance of the State and counties to establish a single, uniform system to identify, analyze, assign, and quantify relevant cost attendant to using public employees to perform the services an agency needs or is required to provide; specify direct and indirect costs that are common to all agencies within their jurisdiction that the agencies shall use to measure efficiencies and economies; and prescribe performance standards and quality measures and procedures. Allows the state and counties to use the layoff provisions of the civil service laws and respective collective bargaining contracts to release employees. Services provided pursuant to contracts for the construction of capital improvement projects authorized by the legislature or county legislative body shall be exempt from civil service. Requires the State and counties to develop the cost system, performance and quality standards, employee collaboration, competitiveness training, employee reassignment and retraining, incentive programs, and procedures necessary to support the process for managed competition. Requires all collective bargaining agreements entered into to be consistent with the process for managed competition. Appropriation. (\$\$) -- SB1065
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1066 MAKING AN APPROPRIATION FOR PUEA CEMETERY.
Introduced by: Chun Oakland S
Appropriation to the department of accounting and general services for the maintenance and upkeep of the Puea cemetery. Report to the legislature. (\$\$) -- SB1066
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1068 SD1 (SSCR 812) RELATING TO HEALTH CARE FACILITIES.
Introduced by: Chun Oakland S
Amends Act 296, session laws of 1999, relating to the senior citizen lifecare retirement community, by changing the lapse date to June 30, 2007 (sunset). -- SB1068 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1070 RELATING TO EXAMINATIONS FOR THE DETERMINATION OF PERMANENT IMPAIRMENT.
Introduced by: Kanno B
Establishes the examination for determination of permanent impairment in workers' compensation. Requires the examination to be conducted by an examiner who has been mutually agreed upon by the employer and the employee. Requires the director of labor and industrial relations to appoint an impairment examiner from a list of qualified examiners, if the parties are not able to mutually agree on an examiner. -- SB1070
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1072 SD2 (SSCR 685) MAKING AN APPROPRIATION FOR ISPED CLERK TYPISTS.
Introduced by: Kanno B
Appropriation to the department of education for para professional positions to support the ISPED (integrated special education database) system. (\$\$) -- SB1072 SD2

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Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1075 SD1 (SSCR 977)

RELATING TO CONTESTED CASES.

Introduced by: Kokubun R

Establishes provision relating to mandated mediation in contested cases. Provides that an agency may require parties to a contested case hearing to participate in mediation prior to the hearing subject to conditions imposed by the agency. Provides that the agency may suspend all further proceedings in the contested case pending the outcome of the mediation. Provides that no mediation period shall exceed 60 days from the date the case is referred to mediation, unless otherwise extended by the agency. Provides that the parties may jointly select a person to conduct the mediation. Provides that if the parties are unable to jointly select a mediator within 10 days of the referral to mediation, the agency shall select the mediator. Provides that all costs of the mediation shall be borne equally by the parties unless otherwise agreed, ordered by the agency, or provided by law. Further provides that no mediation statements or settlement offers tendered shall be admitted into any subsequent proceedings involving the case, including the contested case hearing or a court proceeding.

-- SB1075 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1076 SD1 (SSCR 153)

RELATING TO NATURAL AREA RESERVES SYSTEM.

Introduced by: Kokubun R

Amends provision relating to the natural area reserves system. Provides that the department of land and natural resources shall designate hunting as the primary means of reducing game animal numbers, whether through public hunting or through contracting with public organizations and clubs. -- SB1076 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1077 SD1 (SSCR 585)

RELATING TO CONTINUING EDUCATION FOR INSURANCE LICENSEES.

Introduced by: Fukunaga C

Establishes provisions relating to continuing education course providers for insurers. Establishes provisions for certifying course providers; course provider duties; courses; self study courses; carryover credits; instructors; tuition; reporting credit hours, and advertising. Authorizes the insurance commissioner to establish an advisory committee. -- SB1077 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1080 SD1 (SSCR 582)

RELATING TO PENALTIES.

Introduced by: English J

Amends provision relating to the waiver or reduction of penalties within the small business regulatory flexibility Act. Provides that a small business shall waive or reduce any penalty or fine as allowed by federal or state law for a violation of any statute, ordinance, or rules by a small business when a violation results in serious health and safety impacts and the violation occurs under public administration and historic preservation, solid waste, safe drinking water, environmental quality control, air pollution control, ozone layer protection, water pollution, non point source pollution management and control, noise pollution, integrated solid waste management, solid waste pollution, special waste recycling, hazardous waste, underground storage tanks, recycling and disposal and asbestos violations. -- SB1080 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1087 SD1 (SSCR 439)

RELATING TO CONDOMINIUMS.

Introduced by: Bunda R, Menor R

Amends Act 213 session laws of 2000, relating to condominiums. Provides that the real estate commission shall submit a progress report to the legislature, including any draft legislation to the legislature prior to the regular 2003 session and a final report of the review, including findings and recommendations of the commission, and draft legislation prior to the 2004 session. Expands the membership of the real estate commission's recodification advisory committee. Requires the committee to meet to review the final version of the recodification draft to be presented at public hearings. Further requires the committee to meet after the public hearings and to make recommendations to the real estate commission before the final recodification draft is submitted to the legislature. Appropriation out of the condominium management education fund to the department of commerce and consumer

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affairs to cover necessary expenses of the real estate commission to complete its comprehensive review of the condominium property regimes law, including the cost of continuing 1 full time temporary condominium specialist position in the department of commerce and consumer affairs. (\$\$) -- SB1087 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1088 SD2 (SSCR 813)

RELATING TO LONG-TERM CARE.

Introduced by: Bunda R, Chun Oakland S

Establishes a long term care income tax. Provides that the tax shall go to the long term care benefits fund. Amends provisions relating to the long term care financing program investments. Authorizes the board of trustees of the long term care financing program to make investments with sufficient liquidity to allow market transactions to meet expected payout requirements without substantial loss in value or unreasonable delay. Amends Act 245, session laws of 2002, establishing the Hawaii long term care financing program law by repealing the requirement that the temporary board of trustees recommend a 3rd party administrator. -- SB1088 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1107 SD1 (SSCR 637)

RELATING TO CHAPTER 711, HAWAII REVISED STATUTES.

Introduced by: Bunda R (BR)

Amends provision relating to offenses against public order. Defines record to mean to videotape, film, photograph, or record electronically. Provides that a person commits the offense of disorderly conduct, with intent to cause physical inconveniences or alarm by a member or members of the public, or recklessly creating a risk thereof, if the person subjects another person to offensively coarse behavior or abusive language which is likely to provoke a violent response. Provides that the court may order the destruction of any recording made in violation of privacy in the 1st degree. Provides that a person commits the offense of violation of privacy in the 2nd degree if the person intentionally records or broadcasts an image of another person's intimate area underneath clothing, and such image is taken while that person is in a public place and without that person's consent. -- SB1107 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1109 SD1 (SSCR 766)

RELATING TO DEPENDENT ADULTS.

Introduced by: Bunda R (BR)

Amends provision relating to reporting abuse of dependent adults. Provides that any family or household member who knows or has a reason to believe that a dependent adult, who is unable to obtain necessary health care, access to health care, or prescribed medication due to mental or physical impairment, is in need of such treatment or care and is at imminent risk of death or serious bodily injury, shall promptly seek necessary health care, access to health care, or prescribed medication for the adult family or household member who is unable to obtain care for oneself, or report the matter to the police department. -- SB1109 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1130

RELATING TO THE COURTS.

Introduced by: Bunda R (BR)

Amends provision relating to use of credit cards to pay for court costs, fees, expenses, and other charges by including debit cards. Provides that costs, fees, bond forfeitures, fines, expenses, and other charges that are due and owing to the courts may be paid by use of credit or debit cards acceptable to the administrative director of the courts provided that bail postings and driver's license and vehicle registration clearances shall be paid in cash only. -- SB1130

-- SB1130

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1131

RELATING TO TRAFFIC INFRACTIONS.

Introduced by: Bunda R (BR)

Amends provisions relating to the adjudication of traffic infractions. Repeals the requirement that the return envelope be postage paid. -- SB1131

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1132 SD1 (SSCR 638)

RELATING TO FAMILY COURTS.

Introduced by: Bunda R (BR)

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Amends provision relating to appointment of counsel and guardian ad litem; compensation by providing that nothing in these provisions shall preclude the judiciary from contracting these professional services based upon reasonable rates of compensation. -- SB1132 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1134 SD1 (SSCR 940)

RELATING TO COURT COSTS.

Introduced by: Bunda R (BR)

Amends provision relating to court fees by providing that money collected from administrative fees and fees for administrative costs shall be deposited into the judiciary computer system special fund. Amends provision relating to costs and fees by providing that fees for administrative costs associated with the processing of all civil filings except those brought by the State or any of the various counties and political subdivisions of the State, those commenced by a petition for temporary restraining order and those commenced and conducted in the small claims division of the district court shall be 20 dollars. Further provides that fees for administrative costs associated with the processing of all civil filings except those brought by the State or any of the various counties or political subdivisions of the State shall be 50 dollars. -- SB1134 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1135 SD1 (SSCR 941)

RELATING TO COURT FEES.

Introduced by: Bunda R (BR)

Amends provision relating to court fees by providing that money collected from administrative fees and fees for administrative costs shall be deposited into the judiciary computer system special fund. -- SB1135 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1136 SD1 (SSCR 900)

RELATING TO ADMINISTRATIVE DRIVER'S LICENSE REVOCATION.

Introduced by: Bunda R (BR)

Amends provisions relating to operating a vehicle under the influence of intoxicants. Repeals law enforcement mileage fees from the costs of processing a request for an administrative hearing. -- SB1136 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1138 SD1 (SSCR 942)

RELATING TO INTERMEDIATE SANCTIONS.

Introduced by: Bunda R (BR)

Appropriation to the judiciary for personnel and operating expenses to support the work of the interagency council on intermediate sanctions and for assessments of pre sentence and post sentence offenders. Authorizes the judiciary to establish ____ full time equivalent (____.00 FTE) program coordinator position. Appropriation to the department of public safety for personnel and operating expenses to provide mental health assessments of offenders, for assessments of pretrial detainees, furloughed inmates, and parolees, for assessing and planning for the management information systems needs to support intermediate sanctions research, for interfacing the department's corrections information system with the department of attorney general's criminal justice information system, and for cognitive behavioral skills training. Authorizes the department of public safety to establish ____ full time equivalent (____.00 FTE) mental health assessor position. Appropriation to the department of the attorney general for conducting research on recidivism reduction. (\$\$) -- SB1138 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1139 SD1 (SSCR 43)

RELATING TO FAMILY COURT.

Introduced by: Bunda R (BR)

Amends provision relating to surcharge for parent education for separating parties with children. Provides that in addition to the fees prescribed for a matrimonial action or family court proceeding under the uniform parentage Act, the court shall collect a surcharge of 50 dollars at the time of or subsequent to filing the initial complaint or petition. Provides that any respondent in a matrimonial action with a minor child may not be requested to make a 15 dollar donation. -- SB1139 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1142

RELATING TO VOTER REGISTRATION.

SENATE BILLS WHICH PASSED THIRD READING

Introduced by: Bunda R (BR)

Establishes provision relating to election day registration. Allows persons seeking to vote to register at the polling place for the precinct in which the person maintains residence, on that election day with proof of residence. Provides criteria for proof of residence. Amends provision relating to closing register and list of voters by changing it to registration before election day and list of voters. Appropriation to the for developing an election day voter registration system. (\$\$) -- SB1142

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1149

RELATING TO ELECTIONS BY MAIL.

Introduced by: Bunda R (BR)

Allows federal, state, or county elections, other than regularly scheduled primary or general elections, to be conducted by mail (provided that the election is state or county wide). Provides that chief election officer shall determine whether a federal or state election other than a regularly scheduled primary or general election is conducted by mail or at a polling places and shall adopt rules to provide for the uniformity in the conduct of federal and statewide elections by mail. Provides that the county clerk shall determine whether a county election, held other than on the date of a regularly scheduled primary or general election, may be conducted by mail or at polling places. -- SB1149

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1151

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

Introduced by: Bunda R (BR)

Defines public land trust to mean those lands which were ceded to the US by the republic of Hawaii under the joint resolution of annexation, approved July 7, 1898, or acquired in exchange for lands so ceded, and which were conveyed to the state of Hawaii by virtue of the Admissions Act of March 18, 1959, excluding therefrom lands and all proceeds and income from the sale, lease, or disposition of lands defined as available lands of the Hawaiian Homes Commission Act, 1920, as amended; retained by the US and later conveyed to the State under the Act of March 18th, 1959; and ceded to and retained by the US under the Act of March 18, 1959, and later conveyed to the State under pursuant to the Act of December 23, 1963. Defines revenue to mean all proceeds, fees, charges, rents, or other income or any portion thereof, derived from any sale, lease, license, permit, or other similar proprietary disposition, permitted use, or activity that is situated upon and results from the actual use of lands comprising the public land trusts, and including any penalties or levies exacted as a result of a violation of the terms of any proprietary disposition, but excluding any income, proceeds, fees, charges, or other moneys derived through the exercise or sovereign functions and powers. Provides criteria. Provides that 20 per cent of all public land trust revenue shall be expended by the office of Hawaiian affairs for the betterment of the conditions of native Hawaiians. -- SB1151

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1152 SD1 (SSCR 870)

RELATING TO THE REPRESENTATION OF THE OFFICE OF HAWAIIAN AFFAIRS ON BOARDS, COMMISSIONS, AND ADVISORY BODIES.

Introduced by: Bunda R (BR)

Amends provision relating to the establishment of the state land use commission and the public advisory board. Provides that 4 members shall be appointed at large and the 9th member shall be a trustee of or a representative designated by the office of Hawaiian affairs. -- SB1152 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1154

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

Introduced by: Bunda R (BR)

Provides that all state agencies, including the office of Hawaiian affairs, having control of funds other than the general fund shall reimburse the State for contributions made by the State pursuant to the employer union health benefits trust fund on account of agency employees whose compensation is paid in whole or part from funds other than the general fund. -- SB1154

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1155 SD1 (SSCR 416)

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

SENATE BILLS WHICH PASSED THIRD READING

Introduced by: Bunda R (BR)

Amends provision relating to service while a member of the board of trustees of the office of Hawaiian affairs. Provides that any service as a trustee of the office of Hawaiian affairs during the period of July 1, 1993, through July 1, 2002, if claimed by the member, shall be credited in the member's class at the time the service is acquired provided that membership service shall be creditable in accordance with credit for previous service for any trustee with fewer than 5 years of credible service who elected to become a member under by October 1, 2002. Amends provision relating to the acquisition of membership service. Provides that verified prior service shall be credited and verified membership service shall be paid for the member by lump sum payment, unless the member is claiming service credit as a trustee of the office of the Hawaiian affairs and has elected to become a member. -- SB1155 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1156

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

Introduced by: Bunda R (BR)

Establishes the Hawaiian registry. Provides that the office of Hawaiian affairs shall establish and maintain a registry of all Hawaiians wherever such persons may reside. Provides that inclusion of persons in the Hawaiian registry shall be based upon genealogical record sufficient to establish the person's descent from the aboriginal people's inhabiting the Hawaiian islands in 1778. -- SB1156

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1163

RELATING TO EMERGENCY MEDICAL SERVICES.

Introduced by: Bunda R (BR)

Amends provision relating to standards of emergency medical services and systems. Requires ambulance service providers licensed by the State to establish and maintain an alcohol and substance abuse policy for employees that the department of health deems is equivalent to, or exceed the provisions of the safety and health standards established by the US Department of Transportation for holders of commercial driver's licenses. -- SB1163

Current Status: Feb-14 03 Introduction/Passed First Reading - House

Feb-18 03 Single Referral to HLT (586-6050)

SB1172 SD2 (SSCR 692)

RELATING TO AIRLINES.

Introduced by: Kim D

Provides an airport landing fees income tax credit for each principal operator of a commercial airline that has a domicile base in Hawaii. Further provides that the tax credit shall be ____ per cent of the landing fees paid after December 31, 2002 until December 31, 2005 (sunset). Requires the department of taxation to annually report to the legislature. Requires the department to work with the department of business, economic development, and tourism. -- SB1172 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1183

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL.

Introduced by: Hooser G (BR)

Authorizes the issuance of special purpose revenue bonds for appropriation to assist St. Patrick school to finance or refinance the planning, acquisition, construction, or improvement of its educational facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB1183

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1200 SD1 (SSCR 605)

RELATING TO CAPTIVE INSURANCE.

Introduced by: Menor R

Amends provisions relating to captive insurance companies. Changes charter to articles of incorporation and license to certificate of authority. Requires a company to file a statement under oath showing its financial condition by any 2 of its principal officers or its attorney in fact. - SB1200 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1201 SD2 (SSCR 745)

RELATING TO MOTOR VEHICLE FRANCHISES.

Introduced by: Menor R

SENATE BILLS WHICH PASSED THIRD READING

Amends the motor vehicle industry licensing act. Provides that any condition, stipulation, or provision in a franchise or distributorship agreement purporting to bind any person acquiring or holding any franchise or distributorship to waive compliance with any provision of this law or any other state law shall be void. Further provides that the same procedure, protections, rights, and remedies provided to a dealer shall apply to a distributor that is not a manufacturer. Requires the measure of compensation upon cancellation or failure to renew a franchise agreement to include compensation related to that distributor's dealer operations and franchise agreements with other dealers. Provides that the motor vehicle industry licensing board shall be authorized to suspend, revoke, or deny the renewal of any license for any manufacturers or distributor to coerce any dealer to enter into any agreement to perform or not to perform any act contrary to the franchise agreement with the dealer; cancel or fail to renew the franchise agreement of any dealer without good faith; delay delivery of or refuse to deliver without cause, any new motor vehicle to a dealer; discriminate against any dealer by directly or indirectly charging more for new motor vehicles or services; or wilfully fail to affix, deface, or remove the vehicle bumper impact notice. Further provides that the board shall be authorized to suspend, revoke, or deny the renewal of any license for any motor vehicle auctioneer who does not intend to be employed as such by a licensed auction. -- SB1201 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1210

RELATING TO THE HAWAII TOURISM AUTHORITY.

Introduced by: Kim D

Establishes provision relating to the Hawaii tourism registry. Requires the Hawaii tourism authority to establish a registry of groups of state residents, who plan to travel out of state, to market or promote Hawaii as a tourist destination. Establishes internet website to promote registry. Provides criteria. -- SB1210

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1229 SD1 (SSCR 751)

RELATING TO NONPROFIT CORPORATIONS.

Introduced by: Ihara L, Hooser G

Establishes provision relating to certain nonprofits required to comply with additional state laws. Provides that any corporation whose bylaws provide that a government official or agency shall appoint a majority of the corporation's board of directors, whose assets are payable to the State upon dissolution, or whose majority of funds are public funds shall be required to comply with public agency meetings and records and the uniform information practices laws. Requires the auditor to have the power to subpoena the records of and audit any corporation required to comply. -- SB1229 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1234 SD2 (SSCR 632)

RELATING TO ALCOHOLIC BEVERAGES.

Introduced by: Chun Oakland S

Establishes provision relating to civil action; intoxication of persons under age 21. Provides that any person 21 years or older who sells, furnishes, provides, or makes available to a person under the age of 21 years; or owns, occupies, or controls premises on which alcoholic beverages are consumed by any person under 21 years of age, who knows or reasonably should know of alcohol consumption by person under 21 years of age on such premises, and who reasonably could have prohibited or prevented such alcohol consumption; shall be liable for all injuries or damages caused by an intoxicated person under 21 years of age. Provides that no adult shall provide or purchase liquor for consumption or use by a person under 21 years of age. -- SB1234 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1237 SD1 (SSCR 763)

RELATING TO EDUCATION.

Introduced by: Chun Oakland S

Amends provisions relating to education. Defines out of field teacher to mean an individual who is teaching outside the areas of preparation indicated on the individual's license issued to the individual by the Hawaii teacher standards board. Defines teaching out of field and out of field teaching to mean teaching outside the areas of preparation indicated on an individual's license issued to the individual by the board. Requires that the department of education's report on teachers and emergency hires to the board be posted on the department's internet website. -- SB1237 SD1

SENATE BILLS WHICH PASSED THIRD READING

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1238 SD2 (SSCR 814)

RELATING TO MENTAL HEALTH.

Introduced by: Chun Oakland S

Establishes advance mental health care directives law. Authorizes any competent adult or emancipated minor to make a written advance mental health care directive declaring preferences or instructions regarding mental health treatment including consent to or refusal of treatment. Defines advance health care directive to mean a written document expressing preferences, instructions or a power of attorney for mental health treatment. Defines power of attorney to mean the designation of an agent to make mental health care decisions for the individual granting the power. Requires the power to be signed by 2 competent adults and acknowledged before a notary public. Provides that the authority of an agent becomes effective only upon a determination that the principal lacks capacity and ceases to become effective upon the determination that the principal has recovered capacity. Repeals the medical treatment decision for psychotic disorders law. -- SB1238 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1239 SD1 (SSCR 424)

RELATING TO ENERGY.

Introduced by: Baker R, English J, Ihara L, Ige D, Chun Oakland S, Fukunaga C

Establishes the biodiesel fuel revolving fund to be administered by the department of accounting and general services for the purchase of biodiesel fuel for government motor vehicles. Requires an annual report to the legislature. Provides that a state government motor vehicle operating on biodiesel fuel shall be affixed with a visible sticker. Defines biodiesel fuel to mean a renewable, biodegradable, mono alkyl ester combustible liquid fuel derived from agricultural plant oils or animal fats that meets American society for testing and materials specification for biodiesel fuel blend stock for distillate fuels and is suitable for blending with petroleum based fuel for use in diesel engines. Establishes provision relating to delivery of biodiesel fuel to harbors; installation of biodiesel fuel pumps by requiring the department to allow for the delivery of biodiesel fuel to all harbors; and to provide for installation of biodiesel fuel pumps at all harbors. Establishes provision relating to biodiesel fuel; exemption by providing that no fuel tax shall be imposed for any biodiesel fuel that is refined, manufactured, produced, compounded, sold, or used in this state. Redefines alternative fuel by repealing provisions relating to biodiesel fuel. Establishes provision relating to grease and grease traps prohibited from landfills. Provides that no person may dispose of any grease or grease trap in any solid waste or sanitary landfill in this State. Requires the department of health to report to the legislature. -- SB1239 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1240 SD2 (SSCR 856)

RELATING TO MEDICAID.

Introduced by: Baker R, Chun Oakland S

Requires the department of human services to withdraw its proposed amendments to the state Medicaid plan that would pay only 1/2 of the DRI McGraw Hill inflation adjustment; discontinue the ROE (return on equity) program; and modify the grandfathered capital component in the state Medicaid plan thereby restoring the full DRI and ROE to the formula for calculating Medicaid payments for the aged, blind, and disabled in the state Medicaid plan. Provides that the director shall submit a proposal to the Centers for Medicare and Medicaid Services to amend Hawaii's Medicaid plan to set payments at a level to at least cover the actual costs of quality care. Further provides that in negotiating future contracts with health plans to provide health care under QUEST, the director shall propose annual inflationary adjustments to the per capita payments based on a factor that is generally accepted nationally. Report to the legislature. Appropriation. (\$\$) -- SB1240 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1241

RELATING TO CANCER EXAMINATIONS.

Introduced by: Baker R

Repeals provision relating to cancer examination which requires every hospital to offer a uterine cytologic examination for cancer to every female in patient 20 years of age or older. -- SB1241

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1242

RELATING TO FAIR ACCESS FOR STATE GOVERNMENT.

SENATE BILLS WHICH PASSED THIRD READING

Introduced by: Baker R, Hooser G, Chun Oakland S

Establishes provision relating to fair access to state government. Provides that the office of the governor and legislature shall ensure fair public access to information, services, and proceedings of the executive and legislative branches. Provides that the governor may appoint a fair access commission. Amends provision relating to the joint legislative access committee composed of members of the legislature. Provides that the committee shall review, evaluate, and make recommendations to the presiding officers for improving the level of access to the proceedings, information, and services of the legislature by residents on the neighbor islands and in rural Oahu. -- SB1242

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1243 SD2 (SSCR 816)

MAKING AN APPROPRIATION FOR PRIMARY HEALTH CARE FOR THE UNINSURED.

Introduced by: Baker R, Chun Oakland S, Fukunaga C

Appropriation to the department of health for resources to nonprofit, community based health care providers to care for the uninsured for direct care, which includes primary medical, dental, and mental health care, and purchase of prescription drugs. (\$\$) -- SB1243 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1245

RELATING TO THE EVALUATION OF TEACHERS.

Introduced by: Ige D, Hooser G, Chun Oakland S

Establishes an evaluation program for classroom teachers; exceptions. Provides that no collective bargaining agreement or executive policy put forth after the effective date shall contain provisions that may preclude the implementation of the evaluation program for classroom teachers, unless a contract waiver process exists between the parties. -- Amends provisions relating to the evaluation of teachers and educational officers to provide that the evaluation program for teachers shall allow students to be included in the evaluation process at an age appropriate level. -- SB1245

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1248 SD1 (SSCR 791)

RELATING TO SCHOOL/COMMUNITY-BASED MANAGEMENT.

Introduced by: Ige D, Hooser G

Requires the superintendent of education through the board of education to report to the legislature on how the department can support the implementation of school community based management or alternative systems that invite parental and teacher participation in the planning and decision making processes in the schools. -- SB1248 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1249 SD2 (SSCR 862)

RELATING TO SMALL BUSINESS TECHNOLOGY TRANSFER GRANTS.

Introduced by: Ige D, Hooser G, Chun Oakland S, Baker R, Fukunaga C

Provides that the high technology development corporation may provide grants not exceeding the lesser of 50 per cent of the federal small business innovation research or small business technology transfer phase I award or contract; or 25,000 dollars to each business in Hawaii that receives a federal small business innovation research or small business technology transfer phase I award or contract from any participating federal agency, subject to the availability of funds. Appropriation. (\$\$) -- SB1249 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1251 SD1 (SSCR 376)

RELATING TO A STATE CHIEF INFORMATION OFFICER.

Introduced by: Fukunaga C, Ige D, Kawamoto C

Establishes provision relating to the chief information officer. Provides that the state comptroller shall serve as the State's chief information officer. Provides the duties of the chief information officer. Requires the comptroller to annually report to the legislature and the governor on significant issues in implementing a statewide strategic plan for information technology. Amends provision relating to department of accounting and general services. Provides that the comptroller shall ensure the establishment of a state communication system. -- SB1251 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1253 SD1 (SSCR 557)

RELATING TO ECONOMIC DATA.

Introduced by: Fukunaga C, Ige D, Kawamoto C

Amends provision relating to data or information collection by providing that the department

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of business, economic development and tourism shall track and annually report on new economy indicators in the State. Further provides that the department shall collaborate with higher educational institutions, economists, and other public private partners to make its new economy indicators available to the widest extent possible using the internet, educational and economic forums, and other media distribution channels. -- SB1253 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1255 SD2 (SSCR 926)

RELATING TO AGRICULTURAL INSPECTIONS.

Introduced by: Bunda R (BR)

Establishes provision relating to agricultural safety and security. Provides that the department of agriculture may enter into cooperative agreements with the US department of agriculture or other agreements and contracts with other parties for the purposes of auditing and certifying that applicants are following good agricultural, handling, processing and manufacturing practices; and maintaining food security and product traceability. Provides that the department shall fix, assess, and collect fees for the audit and certification provided under these provisions. Establishes provision relating to seed certification. Provides that the department is designated as the official certifying agency for certifying seed concerning genetic purity, identity, quality, and condition for the State. Provides that the department shall fix, assess, and collect fees for the inspection and certification provided under these provisions. Amends provision relating to grades and standards by providing that the department of agriculture may enter into cooperative agreements with the US department of agriculture for the purpose of grading beef, pork, mutton, and lamb carcasses. Amends provision relating to disposition of fees by providing that all fees collected under these provisions shall be paid into a special fund established by the department of agriculture. Amends provisions relating to marketing order revolving fund and changes it to certification services revolving fund. Provides that the revolving fund shall be used to support certification or audit services. Further provides that the department may employ temporary staff to assist in providing these certification or audit services. Amends provision relating to seeds by repealing the definition of certifying agency. Repeals provisions relating to coffee inspection revolving fund, and official certifying agency. -- SB1255 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1256

RELATING TO THE AGRICULTURAL WATER USE AND DEVELOPMENT PLAN.

Introduced by: Bunda R (BR)

Amends Act 101, session laws of 1998, relating to the state water code, as amended by Act 192, session laws of 2000, to require a report to the legislature prior to the convening of the regular session of 2004. -- SB1256

Current Status: Feb-19 03 Introduction/Passed First Reading - House
Feb-27 03 Multiple Referral to WLH/ AGR/ then FIN (586-6270)

SB1257

RELATING TO THE IRRIGATION WATER DEVELOPMENT SPECIAL FUND.

Introduced by: Bunda R (BR)

Repeals the irrigation water development special fund. -- SB1257

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1258 SD1 (SSCR 716)

RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION.

Introduced by: Bunda R (BR)

Amends Act 176, session laws of 1998, relating to the aquaculture advisory council. Amends Act 176, session laws of 1998, as amended by Act 117, session laws of 1999, and as amended by Act 213, session laws of 2001. Amends Act 117, session laws of 1999, as amended by Act 213, session laws of 2001, relating to agriculture. Repeals the requirement of the board of directors of the agribusiness development corporation to consist of members of the board of agriculture. -- SB1258 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1260 SD1 (SSCR 871)

RELATING TO MICROORGANISM IMPORT.

Introduced by: Bunda R (BR)

Amends provision relating to microorganism import by repealing provisions relating to permits issued under rules adopted prior to Act 211, session laws of 2000. Provides that the requirements of these provisions other than the notification, labeling, and inspection requirements of provisions relating to regulation of importation shall not apply to the state

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department of health or Tripler army medical center for their laboratories; and a laboratory certified under the Clinical Laboratories Improvement Amendment of 1988. Establishes criteria. -- SB1260 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1261

RELATING TO PROCUREMENT CARD PAYMENTS.

Introduced by: Bunda R (BR)

Amends provision relating to payment for goods and services. Provides that all goods or services purchased by a state agency which are less than 25 dollars, except those purchased through the use of a state procurement card shall be paid for by the petty cash funds of the agency. Further provides that the payments for goods and services obtained through use of any state or county procurement card shall be made under the terms and conditions specified in the contract under which the procurement card was established. -- SB1261

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1262 SD1 (SSCR 876)

RELATING TO PROCUREMENT

Introduced by: Bunda R (BR)

Establishes provision relating to pre bid conference. Provides that prior to receiving any bids or proposals for construction or design build projects with a total estimated contract value of 100,000 dollars or more, the head of the purchasing agency shall invite all potential interested bidders to a pre bid conference. Amends provision relating to additional duties of the administrator of the procurement office to provide that the administrator shall also establish and maintain a Hawaii procurement institute, in cooperation with the William S. Richardson School of Law and other public and private entities or persons, to promote and develop a professional acquisition workforce and to improve and enhance the State's contractor industrial base through education and training. Amends provision relating to procurement of professional services. Provides that in designating the members of the review committee, the head of the purchasing agency shall ensure the impartiality and independence of committee members and that the names of the review committee members shall be placed in the contract file. Provides that the selection criteria employed in descending order of importance shall be experience and qualifications relevant to the project type; past performance on projects of similar scope for public agencies or private industry including responses and corrective actions to notices of deficiencies; and any additional criteria determined in writing by the selection committee to be relevant to the purchasing agency's needs or necessary and appropriate to ensure full, open, and fair competition for professional services contracts. Provides that in conducting discussions, there shall be no disclosure of any information derived from the competing professional service offeror and that the selection committee shall rank a minimum of 3 persons based on the selection criteria and send the ranking to the head of the purchasing agency. Provides that if more than 1 person holds the same qualifications, the selection committee shall rank the person in a manner that ensures equal distribution of contracts among the persons holding the same qualifications. Amends provision relating to responsibility of offerors by providing that all offerors shall be incorporated or organized under the laws of the State and shall comply with all laws governing entities doing business in the State. Requires offerors to produce documents to the procuring officer to demonstrate compliance with these provisions. Repeals provision relating to preference to bidders on state agency contracts. -- SB1262 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1263 SD3
(FLOOR AMENDMENT 5)

RELATING TO ELECTRONIC PROCUREMENT.

Introduced by: Bunda R (BR)

Amends provision relating to definitions. Defines electronic bidding to mean the solicitation and receipt of offers for the procurement of goods, services and construction by which offers may be accepted and contracts may be executed through an electronic procurement system. Amends provision relating to small purchases; prohibition against parceling. Provides awards of 5,000 to less than 25,000 dollars shall be posted electronically. Further provides that procurements of 25,000 dollars to 100,000 dollars for goods, services and construction may be made provided that the procurement is made through electronic bidding. -- SB1263 SD3

Current Status: Mar=06 03 Passed Third Reading Senate as amended (SD3)

SENATE BILLS WHICH PASSED THIRD READING

- SB1264 SD2 (SSCR 945) MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.
Introduced by: Bunda R (BR)
Appropriation to the department of the attorney general 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. (\$\$) -- SB1264 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1266 SD1 (SSCR 646) RELATING TO DRIVERS' LICENSES.
Introduced by: Bunda R (BR)
Amends provision relating to unlawful use of motor vehicle driver's license. Prohibits 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 or otherwise commit a fraud in any driver's license application. -- SB1266 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1267 RELATING TO TOBACCO.
Introduced by: Bunda R (BR)
Amends the cigarette and tobacco tax law to establish provisions prohibiting against the stamping or sale of cigarettes not listed in the attorney general's directory listing all participating tobacco product manufacturers and their brand families. -- Amends the tobacco products reporting law to require tobacco product manufacturers to execute and deliver a certification that they are a participating manufacturer (tobacco liability law) to the attorney general and for the attorney general to create the directory. -- SB1267
Current Status: Feb-19 03 Introduction/Passed First Reading - House
 Feb-27 03 Multiple Referral to CPC then JUD (586-6180)
- SB1270 SD1 (SSCR 757) RELATING TO ANTITRUST.
Introduced by: Bunda R (BR)
Provides that actions brought under unfair competition, practices, declared unlawful, shall be brought as parens patriae on behalf of natural persons residing in the State, to secure threefold damages for injuries sustained by such natural persons to their property by reason of any monopolies and restraint of trade violation. -- SB1270 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1274 SD1 (SSCR 978) RELATING TO MANSLAUGHTER.
Introduced by: Bunda R (BR)
Amends provision relating to manslaughter by providing that in a prosecution for attempted murder in the 1st and 2nd degrees it is an affirmative defense, which reduces the offense to attempted manslaughter, that the defendant was, at the time the defendant caused the death of the other person, under the influence of extreme mental or emotional disturbance, causing a temporary loss of self control for which there is a reasonable explanation. Provides that the reasonableness of the explanation shall be determined from the viewpoint of a reasonable person in the circumstances the defendant believed them to be. -- SB1274 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1275 RELATING TO ASSAULT AGAINST LAW ENFORCEMENT OFFICERS.
Introduced by: Bunda R (BR)
Establishes provision relating to assault against a law enforcement officer in the 2nd degree. Provides that a person commits the offense of assault against a law enforcement officer in the 2nd degree if the person recklessly causes bodily injury to a law enforcement officer who is engaged in the performance of their duty. Provides that assault against a law enforcement officer in the 2nd degree is a misdemeanor and the court shall sentence a person convicted of this offense to a definite term of imprisonment of not less than 30 days without the possibility of probation or suspension of sentence. Provides that a person commits the offense of assault against a law enforcement officer in the 1st degree if the person intentionally or knowingly causes bodily injury to a law enforcement officer who is engaged in the performance of duty or recklessly or negligently causes with a dangerous instrument, bodily injury to a law enforcement officer who is engaged in the performance of duty. Provides that assault against a law enforcement officer in the 1st degree is a class C felony

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and that the court shall, at a minimum, sentence a person convicted of this offense an indeterminate term of imprisonment for 5 years, 5 years probation with conditions to include a term of imprisonment for not less than 30 days without the possibility of suspension of sentence. -- SB1275

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1279 SD2 (SSCR 817)

RELATING TO TOBACCO.

Introduced by: Bunda R (BR)

Amends provision relating tobacco enforcement special fund in the department of the attorney general. Provides that the allocated portion of the stamp fee designated to pay for the cost of enforcing the cigarette tax stamp and fines shall be deposited into the special fund. Repeals the exemption of the cigarette tax stamp enforcement special fund from contributing to central service and administrative expenses of the government. Amends the distribution of the tobacco settlement moneys by changing the amount of tobacco settlement moneys to be deposited into the tobacco enforcement special fund from the sum representing the difference between the 1st 350,000 dollars of such moneys and the unexpended and unencumbered balance of the special fund at the close of the previous fiscal year to the 1st 350,000 dollars of those moneys. Repeals the cigarette tax stamp enforcement special fund. Requires the director of finance to transfer unexpended balance of the cigarette tax stamp enforcement special fund to the credit of the tobacco enforcement special fund. Appropriation out of the tobacco enforcement special fund for the administration and operation of tobacco enforcement activities. (\$\$) -- SB1279 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1281 SD1 (SSCR 872)

RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION.

Introduced by: Bunda R (BR)

Amends provision relating to the definition of public lands. Provides that lands to which the high technology development corporation holds title for the Maui Research and Technology Center situate at Waiohuli - Keokea, Kula, Makawao, Maui, containing an area of 5.145 acres, more or less, shall not be defined as public lands. -- SB1281 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1283

RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.

Introduced by: Bunda R (BR)

Repeals provisions related to the housing alteration revolving loan and Hawaii development revolving funds. -- SB1283

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1284 SD1 (SSCR 765)

RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT.

Introduced by: Bunda R (BR)

Amends provision relating to small business statement after public hearing by changing it to public hearing, small business comments. Provides that for any proposed rules that affect small business, the agency shall also submit a statement of the comments received from small business at the public hearing to the small business regulatory review board and the departmental advisory committee on small business after the public hearing is held. -- SB1284 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1286 SD1 (SSCR 847)

RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.

Introduced by: Bunda R (BR)

Provides that the housing and community development corporation of Hawaii shall be placed within the department of human services rather than the department of business, economic development, and tourism. Amends provision relating to annual statements by including that the corporation shall forward to the director of human services a full, detailed description and financial statement. -- SB1286 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1287

RELATING TO THE ALOHA TOWER COMMUNITY DEVELOPMENT DISTRICT.

Introduced by: Bunda R (BR)

SENATE BILLS WHICH PASSED THIRD READING

Establishes the aloha tower community development district within the Hawaii community development authority. Provides that the purpose of the authority is to undertake the redevelopment of the aloha tower community development to strengthen the international economic base of the community in trade activities, enhance the beautification of the waterfront, better serve modern maritime uses and provide for public access and use of the waterfront property. Establishes the aloha tower fund. Amends provision relating to Hawaii community development authority; established. Provides that if an additional district is designated by the legislature in a county other than the county in which the initial designated district is situated, the total membership of the authority shall be increased by the appointment of 3 additional members. Repeals the aloha development corporation. Transfers all jurisdiction, powers, duties, and authority of the aloha tower development corporation to the Hawaii community development authority. Appropriation out of the aloha tower fund to the Hawaii community development authority to fund operating costs for the aloha tower community development district. -- SB1287

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1290 SD1 (SSCR 572)

RELATING TO PRODUCT PROCUREMENT PREFERENCES BY STATE AGENCIES.

Introduced by: Bunda R (BR)

Amends provision relating to recycled products by providing that all state agencies shall require all contractors to certify in writing the percentage of post consumer and secondary material in the materials and goods manufactured in Hawaii that are provided or used. Provides that this certification shall be furnished under penalty of perjury. Further provides that purchase specifications shall also include nonpaper office products, vehicular and transportation products, parks and recreation products and construction products. Provides that the preference to bidders on state agency contracts may not be used in combination with any other preference otherwise available to a bidder under state or federal law except the preferences offered in provisions relating to Hawaii products and recycled products. -- SB1290 SD1

Current Status: Feb-28 03 Introduction/Passed First Reading - House

Feb-28 03 Multiple Referral to EEP then JUD then FIN (586-8435)

SB1305 SD1 (SSCR 827)

RELATING TO STATE FUNDS.

Introduced by: Bunda R (BR)

Authorizes the director of finance to transfer funds from the cigarette tax stamp enforcement special fund, the medicaid investigations recovery fund, the litigation settlement clearance account, the aloha tower fund, the dwelling unit revolving fund, the teachers' housing revolving fund, the housing finance revolving fund, the compliance resolution fund, the noise, radiation and indoor air quality special fund, the spouse and child abuse special fund and the bureau of conveyances special fund to the general fund. (\$\$) -- SB1305 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1306

RELATING TO TELECOMMUNICATIONS RELAY SERVICES.

Introduced by: Bunda R (BR)

Amends provisions relating to relay services for the deaf, hearing impaired, and speech impaired to telecommunications relay services for the deaf, persons with hearing disabilities, and persons with speech disabilities. Provides that the public utilities commission may require every intrastate telecommunications carrier to contract with a provider or providers for the provision of telecommunications relay service. Authorizes the commission to establish a surcharge to collect customer contributions for telecommunications relay services. Repeals telecommunications expedition of ratemaking procedures. -- SB1306

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1307 SD1 (SSCR 828)

RELATING TO UNCLAIMED PROPERTY.

Introduced by: Bunda R (BR)

Amends provision relating to unclaimed property trust fund. Provides that all money collected by the unclaimed property program from holders of property presumed abandoned and proceeds from the sale of unclaimed property, less costs in connection with the sale of the abandoned property, shall be deposited into the unclaimed property trust fund. Establishes what the money shall be used to pay. Provides that money in the fund shall be invested by the director of finance and that all investment earning shall be deposited to the credit of the general fund. Provides that all unencumbered and unexpended money in

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excess of 1.3 million dollars remaining on balance in the unclaimed property trust fund on June 30 of each year shall lapse into the state general fund. Appropriation out of the unclaimed property trust fund to the department of budget and finance. (\$\$) -- SB1307 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1309 SD2 (SSCR 732)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Bunda R (BR)

Amends provision relating to payment on death of pensioner. Provides that whenever a person receiving a pension from the State or county dies, the amount next payable shall be prorated from the last payment date up to and including the date of death and such prorated amount shall be paid to such persons as may have been designated by the pensioner during the pensioner's lifetime in a statement filed with the officer charged with payment of the pension or if no such designation has been made and filed, the personal representative of the estate of the pensioner. Further provides that effective January 1, 2003, whenever a person receiving a pension from the system dies, the full monthly pension for the month in which the pensioner died shall be payable to such person as may have been designated by the pensioner during the pensioner's lifetime in a statement filed with the officer charged with the payment of the pension, or, if no such designation has been filed, the personal representative of the estate of the pensioner; provided, further that effective July 1, 2003, whenever a person receiving a pension from the system dies, the full monthly pension for the month in which the pensioner dies shall be payable to the pensioner. Amends provision relating to service retirement. Provides that upon leaving active service, the elective officer or judge shall receive the retirement allowance, together with the post retirement allowances, effective on the 1st day of the month except the month of December when retirement benefits shall be effective on the 1st or last day of the month. Amends provision relating to average final compensation. Provides that the average final compensation of all members shall be calculated for employees who became members before or after January 1, 1971. Repeals the provision relating to the average final compensation of members retiring after December 31, 2002. -- SB1309 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1311 SD1 (SSCR 912)

RELATING TO SPECIAL FUNDS.

Introduced by: Bunda R (BR)

Amends provisions related to transfers from special funds for central service expenses. Repeals the exemption of the special out of school time instructional program fund, school cafeteria special funds of the department of education, special funds of the Hawaii community development authority, domestic violence prevention special fund, spouse and child abuse department of human services special account fund, spouse and child abuse judiciary special account, department of commerce and consumer affairs special fund, compliance resolution fund, Hawaii tobacco settlement special fund, probation services special fund, high technology special fund, public schools special fees and charges fund, cigarette tax stamp enforcement and administrative fund, tobacco enforcement fund, from contributing to central services and administrative expenses. Appropriation out of the cigarette tax stamp enforcement special fund to the department of the attorney general and out of the cigarette tax stamp administrative special fund to the department of taxation; out of the tobacco enforcement special fund to the department of the attorney general out of the spouse and child abuse special fund to the department of human services. Appropriation out of the compliance resolution fund to the department of commerce and consumer affairs; out of the special out of school time instructional program fund to the department of education; out of the school cafeteria special fund to the department of education; and out of the public schools special fees and charges fund to the department of education for the operating expenses of this fund, including the payment of central service expenses and the fund's pro rata share of departmental administrative expenses. (\$\$) -- SB1311 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1312 SD1 (SSCR 418)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Bunda R (BR)

Establishes the finalization of pensions within 6 months following the month of the employee's retirement. Provides that for pensions finalized after the 6th calendar month, an interest payment amounting to 4 1/2 per cent per annum shall be paid to the retiree. Provides that beginning January 1, 2004 interest payments calculated as simple interest

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shall be prorated up to the date payment is made and may assess 10 dollars for each month or fraction thereof that the department or agency fails to provide the system with the requested information for each retiree and all assessments collected shall be deposited to the pension accumulation fund. -- SB1312 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1313

RELATING TO THE EXAMINATION FOR LICENSURE AS A CERTIFIED PUBLIC ACCOUNTANT.

Introduced by: Bunda R (BR)

Amends provision relating to license of certified public accountants. Repeals the requirement that the examination be in writing, be held twice a year, and have the time of the examination be fixed by the board of accountancy and changed from time to time. -- SB1313

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1314

RELATING TO PSYCHOLOGIST LICENSING REQUIREMENTS.

Introduced by: Bunda R (BR)

Amends provision relating to licensing of psychologists. Provides that a license for a psychologist may be issued to an applicant who holds a current Certificate of Professional Qualification in Psychology issued by the Association of State and Provincial Psychology Boards or a current National Register of Health Service Providers in Psychology credential. Repeals the requirement of an open book examination in jurisprudence for license as a senior psychologist. -- SB1314

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1315

RELATING TO INSURANCE FRAUD.

Introduced by: Bunda R (BR)

Amends provisions relating to insurance fraud investigations unit to branch. Authorizes the branch to retain by contract or otherwise auditors, accountants, paralegals, and other professionals. Allows investigator assistants and auditors to serve process and apply for and execute search warrants. Provides that the statewide program shall include a program that promotes public and industry wide education about insurance fraud. Changes the funding from the motor vehicle insurance administration revolving fund to the compliance resolution fund. -- SB1315

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1316

RELATING TO DENTAL INSURANCE.

Introduced by: Bunda R (BR)

Amends Act 132, session laws of 2001, as amended by Act 219, session laws of 2002, relating to the regulation of dental service corporation by changing the sunset date to July 1, 2004. -- SB1316

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1317 SD1 (SSCR 753)

RELATING TO INSURANCE.

Introduced by: Bunda R (BR)

Amends provisions relating to insurance. Establishes provisions relating to suspension or denial of insurance producers license for noncompliance with child support orders. Amends casualty insurance to include accident and health or sickness insurance and not disability insurance. Replaces the term insurance agent, subagent, broker, or solicitor with producer. Amends provisions relating to fillings with the insurance commissioner and the national association of insurance commissioners. -- SB1317 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1318 SD1 (SSCR 621)

RELATING TO BUSINESS REGISTRATION.

Introduced by: Bunda R (BR)

Amends provisions relating to the nonprofit corporation Act. Provides that a corporation shall not authorize or issue shares of stock except for limited equity housing cooperatives. Prohibits any dividend to be paid and no part of the income or profit of a corporation to be distributed to its members, directors, or officers. Authorizes a corporation to pay compensation in a reasonable amount to its members, directors, or officers for services rendered, to confer benefits upon its members in conformity with its purposes, and to make distributions to its members as permitted upon dissolution or final liquidation. Requires a

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foreign limited liability company to deliver the director of commerce and consumer affairs a certificate evidencing any name change. Further establishes that if any trade mark or service mark has not been used for 365 consecutive days, and the mark has not been registered in the Patent and Trademark Office of the US, the certificate of registration shall be subject to revocation. Amends provision relating to service on foreign corporation, corporation's administrative dissolution, and registered office and agents. Amends registration and protection of trademarks, prints, labels, and trade names law by changing it to registration and protection of trademarks, service marks, and trade names law -- SB1318 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1319 SD1 (SSCR 587)

RELATING TO THE UNIFORM LIMITED PARTNERSHIP ACT.

Introduced by: Bunda R (BR)

Repeals and replaces the uniform limited liability partnership Act. -- SB1319 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1320 SD1 (SSCR 622)

RELATING TO MEDICAL SAVINGS ACCOUNTS.

Introduced by: Bunda R (BR)

Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) to authorize insurers to offer high deductible health insurance contracts to employers or self employed that establish medical savings accounts. -- SB1320 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1321

RELATING TO MENTAL HEALTH.

Introduced by: Bunda R (BR)

Amends the mental health, alcohol, drug abuse treatment insurance benefits law to include benefits for minors. Redefines serious mental illness to mean a disorder which is of sufficient severity to result in substantial interference with the activities of daily living including schizophrenia, schizo affective disorder, delusional disorder, major depression, bipolar types I and II, obsessive compulsive disorder, and dissociative disorder. Amends Act 121, session laws of 1999, as amended by Act 243, session laws of 2000, by repealing the sunset date. -- SB1321

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1322 SD1 (SSCR 804)

RELATING TO TAXATION OF PREMIUMS.

Introduced by: Bunda R (BR)

Amends the provisions relating to insurance premium tax by exempting prepaid health care plan contracts on gross premiums received from all risk residents. -- SB1322 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1323

RELATING TO INSURANCE.

Introduced by: Bunda R (BR)

Amends the health maintenance organizations act (HMOs) to establish provisions relating to foreign health maintenance organizations. Authorizes the insurance commissioner to waive the filing of any document required to be filed under certificate of authority provisions. -- SB1323

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1324 SD1 (SSCR 980)

RELATING TO CONCILIATION PANELS.

Introduced by: Bunda R (BR)

Establishes provision relating to certificate of consultation. Provides that any claim filed with the medical claims conciliation panel under the medical torts law shall be accompanied by a certificate. Establishes criteria. Provides that where the claimant or claimant's attorney intends to rely solely on the failure to inform of the consequences of a procedure (informed consent) these provisions shall be inapplicable. Provides that the claimant or the claimant's attorney shall not be required to disclose the names of the physicians consulted to fulfill the requirements to any other parties of the claim. Establishes provision relating to submission of claim to an alternative dispute resolution provider. Provides that any claim initially filed with the medical claims conciliation panel may be subsequently submitted to an alternative dispute resolution provider, upon written agreement of all of the parties to the claim, with the written approval of the director. Provides that within 30 days after the completion of the

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resolution process, the alternative dispute resolution provider shall notify all parties concerned that the alternative resolution process has been completed. Establishes provisions for the claimant to institute litigation. Provides that no statement made in the course of the alternative dispute resolution process shall be admissible for any purpose in any trial of the action. Further provides that no decision, conclusion, finding, or recommendation of the alternate dispute resolution provider on the issue of liability or damages shall be admitted as evidence in any subsequent trial nor shall any party of the certified alternate dispute resolution program hearing, or the counsel or other representative of such party refer or comment thereon in an opening statement, an argument, or at any time to the court or jury. Amends provision relating to statute of limitations tolled. Provides that the filing of the claim with the medical claim conciliation panel or with an alternative dispute resolution provider shall toll any applicable statute of limitations, and any such statute of limitations shall remain tolled until 60 days after the date the decision of the panel or the notification of completion from the alternative dispute resolution provider is mailed or delivered to the parties. Further provides that if a decision by the medical claim conciliation panel is not reached within 12 months, or the alternative dispute resolution process is not completed in 12 months, the statute of limitations shall resume running. -- SB1324 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1325

RELATING TO THE UNIFORM SECURITIES ACT.

Introduced by: Bunda R (BR)

Amends provision relating to the uniform securities Act. Redefines dealer to exclude a bank, savings institution, or trust company. -- SB1325

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1326 SD1 (SSCR 764)

RELATING TO EDUCATION.

Introduced by: Bunda R (BR)

Amends provisions relating to the department of education powers and duties. Provides that the course of study and instruction for grades 3 to 12 shall provide opportunities for all students to develop competency in a language in addition to English. -- SB1326 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1332 SD2 (SSCR 955)

RELATING TO THE COMPENSATION OF OFFICIALS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT.

Introduced by: Bunda R (BR)

Establishes the executive salary commission within the department of human resources development. Provides that the commission shall review and determine the salaries of the governor, the lieutenant governor, the department heads, executive officer (other than the president of the university of Hawaii and the superintendent of education), and the deputy department heads. Provides that the commission shall submit a biennial report to the legislature, through the governor in even numbered years. Provides that effective noon on December 4, 2006, the salaries of the governor and the lieutenant governor shall be as recommended by the executive salary commission, unless rejected by the legislature. Amends provision relating to the compensation of officials in the executive branch of government. Provides that effective on July 1, 2004, the salaries of various department heads or executive officers, the adjutant general and the administrative director of the State shall be determined by the executive salary commission. Provides that effective January 1, 1989, and January 1, 1990, respectively and, effective on July 1, 2004, the salaries of the deputies or assistants to the head of any department of the state other than the department of education within the range or ranges for the specific positions as last determined by the executive salary commission unless rejected by the legislature. Provides that the salary of the deputy to the superintendent of education, effective January 1, 1989, and January 1, 1990 respectively and effective July 1, 2004 shall be as last determined by the executive salary commission, unless rejected by the legislature. -- SB1332 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1333 SD1 (SSCR 44)

RELATING TO THE COMPENSATION OF OFFICIALS IN THE JUDICIAL BRANCH OF STATE GOVERNMENT.

Introduced by: Bunda R (BR)

Amends provision relating to the compensation of officials in the judicial branch of State government. Provides that effective on July 1, 2004, and thereafter, the salary for the

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administrative director and the deputy administrative director; the chief justice and the associate justices; the chief judge and associate judges; the circuit court judge; and the district court judge shall be as last determined by the judicial salary commission, unless rejected by the legislature. Provides that the judicial salary commission shall be attached to the judicial council. Provides that in determining the salaries of the justices and judges and appointed judiciary administrative officers, the commission may set different salaries for each. Requires a report to the legislature and the governor in each even numbered year. Provides that new salaries shall take effect at the beginning of the next fiscal year. -- SB1333 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1334

RELATING TO THE STATE INTERNET PORTAL.

Introduced by: Bunda R (BR)

Amends Act 292, session laws of 2000, by extending the sunset date for the access Hawaii committee within the office of the governor to June 30, 2005. -- SB1334

Current Status: Feb-28 03 Introduction/Passed First Reading - House
Feb-28 03 Single Referral to FIN (586-6200)

SB1347 SD1 (SSCR 361)

RELATING TO ELECTIONS.

Introduced by: Bunda R (BR)

Provides that the chairperson of the precinct officials and the governor shall not be required to be of the same party. -- SB1347 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1351

RELATING TO BACKGROUND CHECKS FOR ADULT SERVICES PROGRAMS.

Introduced by: Bunda R

Requires the department of human services to develop standards to ensure the reputable and responsible character of licensed adult day care center operators, employees, and adult volunteers; purchase of service contracted service providers; foster grandparent program, senior companion program, and respite companion program participants; and Medicaid waiver program contracted service providers. Provides that individuals shall be subjected to criminal history record checks, adult abuse perpetrator checks, and child abuse perpetrator checks; provide consent to the department to conduct record checks; provide a sworn statement indicating whether the person was ever convicted of a crime or determined to be a perpetrator; and provide permission to be fingerprinted for the purpose of the Federal Bureau of Investigation (FBI) and state criminal history record check. Authorizes the department to implement appropriate action if the person identified has a conviction for a crime or is a perpetrator of adult abuse or child abuse that the department determines will pose a risk to the health, safety, or well being of service recipients. Provides that the Hawaii criminal justice data center may assess a reasonable fee for each criminal history record check conducted. Appropriation out of the state criminal history record improvement revolving fund to the department of the attorney general. (\$\$) -- SB1351

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1352 SD1 (SSCR 217)

RELATING TO HOME AND COMMUNITY-BASED SERVICES.

Introduced by: Bunda R

Amends Act 273, session laws of 2001, relating to the home and community based case management agencies and community care foster family homes within the department of human services, by extending the sunset date to June 30, 2005. Provides that home and community based case management agencies and community care foster family homes shall apply equally to 2 distinct demonstration projects prior to June 30, 2005. Appropriation out of the criminal history record improvement revolving fund to the department of the attorney general. (\$\$) -- SB1352 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1353

MAKING AN EMERGENCY APPROPRIATION FOR MEDICAID.

Introduced by: Bunda R

Appropriation to the department of human services for health care payments to health plans and medical providers. (\$\$) -- SB1353

Current Status: Mar-06 03 Introduction/Passed First Reading - House

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- SB1354 SD2 (SSCR 851) RELATING TO HEALTH AND HUMAN SERVICES.
Introduced by: Bunda R
Appropriation out of the Hawaii tobacco settlement special fund to be transferred from the department of health to the department of human services for children's health programs. (\$\$) -- SB1354 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1356 SD1 (SSCR 971) RELATING TO REGISTRATION OF VITAL STATISTICS.
Introduced by: Bunda R
Establishes provision relating to compulsory report of fetal deaths and intentional terminations of pregnancy. Requires a report of every fetal death or intentional termination of pregnancy performed to be substantially completed and filed with the department of health within 30 days after the death or termination was performed. Amends provision relating to compulsory registration of deaths and fetal death by changing it to compulsory registration of deaths. Requires a certificate of every death to be filed with the department of health. Establishes guidelines for preparation and filing of the certificate of death. Amends provision relating to availability of medical records. Provides that if a patient's next of kin asks a health care provider for copies of the patient's medical records, complete and accurate copies of the records shall be given within a reasonable time not to exceed 10 working days. Authorizes a health care provider to refuse to release the patients' medical records if the provider determines that it would not be in the best interest of the patient. -- SB1356 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1357 SD1 (SSCR 537) RELATING TO VITAL STATISTICS REGISTRATION DISTRICTS.
Introduced by: Bunda R (BR)
Amends provision relating to birth and death certificates; registration of foundlings; late determination of the cause of death; and permit for removal, burial, or other disposition of body. Changes the local agent of the department of health to the local designated representative of the department. Repeals the registration district and replaces it with the county where the accident or casualty occurrence took place. -- SB1357 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1358 SD1 (SSCR 390) MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) COMPLIANCE.
Introduced by: Bunda R (BR)
Appropriation to the department of health to comply with the federal Health Insurance Portability and Accountability Act of 1996. (\$\$) -- SB1358 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1360 SD1 (SSCR 241) RELATING TO EMERGENCY MEDICAL SERVICES.
Introduced by: Bunda R (BR)
Amends provision relating to rapid identification documents. Requires the department of health to adopt rules for emergency medical services for uniform methods of rapidly identifying an adult who has certified, or for whom it has been certified in a written comfort care only document, or consistent with the uniform health care decisions act, that the person, the person's guardian, agent, or surrogate directs medical personnel not to administer chest compressions, rescue breathing, electric shocks, or medication to restart the heart if the person's breathing or heart stops. Requires the certification to have the signature of the patient and 2 other persons who personally know the patient. Adds that the original certified document shall be maintained by the patient or the patient's physician, attorney, trustee, agent, guardian, surrogate, or any person acting on behalf of the patient. -- SB1360 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1361 SD2 (SSCR 747) RELATING TO PRESCRIPTION DRUGS.
Introduced by: Bunda R (BR)
Amends provision relating to drugs limited to dispensing on prescription. Provides that a prescription drug shall be dispensed only if its label bears the use by date for the drug; and the statement same as or words of similar meaning for dispensing generic drug products. Authorizes an electronic prescription to be issued by the out of state practitioner or the prescriber's authorized agent. Changes Orange Book to compendia of therapeutically

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equivalent generic drugs, which means the Orange Book and any US Food and Drug Administration documentation of any US Food and Drug Administration approved therapeutic equivalency. -- SB1361 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1364 SD1 (SSCR 759)

RELATING TO PSYCHIATRIC FACILITIES.

Introduced by: Bunda R (BR)

Amends provision relating to admissions to a psychiatric facility. Provides that a person shall be admitted to a facility if found to be mentally ill or mentally ill and suffering from substance abuse. -- SB1364 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1367 SD2 (SSCR 820)

RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION.

Introduced by: Bunda R (BR)

Establishes provision relating to the criminal history checks of employees. Requires the Hawaii health systems corporation to develop procedures for obtaining verifiable information regarding the criminal history (criminal history record check) of persons who are seeking employment in any of the corporation's health facilities. Provides that the Hawaii criminal justice data center may charge a reasonable fee for each criminal history record check performed. Authorizes the corporation to refuse to employ any applicant if the person has been convicted of an offense for which incarceration is a sentencing option, and if the corporation finds that the convicted person has not been rehabilitated to warrant the public trust and therefore poses a risk to the health, safety, security or well being of the facility's patients, or a risk to the qualification of the facility for federal healthcare insurance program. Defines criminal history record check to mean an examination or search for evidence of an individual's criminal history by means of a fingerprint search in the Federal Bureau of Investigation's criminal history files, and a criminal history record check conducted through the files maintained by the Hawaii criminal justice data center. Appropriation out of the criminal history record improvement revolving fund to the department of the attorney general. (\$\$) -- SB1367 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1373 SD1 (SSCR 530)

RELATING TO STAFFING FOR FEDERALLY FUNDED PROGRAMS.

Introduced by: Bunda R (BR)

Establishes provision relating to staffing for federally funded programs. Provides that positions established by the department of labor and industrial relations to implement federally funded employment or training programs or both, but not limited to those established under the Comprehensive Employment and Training Act, Job Training Partnership Act, Workforce Investment Act, and welfare to work program, may be exempt from civil service law. -- SB1373 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1374

RELATING TO THE STATE FIRE COUNCIL.

Introduced by: Bunda R (BR)

Amends provision relating to the state fire council by providing that upon the receipt of any such federal grants, the state fire council shall administer such fire related federal grant assistance, including the conducting of training of firefighters. Appropriation to the department of land and natural resources. (\$\$) -- SB1374

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1381 SD1 (SSCR 399)

RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM.

Introduced by: Bunda R

Amends Act 259, session laws of 2001, relating to the state budget, by increasing the appropriation for public libraries (EDN 407) and providing that 1 million dollars for fiscal year 2002 - 2003 be expended for the operation of the Kapolei public library. (\$\$) -- SB1381 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1392

RELATING TO THE GARNISHMENT OF COMMITTED PERSONS' MONEYS.

Introduced by: Bunda R (BR)

Amends provision relating to garnishment to cover nonbudgeted costs. Provides that all moneys received by windfall, judgment or settlement by a committed person shall be

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subjected to garnishment, levy by the director of public safety for a cause of action, or claim against the committed person including the crime victim compensation fees by order of the court. -- SB1392

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1393 SD2 (SSCR 704)

RELATING TO THE EXECUTIVE DEPARTMENTS OF STATE GOVERNMENT.

Introduced by: Bunda R (BR)

Establishes the law enforcement law. Provides that the director of law enforcement shall administer the public safety programs of the department of law enforcement and be responsible for the formulation and implementation of state goals and objectives for law enforcement programs. Authorizes the director to appoint employees to be law enforcement officers who shall have all of the powers of police officers. Provides that the state law enforcement officers shall be responsible for public safety in state buildings as well as the personal protection of government officials and employees while in the conduct of their duties. Requires the department to develop standards to ensure the reputable and responsible character of employees and prospective employees. Provides that individuals subjected to criminal history record checks shall provide consent to the department to conduct record checks; provide a statement indicating whether the person was ever convicted of a crime other than a minor traffic violation of 250 dollars or less; and be fingerprinted. Provides that the Hawaii criminal justice data center may assess a reasonable fee for each criminal history record check conducted. -- Establishes provisions relating to the department of corrections. Requires the department to be headed by a single executive to be known as the director of corrections. Provides that the department shall be responsible for the formulation and implementation of state policies and objectives for correctional programs and functions, and for the administration and maintenance of all public or private correctional facilities and services. Repeals the public safety law and replaces it with the corrections law. Requires the Hawaii paroling authority and the crime victim compensation commission to be placed within the department of corrections effective July 1, 2004. Transfers all rights, powers, functions, and duties of the department of public safety to the department of law enforcement and the department of corrections. -- SB1393 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1394 SD2 (SSCR 834)

RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.

Introduced by: Bunda R (BR)

Revisions conforming to the Federal Internal Revenue Code for taxable years beginning after December 31, 2002. Provides that section 62(a)(2)(D) (with respect to certain expenses of elementary and secondary school teachers) and section 114 (with respect to extraterritorial income) shall not be operative. Provides that section 168 (with respect to accelerated cost recovery system) shall be operative. Provides that the 5 year carryback period for net operating losses for any taxable year ending during 2001 and 2002 in section 172(b)(1)(H) shall not be operative. -- SB1394 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1395 SD1 (SSCR 829)

RELATING TO THE AMENDMENT OR REPEAL OF OBSOLETE TAX LAWS.

Introduced by: Bunda R (BR)

Changes the tax reserve fund from a special fund to a trust fund. -- Amends provisions relating to general excise taxes by defining retailing. Repeals the general excise tax exemption for agricultural meat or fish products grown, raised, or caught in Hawaii and provides the exemption to sale of products to any person or common carrier in interstate or foreign commerce. Repeals provisions relating to county general excise tax and use tax surcharge. -- SB1395 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1396

RELATING TO THE ADMINISTRATION OF TAXES.

Introduced by: Bunda R (BR)

Amends provisions relating to estimated tax payments by redefining tax to include estimated tax payments or payments remitted with extension requests. Provides that payment for estimated tax shall be 100 per cent of the tax shown for the preceding taxable year. Amends provisions relating to the department of taxation's authority to grant tax filing extensions. -- SB1396

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Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1397 SD1 (SSCR 831)

RELATING TO SIMPLIFIED TAX ADMINISTRATION.

Introduced by: Bunda R (BR)

Establishes the Hawaii simplified sales and use tax administration act. Authorizes the department of taxation to enter into a streamlined sales and use tax agreement with 1 or more states to simplify and modernize sales and use tax administration. -- SB1397 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1399 SD2 (SSCR 821)

RELATING TO A LONG-TERM CARE TAX CREDIT.

Introduced by: Bunda R (BR)

Provides a long term care insurance income tax credit on the premium payments made for long term care insurance. Provides that the credit shall be 10 per cent for calendar year 2004, 20 per cent for calendar year 2005, and 30 per cent for calendar year 2006 and beyond. -- SB1399 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1400 SD1 (SSCR 913)

RELATING TO TAX ADMINISTRATION.

Introduced by: Bunda R (BR)

Amends provisions relating to the department of taxation's authority to compromise taxes with the approval of the governor. Provides that approval of the governor is required only for compromise to a tax claim where the tax is 50,000 dollars or more. Requires the department to post proposed compromises on the department's internet website for 5 calendar days before the director of taxation signs the compromise. -- SB1400 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1401

RELATING TO TRANSPORTATION.

Introduced by: Bunda R (BR)

Amends provisions relating to operation and use privileges of airport or airport navigation facilities owned and controlled by the department of transportation. Authorizes the department to establish passenger facility charges for each overseas or international passenger who uses a state airport. Establishes the passenger facility charge special fund into which shall be deposited proceeds from the charge. Provides that moneys in the fund shall be used for capital improvement programs projects approved by the legislature. Exempts the fund from contributing to the central service and administrative expenses of the government. -- SB1401

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1403

RELATING TO DEPARTMENT OF TRANSPORTATION'S MARITIME-RELATED USES.

Introduced by: Bunda R (BR)

Amends provision relating to public land to provide that the disposition of public lands for maritime related operations may be negotiated without regard to established limitations. Defines maritime related to include 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. -- SB1403

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1404 SD1 (SSCR 362)

RELATING TO IMPACT FEES.

Introduced by: Bunda R (BR)

Amends provisions relating to highways to establish impact fees. Authorizes the counties to assess, impose, and levy impact fees for any grading or construction which requires a county grading or building permit and for the department of transportation to receive those funds. Prohibits a county to assess impact fees for state highway improvements without approval of the director of transportation. Defines impact fee as an assessment on new development used to incrementally fund a fair share of the public capital improvements reasonably needed to serve the development. Establishes the highway development special fund administered by the department of transportation into which the impact fees will be deposited. -- Amends provisions relating to counties and impact fees by repealing restrictions to county or the board of water supply. -- SB1404 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SENATE BILLS WHICH PASSED THIRD READING

- SB1405 RELATING TO COMMERCIAL DRIVER LICENSING.
Introduced by: Bunda R (BR)
Amends provisions relating to commercial motor vehicle driver's license. Prohibits a license to be issued to someone not domiciled in the State. -- SB1405
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1406 RELATING TO COMMERCIAL DRIVER LICENSING.
Introduced by: Bunda R (BR)
Amends provision relating to the issuance of commercial drivers licenses. Provides that a license shall display the commercial driver's license number and not the licensee's social security number. -- SB1406
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1407 RELATING TO COMMERCIAL DRIVER LICENSING.
Introduced by: Bunda R (BR)
Amends provisions relating to commercial motor vehicle driver's license. Authorizes the examiner of drivers to waive the knowledge and skills test for any person who is at least 21 years of age and who possesses a valid commercial driver's license issued by any other state of the US or province of Canada. -- SB1407
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1408 SD1 (SSCR 363) RELATING TO STATEWIDE TRANSPORTATION PLANNING.
Introduced by: Bunda R (BR)
Requires the department of transportation to prepare a statewide transportation plan which shall be directed towards development of a balanced, multi modal statewide transportation system that serves clearly identified social, economic, and environmental objectives. Establishes a statewide transportation advisory committee to assist and advise the department. Repeals the current statewide transportation plan and the transportation council. -- SB1408 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1410 SD1 (SSCR 705) RELATING TO CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR.
Introduced by: Bunda R (BR)
Appropriation out of the university of Hawaii tuition and fees special fund for the purpose of satisfying claims for legislative relief to persons, firms, corporations, and entities which have claims against the university of Hawaii for payments of judgments or settlements, or other liabilities. (\$\$) -- SB1410 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1411 SD1 (SSCR 326) RELATING TO THE UNIVERSITY OF HAWAII RISK MANAGEMENT SPECIAL FUND.
Introduced by: Bunda R (BR)
Establishes the university of Hawaii risk management special fund. Authorizes funds to be expended by the university for the administration of the university's risk management program including insurance premiums, retention payments, claims administration, settlements, payment of judgments, and legal fees and costs. Authorizes the board of regents of the university of Hawaii to agree in writing to an indemnity provision under specified conditions. -- SB1411 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1413 RELATING TO KIKALA-KEOKEA.
Introduced by: Bunda R (BR)
Amends provision relating to the infrastructure development fund. Provides that an unexpected or unencumbered funds appropriated by the legislature or remaining in the fund as of the close of business on December 31, 2004 shall not lapse into that fund or to the credit of the general fund, but shall be transferred to the credit of the Kikala - Keokea housing revolving fund. Extends date of business closing to December 31, 2004. -- SB1413
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1415 RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT.
Introduced by: Bunda R (BR)

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Amends provision relating to penalties for violations within the conservation district. Provides that a person shall be fined not more than 2,000 dollars per violation in addition to administrative costs and costs associated with land or habitat restoration, or both, if required, and damages to state land. -- SB1415

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1416

RELATING TO LAND EXCHANGES.

Introduced by: Bunda R (BR)

Amends provision relating to land exchanges. Requires the board of land and natural resources approval in the principal of the exchange of public land for private land. Provides that limitations of time shall be removed for the department to submit for introduction to the legislature a resolution for review of action on any exchange to be consummated by the board wherein exchange deeds will be executed by the parties together with required information. -- SB1416

Current Status: Feb-19 03 Introduction/Passed First Reading - House

Feb-27 03 Multiple Referral to WLH then LMG then FIN (586-6270)

SB1418 SD2 (SSCR 784)

RELATING TO PUBLIC LAND LIABILITY.

Introduced by: Bunda R (BR)

Establishes limitations on public entity liability in actions based upon duty to warn of natural conditions. Provides that a sign or signs warning of dangerous conditions on improved lands shall be conclusively presumed to be legally adequate to warn of the dangerous natural conditions of which the sign or signs warn, if the sign or signs are posted by the State or county and the design and placement conform to the standards adopted by the board of land and natural resources. Provides that the State or county shall not have a duty to warn for dangerous natural conditions on unimproved public lands. Provides that if a warning sign, device or system is posted or established on unimproved lands, the posting or establishment shall not create a duty for the State or county to warn of other dangerous natural conditions on unimproved public lands or to place or establish an additional warning sign, device, or system on other locations of the unimproved public lands. Provides that if a warning sign, device or system posted or established is vandalized, removed or made illegible, the conclusive presumption provided in these provisions shall continue for a period of 30 days from the date the vandalism, removal or illegibility is discovered by the State or county. Establishes a risk assessment working group to be attached to the department of land and natural resources to provide consultation to the chairperson of the board of land and natural resources regarding the design and placement of warning signs, devices or systems on public lands. Defines improved public lands to mean lands that are part of a county park within a county park system, part of the State park system, that are part of the Hawaii statewide trail and access system. -- SB1418 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1421 SD1 (SSCR 441)

RELATING TO EARNED INCOME DEDUCTION FOR PUBLIC HOUSING RENT CALCULATION.

Introduced by: Espero W

Provides that the housing and community development corporation of Hawaii shall deduct 25 per cent of a family's earned income that would otherwise be counted in its adjusted annual income when figuring its rate of rent for dwelling accommodations in the housing projects provided for by the development corporation, as long as such deductions are allowed by federal law. -- SB1421 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1423 SD2 (SSCR 852)

RELATING TO A COMMISSION ON FATHERHOOD.

Introduced by: Kanno B

Establishes the state commission on fatherhood within the office of the governor to make recommendations and oversee policies to create program, services, and contracts that promote healthy family relationships between parents and children and that are father friendly and inclusive. Annual report to the legislature and the governor. Requires each state department, board, commission, authority, or body within the executive branch that provides services to children and families to plan collaboratively with the commission for services to fathers. Further requires each body to report to the commission. -- SB1423 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SENATE BILLS WHICH PASSED THIRD READING

- SB1425 SD2 (SSCR 956) RELATING TO BUSINESS MENTORING OF YOUTH AND YOUNG ADULTS.
Introduced by: Kanno B, Kawamoto C, Ige D
Appropriation to the department of labor and industrial relations for the Hawaii workforce development council for the administration of the demonstration program (of business mentoring). (\$\$) -- SB1425 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1426 SD1 (SSCR 761) RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT.
Introduced by: Kanno B
Provides that substitute teachers of the department of education, including part time employees working less than 1/2 of a full time equivalent shall constitute appropriate bargaining unit, (14). -- SB1426 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1427 RELATING TO RELAY SERVICES FOR DEAF, HARD-OF-HEARING, AND SPEECH-IMPAIRED PERSONS.
Introduced by: Chun Oakland S
Requires the disability and communications access board to monitor the relay services for deaf, hard of hearing, and speech impaired persons by functioning as a consumer advisory committee. -- SB1427
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1432 SD2 (SSCR 929) RELATING TO DIVERSIFIED AGRICULTURE.
Introduced by: Hooser G
Appropriation to the agribusiness development corporation to refurbish the Kauai tropical fruit disinfestation facility and for the co location and establishment of an incubator community kitchen within the facility, including building fabrication, equipment, and operating costs for 1 year. (\$\$) -- SB1432 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1435 RELATING TO SPECIAL PURPOSE REVENUE BONDS.
Introduced by: Hooser G
Authorizes the issuance of special purpose revenue bonds to assist Hawaii Gold Cacao Tree, Inc., a Hawaii corporation, for the establishment of facilities in the county of Kauai to process cacao beans and to manufacture and produce cocoa by products and chocolate products. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB1435
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1437 MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS.
Introduced by: Bunda R (BR)
Appropriation to the office of elections to meet the 5 per cent matching fund requirement of the federal Help America Vote Act of 2002. (\$\$) -- SB1437
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1438 MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.
Introduced by: Bunda R
Appropriation to the director of finance and chief justice for negotiated collective bargaining cost items for public employees in collective bargaining unit 1 (nonsupervisory blue collar employees), for state officers and employees excluded from collective bargaining unit 1, and for state employees in unit 1 assigned to the Hawaii health systems corporation. (\$\$) -- SB1438
Current Status: Mar-06 03 Introduction/Passed First Reading - House
- SB1439 MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES.
Introduced by: Bunda R
Appropriation to the director of finance and chief justice for negotiated collective bargaining cost items for public employees in collective bargaining unit 2 (supervisory blue collar employees), unit 3 (nonsupervisory white collar employees), unit 4 (supervisory white collar employees), unit 6 (educational officers and other personnel of the department of education), unit 8 (personnel of the university of Hawaii and community college system), unit 9

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(registered professional nurses), and unit 13 (other professional and scientific employees), for state officers and employees excluded from collective bargaining units 2, 3, 4, 6, 8, 9, and 13, and for state employees in these units assigned to the Hawaii health systems corporation. (\$\$) -- SB1439

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1440

RELATING TO COLLECTIVE BARGAINING COST ITEMS.

Introduced by: Bunda R

Appropriation to the director of finance for negotiated collective bargaining cost items for public employees in collective bargaining unit 5 (teachers and other personnel of the department of education) and for state officers and employees excluded from collective bargaining unit 5. (\$\$) -- SB1440

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1441

MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

Introduced by: Bunda R

Appropriation to the director of finance for negotiated collective bargaining cost items for public employees in collective bargaining unit 7 (faculty of the university of Hawaii and community college system) and for state officers and employees who are excluded from collective bargaining unit 7. (\$\$) -- SB1441

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1442

MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

Introduced by: Bunda R

Appropriation to the director of finance and chief justice for negotiated collective bargaining cost items for public employees in collective bargaining unit 10 (nonprofessional hospital and institutional workers), for state officers and employees excluded from collective bargaining unit 10, and for state employees in unit 10 assigned to the Hawaii health systems corporation. (\$\$) -- SB1442

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1443

MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

Introduced by: Bunda R

Appropriation to the director of finance for negotiated collective bargaining cost items for public employees in collective bargaining unit 11 (firefighters) and for state officers and employees excluded from collective bargaining unit 11. (\$\$) -- SB1443

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1444

MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

Introduced by: Bunda R

Appropriation for negotiated collective bargaining cost items for public employees in collective bargaining unit 12 (police officers). (\$\$) -- SB1444

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1445

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

Introduced by: Bunda R

Appropriation to respective heads of the legislative agencies for salary increases and other cost adjustments for the office of the auditor, ethics commission, office of the legislative reference bureau, and office of the ombudsman, for officers and employees of these agencies excluded from collective bargaining. (\$\$) -- SB1445

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1446 SD2 (SSCR 963)

RELATING TO TECHNOLOGY.

Introduced by: Ige D, Chun Oakland S, Aduja M, Baker R

Amends provision relating to the Hawaii strategic development corporation revolving fund. Provides that all moneys appropriated into the revolving fund by the legislature from the Hawaii tobacco settlement special fund shall be utilized exclusively for development of and assisting enterprises that develop healthcare and biomedical technology to detect cancer, including cervical cancer, in its early stages. -- Amends provisions relating to the Hawaii tobacco settlement moneys. Changes the percentage appropriated into the emergency and

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budget reserve fund (rainy day fund) from 24 1/2 per cent to ____ per cent. Adds that ____ per cent shall be appropriated into the Hawaii strategic development corporation revolving fund. -- SB1446 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1449 SD1 (SSCR 617)

RELATING TO PUBLIC MEETINGS.

Introduced by: Ige D

Amends provision relating to meeting by videoconference, notice and quorum. Provides that videoconference format will be available to members of the public wishing to present testimony at the meeting, and the arrangements necessary to so participate. Provides that if the video conference transmission is interrupted during the course of the meeting, participants at the remote sites may rejoin and participate in the meeting by telephone. Provides that neither the meeting nor participation by the remote sites shall be deemed terminated if teleconferencing is established. Provides that if video communication is interrupted, a meeting held by video conference shall be terminated if audio communication cannot be maintained with all remote sites, even if a quorum of the board is physically present in 1 location. -- SB1449 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1460 SD1 (SSCR 271)

RELATING TO CONTRACTS ENTERED INTO BY THE HAWAII TOURISM AUTHORITY.

Introduced by: Kim D

Establishes provision relating to reporting requirements, service contracts and required provisions of the Hawaii tourism authority. Provides that to ensure accountability and efficient use of public funds, the authority shall include in each of its contracts that exceed 3 million dollars or are of a level of complexity, to contain the following provisions, ownership rights, copyrights, and licensing of intellectual property developed or created pursuant to the contract. Requires loyalty and support of the authority and its policies, programs, and goals, including prohibiting lobbying, promotional, and other activity that conflict with the programs and goals of the state authority. Provides criteria. Provides that if it appears in the course of negotiations of a contract that inclusion in the contract of provisions would prevent agreement on a contract for any legitimate reason, the authority may suspend any 1 or all of the provisions. Further provides that in its annual report to the legislature the authority shall provide details regarding each contract entered into using public funds and the results of those contracts, including the names of contractors, descriptions and amounts of each contract and whether performance and monitoring specifications have been met. -- SB1460 SD1

Current Status: Feb-19 03 Introduction/Passed First Reading - House
Feb-27 03 Multiple Referral to TAC then FIN (586-6120)

SB1461

RELATING TO TRANSIENT ACCOMMODATIONS TAX.

Introduced by: Kim D, Espero W

Amends provisions relating to distribution of transient accommodations tax. Provides that at least 2 per cent of each county's realizations shall be earmarked for programs that support tourism promotion and visitor industry enhancement. -- SB1461

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1462

RELATING TO THE HAWAII TOURISM AUTHORITY.

Introduced by: Kim D, Espero W

Authorizes the board of directors of the Hawaii tourism authority to appoint a sports coordinator, exempt from civil service and collective bargaining laws, who shall provide management services for all sporting events supported through the authority. Appropriation out of the tourism special fund for 1 full time equivalent (1.00 FTE) sport coordinator position within the Hawaii tourism authority. (\$\$) -- SB1462

Current Status: Feb-14 03 Introduction/Passed First Reading - House
Feb-18 03 Multiple Referral to TAC then FIN (586-6120)

SB1465 SD1 (SSCR 708)

MAKING AN APPROPRIATION FOR UNIFORM LAWS.

Introduced by: Taniguchi B

Appropriation to the department of the attorney general for Hawaii's contribution to the costs of the National Conference of Commissioners on Uniform State Laws (NCCUSL) and for the registration and travel expenses for the commission to promote uniform legislation of the

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department of the attorney general and the assigned deputy attorney general to attend the 2003 annual meeting of the National Conference of Commissioners on Uniform State Laws. (\$\$) -- SB1465 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1468 SD1 (SSCR 612)

RELATING TO RESIDENTIAL LEASEHOLDS.

Introduced by: Taniguchi B (BR)

Amends provision relating to residential leaseholds to redefine lot, houselot, residential lot and residential houselot to mean a parcel of land 2 acres or less in size, zoned for residential use, which is used or occupied or is developed, devoted, intended, or permitted to be used or occupied as a principal place of residence for 1 or 2 families. -- SB1468 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1469 SD1 (SSCR 539)

RELATING TO PEER SUPPORT COUNSELING SESSIONS.

Introduced by: Bunda R

Establishes provision relating to peer support counseling and sessions. Provides that any communication made by a participant or counselor in a peer support counseling session conducted by a law enforcement agency or by an emergency services provider shall be privileged. Further provides that any communications made privileged shall not be admissible in any judicial, administrative, or arbitration proceeding. -- SB1469 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1477 SD2 (SSCR 908)

RELATING TO MUNICIPAL LEASES.

Introduced by: Kawamoto C (BR)

Establishes the county lease and leaseback agreements law. Authorizes any county to lease to any person, for a term not to exceed 99 years, all or a portion of the property constituting the utility property of a utility owned by it, including without limitation, the plant or equipment constituting any waterworks, mains, or water distribution system; and any wastewater, sewer, or other waste disposal system. Provides that all real and personal property and any interest created by the transfer of any property in a lease or leaseback shall be exempt from all state, county, and municipal taxation. -- SB1477 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1478 SD2 (SSCR 909)

RELATING TO AIRPORT CONCESSIONAIRES.

Introduced by: Kawamoto C (BR)

Establishes provision relating to public airport concession contracts; force majeure terms. Provides that all public airport concession contracts shall contain force majeure terms that provide that neither party to the contract shall be liable to the other for any failure, delay, or interruption in the performance of any of the terms, covenants, or conditions of the contract due to causes beyond the control of the party. Further provides that these provisions shall apply to all acts or situations that have the effect of reducing the number of passengers using the airports of the State, if the acts or situations were not anticipated to occur in the normal course of events. Provides that in case of any such failure, delay, interruption, act or situation beyond the control of the party, the parties may agree to provide relief to a party by canceling the contract or by modifying the contract terms. Amends provision relating to contracts for concessions; bid required; exception. Provides that the bidding requirements shall not apply to concessions or space on public property set aside for the operation of ground transportation services and parking lot operations at airports, except for motor vehicle rental operations provided that the State shall award the concession for provision of airport taxicab services to a single independent management company, which shall subcontract for operation of taxis at state airports. -- SB1478 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1479 SD1 (SSCR 548)

MAKING AN APPROPRIATION FOR VETERANS CEMETERIES.

Introduced by: Kawamoto C

Appropriation to the department of defense for the maintenance of state veterans cemeteries in the counties of Hawaii, Kauai, Maui, and the city and county of Honolulu. (\$\$) -- SB1479 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1484

RELATING TO OCCUPATIONAL THERAPISTS.

SENATE BILLS WHICH PASSED THIRD READING

Introduced by: Baker R

Provides that a professional or vocational regulatory program enacted after January 1, 1994, shall be repealed on December 31, 2003 (sunset). Requires the auditor to perform an evaluation of the occupational therapy practice program and report to the legislature. -- Repeals the qualifications of an occupational therapy assistants. Further repeals provision relating to temporary permits to perform occupational therapy services. -- SB1484
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1489 SD2 (SSCR 864)

RELATING TO PUBLIC ACCESS.

Introduced by: Fukunaga C, Ige D, Ihara L, Aduja M, Hooser G, English J, Baker R, Chun Oakland S

Establishes the student legislative participation pilot project within the legislature to expand the range of student participation in the legislature through the use of on line discussions, video conferencing, and other electronic technology and other technology based means. Project to be planned and coordinated by a steering committee and shall accommodate a maximum of 250 students from schools statewide. Committee to develop specific program requirements and a timetable. Requires the legislative reference bureau to provide staff and administrative support and submit reports to the legislature. Appropriation to the legislative reference bureau. (\$\$) -- SB1489 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1492 SD1 (SSCR 768)

RELATING TO ASSISTED LIVING FACILITIES.

Introduced by: Fukunaga C

Establishes provision relating to assisted living facilities. Provides that an existing condominium project that is not a licensed assisted living facility or does not provide assisted living services to unit owners may become an assisted living facility. Defines assisted living services to mean health care services provided in an assisted living facility and personal care services. Defines personal care services to mean assistance with activities of daily living and other instrumental activities that are directly related to the well being of the resident. Provides that an assisted living facility shall exclude privately owned single family home or condominium unless the condominium project instruments explicitly and prominently authorizes a licensed facility or the provisions of assisted living services. -- SB1492 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1495 SD1 (SSCR 718)

MAKING AN APPROPRIATION FOR THE HAWAII DROUGHT PLAN.

Introduced by: Inouye L

Appropriation to the department of land and natural resources for phase 1 and 2 of the Hawaii drought plan, including the assessment of sector based socioeconomic and environmental impacts due to drought and the identification of drought risk reduction and mitigation measures for the State. This project is deemed necessary to qualify for federal aid financing or reimbursement. (\$\$) -- SB1495 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1496

RELATING TO AGRICULTURE.

Introduced by: Inouye L

Amends Act 188, session laws of 2000, authorizing the issuance special purpose revenue bonds to assist the Hawaii Gold Cacao Tree, Inc. by extending the sunset date to June 30, 2005. -- SB1496

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1505 SD1 (SSCR 641)

RELATING TO INVASIVE SPECIES.

Introduced by: Kokubun R, English J, Hooser G

Establishes the invasive species council for the special purpose of coordinating efforts to combat invasive species and affirm the objective of the State to rid Hawaii of invasive species. Provides that the invasive species council shall provide policy level direction and planning for combating harmful invasive species infestations throughout the State and for preventing the introduction of others that may be potentially harmful. Requires the council to maintain, advise, consult, and coordinate invasive species related efforts with and between the departments of agriculture, land and natural resources, health, and transportation including state, federal, international, and privately owned programs and policies. Requires the council to create and implement a plan that includes the prevention,

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early detection, rapid response, control, enforcement and education of the public with respect to invasive species and fashion a mission statement articulating the State's position against invasive species. Requires the council to coordinate and promote the State's position with respect to federal issues, identify and record all invasive species present in the State. Annual report to the legislature. Establishes lead agency. Provides that a state department that is designated as a lead agency with respect to a particular function of invasive species control shall have sole administrative responsibility and accountability for that invasive species. Annual report to the legislature and governor. Provides that the departments of agriculture, land and natural resources, health and transportation are authorized to examine, control, and eradicate all instances of invasive species on any public or private premises or in any aircraft or vessel landed or docked in waters of the State. Requires reasonable notice to be given to the owner of the property whenever any invasive species is found on private property and pursuant to court order and a duplicate of the notice so given shall be left with 1 or more of the tenants or occupants of the premises. Amends provision relating to plant import. Provides that no person shall import, offer for sale, or sell any salvinia molesta or salvinia minima plant or portion thereof within the State. -- SB1505 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1514 SD1 (SSCR 982)

RELATING TO FORFEITURES.

Introduced by: Hanabusa C

Establishes provisions relating to burden of proof. Establishes provision relating to innocent owner defense. Provides that an innocent owner's interest in property shall not be forfeited under these provisions and the claimant shall have the burden of proof. Establishes provisions for the release of seized property, the return of property to claimant; liability for wrongful seizure; attorney fees, costs, and interest; civil fine for frivolous claims. Establishes removal to small claims division of the district court. Amends provision relating to property subject to forfeiture; exemption by providing that no marijuana permitted for medical purposes shall be deemed contraband. Amends provision relating to disposition of property forfeited by providing that all property and money forfeited to the State and, to the extent permitted by federal law, all property and money transferred to a state or local law enforcement agency by the federal government as a result of a civil or criminal asset forfeiture under federal law, shall be transferred to the attorney general. Establishes after deductions for expenses, money in the criminal forfeiture fund shall be expended for drug treatment programs. -- SB1514 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1517 SD2 (SSCR 665)

RELATING TO ENVIRONMENTAL PROTECTION.

Introduced by: English J, Chun Oakland S, Kokubun R, Hooser G

Amends provisions relating to conveyance tax. Increases the tax from 10 cents to 20 cents per 100 dollars for transfers or conveyances of realty valued at 600,000 dollars or more. Increases the distribution of conveyance tax revenues to the rental housing trust fund and the natural area reserve fund to 35 per cent each. Provides that funds in the natural area reserve fund shall include early detection and rapid response programs for invasive species. -- SB1517 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1519 SD1 (SSCR 540)

RELATING TO COMMUNITY HEALTH CENTERS.

Introduced by: English J, Chun Oakland S, Kokubun R, Hooser G

Amends provisions relating to the Hawaii tobacco settlement moneys. Changes the percentage appropriated into the emergency and budget reserve fund (rainy day fund) from 24 1/2 per cent to ____ per cent. Further changes the percentage appropriated to the department of human services for the children's health insurance program (CHIP); for health promotion and disease prevention; and for operating expenditures of community health centers from 35 per cent to ____ per cent. (\$\$) -- SB1519 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1533 SD2 (SSCR 658)

RELATING TO TAXATION.

Introduced by: Bunda R

Provides a general excise tax exemption for amounts received in reimbursement of sums paid for common expenses by the manager or board of directors of an association of apartment owners of a condominium property regime, a nonprofit homeowners or community

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association, or an association of owners for a time share plan. -- SB1533 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1547

RELATING TO MARINE ACTIVITIES.

Introduced by: Whalen P

Redefines the definition of marine activities to include marine industries. -- SB1547

Current Status: Feb-14 03 Introduction/Passed First Reading - House
Feb-18 03 Single Referral to WLH (586-6270)

SB1549 SD1 (SSCR 755)

RELATING TO PUBLIC ACCOUNTANCY.

Introduced by: Baker R

Amends provision relating to certified public accountant license. Provides that experience in private or government accounting or auditing work deemed by the board of accountancy to be equivalent to professional experience in public accountancy practices shall not satisfy the requirement for qualifying for a permit to practice. -- SB1549 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1553 SD1 (SSCR 756)

RELATING TO MORTGAGE BROKERS AND SOLICITORS.

Introduced by: Baker R

Exempts a developer of a time share plan who makes purchase money loans to purchasers of time share interests in the time share plan from mortgage brokers and solicitors law. -- SB1553 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1554 SD1 (SSCR 394)

RELATING TO NATIVE HAWAIIAN HISTORIC SITES.

Introduced by: Inouye L

Defines potential native Hawaiian historic site to mean a wall, platform, stone pavement, enclosure, terrace, petroglyph, heiau, mound, ahu, auwai, trail, shrine, or any other manmade feature that is consistent in design and construction materials to features built by native Hawaiians before 1850 and for which there is no credible evidence demonstrating that it was built after 1850. Establishes native Hawaiian historic sites. Provides that no landowner may remove, excavate, injure, or destroy a potential native Hawaiian historic site on private property, unless the landowner has notified the department of land and natural resources of the proposed action and of the future use the landowner proposes for the native Hawaiian historic site. Provides that if the department has denied approval, and proposed use does not require an entitlement for use, recorded a covenant with the land, with a copy sent to the department, that landowner will not apply for a permit, license, certificate, land use charge, subdivision, or other entitlement for use issued by the State or any of its political subdivisions affecting the immediate area containing the potential native Hawaiian historic site, including all lands owned by the landowner within a 100 foot radius of the site for 10 years from the date of recordation. Provides that the department of land and natural resources may also commence condemnation proceedings within 60 days of notification, to purchase the site, or to purchase an easement for the preservation of the site. Provides criteria. Provides that no state or county agency shall issue a land use permit or other approval in contradiction of a recorded covenant running with the land. Provides that a landowner shall be deemed to have constructive knowledge of sites listed in the state inventory of historic places. -- SB1554 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1555

RELATING TO A LAND EXCHANGE BETWEEN THE STATE OF HAWAII AND THE BOY SCOUTS OF AMERICA.

Introduced by: Inouye L

Approves land exchange involving private land at Waikele, Oahu, owned by Aloha Council Boy Scouts and public lands located on the islands on Oahu, Kauai, and Hawaii. Provides criteria. Repeals the authority granted to enter into a land exchange agreement on June 30, 2006 (sunset). -- SB1555

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1560

RELATING TO PROPERTY LEFT IN A DANGEROUS CONDITION.

Introduced by: Hooser G

Establishes provision relating to abandoned facilities, dangerous conditions, condemnation

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and penalties. Provides that the owner of a building or other facility that was formerly used for commercial or industrial purposes and has been not been used in at least 2 years or has been damaged by a natural disaster and is larger than 5000 square feet shall make a reasonable effort to repair damages to repair the damages and correct the problem so that the public health, safety, or welfare is not endangered. Provides that if the owner fails to make remedial action within 90 days following notification by the county, the county may declare the site as dangerous and either condemn the property or demolish the facilities, at the county's discretion. -- SB1560

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1580

RELATING TO ADVOCACY FOR HUMAN SERVICES.

Introduced by: Chun Oakland S

Requires the department of human services to contract with a nonprofit legal services provider for legal assistance to adoptive families to assist at least 130 families to adopt special needs children. Appropriation for providing state matching funds for federal funds available for non recurring adoption expenses and for providing funds for a contract with a nonprofit legal services provider. -- Requires the department of education to contract with and provide a nonprofit legal services provider with access to files of children who participate in the individualized educational program in Hawaii county, and inform the provider of all program hearings so that it may attend these hearings and assess whether the child is eligible for supplemental security income benefits. Appropriation to the department of human services for a grant in aid to the provider for each successful application, for each successful reconsideration review, and for each successful appeal to obtain supplemental security income benefits for at least 100 applicants. -- Requires the department of human services to make available to the provider all information required to adequately identify claims for dually eligible Medicare and Medicaid recipients. Appropriation for a grant in aid to a nonprofit legal services provider to implement a 2 year pilot project to maximize collections and cost avoidance from the federal Medicare program. (\$\$) -- SB1580

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1581

RELATING TO CRUELTY TO ANIMALS.

Introduced by: Chun Oakland S

Establishes provision relating to aggravated cruelty to animals. Provides that a person commits the offense of aggravated cruelty to animals if the person commits an act against an animal that is especially heinous, atrocious, cruel, or unnecessarily tortuous and that manifests exceptional depravity in the process, so as to manifest a lack of conscience or pity; was previously convicted of an offense involving cruelty to animals and commits an act of cruelty or neglect against an animal; or intentionally, knowingly, or recklessly kills or injures an animal with the intent to frighten or intimidate a person, or forces a person to injure or kill an animal. Further provides that aggravated cruelty to animals is a class C felony. Establishes provision relating to cruelty to animals; cockfighting. Provides that a person commits the offense of cruelty to animals involving cockfighting if the person owns, trains, possesses, or sells a game cock or other fowl known by nature to have a propensity to fight, with the intent to engage in an exhibition of fighting with another game cock or fighting fowl; or intentionally causes a game cock or other fowl known by nature to have a propensity to fight, to fight with another game cock or fighting fowl, or intentionally causes a game cock or other fighting fowl to injure another game cock or fighting fowl; or knowingly aids or abets another person in committing acts in violation of these provisions; or knowingly or recklessly permits an act in violation of these provisions to occur on the premises of the person, provided that the premises are under the charge and control of the person. Provides that violation of these provisions is a class C felony. Establishes provision relating to cockfighting and related equipment. Provides that it is unlawful for any person to manufacture, buy, sell, barter, exchange, or have in the person's possession any sharp instrument, including gaffs and slashers, designed to be attached in place of the natural spur of the game cock or other fowl known by nature to have a propensity to fight. Provides that violation of these provisions shall be a petty misdemeanor. Establishes provision relating to places used for cockfighting and dog fighting, a nuisance. Provides that every building, premises, or place used for the purpose of violating these provisions is a nuisance that shall be enjoined, abated and prevented. Redefines necessary sustenance to include veterinary care sufficient to prevent or alleviate suffering due to an injury or illness. Amends provision relating to cruelty to animals by including that a person commits the offense of cruelty to animals if the person

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intentionally, knowingly, or recklessly mutilates, poisons, or in any manner causes serious bodily injury any animal other than insects, vermin, and pests; or carries or causes to be carried any animal in a cruel or inhumane manner including, but not limited to, transporting in the back of a pickup truck any animal not properly restrained in a secured container or cross tied from 3 points in the truck bed to prevent the animal from being tossed around or thrown from the truck. Provides that the court shall order the defendant to undergo, pay for, and successfully complete counseling that is designed to evaluate and treat behavioral or conduct disorders. -- SB1581

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1582 SD1 (SSCR 867)

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, and rib cage; 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. -- SB1582 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1584 SD1 (SSCR 222)

RELATING TO CHILD CARE.

Introduced by: Chun Oakland S

Establishes the pre plus early childhood education program. Requires the department of human services and appropriate county agencies to establish and regulate early childhood education programs for children ages 3 to 5 at public school facilities. Provides that enrollment shall 1st be offered to families whose income falls at or below 200 per cent of the federal poverty index and whose children are not enrolled in an early childhood education program. Appropriation out of the federal revenues received by the department for HMS 302 for 1 federally funded program support position for the pre plus program. (\$\$) -- SB1584 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1589 SD1 (SSCR 607)

RELATING TO NONPROFIT CORPORATIONS.

Introduced by: Kawamoto C (BR)

Establishes provision relating to amendment terminating or canceling members and redemption of membership of nonprofit corporations. Excludes members of an association of apartment owners and planned community associations from these provisions. -- SB1589 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1593 SD1 (SSCR 924)

RELATING TO ENVIRONMENTAL JUSTICE.

Introduced by: Hanabusa C, Chun Oakland S, English J

Establishes the environmental justice law. Requires the head of each government agency to make achieving environmental justice part of its mission by identifying and addressing disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on native Hawaiian and low income populations. Defines environmental justice to mean the fair treatment of people of all races, cultures, and socioeconomic groups with respect to the development, adoption, implementation, and enforcement of laws, rules, and policies affecting the environment. Establishes the interagency environmental justice working group within the department of health to provide guidance to government agencies. Report to the legislature. Establishes the environmental justice advisory committee to provide independent advice and recommendations to the working group on areas relating to environmental justice. Requires the director of health to collect, maintain, and analyze information assessing and comparing environmental and

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human health risks borne by native Hawaiian and low income populations. -- SB1593 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1594

RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT.

Introduced by: Hanabusa C

Provides that the commission on water resource management within the department of land and natural resources shall consist of 7 members. Provides that 5 members shall be appointed by the governor, 1 member shall have substantial experience in traditional Hawaiian water resource management techniques and in traditional riparian usage. -- SB1594

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1599 SD2 (SSCR 967)

RELATING TO THE DIAMOND HEAD STATE MONUMENT.

Introduced by: Ihara L

Amends provision relating to state parks special fund. Provides that proceeds derived from user fees and any leases or concession agreements involving the Diamond Head state monument, or from funds to benefit the Diamond Head state monument resulting from the sale of any article purchased from the department, gifts, donations, contributions, grants, and appropriations by the legislature shall be used for planning, design and construction of the Diamond Head state monument, including the interpretive visitors center; construction, repairs, replacement, and additions of Diamond Head state monument; operation and maintenance of Diamond Head state monument, including the interpretive visitors center; and funding educational programs relating to the Diamond Head state monument. Authorizes the issuance of general obligation bonds for appropriation to the department of land and natural resources for the purpose of planning and design of the Diamond Head state monument interpretive visitors center. (\$\$) -- SB1599 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1603 SD1 (SSCR 984)

RELATING TO ELECTION OFFENSES.

Introduced by: Ihara L, Hooser G

Establishes provision relating to civil penalties. Provides that any person who violates any rule adopted by the chief election officer shall be assessed a civil penalty of not more than 500 dollars for each separate violation. Provides that civil penalties collected shall be paid to the office of elections and used for a voter registration and education program to promote participation in elections by encouraging voter registration, education and turnout. Provides that the department of the attorney general shall prosecute cases involving violations of these provisions at the request of the chief election officer. -- SB1603 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1604 SD1 (SSCR 985)

RELATING TO CITIZENS RIGHT TO VOTE.

Introduced by: Ihara L, Baker R, Hooser G

Establishes provision relating to citizens right to vote. Provides that all persons residing in Hawaii who are United States citizens and 18 years of age or older shall have the right to vote in any primary, general, or special election held in the State. Provides that no state agency or political subdivision shall deny such a citizen the right to vote; provided that laws may be enacted that serve a substantial public interest and administrative rules may be adopted that are narrowly tailored to produce efficient and honest elections. Establishes provision relating to permanent absentee voting. Provides that any registered voter may apply for status as a permanent absentee voter by submitting an application in the form of an affidavit to the clerk. Further provides that a voter granted permanent absentee voting status shall not be required to submit a separate request for each election and shall receive an absentee ballot for each election in which they are eligible to vote. Establishes criteria for terminating a voter's status as a permanent absentee voter. Amends provision relating to duties of all state agencies; voter registration. Provides that all high schools shall provide voter registration forms to students who are otherwise qualified to vote prior to graduation, and that all colleges and universities shall provide voter registration forms to students, who are otherwise qualified to register, during the course of registration. -- Provides that no poll book shall contain the social security number of any person. -- SB1604 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1605 SD1 (SSCR 986)

RELATING TO GOVERNMENT COMPLIANCE WITH THE UNIFORM INFORMATION

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PRACTICES ACT.

Introduced by: Ihara L

Amends provision relating to uniform information practices. Provides that each agency shall designate a person to be responsible for the agency's compliance with the requirements of these provisions; issue instructions and guidelines necessary to comply with these provisions and train employees and officers responsible for the collection, maintenance, and dissemination of government records concerning the requirements of these provisions. Provides that the public reports shall be filed annually on or before December 31. Establishes provision relating to training, certification. Provides that upon request by an agency, the director shall train agency personnel as to the purposes, policies, requirements, and effective administration of these provisions. -- SB1605 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1606 SD1 (SSCR 365)

RELATING TO LEGISLATIVE ETHICS.

Introduced by: Ihara L, Hooser G

Establishes provision relating to legislative ethics. Establishes the ethics committees of the senate and the house of representatives, outline the duties of the committees, and requires disclosures related to potential conflicts of interest. Establishes the duties of the legislative ethics committee, disclosure and conflicts of interest. Provides criteria. Establishes provision relating to fundraising solicitation of legislators. Provides that a legislator shall disclose to the campaign spending commission all fundraising solicitations by mail of any amount that may include attendance at a function or event when the fundraising solicitation is mailed 30 days prior to the convening of or during a regular or special session; and mailed to 25 or more people. Amends provision relating to conflicts of interest and changes it to conflicts of interest, employees. Establishes provision relating to requirements of disclosure. Further provides that individual items of compensation that constitute a portion of the gross income of the business or profession from which the person derives income need not be disclosed, except that a legislator shall disclose the source and amount of any annual income in excess of 25,000 dollars from a single source or the source and amount of annual income that represents 25 per cent or more of the legislator's annual income from sources other than the legislator's annual income from sources other than the legislator's legislative salary. -- SB1606 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1611

RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.

Introduced by: English J, Inouye L

Amends provision relating to redemption of empty deposit beverage containers. Provides that a dealer who engages in the sale of beverages in deposit containers shall not be required to operate a redemption center, pay the redeemer full value for the containers, and ensure the container is recycled if the dealer's application for a 1 year waiver is based on a less costly or more efficient plan for the dealer's area is accepted by the department of health. -- SB1611

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1619 SD2 (SSCR 773)

RELATING TO TAXATION.

Introduced by: Bunda R

Provides an investment income tax credit for investment made in the motor sports recreation and public safety training and educational facility at Kalaeloa, parcel 9 after June 30, 2003, but before July 1, 2008 (sunset). -- SB1619 SD2

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1621

RELATING TO STANDARD DEDUCTION AMOUNT.

Introduced by: Taniguchi B

Changes the standard deduction for income tax purposes as provided by section 63 (with respect to taxable income defined) of the Federal Internal Revenue Code. -- SB1621

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1626 SD1 (SSCR 833)

RELATING TO TAXATION.

Introduced by: Taniguchi B

Provides a food income tax credit. -- Establishes an education special fund into which shall be deposited general excise tax revenues. Provides that the fund shall be used to support

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the public schools and the university of Hawaii. Provides that funding to the schools shall be to each of the 42 school complexes on a per pupil basis for the repair and maintenance for each school and other funding to each school as the legislature deems appropriate. Increases the general excise tax and use to 4 1/2 per cent. Provides that 80 million dollars of general excise tax revenues shall be deposited to the education special fund each year. Act to be repealed on December 31, 2013 (sunset) -- SB1626 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1629 SD1 (SSCR 806)

RELATING TO THE GENERAL EXCISE TAX.

Introduced by: Menor R (BR)

Amends provisions providing a general excise tax exemption for amounts received by a submanager of an association of apartment owners of a condominium property regime or a non profit homeowners or community association in reimbursement for sums paid for common expenses. Also for amounts received by the operator of a hotel from the owner of the hotel to include amounts from a timeshare association and amounts received by the suboperator of a hotel from the owner of the hotel, from a timeshare association, or from the operator of the hotel. -- SB1629 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1630

RELATING TO NONPROFIT CORPORATIONS.

Introduced by: Menor R (BR)

Provides that where directors or officers of nonprofit corporations are to be elected by members, the bylaws or board of directors may provide that the election may be conducted by mail. -- SB1630

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1635

RELATING TO PUBLIC OFFICERS AND EMPLOYEES.

Introduced by: Kim D, Hanabusa C, Tsutsui S, Kawamoto C, Kanno B

Provides that no state agency shall use or offer to use any moneys from any business or any group or association of businesses to fund any position of the State, supplement the salary of a position of the State such that it exceeds the salary set by law or exceeds the salary paid to other officers or employees with comparable duties and responsibilities or provide a financial benefit to the person filling the position, unless specifically authorized by law. This provision shall not apply to positions of the university of Hawaii that are allowed under their employment contract terms to receive income from intellectual property right, royalties, honorariums, or other similar consideration, and shall not be construed to preclude a load to a state agency of an employee by a business or group or association of businesses, on a temporary basis for a period not to exceed 120 days in a calendar year. -- SB1635

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1636 SD1 (SSCR 551)

RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS.

Introduced by: Kim D

Amends provision relating to political subdivision of the State; applicability. Provides that these provisions shall apply to any vision team of a county. Defines vision team to mean a group created or authorized to be created by charter, ordinance, or by the request or order of a county executive to provide a vision in the development of public facilities and improvements requiring the expenditure of specific sums of public funds for these facilities and improvements. -- SB1636 SD1

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1638

RELATING TO COSTS OF PROCEEDINGS IN WORKERS' COMPENSATION APPEALS.

Introduced by: Tsutsui S (BR)

Amends provision relating to costs within the workers' compensation law. Adds that if an employee appeals a decision of the director of labor and industrial relations or appellate board, the cost of the proceedings of the board or the supreme court, together with the attorney's fees may be assessed against the employer, if the employer loses. Establishes the basis for awarding attorney's fees and costs. -- SB1638

Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1647 SD2 (SSCR 857)

RELATING TO SERVICES FOR INDIVIDUALS WHO ARE BLIND OR VISUALLY IMPAIRED.

Introduced by: Espero W, Chun Oakland S

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Amends provisions relating to the universal service program to include toll free telephonic access to time sensitive information including daily newspapers to allow individuals who are blind or visually impaired to access information and services. Amends the universal service fund to allow the use of funds to provide toll free telephonic access to time sensitive information. Appropriation for telephonic information services for the blind and visually impaired. Authorizes the public utilities commission to enter into a contract with a qualified private, nonprofit organization to provide these services. (\$\$) -- SB1647 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1657 SD1 (SSCR 911) RELATING TO THE ADMINISTRATION OF PARKING FOR PERSONS WITH DISABILITIES.
Introduced by: Kokubun R, Baker R
Establishes the parking for persons with disabilities special fund to be administered by the disability and communication access board to administer the program for parking for disabled persons, and for payment to the counties for parking permits and implementing a volunteer parking enforcement program. Amends provisions relating to the state vehicle registration fee by increasing the annual state vehicle registration fee by 70 cents for each annual registration fee and adding it shall be deposited into the parking for persons with disabilities special fund. Appropriation out of the parking for persons with disabilities special fund to the board. (\$\$) -- SB1657 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1661 SD2 (SSCR 914) RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.
Introduced by: Kanno B
Amends Act 100, session laws of 2001. Provides that the housing and community development corporation of Hawaii shall complete construction of the villages of Kapolei, including affordable housing units, if any, no later than 5 years after the effective date of this Act. Provides that the state department of transportation or the city and county of Honolulu, as applicable, and the housing and community development corporation of Hawaii shall collaborate and coordinate to implement the recommendations of the traffic study for the villages of Kapolei, prepared by Walkable Communities, Inc. Provides criteria. -- SB1661 SD2
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1675 RELATING TO HEALTH.
Introduced by: Bunda R, Baker R, Chun Oakland S, Fukunaga C, Kawamoto C, Inouye L
Amends provisions relating to health planning and resources development and health care cost control. Redefines expenditure minimum by increasing the amounts for capital expenditures and new or replacement medical equipment. -- Provides that primary care clinic providers shall include geriatricians. -- Requires the administrator of the state health planning and development agency to be subject to civil service laws. Provides that the agency shall promote accessibility for all the people of the State to quality health services at reasonable cost. Repeals provision requiring the subarea health planning council to be placed within the state agency. Increases penalties for violation of any provision of this law. -- Repeals provision relating to letters of intent. -- SB1675
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1676 RELATING TO HEALTH.
Introduced by: Bunda R, Baker R, Chun Oakland S, Fukunaga C, Kawamoto C, Inouye L, Espero W
Amends provisions relating to the health planning and resources development and health care cost control by changing the state health planning and development agency to the Hawaii health performance agency. Requires the administrator of the agency to be subject to civil service laws. Transfers all rights, powers, functions, and duties of the office of health care assurance to the Hawaii health performance agency. -- SB1676
Current Status: Mar-06 03 Introduction/Passed First Reading - House

SB1700 SD1 (SSCR 503) RELATING TO CHARTER SCHOOLS.
Introduced by: Kokubun R
Establishes a charter school education agency attached to the board of education to provide administrative oversight of the new century charter schools and the new century conversion

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charter schools. Repeals provisions relating to funding for new century charter schools and replaces it with funding for new century charter schools and new century conversion charter schools. Provides that funds for new century charter schools and new century conversion charter schools shall be appropriated by the legislature to the charter schools education agency. Requires the department of budget and finance to make allocation directly to the charter schools for the fiscal year 2003 -2004. Appropriation to the charter school education agency. (\$\$) -- SB1700 SD1
Current Status: Mar-06 03 Introduction/Passed First Reading - House

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- HB0001 HD1 (HSCR 5) 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 session and nonsession expenses of the senate and the house of representatives. Expenses of the senate to be approved by the president and expenses of the house of representatives to be approved by the speaker. Requires the senate and the house of representatives to have their accounts audited and report to the senate and house of representatives respectively. Expenses for legislators while traveling abroad to be 130 dollars a day. Appropriation for the expenses of 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. (\$\$) -- HB0001 HD1
Current Status: Feb-04 03 Received by the Governor
 Feb-04 03 Approved by Governor (Act 1 2003)
- HB0010 HD2 (HSCR 729) RELATING TO PUBLIC UTILITIES.
Introduced by: Thielen C, Hiraki K, Morita H
Establishes provisions relating to fuel mix disclosure for public utilities. Provides that beginning June 1, 2004, each retail supplier shall disclose fuel mix information by generation category to its existing and new retail electricity customers. -- HB0010 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB0018 RELATING TO PHARMACEUTICAL BENEFIT MANAGEMENT COMPANIES.
Introduced by: Takumi R
Establishes provision relating to pharmaceutical benefit management companies. Establishes standards of conduct for pharmaceutical benefit management companies and other similar entities that administer or manage prescription drug coverage to discharge their obligations to their clients, including all private employee benefit plans, unions, 3rd party administrators, insurance companies, state or federal governments, and all covered entities' members and beneficiaries. -- HB0018
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB0021 HD1 (HSCR 57) RELATING TO CORPORATE DISCLOSURE.
Introduced by: Takumi R, Takamine D, Oshiro M, Oshiro B
Establishes corporate disclosure law. Provides that beginning July 1, 2004, and for each succeeding year, the department of taxation shall provide a detailed tax expenditure budget (report) to the legislature, derived from state income tax filings for the previous calendar year. Requires the counties to develop a standardized disclosure registry to report to the department of taxation all property tax reductions or abatements. Requires the department of business, economic development, and tourism to adopt a standardized application form for on budget development assistance for use by all granting bodies, before October 2, 2003. Requires every granting body in the State, jointly with applicant corporations, to fill out the standardized application form each time a corporation applies for development assistance. Further requires all granting bodies to perform analyses concerning the projected wages and benefits in considering development assistance applications. Defines granting body to mean any public entity within the State, including the state and county agencies and departments that provide development assistance, including the department of business, economic development, and tourism, the department of labor and industrial relations, and the department of human resources development. -- HB0021 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB0029 HD1 (HSCR 184) RELATING TO MEAL BREAKS.
Introduced by: Takumi R
Amends provisions relating to breastfeeding by changing it to meal breaks and breastfeeding. Establishes provisions prohibiting any employee from working more than 8 consecutive hours continuously without at least 30 consecutive minutes for a meal period or other break period, unless a collective bargaining agreement otherwise contains express provisions for employee meal breaks -- HB0029 HD1
Current Status: Mar=04 03 Introduction/Passed First Reading - Senate
- HB0032 HD2 (HSCR 452) RELATING TO EDUCATION.

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Introduced by: Takumi R

Amends provisions relating to the board of education. Requires the board to conduct a community meeting at each school complex at least 2 times per year to inform the public and receive public input regarding statewide educational issues being addressed by the board, and any issues specifically pertaining to each school complex. Further requires at least 1 member of the board to be present at each community meeting. -- HB0032 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0043 HD2 (HSCR 796)

RELATING TO INSURANCE FRAUD.

Introduced by: Hiraki K

Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) to establish provisions relating to insurance fraud, immunities, and penalties. Establishes offenses of insurance fraud as a criminal offense and establishes penalties. Provides that a person shall not be subject to civil liability for providing information to a court, the insurance commissioner, the insurance investigation unit, the National Association of Insurance Commissioners, any federal, state, or county law enforcement or regulatory agency, or another insurer, if the information is for preventing, investigating, or prosecuting insurance fraud. -- HB0043 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0049 HD2 (HSCR 787)

RELATING TO TRAFFIC VIOLATIONS.

Introduced by: Souki J

Establishes provisions relating to use of cellular phones while driving. Prohibits a person to operate a motor vehicle while using a hand held cellular telephone to engage in a call while the vehicle is in motion. Provides that an operator of a motor vehicle who holds a cellular telephone to, or in the immediate proximity of the operator's ear while the vehicle is in motion shall be prima facie evidence that the operator was engaged in a call. Provides exemptions and establishes a fine. -- HB0049 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0050 HD2 (HSCR 763)

RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND.

Introduced by: Souki J

Amends provision relating to the Hawaii public employees health fund. Requires the health benefits plans for retired employees shall provide, pay for, arrange for, or reimburse the cost of hospitalization, surgery, medical, dental, treatment, and care, and may include prescribed drugs, medicines, prosthetic appliances, hospital in patient and out patient service benefits, vision treatment and care, medical, and dental benefits. Amends provision relating to determination of health benefits plans by changing it to determination of health benefits plans; audits of employee organization health benefits plans. Provides that to ensure the financial integrity and cost effectiveness of any health benefits plan of an employee organization, the board shall annually audit each health benefits plan offered by an employee organization and the cost of audits shall be borne by the fund. Amends provision relating to supplemental plan to federal Medicare. Provides that the contribution for voluntary medical insurance coverage under federal Medicare shall be paid by the fund. -- HB0050 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0052 HD2 (HSCR 603)

RELATING TO CHILD PASSENGER SAFETY.

Introduced by: Souki J, Hamakawa E

Amends provision relating to child passenger restraints (car seat). Provides that a child 4 years of age or older but less than 8 years of age and under 80 pounds must be restrained in a child safety seat or booster seat. Provides an exemption for a child who is under 8 years of age and who weighs over 40 pounds or is over 4 feet 9 inches tall, is traveling in a motor vehicle equipped only with lap belts in the rear seat, without shoulder straps, provided they are restrained by a seat belt. -- HB0052 HD2

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0053

RELATING TO DEPARTMENT OF TRANSPORTATION'S MARITIME RELATED USES.

Introduced by: Souki J, Kanoho E

Amends provision relating to disposition by negotiation. Provides that dispositions of public lands for maritime related operations shall be negotiated without regard to limitations. Redefines maritime related as a purpose or activity that requires and is directly related to the

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loading, off loading, storage, or distribution of goods, and services of the maritime industry.
-- HB0053
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0058 RELATING TO MOTOR VEHICLES.
Introduced by: Souki J
Amends provision relating to unlawful removal of motor vehicles from the State to add an exemption for any motor vehicle rental company that periodically ships in quantities of 10 vehicles or more. -- HB0058
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0073 RELATING TO STATE GOVERNMENT.
Introduced by: Kahikina M, Arakaki D
Amends Act 247, session laws of 2002, relating to the core government functions advisory commission. Provides that the sunset dates of the core government functions advisory commission shall be extended by 1 year, from June 30, 2003, to June 30, 2004. Provides that the commission shall submit a preliminary report and a final report to the legislature. Further provides that the commission reduce the state operating budget for fiscal biennium 2005 - 2007. -- HB0073
Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0075 HD2 (HSCR 741) RELATING TO CONDOMINIUMS.
Introduced by: Hiraki K
Amends Act 213, session laws of 2000 by requiring the real estate commission to report to the legislature prior to the convening of the regular sessions of 2003 and 2004. Requires the real estate commission to have held at least 1 public hearing regarding the draft legislation in each of the counties of Oahu, Hawaii, Maui, and Kauai by December 31, 2003. Appropriation out of the condominium management education fund to the department of commerce and consumer affairs to complete the comprehensive review of the condominium property regimes law. (\$\$) -- HB0075 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0078 HD1 (HSCR 780) RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.
Introduced by: Kahikina M, Arakaki D
Establishes provision relating to federal funds outside of state treasury. Provides that the housing community development corporation shall establish and manage federal funds outside of the state treasury to be used for federal housing programs. Provides that the corporation shall invest such funds as permitted investments in accordance with government fiscal policies. -- HB0078 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0083 HD1 (HSCR 8) RELATING TO A LAND EXCHANGE BETWEEN THE STATE OF HAWAII AND THE ALOHA COUNCIL BOY SCOUTS OF AMERICA.
Introduced by: Kanoho E, Bukoski K, Thielen C
Approves land exchange involving private land at Waikele, Oahu, owned by Aloha Council Boy Scouts and public lands located on the islands on Oahu, Kauai, and Hawaii. Provides criteria. Repeals the authority granted to enter into a land exchange agreement on June 30, 2006 (sunset). -- HB0083 HD1
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0085 HD1 (HSCR 789) RELATING TO ACCRETED LANDS.
Introduced by: Kanoho E, Thielen C, Oshiro B, Oshiro M
Requires the office of environmental quality control to inform the public of an application for the registration of land by accretion for any land accreted along the ocean. Provides that the person bringing the action shall comply with public notice requirements. -- HB0085 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0086 HD1 (HSCR 240) RELATING TO LAND USE.
Introduced by: Kanoho E
Amends provision relating to the Hawaii community development authority. Provides that 7

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members of the authority shall be appointed by the governor provided that 2 members shall be appointed at large; 2 members shall be selected, 1 each from a list of 3 prospective appointees submitted by the speaker of the house of representatives and by the president of the senate. Further provides that when vacancies occur in any of the positions for which the members were selected from lists, the governor shall fill the vacancy from a list of 3 prospective appointees submitted by either the speaker of the house of representatives or the president of the senate. -- HB0086 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0090 HD1 (HSCR 851)

RELATING TO LONG-TERM CARE.

Introduced by: Nakasone B

Provides a long term care insurance income tax credit of 2,500 dollars or 50 per cent of the premium payments made for long term care insurance. Credit to apply to taxable years beginning after December 31, 2002, and be repealed on January 1, 2007 (sunset). Requires the governor to issue a declaration allowing the credit. -- HB0090 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0091 HD1 (HSCR 721)

RELATING TO GOVERNMENT SERVICES.

Introduced by: Nakasone B

Provides a general excise tax exemption for gross proceeds arising from the sale of goods or services to the State. -- Amends provisions relating to transfers from special funds for central service expenses. Amends the deduction of 5 per cent of all receipts to 5 per cent of all costs. Repeals the exemption of special funds from the pro rata share of administrative expenses incurred. -- HB0091 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0096 HD1 (HSCR 611)

RELATING TO PUBLIC UTILITIES.

Introduced by: Hiraki K

Amends provisions relating to the regulation of public utility rates and ratemaking procedures. Provides that in the case of 2 or more organizations, the public utilities commission shall not use or impute telephone directory advertising revenues of 1 of the organizations, trades, or businesses, to determine or establish regulated rates or charges for a telecommunications carrier that is another of the organizations, trades, or businesses. -- HB0096 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0122

RELATING TO PRESUMPTIVE MEDICAID ELIGIBILITY FOR PREGNANT WOMEN.

Introduced by: Arakaki D, Kahikina M, Takai K, Shimabukuro M, Meyer C, Oshiro M, Magaoay M, Kanoho E, Lee M, Mindo R, Luke S, Morita H, Pendleton D, Finnegan L, Ching C, Hale H, Caldwell K, Sonson A, Abinsay F, Kawakami B

Requires the department of human services to presume that a pregnant woman applying for Medicaid or QUEST coverage for prenatal care or other medically indicated services relating to pregnancy to be eligible for coverage. Provides that all eligible women shall be provided immediate presumptive eligibility at the time of their Medicaid application, and shall be notified within 45 days of their eligibility for continuing coverage under Medicaid or QUEST. -- HB0122

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0123 HD1 (HSCR 244)

RELATING TO THE PRACTICE OF PHARMACY.

Introduced by: Arakaki D, Takai K, Marumoto B, Shimabukuro M, Thielen C, Ching C, Lee M, Kanoho E, Luke S, Morita H, Hale H, Caldwell K, Sonson A, Kawakami B, Schatz B

Amends provisions relating to pharmacy to include emergency contraception. Redefines the practice of pharmacy to include initiating emergency contraception oral drug therapy, between a licensed physician and a pharmacist having appropriate training. Changes licensed medical doctor to licensed physician. Redefines contraceptive services within accident and sickness insurance contract provisions to include pharmacist delivered medical services. -- HB0123 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0127 HD1 (HSCR 405)

RELATING TO GENERAL ASSISTANCE.

Introduced by: Shimabukuro M, Thielen C, Mindo R, Luke S, Morita H, Leong B, Hale H, Kahikina M, Abinsay F, Meyer C, Kawakami B, Lee M

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Amends provision relating to eligibility of general assistance to households without minor dependents. Provides that a person with a physical or mental disability shall be ineligible for general assistance for failure to pursue appropriate medical treatment unless the failure is due to good cause, including treatment is unavailable, personal emergencies, and circumstances which threaten the safety of the patient. -- HB0127 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0129 HD1 (HSCR 11)

RELATING TO BRIDGE TO HOPE.

Introduced by: Lee M, Arakaki D, Thielen C, Luke S, Morita H, Leong B, Shimabukuro M, Finnegan L, Kahikina M, Abinsay F, Kawakami B, Schatz B, Pendleton D, Ching C, Hale H
Amends provision relating to bridge to hope program. Includes heads of households in temporary assistance to other needy families (TAONF) program in a post secondary education benefits program known as the bridge to hope program. Appropriation to the university of Hawaii for the program, including 1 position for outreach. (\$\$) -- HB0129 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0130 HD1 (HSCR 847)

RELATING TO PENSION AND RETIREMENT SYSTEMS.

Introduced by: Lee M, Morita H, Thielen C, Ching C, Kanoho E, Arakaki D, Mindo R, Luke S, Leong B, Shimabukuro M, Karamatsu J, Hale H, Kawakami B

Amends provision relating to allowance upon retirement. Requires spousal or reciprocal beneficiary consent to any retirement benefit option selected by a member prior to retirement. Provides that in the event that the spouse or reciprocal beneficiary refuses to consent to the member's election of a benefit option and no agreement on a specific option can be reached, the spouse or reciprocal beneficiary shall be entitled to an annuity as if the member had elected option 2 or option B, but at a rate of ____ per cent of the allowance payable to the member prior to the member's death. -- HB0130 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0132 HD1 (HSCR 764)

RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES.

Introduced by: Oshiro M, Morita H, Lee M, Kahikina M, Sonson A, Kawakami B, Arakaki D, Shimabukuro M, Karamatsu J, Hale H, Caldwell K, Abinsay F, Meyer C

Establishes provision relating to wage disclosure, recordkeeping and reporting requirements. Provides that the department of human resources development shall make and retain records of public employee positions, wages, and demographic characteristics. Further provides that the department of human resources development shall conduct an examination of the data collected as of September 30, 1999 to determine whether there is a concentration of employees by gender in certain classes of employment as in relevant occupational categories. Provides that the initial examination shall determine whether there are unequal wages for males and females performing the same type of job or jobs of equivalent value. Provides that if the initial examination indicates that there are unequal wages for males and females, the examination shall be extended to determine whether other gender neutral factors, such as length of service, skill, effort, or responsibility account for the differences or whether there is indication of gender bias classification. Report to the legislature. Establishes the temporary commission on pay equity within the governor's office to review studies on wage equity and job evaluation and reports submitted by the director. Report to legislature. -- HB0132 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0133 HD1 (HSCR 582)

RELATING TO CHILD PROTECTION.

Introduced by: Lee M, Arakaki D, Thielen C, Mindo R, Morita H, Leong B, Shimabukuro M, Jernigan M, Finnegan L, Hale H, Abinsay F, Kahikina M, Sonson A, Kawakami B

Establishes the safe place for newborns law. Authorizes a hospital to receive a newborn left with a health care provider on the hospital premises if the newborn was born within 30 days of being left at the hospital and the newborn is left in an unharmed condition. Prohibits the hospital from inquiring the identity of the mother or the person leaving the newborn, and from calling a law enforcement officer. Provides that a person may leave a newborn with a health care provider at a hospital without being subjected to prosecution for abandonment of a child. Requires the hospital to inform the department of human services that a newborn has been left at the hospital within 24 hours. Upon receiving custody of a newborn, the department may reunify the newborn with the newborn's parents. Allows the department to search for the newborn's relatives as a placement or permanency option, or other placement

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requirements that give a preference to relatives. -- HB0133 HD1
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0135 HD1 (HSCR 710)

RELATING TO INTERNATIONAL MATCHMAKING ORGANIZATIONS.
Introduced by: Lee M, Shimabukuro M, Pendleton D, Thielen C, Ching C, Kawakami B, Marumoto B, Finnegan L, Kahikina M, Sonson A, Arakaki D, Luke S, Morita H, Leong B, Hale H, Karamatsu J, Abinsay F
Establishes the international matchmaking organizations law. Provides that each international matchmaking organization in this State shall notify all recruits that all criminal history record and marital history information is available upon request, in the recruit's native language; and upon request disseminate to a recruit in the recruit's native language all criminal conviction information and marital history information in the possession of the international matchmaking organization relating to a Hawaii resident about whom any information is provided to the recruit. Further provides that upon receipt of a request for criminal conviction or marital history information, an international matchmaking organization shall refrain from facilitating future interaction between the recruit and the Hawaii resident until the Hawaii resident has submitted that information. Establishes criteria. Establishes fines and imprisonment for violation of these provisions. -- HB0135 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0139 HD1 (HSCR 614)

RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY.
Introduced by: Hiraki K
Amends provisions relating to the motor vehicle rental industry. Defines direct commission to mean any compensation, bonus, award, or remuneration, that is calculated by means of a formula, process, evaluation, or other mechanism in which the amount of any compensation, bonus, award, or remuneration corresponds directly to the amount of sales of collision damage waivers. Excludes any compensation, commission, bonus, award, or remuneration to an employee that corresponds to the overall gross receipts of a sales location, where sales of collision damage waivers are 1 of many factors contributing to overall gross receipts. -- HB0139 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0140 HD1 (HSCR 615)

RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY.
Introduced by: Hiraki K
Amends provision relating to unfair trade practices of the motor vehicle rental industry. Provides that it shall be a violation of unfair practice if the lessor charges the lessee more than the diminution in value of a vehicle if it is not repaired or declared a total loss. Further provides that unless such value or means for determining such value is agreed to between lessor and lessee, the diminution in value may be determined by a court of law or at an auction at which the lessee is invited and allowed to participate. -- HB0140 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0146 HD2 (HSCR 850)

RELATING TO ECONOMIC DEVELOPMENT.
Introduced by: Herkes R
Establishes the state renaissance zones law. Defines renaissance zone to mean a geographic area designated by the governor. Provides that 2 renaissance zones may be designated in this State, subject to criteria. Establishes the renaissance zone review board within the department of business, economic development, and tourism to review applications for the designation of a district geographic area as a renaissance zone. Provides that the developer of a renaissance zone shall be exempt from up to 100 per cent of the taxes from the income derived by the developer from the renaissance zone. Further provides that the renaissance zone income tax exemption may be claimed only upon a declaration by the governor. Provides that the governor shall issue a declaration allowing tax payers to claim the income tax exemption when the general fund revenue collections at the close of each of 2 successive fiscal years exceed 7.5 per cent of the general fund revenues for each of the prior 2 fiscal years. Requires the director of taxation to notify the governor of the general fund revenue balance at the close of every year. Act to be repealed on January 1, 2007 (sunset). -- HB0146 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0150 HD2 (HSCR 742)

RELATING TO THE LEGISLATURE.

HOUSE BILLS WHICH PASSED THIRD READING

- Introduced by: Magaoay M, Kanoho E, Chang J, Mindo R
Transfers all rights, powers, functions, and duties of the state capitol tour service from the office of the governor to the state foundation on culture and the arts. Appropriation to the department of accounting and general services. (\$\$) -- HB0150 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB0155 HD2 (HSCR 752) MAKING AN APPROPRIATION FOR PINEAPPLE RESEARCH.
Introduced by: Abinsay F, Halford C, Marumoto B, Oshiro B, Tamayo T, Chang J, Karamatsu J
Appropriation to the department of agriculture for pineapple research projects. (\$\$) -- HB0155 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB0176 HD1 (HSCR 398) RELATING TO THE WEED AND SEED PROGRAM.
Introduced by: Hiraki K, Saiki S, Arakaki D, Ching C, Abinsay F
Authorizes the department of public safety to contract with a private nonprofit corporation eligible for tax exempt status to coordinate policy, disburse public funds, and implement community plans related to the Hawaii weed and seed program. Annual report to the legislature and the governor. -- HB0176 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB0179 HD1 (HSCR 34) MAKING AN APPROPRIATION FOR THE PURCHASE OF LAND IN NORTH KONA.
Introduced by: Evans C, Kahikina M
Appropriation to the department of land and natural resources to purchase land in north Kona, Hawaii, that forms a crucial link between Keolonahihi state park and the 16 acre Keakealaniwahine complex. (\$\$) -- HB0179 HD1
Current Status: Mar=04 03 Introduction/Passed First Reading - Senate
- HB0182 RELATING TO BROWN TREE SNAKES.
Introduced by: Morita H, Thielen C, Kanoho E, Kaho'ohalahala S, Evans C
Amends provision relating to importation or possession prohibited of soil, plants, animals, etc. Provides that the department of agriculture may bring into and maintain in the State 4 live sterile brown tree snakes instead of 1. -- HB0182
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate
Feb=28 03 Single Referral to WLA (586-7335)
- HB0189 HD2 (HSCR 384) RELATING TO EMERGENCY CONTRACEPTIVES FOR SEX ASSAULT SURVIVORS IN EMERGENCY ROOMS.
Introduced by: Morita H, Thielen C, Kanoho E, Kaho'ohalahala S, Evans C, Lee M, Waters T, Ching C, Hale H, Oshiro B, Meyer C
Establishes provision relating to emergency contraceptives for sexual assault survivors. Requires hospitals that provide emergency care to sexual assault survivors to provide each sexual assault survivor with written and oral information about emergency contraception, inform each survivor of her option to receive emergency contraception at the hospital, and provide emergency contraception immediately at the hospital to each sexual assault survivor who requests it. Provides that the cost of the emergency contraception dispensed shall be paid by the department of health. Requires the hospital to ensure that each person is provided with accurate and unbiased information. Further requires the department to respond to complaints and to determine whether hospitals are complying with this provision. -- HB0189 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB0192 HD1 (HSCR 369) RELATING TO ACCRETED LANDS.
Introduced by: Morita H, Thielen C, Bukoski K, Kanoho E, Evans C, Waters T, Lee M
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 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. -- HB0192 HD1

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Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0193 HD1 (HSCR 786)

RELATING TO LANDOWNERS' LIABILITY.

Introduced by: Morita H, Kanoho E, Thielen C, Bukoski K, Kaho'ohalahala S, Evans C, Waters T, Lee M

Establishes provision relating to landowner's liability. Provides that an owner of land owes no duty of care to keep the premises safe for entry or use by others for control or eradication of invasive species, or to give any warning of a dangerous condition, use, structure, or activity on such premises to persons entering for such purposes, or to persons entering in response to such persons who require assistance, either direct or indirect. Establishes limited liability of owner. Defines invasive species to mean any plant, plant pest, noxious weed, microorganism, biological control organism, or animal that can directly or indirectly injure or cause damage to the environment or to the interests of agriculture, horticulture, aquaculture, animal or public health, native species, natural resources, irrigation or navigation. -- HB0193 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0196 HD1 (HSCR 844)

RELATING TO A GEOTHERMAL-TO-HYDROGEN TAX CREDIT.

Introduced by: Morita H, Kanoho E, Thielen C, Kaho'ohalahala S, Evans C, Waters T, Lee M

Provides a geothermal to hydrogen systems income tax credit for hydrogen production systems that make use of geothermal energy to produce the hydrogen in either a gaseous or liquid state. Provides that the tax shall apply to geothermal to hydrogen systems that are erected and placed in service after December 31, 2003, but before January 1, 2008 (sunset). -- HB0196 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0218

RELATING TO TERMINABLE RENTAL ADJUSTMENT CLAUSE VEHICLE LEASES.

Introduced by: Chang J, Oshiro B, Ito K

Establishes provisions relating to terminable rental adjustment clause vehicle leases. Provides that a transaction does not create a sale or security interest merely because it provides that the rental price is permitted or required to be adjusted under the agreement by reference to the amount realized upon sale or other disposition of a motor vehicle or trailer. -- HB0218

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0248 HD1 (HSCR 739)

RELATING TO SMOKING IN PUBLIC SCHOOLS BY PUBLIC EMPLOYEES.

Introduced by: Arakaki D

Establish provisions prohibiting smoking. Prohibits any person to smoke any tobacco product on the premises of any public school from kindergarten through grade 12 including the area within 25 feet of any entrance or fresh air intake for any school building; while physically within a school bus or other vehicle owned, leased, or rented by a school for the transport of school children, school employees, or any other persons; and during any event or function that is sponsored by a school, regardless of whether the function is located on school premises. Requires the department of education to educate all school personnel, parents, students, and the school community and to cause signs prohibiting smoking to be displayed at all entrances to each school. -- Amends provisions relating to the scope of negotiations for collective bargaining in public employment to exclude the prohibition of smoking in public schools from negotiations. -- HB0248 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0277 HD1 (HSCR 604)

RELATING TO EDUCATION.

Introduced by: Shimabukuro M, Arakaki D, Thielen C, Finnegan L, Ching C, Takai K, Leong B, Magaoay M

Amends provisions relating to penalties if a child does not attend school. Requires an administrative hearings officer to have the child, and the father or mother, guardian, or other person having charge of the child, to be summoned to appear before the officer to determine diligence, upon a proper petition, citation, or complaint made by a schoolteacher or any other officer or agent of the department of education, or police officer, or any other person. Provides that if the responsible person did not use proper diligence the person may be ordered to perform community service work at the child's school or attend and successfully

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complete classes or programs as deemed appropriate. Further provides that if the child continued to be absent from school, the administrative hearings officer may place the child under formal school supervision and require the child to perform detention or prohibit the child from participating in various co curricular activities. Authorizes the family court to order the examiner of drivers of the appropriate county to suspend the minor's driver's license or instruction permit. -- HB0277 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0281 HD1 (HSCR 825)

RELATING TO STATE EDUCATIONAL FACILITIES REPAIR AND MAINTENANCE.

Introduced by: Say C, Saiki S, Mindo R, Oshiro B, Chang J, Takumi R, Arakaki D, Luke S, Lee M, Shimabukuro M, Takamine D, Souki J, Hale H, Oshiro M, Caldwell K, Kanoho E, Tamayo T, Nishimoto S, Magaoay M, Evans C, Ito K, Kahikina M, Herkes R, Karamatsu J, Schatz B, Wakai G, Hiraki K, Kaho'ohalahala S, Abinsay F, Morita H, Hamakawa E, Waters T, Sonson A, Nakasone B, Kawakami B

Amends the state educational facilities repair and maintenance account and the school repair and maintenance account to be under EDN 100 (school based budgeting) of the department of education instead of under AGS 807 (physical plant operations and maintenance) of the department of accounting and general services. -- HB0281 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0282 HD2 (HSCR 777)

RELATING TO THE AUDITOR.

Introduced by: Say C, Saiki S, Mindo R, Oshiro B, Chang J, Takumi R, Herkes R, Hale H, Luke S, Lee M, Shimabukuro M, Takamine D, Arakaki D, Oshiro M, Karamatsu J, Caldwell K, Wakai G, Tamayo T, Magaoay M, Abinsay F, Hamakawa E, Kahikina M, Nakasone B, Kawakami B, Schatz B, Kanoho E, Hiraki K, Nishimoto S, Kaho'ohalahala S, Evans C, Morita H, Waters T, Ito K, Sonson A

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 an 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 audits; fees for conducting audits of special funds, revolving funds, capitol improvement funds, or trust funds; legislative appropriation; and all interest earned on the deposit or investment of the moneys in the fund. Provides that moneys in the audit revolving fund shall be expended by the auditor to conduct audits of state departments, offices, agencies, and its political subdivisions, audits of special, revolving, capital improvement, or trust funds, and for the services of certified public accountants contracted to conduct such audits. Appropriation for deposit into the audit revolving fund and to conduct audits. Appropriation out of the audit revolving fund. (\$\$) -- HB0282 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0284 HD1 (HSCR 716)

RELATING TO ELECTIONS.

Introduced by: Say C, Saiki S, Mindo R, Oshiro B, Chang J, Luke S, Lee M, Takumi R, Shimabukuro M, Souki J, Herkes R, Hale H, Caldwell K, Wakai G, Magaoay M, Abinsay F, Morita H, Evans C, Arakaki D, Takamine D, Oshiro M, Karamatsu J, Schatz B, Kanoho E, Tamayo T, Nishimoto S, Kaho'ohalahala S, Hamakawa E, Kawakami B, Waters T, Ito K, Kahikina M, Sonson A, Nakasone B

Establishes prohibition of fundraising on state or county property. Provides that it shall be unlawful for any person to solicit a donation of money or other thing of value in connection with an election campaign in a room, building, or other facility used in the discharge of official duties by an officer or employee of the state or county. Excludes any government facility, which is available for use as a rental or with a reservation to nongovernmental organizations. or receive any political contribution from any person in any state or county room or building occupied in the discharge or official duties. Provides that it shall be unlawful for any corporation, labor organization, membership organization, cooperative, or corporation without capital stock to make a contribution to or expenditure on behalf of any candidate, candidate's committee, or noncandidate committee. Provides that no officer or director of any corporation, labor organization, member organization, cooperative or corporation without capital stock shall consent to or authorize and contribution. Excludes those without capitol stock making contributions aggregating less than 6,000 dollars in an election period. Provides that no candidate, candidate's committee, or person shall knowingly accept or

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receive prohibited contributions. Provides that the use of funds for the establishment or administration of, or the solicitation of contributions to, any separate segregated fund by a corporation, labor organization, membership organization, cooperative, or corporation without capitol stock for the purpose of influencing the nomination for election, or election, of any candidate to political office shall not be prohibited. Provides that it shall be unlawful for the separate segregated fund to make contributions or expenditures from funds secured by physical force, job discrimination, financial reprisals; dues, fees, or other moneys required as a condition of membership in a labor organization or as a condition of employment; or moneys obtained in any commercial transaction; and solicit an employee for a contribution to such a fund without informing the employee at the time of such solicitation of the political purposes of the fund and of the employee's right to refuse to contribute without any reprisal. Prohibits the solicitation of contributions from any persons other than stockholders and their families for corporations, and from people other than members and their families for labor organizations. Provides that a corporation, financial institution, or labor organization (labor union) may establish a separate segregated fund to be used for political purposes. Amends provision relating to 200 foot radius and admission within polling place. Provides that any person who remains or loiters within any area of 200 feet from the perimeter of the polling place and its appurtenances for the purpose of campaigning, or any election official or watcher who uses or transmits on the day of the election, for partisan or campaign purposes, any information obtained in the course of performing their responsibilities as an election official or watcher shall be guilty of a misdemeanor. Amends provision relating to registration. Provides that each candidate, committee, or party shall register with the commission by filing an organizational report within 10 days of filing nomination papers for office with the chief election officer or county clerk or the date the candidate or candidate's committee receives any contributions or makes any expenditures the aggregate amount of which is more than 100 dollars, whichever occurs 1st. Provides that this requirement shall not apply to a candidate seeking reelection to the same office in successive election periods, provided that the candidate has not sought election to any other office. Amends provision related to campaign contributions and restrictions against transfer. Provides that a contribution shall not be converted by any person to personal use. Provides that a contribution or amount shall be considered to be converted to personal use if the contribution or amount is used to fulfill any commitment, obligation, or expense of a person, the primary purpose of which is noncampaign related and such expense exists without regard to the candidate's election campaign or individual duties as an officeholder, including a home mortgage, rent or utility payment; a noncampaign related automobile purchase; a noncampaign related clothing purchase; a country club membership; a vacation or other noncampaign related trip; a household item; a tuition payment; admission to a sporting event, concert, theater, or other form of entertainment not associated with an election campaign; and dues, fees, or other payments to a health club or recreational facility. Amends provision relating to campaign contributions and limits as to persons. Provides that no persons shall make contributions to a candidate, the candidate's committee or a noncandidate committee in an amount greater than the aggregate of 2000 dollars during the election period in which the candidate seeks office. Provides that no person shall make contributions to a party, which in the aggregate, exceeds 5,000 dollars in any calendar year. Provides that no individual shall make contributions aggregating more than 25,000 dollars in any election period. 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 contribution shall escheat to the Hawaii election campaign fund. Amends provision relating to campaign contributions by State contractors by changing it to campaign contributions by government contractors. Provides that it shall be unlawful for any government contractor to make a contribution to any candidate or candidate's committee at any time commencing with any procurement activity conducted by a purchasing agency or notice of appropriation and ending with 24 months after the either the termination of procurement activity or completion of any government contract. Provides that it shall be unlawful for any business against whom debarment or suspension proceedings are commenced to make a contribution to any candidate or candidate's committee at any time during the course of the proceedings, an administrative or judicial action and the period of debarment or suspension. Provides that it shall be unlawful for any person to knowingly solicit any contribution from any government contractor or business prohibited from making contributions. Provides that to make contributions from any individual who owes less than 25 per cent of the outstanding shares of a business that is a government contractor, provided

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that the contribution is from the individual's personal funds shall not be prohibited. -- HB0284 HD1

Current Status: Mar-06 03 Passed Third Reading House

HB0285 HD1 (HSCR 412)

RELATING TO ADMINISTRATIVE PROCEDURE.

Introduced by: Say C, Saiki S, Mindo R, Chang J, Takumi R, Shimabukuro M, Arakaki D, Hale H, Schatz B, Luke S, Lee M, Herkes R, Oshiro B, Takamine D, Souki J, Oshiro M, Karamatsu J, Caldwell K, Wakai G, Magaoay M, Abinsay F, Evans C, Ito K, Kahikina M, Kawakami B, Kanoho E, Tamayo T, Nishimoto S, Kaho'ohalahala S, Morita H, Hamakawa E, Waters T, Sonson A, Nakasone B

Establishes provision relating to rulemaking procedure. Provides that when making, amending, or repealing rules, agencies shall comply with procedures required by Hawaii law and applicable federal laws. Provides that each agency shall develop and use flexible approaches in making, amending, or repealing rules that meet the needs of the agency and that involve persons affected by the agency's rules. Provides that the head of the agency shall ensure that the rules are developed in concert with the spirit and intent of the law. Provides that after a public hearing has been held on any rules, the proposed rule shall not be adopted until the head of the agency concurs that the proposed rule has a rational nexus to the law and conforms to the letter, spirit, and intent of the law. Provides that any interested party may appeal the adoption of a rule by filing a petition for regulatory review. Establishes automatic repeal of administrative rules. Provides that upon the repeal of a statute or ordinance, any administrative rule that has been adopted pursuant to the repealed statute or ordinance shall be automatically repealed. Excludes an administrative rule adopted pursuant to a subsequently repealed statute or ordinance, that is readopted by operation of law as part of a transfer of functions from 1 department or agency to another department or agency. Amends provision relating to periodic review and evaluation report. Provides that any recommendations as to whether a rule is in furtherance of an appropriate function of the state government and any recommendations as to whether the rule, although in furtherance of an appropriate function of the state government, can be implemented by the private sector as cost effectively as the public sector while meeting the same plans, goals, objectives, standards, measures of effectiveness, wage, salary, conditions of employment, and employee benefit program of the State. -- HB0285 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0286

RELATING TO STANDARDS OF CONDUCT.

Introduced by: Say C, Saiki S, Mindo R, Oshiro B, Chang J, Takumi R, Takamine D, Oshiro M, Schatz B, Kanoho E, Tamayo T, Luke S, Magaoay M, Shimabukuro M, Arakaki D, Herkes R, Hale H, Karamatsu J, Caldwell K, Wakai G, Kaho'ohalahala S, Lee M, Morita H, Kahikina M, Kawakami B, Nishimoto S, Abinsay F, Evans C, Hamakawa E, Waters T, Ito K, Sonson A, Nakasone B

Amends provision relating to the reporting of gifts. Provides that every legislator and employee shall file a gifts disclosure statement with the state ethics commission on June 30 of each year if the legislator or employee, or spouse or dependent of the legislator, received directly or indirectly from 1 source any gift or gifts valued singly or in the aggregate in excess of 100 dollars during any regular or special session of the legislature. -- HB0286

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0287 HD3 (HSCR 767)

RELATING TO PUBLIC EMPLOYEES.

Introduced by: Say C, Saiki S, Mindo R, Chang J, Takumi R, Herkes R, Hale H, Oshiro B, Luke S, Lee M, Shimabukuro M, Takamine D, Souki J, Arakaki D, Oshiro M, Karamatsu J, Kanoho E, Tamayo T, Magaoay M, Abinsay F, Evans C, Ito K, Kahikina M, Kawakami B, Schatz B, Caldwell K, Nishimoto S, Kaho'ohalahala S, Morita H, Hamakawa E, Waters T, Sonson A, Nakasone B

Establishes provision relating to public employees and termination. Provides that if a public employee has been convicted of a felony for conduct in violation of the employee's duties, the public employee shall be terminated from the public employee's position. Provides that if the felony conviction that results in the termination of a public employee is overturned on appeal, the public employee shall obtain back pay and be returned to the position the public employee held prior to conviction, or an equivalent position if the public employee's position was filled provided that the employee is not terminated in accordance with any other provision of law. Provides that for public employees that are covered by a collective

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bargaining agreement, the public employee has no right to file a grievance contesting the termination. -- HB0287 HD3

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0288 HD2 (HSCR 846)

RELATING TO ENERGY CONSERVATION INITIATIVES.

Introduced by: Say C, Saiki S, Mindo R, Oshiro B, Chang J, Luke S, Lee M, Takumi R, Shimabukuro M, Oshiro M, Hale H, Karamatsu J, Caldwell K, Wakai G, Magaoay M, Abinsay F, Evans C, Morita H, Arakaki D, Takamine D, Herkes R, Schatz B, Kanoho E, Hiraki K, Tamayo T, Nishimoto S, Kaho'ohalahala S, Hamakawa E, Kawakami B, Waters T, Ito K, Kahikina M, Sonson A, Nakasone B

Requires the State to finance the acquisition, construction, rehabilitation, installation, and improvement of renewable energy and energy efficient technologies in state facilities. Requires the department of accounting and general services to report to the legislature and the governor. Authorizes the issuance of general obligation bonds for appropriation to the department of accounting and general services. -- Amends provision relating to geothermal royalties. Provides that 1 dollar per year of the State's portion of the royalties from geothermal resources shall be allocated to the department of business, economic development, and tourism to fund hydrogen research and development as an alternative energy source. -- Requires the legislative auditor to contract with a consultant to conduct a statewide energy audit consisting of a comprehensive statewide review, examination, and analysis of Hawaii's existing energy situation in relation to the State's energy objectives. Requires all departments, agencies, and offices of the State and any private companies or agencies receiving state funds to cooperate with and provide assistance. Consultant to report to the legislature and the governor. Appropriation to the legislative auditor for the statewide energy audit. -- Provides a renewable energy technologies income tax credit. Department of taxation to annually report to the legislature. -- Establishes provisions relating to energy efficiency policy review and evaluation. Requires the state energy resources coordinator to ensure that a review and an evaluation of the income tax credit be done. Report to the legislature. -- Extends the sunset date for the tax credits relating to wind energy systems, solar energy systems, heat pumps, and ice storage system from July 1, 2003 to July 1, 2007 (sunset). Act to be repealed on January 1, 2007 (sunset). (\$\$) -- HB0288 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0289 HD2 (HSCR 826)

RELATING TO EDUCATION.

Introduced by: Say C, Saiki S, Mindo R, Chang J, Takumi R, Takamine D, Shimabukuro M, Oshiro B, Schatz B, Luke S, Lee M, Souki J, Arakaki D, Herkes R, Hale H, Oshiro M, Karamatsu J, Caldwell K, Wakai G, Magaoay M, Abinsay F, Evans C, Morita H, Ito K, Kahikina M, Kawakami B, Kanoho E, Hiraki K, Tamayo T, Nishimoto S, Kaho'ohalahala S, Hamakawa E, Waters T, Sonson A, Nakasone B

Amends provisions relating to department of education statewide and regional administrative services to complex area school councils. Requires the superintendent of education to organize the department into complex areas consisting of multiple school complexes and establish administrative units. Further authorizes the superintendent to establish complex area school councils. -- HB0289 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0290 HD2 (HSCR 853)

RELATING TO UNEMPLOYMENT.

Introduced by: Say C, Saiki S, Mindo R, Oshiro B, Chang J, Takumi R, Arakaki D, Herkes R, Karamatsu J, Schatz B, Luke S, Lee M, Takamine D, Shimabukuro M, Souki J, Hale H, Oshiro M, Caldwell K, Kanoho E, Kaho'ohalahala S, Magaoay M, Morita H, Evans C, Ito K, Kahikina M, Kawakami B, Hiraki K, Tamayo T, Nishimoto S, Abinsay F, Hamakawa E, Waters T, Sonson A, Nakasone B

Amends provision relating to employment security. Provide that moneys credited to the state's account in federal fiscal years 2000, 2001, and 2002 shall be used solely for the administration of unemployment compensation program and are not subject to specific appropriation requirements, except that moneys credited in calendar year 2002 pursuant to P.L. 107-147 shall not be subject to the conditions of this provision or the 2 year limitation requirement. -- Establishes that any individual shall be eligible to receive a payment of state additional benefits with respect to a week of unemployment provided that the federal Temporary Extended Unemployment Compensation program is not extended after May 31, 2003, the individual filed an initial claim or continued claim certification for regular benefits

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on or after September 11, 2001, the individual exhausted all rights to receive regular benefits under the Hawaii employment security law, and the individual is not eligible to receive unemployment benefits under federal or state laws after September 11, 2001. Appropriation to the department of labor and industrial relations. Act to be repealed on ____ (sunset). (\$\$)
-- HB0290 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0291 HD2 (HSCR 845)

RELATING TO THE JOB CREATION INCOME TAX CREDIT.

Introduced by: Say C, Saiki S, Mindo R, Chang J, Takumi R, Takamine D, Hale H, Oshiro B, Schatz B, Luke S, Lee M, Shimabukuro M, Souki J, Arakaki D, Herkes R, Oshiro M, Karamatsu J, Caldwell K, Wakai G, Magaoay M, Abinsay F, Evans C, Morita H, Ito K, Kahikina M, Nakasone B, Kanoho E, Hiraki K, Tamayo T, Nishimoto S, Kaho'ohalahala S, Hamakawa E, Waters T, Sonson A, Kawakami B

Provides a job creation income tax credit for a taxpayer who has a qualified employee. Provides that 2/3 of the credit be used for workforce training and that the credit may be claimed if the number of qualified employees is 10 per cent or more of the full time workforce employed by the taxpayer. Requires the governor to issue a declaration allowing the credit. Defines qualified employee as a new full time employee who earns 25,000 dollars or more in wages and remains employed for at least 2 years. Provides that the job creation income tax credit shall be operative for the taxation of banks and other financial institutions. Report to the legislature by the department of taxation who shall work with the department of business, economic development, and tourism. -- HB0291 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0292 HD2 (HSCR 827)

RELATING TO THE SCHOOL PRIORITY FUND.

Introduced by: Say C, Saiki S, Mindo R, Oshiro B, Chang J, Takumi R, Takamine D, Hale H, Karamatsu J, Schatz B, Hiraki K, Tamayo T, Luke S, Lee M, Shimabukuro M, Souki J, Arakaki D, Herkes R, Oshiro M, Caldwell K, Kanoho E, Nishimoto S, Magaoay M, Abinsay F, Hamakawa E, Ito K, Kahikina M, Kawakami B, Kaho'ohalahala S, Evans C, Morita H, Waters T, Sonson A, Nakasone B

Appropriation to the department of education to provide discretionary funds to schools for supplies, equipment, and books. (\$\$) -- HB0292 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0293 HD1 (HSCR 26)

RELATING TO THE FARMERS' MARKET.

Introduced by: Say C, Saiki S, Mindo R, Oshiro B, Chang J, Takumi R, Luke S, Lee M, Shimabukuro M, Takamine D, Souki J, Herkes R, Oshiro M, Caldwell K, Kanoho E, Nishimoto S, Magaoay M, Abinsay F, Morita H, Ito K, Arakaki D, Hale H, Karamatsu J, Schatz B, Hiraki K, Tamayo T, Kaho'ohalahala S, Evans C, Hamakawa E, Waters T, Kawakami B, Kahikina M, Sonson A, Nakasone B

Appropriation to the department of agriculture to assess the economic feasibility of establishing a world class farmers market in Hawaii. Department to report to the legislature. (\$\$) -- HB0293 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0294

RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS.

Introduced by: Say C, Saiki S, Mindo R, Oshiro B, Chang J, Takumi R, Arakaki D, Luke S, Lee M, Takamine D, Shimabukuro M, Souki J, Hale H, Oshiro M, Caldwell K, Nishimoto S, Magaoay M, Abinsay F, Evans C, Morita H, Ito K, Kahikina M, Herkes R, Karamatsu J, Schatz B, Kanoho E, Hiraki K, Tamayo T, Kaho'ohalahala S, Hamakawa E, Waters T, Sonson A, Kawakami B, Nakasone B

Establishes the temporary health insurance for unemployed persons program administered by the department of human services to provide temporary health care coverage for persons who have lost employment on or after September 11, 2001. Appropriation. (\$\$) -- HB0294

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0295 HD1 (HSCR 415)

RELATING TO THE PUBLIC LAND TRUST.

Introduced by: Say C, Saiki S, Mindo R, Oshiro B, Chang J, Takumi R, Shimabukuro M, Luke S, Lee M, Arakaki D, Herkes R, Takamine D, Souki J, Karamatsu J, Caldwell K, Tamayo T, Nishimoto S, Evans C, Abinsay F, Magaoay M, Ito K, Kahikina M, Oshiro M, Hale H, Schatz B, Kanoho E, Hiraki K, Kaho'ohalahala S, Morita H, Hamakawa E, Waters T,

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Sonson A, Kawakami B, Nakasone B

Establishes a legislative task force to be known as the ceded lands resolution task force attached to the office of the auditor. Requires the task force and the office of Hawaiian affairs collaborate to determine presentation content and means of delivery at community forums and continue to address and resolve the matter of just payment throughout the regular legislative session of 2003, with special focus on the apparent arbitrary rationale in enacting the use of public land trust conveyed for the development of housing projects, the need to update the ceded lands inventory or its applicability in determining a resolution, given the accuracy of land valuation figures, as well as lease rents based at times on overall economic incentives rather than actual land value and percentage of gross receipts and the prohibitive costs, exempting from payment, ceded land used for public schools, including the university of Hawaii, state hospitals, and public rental housing projects; and a 1 time settlement of lands and money with federal government participation, together with an examination of the federal government's responsibilities. Report to the legislature. Provides that the task force upon submission of its findings and recommendations shall cease to exist. (sunset) -- HB0295 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0297 HD2 (HSCR 848)

RELATING TO DRUGS.

Introduced by: Say C, Saiki S, Mindo R, Oshiro B, Chang J, Takumi R, Takamine D, Hale H, Karamatsu J, Caldwell K, Luke S, Lee M, Shimabukuro M, Souki J, Arakaki D, Herkes R, Oshiro M, Schatz B, Kanoho E, Wakai G, Evans C, Abinsay F, Magaoay M, Ito K, Kahikina M, Nakasone B, Kawakami B, Hiraki K, Tamayo T, Nishimoto S, Kaho'ohalahala S, Morita H, Hamakawa E, Waters T, Sonson A

Establishes the crystal methamphetamine eradication program called the drug strike force program within the department of public safety to combat the manufacture, distribution, and sale of methamphetamine in the crystalline form, commonly known as ice. -- Provides that ____ per cent of the denominated value of the cigarette stamp shall pay for the cost of crystal methamphetamine treatment. -- Establishes the cigarette tax stamp treatment special fund within the department of health to be used for crystal methamphetamine treatment. -- Amends provision relating to the criminal forfeiture fund by including the payment of expenses arising in connection with the enforcement pursuant to the drug strike force program to which the fund shall be used. -- Department of the attorney general to report to the legislature. Requires the attorney general and the director of public safety to take all steps necessary to obtain federal funding for the program. Appropriation out of the department of health cigarette tax stamp treatment special fund to the department of health for crystal methamphetamine treatment. Appropriation out of the criminal forfeiture fund to the department of public safety for the enforcement of the drug strike force program. Appropriation out of the Hawaii tobacco settlement special fund to the department of health for the crystal methamphetamine prevention program. Appropriation to the department of health, to work in conjunction with the department of education and the law enforcement agencies for education programs aimed at preventing crystal methamphetamine use among middle and high school students. Appropriation to the department of health, alcohol and drug abuse division for the establishment of an adolescent treatment center and a community anti drug efforts aimed at addressing crystal methamphetamine use on the island of Hawaii. -- Establishes the drug czar law. Establishes the office of the drug czar within the office of the lieutenant governor and to be headed by a drug control board. Requires the board to coordinate all state programs related to drug distribution, sales, use, enforcement, and rehabilitation and to work with the departments to ensure that available federal funding is used to its best advantage. Report to the legislature. Act to be repealed on June 30, 2008 (sunset). (\$\$) -- HB0297 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0298 HD2 (HSCR 833)

RELATING TO CORRECTIONAL FACILITIES.

Introduced by: Say C, Saiki S, Mindo R, Oshiro B, Chang J, Takumi R, Shimabukuro M, Takamine D, Hale H, Caldwell K, Tamayo T, Luke S, Lee M, Souki J, Arakaki D, Herkes R, Oshiro M, Karamatsu J, Schatz B, Kanoho E, Kaho'ohalahala S, Evans C, Magaoay M, Kahikina M, Sonson A, Kawakami B, Nishimoto S, Morita H, Abinsay F, Hamakawa E, Waters T, Ito K, Nakasone B

Directs the executive branch to initiate the process to develop the undeveloped portion of the site of the Halawa correctional facility for a new correctional facility including soil tests and

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negotiations for the development of private, in state correctional facilities with any qualified private entity. Authorizes the governor to negotiate or contract for the development of other in state correctional facilities. Governor to report to the legislature. -- HB0298 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0314 HD1 (HSCR 348)

MAKING AN APPROPRIATION FOR SCHOOL SECURITY GUARDS.

Introduced by: Takai K, Tamayo T, Arakaki D, Kahikina M, Shimabukuro M, Thielen C, Leong B

Appropriation to the department of education to establish a mandatory basic training program for secondary school security guards to be added to the base budget request. (\$\$) -- HB0314 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0316 HD2 (HSCR 768)

RELATING TO UNIVERSITY PROJECTS AND PURPOSES.

Introduced by: Takai K, Arakaki D, Kahikina M, Ching C, Tamayo T, Thielen C

Repeals the university projects law and establishes the university projects and purposes law. Authorizes the board of regents of the university of Hawaii to designate any undertaking, improvement, university purpose, or facility, on any 1 or more areas of any 1 or more of the educational institutions under control of the board as a university project. Further authorizes the board to construct and maintain university projects and to issue revenue bonds. -- HB0316 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0317 HD2 (HSCR 323)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Takai K, Arakaki D, Kahikina M, Ching C, Finnegan L, Tamayo T, Nishimoto S

Amends provision relating to membership of employees holding more than 1 position, appointment or office. Provides that the membership of any faculty member or lecturer of the university of Hawaii with multiple part time faculty appointments shall be based on an aggregate of all such part time faculty appointments not to exceed 1 full time position. Further provides that the sum total of the compensation, pay, or salary received from the faculty or lecturer positions, shall not, exceed an amount equal to the highest of the full time compensation pay, or salary for any 1 of the part time or lecturer appointments. Provides that if an existing or former faculty member or lecturer of the university system who holds or held multiple part time faculty or lecturer appointments prior to the effective date of this Act shall not be adjusted to the system. Amends provision relating to persons ineligible for membership; optional membership. Provides that except with respect to faculty or lecturers employed on 1 or more campuses of the university of Hawaii who hold multiple part time appointments, any of which may be less than 1/2 full time equivalent but all of which when added together aggregate to at least 1/2 of a full time equivalent position the board of trustees may deny membership to any class of part time employees. -- HB0317 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0320 HD2 (HSCR 385)

RELATING TO RISK MANAGEMENT.

Introduced by: Takai K, Tamayo T

Establishes the university of Hawaii risk management special fund. Authorizes funds to be expended by the university for the administration of the university's risk management program including insurance premiums, retention payments, claims administration, settlements, payment of judgments, and legal fees and costs. Authorizes the board of regents of the university of Hawaii to agree in writing to an indemnity provision under specified conditions. Requires the board of regents of the university of Hawaii to report to the legislature annually. -- HB0320 HD2

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0324 HD1 (HSCR 585)

RELATING TO DRIVER LICENSING.

Introduced by: Takai K, Arakaki D, Kahikina M, Finnegan L, Ching C, Tamayo T, Nishimoto S

Amends provisions relating to application for driver's license or instruction permit. Provides that if an applicant is not eligible for a social security number, the applicant shall submit a US Social Security Administration letter stating that the applicant is ineligible to obtain a social security number and a government issued photo identification document or other

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identification documents as deemed acceptable by the director or transportation. -- HB0324 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0339 HD2 (HSCR 843)

RELATING TO A COLLEGE SAVINGS PROGRAM TAX CREDIT.

Introduced by: Takai K, Takumi R, Arakaki D, Oshiro M, Luke S, Shimabukuro M, Wakai G, Marumoto B, Thielen C, Leong B

Provides a college savings program income tax credit for contributions made to the account between January 1, 2006, and January 1, 2011 (sunset). -- HB0339 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0373 HD2 (HSCR 731)

RELATING TO POLITICAL SPEECH.

Introduced by: Oshiro M, Oshiro B, Lee M

Amends provision relating to tenant to use properly. Provides that in a rental agreement for a single family residence, a landlord shall not prohibit a tenant from erecting, maintaining, or displaying an otherwise legal sign or outdoor advertising device that urges voters to vote for or against any person or issue. Further provides that reasonable restrictions shall be permissible for purposes of complying with applicable building and housing laws affecting health and safety. -- HB0373 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0377 HD1 (HSCR 769)

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

Introduced by: Oshiro M

Amends Act 279, session laws of 1999, relating to not for profit corporations that provide health care facilities, by changing the sunset date to June 30, 2008. Authorizes the issuance of refunding special purpose revenue bonds to assist Pacific Cardiac Institute, Inc. regardless of whether the outstanding special purpose revenue bonds or refunding special purpose revenue bonds have matured or are the subject of redemption or whether the refunding special purpose revenue bonds shall be bonds for the multi project programs. (\$\$)

-- HB0377 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0378 HD1 (HSCR 770)

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

Introduced by: Oshiro M

Amends Act 293, session laws of 1999, relating to not for profit corporations that provide health care facilities, by changing the sunset date to June 30, 2008. Authorizes the issuance of refunding special purpose revenue bonds to assist Pacific Community Health and Wellness, Inc. regardless of whether the outstanding special purpose revenue bonds or refunding special purpose revenue bonds have matured or are the subject of redemption or whether the refunding special purpose revenue bonds shall be bonds for the multi project programs. (\$\$) -- HB0378 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0379 HD1 (HSCR 771)

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

Introduced by: Oshiro M

Amends Act 292, session laws of 1999, relating to not for profit corporations that provide health care facilities, by changing the sunset date to June 30, 2008. Authorizes the issuance of refunding special purpose revenue bonds to assist Pacific Saging Center, Inc. regardless of whether the outstanding special purpose revenue bonds or refunding special purpose revenue bonds have matured or are the subject of redemption or whether the refunding special purpose revenue bonds shall be bonds for the multi project programs. (\$\$) -- HB0379 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0380 HD1 (HSCR 753)

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

Introduced by: Oshiro M

Amends Act 181, session laws of 1999, relating to not for profit corporations that provide

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health care facilities, by changing the sunset date to June 30, 2008. Authorizes the issuance of refunding special purpose revenue bonds to assist Pacific Sports Medicine & Research Inc. regardless of whether the outstanding special purpose revenue bonds or refunding special purpose revenue bonds have matured or are the subject of redemption or whether the refunding special purpose revenue bonds shall be bonds for the multi project programs. (\$\$) -- HB0380 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0381 HD1 (HSCR 772)

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

Introduced by: Oshiro M

Amends Act 281, session laws of 1999, relating to not for profit corporations that provide health care facilities, by changing the sunset date to June 30, 2008. Authorizes the issuance of refunding special purpose revenue bonds to assist Pacific Wellness Center, Inc. regardless of whether the outstanding special purpose revenue bonds or refunding special purpose revenue bonds have matured or are the subject of redemption or whether the refunding special purpose revenue bonds shall be bonds for the multi project programs. (\$\$)

-- HB0381 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0382 HD1 (HSCR 754)

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

Introduced by: Oshiro M

Amends Act 291, session laws of 1999, relating to not for profit corporations that provide health care facilities, by changing the sunset date to June 30, 2008. Authorizes the issuance of refunding special purpose revenue bonds to assist Pacific Women's Center, Inc. regardless of whether the outstanding special purpose revenue bonds or refunding special purpose revenue bonds have matured or are the subject of redemption or whether the refunding special purpose revenue bonds shall be bonds for the multi project programs. (\$\$)

-- HB0382 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0383 HD1 (HSCR 773)

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

Introduced by: Oshiro M

Amends Act 180, session laws of 1999, relating to not for profit corporations that provide health care facilities, by changing the sunset date to June 30, 2008. Authorizes the issuance of refunding special purpose revenue bonds to assist Wahiawa Central Oahu Health Center, Inc. regardless of whether the outstanding special purpose revenue bonds or refunding special purpose revenue bonds have matured or are the subject of redemption or whether the refunding special purpose revenue bonds shall be bonds for the multi project programs. (\$\$)

-- HB0383 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0384 HD1 (HSCR 774)

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

Introduced by: Oshiro M

Amends Act 179, session laws of 1999, relating to not for profit corporations that provide health care facilities, by changing the sunset date to June 30, 2008. Authorizes the issuance of refunding special purpose revenue bonds to assist Wahiawa General Hospital, Inc. regardless of whether the outstanding special purpose revenue bonds or refunding special purpose revenue bonds have matured or are the subject of redemption or whether the refunding special purpose revenue bonds shall be bonds for the multi project programs. (\$\$)

-- HB0384 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0385 HD2 (HSCR 792)

RELATING TO THE PREVENTION OF WORKPLACE VIOLENCE.

Introduced by: Oshiro M

Establishes provision relating to power to enjoin and temporarily restrain acts or threats of violence or harassment at the workplace. Provides that any employer, whose employee has suffered an unlawful act or threat of violence or harassment from any individual that can be

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reasonably construed to be carried out, or to have been carried out at the workplace, may seek, on behalf of the employee, a temporary restraining order and an injunction from the district court to prohibit further unlawful acts or threats of violence or harassment at the workplace from that individual. Further provides that employees who are unwilling to participate in this process shall not face disciplinary action based on their level of participation or cooperation with this process. Provides that a petition for an ex parte restraining order and for injunctive relief shall be in writing and shall include affidavits made under oath or statements under penalty of perjury. Establishes criteria. Provides that the court may issue an ex parte order orally, or in writing, not to exceed 90 days, to temporarily restrain the respondent upon a determination that there is probable cause to believe that violence has occurred, may be imminent, or that there is a credible threat of violence that may occur in the future. Provides that a knowing or intentional violation of a restraining order is a misdemeanor. -- HB0385 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0389 HD2 (HSCR 751)

RELATING TO FAMILY LEAVE.

Introduced by: Oshiro M, Oshiro B

Amends provision relating to permitted unpaid leave and relationship to paid leave by including sick leave. Repeals provision prohibiting an employer or an employee from substituting an employee's accrued sick leave in any situation under the family leave law. Provides that an employer who provides sick leave for employees shall permit an employee to use accrued and available sick leave. Prohibits the employee to use more than 10 days per year for sick leave unless authorized by an express provision of a valid collective bargaining agreement. -- HB0389 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0391 HD2 (HSCR 750)

RELATING TO COLLECTIVE BARGAINING.

Introduced by: Oshiro M, Lee M

Amends provision relating to state and county contributions; retired employees. Provides that effective July 1, 2001, rather than 2003, there is established a base monthly contribution. Further provides that the base monthly contribution shall be adjusted annually beginning on July 1, 2002, rather than 2004. Amends Act 88, session laws of 2001 by providing that effective July 1, 2004, all positions and employees of the Hawaii public employees health fund who are subject to collective bargaining shall be transferred to the Hawaii employer union health benefits trust fund. Provides that the board of trustees of the Hawaii public employees health fund may extend current health benefits and life insurance plans through June 30, 2004. Appropriation to the Hawaii public employees health fund for the purpose of funding the unanticipated and unbudgeted increase in Hawaii public employees health fund payments that will result for fiscal year 2002 - 2003. (\$\$) -- HB0391 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0401 HD1 (HSCR 586)

RELATING TO ELECTIONS.

Introduced by: Saiki S

Provides that the chief election officer may be removed by the elections appointment and review panel at any time for good cause. -- HB0401 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0403 HD1 (HSCR 761)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Saiki S

Amends provision relating to the allowance on service retirement and the employees' retirement system. Provides that the retirement allowance of legislative officers, if 1st appointed after June 30, 2003, shall be 2 per cent and 3 1/2 per cent if appointed prior to July 1, 2003, of the member's average final compensation multiplied by the total number of years of the member's credited service. Provides computation of legislative officers' retirement allowance. -- HB0403 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0405

RELATING TO UTILIZATION OF FEDERAL FUNDS.

Introduced by: Saiki S

Establishes provision relating to federal grants in aid; governor and director of finance not to restrict. Prohibits the governor and the director of finance from restricting any state

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agency's ability to expend federal grant moneys if the granting federal agency has already approved the expenditure of funds as provided in the state agency's grant application. Provides that any modification of the amount expended by the state agency of federally granted funds to be agreed to by the granting federal agency and the state agency authorized under the grant to expend the funds shall not require the governor's or director of finance's approval. -- HB0405

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0418 HD1 (HSCR 450)

MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII.

Introduced by: Takai K, Tamayo T

Appropriation to the university of Hawaii to hire 17.5 instructional faculty positions for the Manoa campus and 6 instructional faculty positions for the Hilo campus to provide teacher preparation at those campuses. (\$\$) -- HB0418 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0422 HD2 (HSCR 800)

RELATING TO A CENTER FOR NURSING.

Introduced by: Takai K, Lee M, Morita H

Establishes the center for nursing law. Establishes the center for nursing within the university of Hawaii, school of nursing and dental hygiene. Establishes an advisory board to employ an executive director and staff. Requires the center to collect and analyze data, and prepare and disseminate written reports and recommendations regarding the current and future status and trends of the nursing workforce; conduct research on best practices and quality outcomes; develop a plan for implementing strategies to recruit and retain nurses; and research, analyze, and report data related to the retention of the nursing workforce. Establishes the center for nursing special fund into which shall be deposited any legislative appropriations, grants, and other funds collected for the center. Provides that the fund shall be administered by the board of regents of the university of Hawaii and shall be used to sponsor the center's activities. -- Establishes a fee for the issuance of a new license and at each license renewal period for each nurse which shall be kept in a separate account in the compliance resolution fund. Provides that the fee shall not be assessed after June 30, 2005 (sunset). Report to the legislature. Appropriation out of the compliance resolution fund to the center for nursing special fund. Appropriation out of the special fund. (\$\$) -- HB0422 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0426 HD1 (HSCR 840)

RELATING TO PUBLIC LANDS.

Introduced by: Kanohe E, Kawakami B, Morita H, Kaho'ohalahala S

Authorizes the department of land and natural resources to issue new leases to the existing lessee of certain properties situated at Wailua, Lihue, and Kokee, Kauai, Hawaii. Provides criteria. -- HB0426 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0433

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 general appropriations Act of 2003 (state budget) and the judiciary appropriations Act of 2003 (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. (\$\$) -- HB0433

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0436

MAKING AN APPROPRIATION TO FUND A SECOND AMBULANCE TO SERVE THE WAIANAE COAST.

Introduced by: Shimabukuro M, Tamayo T, Kahikina M

Appropriation to the department of health to fund a 2nd ambulance to serve the Waianae coast area. (\$\$) -- HB0436

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0473 HD2 (HSCR 781)

RELATING TO THE PUBLIC UTILITIES COMMISSION.

HOUSE BILLS WHICH PASSED THIRD READING

Introduced by: Morita H, Oshiro B, Kaho'ohalahala S, Magaoay M, Bukoski K, Wakai G, Thielen C

Establishes that the public utilities commission shall maintain a web site that includes all decisions and orders issued by the commission, a list of all open dockets, and a list of all upcoming commission meetings. Requires persons with applications before the commission to submit the application via electronic mail, on a compact disc with a copy of the application in portable document format (PDF), or in any other electronic format prescribed by the commission. -- HB0473 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0475

RELATING TO THE PUBLIC UTILITIES COMMISSION.

Introduced by: Morita H, Kaho'ohalahala S, Evans C, Lee M, Oshiro B, Wakai G, Hale H, Thielen C, Bukoski K, Waters T, Caldwell K, Schatz B

Requires the legislative auditor to conduct a management audit of the public utilities commission. Report to the legislature and the governor. -- HB0475

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0485

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HANAHAU'OLI SCHOOL.

Introduced by: Takumi R

Authorizes the issuance of special purpose revenue bonds to assist Hanahauoli school to finance the construction and improvement of its educational facilities and the acquisition of land for future school needs. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0485

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0488

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MID-PACIFIC INSTITUTE.

Introduced by: Takumi R

Authorizes the issuance of special purpose revenue bonds to assist Mid Pacific Institute to finance and refinance the planning, acquisition, construction, and improvement of its educational facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0488

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0500 HD1 (HSCR 714)

RELATING TO FAMILY COURTS.

Introduced by: Evans C

Amends provision relating to decree, informal adjustment or diversion to a private or community agency or program has not been effected. Provides if the minor is alleged to have committed an act that would constitute a violation or attempted violation of promoting any controlled substance, the court may commit the minor for incarceration in a youth correctional facility for a specified imprisonment of which, at least a specified number of hours shall be served consecutively without possibility of probation or suspension of sentence; and shall require the minor and the minor's parents, guardians, or legal custodians to attend a ____ hour minimum substance abuse education and counseling program, or other comparable family education and counseling program deemed appropriate by the court. -- HB0500 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0504 HD1 (HSCR 616)

RELATING TO FORCE-PLACED INSURANCE.

Introduced by: Halford C, Hiraki K

Establishes provisions relating to automobile loan force placed insurance. Provides that for an automobile loan in which the insurance is force placed by the lender, the rates charged to the buyer for the forced placed policy by the lender shall not exceed the lesser of 100 per cent of the rate the buyer can obtain for the coverage or the rates allowed by the insurance commissioner. -- HB0504 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0507 HD3 (HSCR 799)

RELATING TO EMERGENCY MEDICAL TECHNICIANS.

Introduced by: Oshiro M, Arakaki D, Waters T

Defines emergency medical technician to mean any person regularly employed by the city

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and county of Honolulu's emergency services department whose principal duty is to provide emergency medical services and who is licensed to provide emergency medical services. Provides that if a member of the employees retirement system has at least 25 years of credited service as an emergency medical technician, of which the last 5 or more years prior to retirement is credit as a emergency medical technician or on that capacity they shall be eligible to receive a retirement benefit unreduced for age after the member has terminated service. -- HB0507 HD3

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0509 HD1 (HSCR 356)

RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT.

Introduced by: Oshiro M (BR)

Provides that substitute teachers of the department of education, including part time employees working less than 1/2 of a full time equivalent shall constitute an appropriate bargaining unit (14). -- HB0509 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0510 HD2 (HSCR 765)

RELATING TO GOVERNMENT.

Introduced by: Oshiro M

Establishes the process for managed competition law which state and county agencies shall use to obtain the services they need or are required to provide. Provides that the process shall consist of agency determinations, effective July 1, 2003, to identify whether services an agency needs or is required to provide are performed more efficiently and economically by public employees or by contractors; agency formulation of objective performance specifications and evaluation criteria for selecting a service provider competitively; and selection of a service provider from among public agency and private sector participants, utilizing the specification and criteria developed. Requires the directors of finance of the State and counties to establish a single, uniform system to identify, analyze, assign, and quantify relevant cost attendant to using public employees to perform the services an agency needs or is required to provide; specify direct and indirect costs that are common to all agencies within their jurisdiction that the agencies shall use to measure efficiencies and economies; and require individual departments to prescribe performance standards and quality measures and procedures. Requires the state and counties to use the layoff provisions of the civil service laws and respective collective bargaining contracts to release employees. Services provided by private contractors pursuant to contracts for the construction of capital improvement projects authorized by the legislature or county legislative body shall be exempt from civil service. Requires the State and counties to develop the cost system, performance and quality standards, employee collaboration, competitiveness training, employee reassignment and retraining, incentive programs, and procedures necessary to support the process for managed competition. Requires all collective bargaining agreements entered into to be consistent with the process for managed competition. Changes the office of collective bargaining to the office of collective bargaining and managed competition. Amends Act 90, session laws of 2001. Establishes provision relating to review of contract costs. Provides that any state or county department considering whether to enter into a privatization contract shall prepare a public private cost analysis. Further provides that if a bidder proposes to perform all of the contract outside the State, the contract cost shall be increased by the amount of income tax revenue, which will be lost to the State. Establishes provision relating to monitoring and enforcement of privatization contracts. Provides that any private contractor awarded a contract shall file with the contracting state or county department copies of financial audits of the private contractor. Requires the private contractor to submit a report annually during the term of the privatization contract. Establishes provision relating to public access to information. Provides that any government record which a contracting state or count department provides to a contractor or subcontractor shall remain a public record. Further provides that no contractor, subcontractor, employee or agent of a contractor shall sell, market or otherwise profit from the disclosure or use of any public records. Repeals Act 90, session laws of 2001, relating to privatization. -- HB0510 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0512 HD1 (HSCR 722)

RELATING TO HEALTH.

Introduced by: Nakasone B

Establishes provisions relating to division of community hospitals administration. Requires

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the department of health to establish a division of community hospitals to plan, construct, improve, manage, control, and operate public health facilities. Establishes a public health facility management advisory committee within the department for each county to sit in an advisory capacity to the director of health. Establishes the facility administration fund to defray the administrative costs of the division and to provide supplemental funds to public health facilities that do not have sufficient moneys in their special funds to cover their required expenditures. Director to annually report to the legislature on all fund balances and ceiling increases in the various public health facilities and facility funds, the transfers and expenditures made from the funds, and the purposes of the expenditures. -- Establishes 3 collections revolving funds to expedite the collection of patient bills and the refunding of credit balances for Maui Memorial Hospital, Hilo Medical Center, and Kona Community Hospital. Department to annually report to the legislature and the governor on all transactions and activities involved in the administration of each collections revolving fund. -- Establishes 12 hospital operation funds at commercial banks for each public health facilities to expedite the payment of any vendor's bill for goods and services received of less than 10,000 dollars. Department to annually report to the legislature and the governor describing activities involved in each of the funds. Exempts the public health facilities from paying any county assessments or any state taxes. -- Exempts the division of community hospitals' special funds from paying central service and administrative expenses of the government. Repeals the Hawaii health systems corporation. Amends Act 253, session laws of 2000. Transfers all rights, powers, function, and duties of the Hawaii health systems corporation to the division of community hospitals of the department of health. -- HB0512 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0519 HD1 (HSCR 791)

RELATING TO THE ELDER JUSTICE ACT.

Introduced by: Arakaki D, Abinsay F, Kahikina M, Lee M, Fox G, Shimabukuro M, Magaoay M, Nishimoto S, Luke S

Establishes provision relating to the elder justice Act. Defines a dependent elder to mean any person 60 years of age or older who, because of mental or physical impairment, is dependent upon another person, a care organization or facility for personal health, safety and welfare. Provides that the attorney general may bring an action on behalf of the state or any county against any person who engages in the abuse, neglect, or economic exploitation of an elder. Establishes provision for fines. Further provides that if a dependent elder suffers personal injury, death or loss of money or property, determined by the trier of fact to be caused by abuse or neglect, the person at fault is liable to the dependent elder or the dependent elder's estate for 3 times the damages sustained including attorney's fees and costs. -- HB0519 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0523 HD2 (HSCR 755)

RELATING TO AGRICULTURAL TOURISM.

Introduced by: Chang J, Herkes R, Evans C, Jernigan M, Magaoay M, Hiraki K, Hale H
Amends provision relating to agricultural tourism. Provides agricultural tourism with its accessory uses and services conducted on an existing working farm or an existing farming operation for the enjoyment, education, and involvement of visitors shall be included as agricultural districts provided that the agricultural tourism activity is accessory and secondary to the principal agricultural use and does not interfere with surrounding farm operations. -- HB0523 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0529 HD1 (HSCR 732)

RELATING TO CAVE PROTECTION.

Introduced by: Chang J, Hale H, Hiraki K

Amends provision relating to cave protection. Provides that written permission is not required for entry into caves that are designated as part of a state or county park where permission to enter is posted. -- HB0529 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0531

RELATING TO PUBLIC EMPLOYEES.

Introduced by: Takamine D

Amends provision relating to adjustments for excluded civil service employees. Provides that proposed adjustments to compensation and benefit packages for excluded civil service

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employees to be equivalent or not less than adjustments provided within the employer's jurisdiction. -- HB0531

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0533 HD1 (HSCR 592)

RELATING TO GOVERNMENT ETHICS.

Introduced by: Schatz B, Oshiro B, Lee M, Caldwell K, Kanoho E, Sonson A, Waters T, Nishimoto S, Shimabukuro M, Wakai G, Ito K

Amends provision relating to requirements of disclosure for candidates for state elective offices. Provides that all disclosures shall include the street address and, if available, the tax map key number, and the value of any real property in which the person holds an interest whose value is 10,000 dollars or more. -- HB0533 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0548 HD2 (HSCR 345)

RELATING TO ANATOMICAL GIFTS.

Introduced by: Abinsay F, Arakaki D, Magaoay M, Sonson A, Lee M, Kahikina M

Amends Act 88, session laws of 1999, relating to anatomical gifts, by changing the sunset date from June 30, 2003 to June 30, 2006. Requires the department of health, with the assistance of the Organ Donor Center of Hawaii to report to the legislature prior to the 2004, 2005, and the 2006 regular sessions. -- HB0548 HD2

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0550 HD1 (HSCR 491)

RELATING TO THE DEVELOPMENT OF MEDICAL FACILITIES.

Introduced by: Oshiro M

Provides that all projects to develop a master planned health care center and retirement community that generally includes such facilities as a medical mall, medical technology park, medical related residential areas, and general residential and commercial areas situated on the parcel of land identified by tax map key 9-4-6:01 (Pacific Health Community, Wahiawa) shall be exempt from all statutes, ordinances, charter provisions, and rules of any governmental agency relating to planning, zoning, construction standards for subdivision, development and improvement of land, and the construction of units thereon. Amends Act 179, session laws of 1999, Act 180, session laws of 1999, Act 181, session laws of 1999, Act 279, session laws of 1999, Act 281, session laws of 1999, Act 291, session laws of 1999, Act 292, session laws of 1999, and Act 293, session laws of 1999, by changing the lapse date to June 30, 2008 (sunset). -- HB0550 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0551 HD2 (HSCR 832)

RELATED TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY.

Introduced by: Oshiro M

Amends provision relating to exemptions from certificate of need requirements by including the exemption of any master planned health care center and retirement community that generally includes such facilities as a medical mall, medical technology park, medical related residential areas, and general residential and commercial areas situated on the parcel of land identified by tax map key 9-4-6:01 (Pacific Health Community, Wahiawa). -- HB0551 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0553 HD2 (HSCR 766)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Oshiro M

Amends provision relating to payment on death of pensioner. Provides that whenever a person receiving a pension from the State or county dies, the amount next payable shall be prorated from the last payment date up to and including the date of death and such prorated amount shall be paid to such persons as may have been designated by the pensioner during the pensioner's lifetime in a statement filed with the officer charged with payment of the pension or if no such designation has been made and filed, the personal representative of the estate of the pensioner. Further provides that effective July 1, 2003, whenever a person receiving a pension from the system dies, the full monthly pension for the month in which the pensioner died shall be payable to the pensioner. Amends provision relating to service retirement. Provides that upon leaving active service, the elective officer or judge shall receive the retirement allowance together with the post retirement allowance, effective on the 1st day of a month except the month of December when retirement benefits shall be effective on the 1st or last day of the month. Amends provision relating to average final compensation. Provides that the average final compensation of all members shall be

HOUSE BILLS WHICH PASSED THIRD READING

calculated for employees who became members before or after January 1, 1971. Repeals the provision relating to the average final compensation of members retiring after December 31, 2002. -- HB0553 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0554 HD2 (HSCR 762)

RELATING TO GOVERNMENT.

Introduced by: Oshiro M, Shimabukuro M

Amends provision relating to experimental modernization projects for county boards of water supply. Provides that with or without approval from the chief executive, the director of any qualifying board of water supply may conduct an experimental modernization project to determine whether specific changes in its human resource program would result in a more desirable program for the jurisdiction. Provides that prior to the implementation of any experimental modernization project, the director of any qualifying board of water supply shall develop a plan identifying the purpose of the project and the methodology to be used, the duration of the project and the criteria for evaluation and cost of the project. Further provides that if modification or waiver of any provision in a collective bargaining agreement is necessary to conduct a project under this provision, the representatives of the qualifying board of water supply and the exclusive representative must agree in writing to the modification, waiver or new provision before the project is implemented. Provides that while the board of water supply project is in progress, it shall not be limited by state or local personnel laws and rules, but shall be in compliance with all equal employment opportunity laws, laws prohibiting discrimination and collective bargaining. -- HB0554 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0562

RELATING TO SEXUAL ASSAULT.

Introduced by: Saiki S, Mindo R, Nishimoto S, Caldwell K, Shimabukuro M, Sonson A, Kaho'ohalahala S, Wakai G

Amends Act 1, 2nd special session laws of 2001, relating to sexual assault, by repealing the sunset date. -- HB0562

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

Feb=28 03 Single Referral to JHW (586-7793)

HB0564

RELATING TO PROMOTION OF CONTROLLED SUBSTANCES.

Introduced by: Saiki S, Mindo R, Nishimoto S, Caldwell K, Shimabukuro M, Tamayo T, Sonson A, Wakai G, Waters T, Kaho'ohalahala S

Amends provision relating to promotion of controlled substances by changing the title to promoting a controlled substance in, on, or near schools, school vehicles, or public parks. Establishes public parks as another location in which it is a class C felony to promote controlled substances if they are knowingly promoted. -- HB0564

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

Feb=19 03 Single Referral to JHW (586-7793)

HB0581 HD1 (HSCR 733)

RELATING TO SHARK FEEDING.

Introduced by: Tamayo T

Establishes penalties for violating the ban against shark feeding. Provides that any person violating the ban against shark feeding shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than 500 dollars. -- HB0581 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0593 HD1 (HSCR 612)

RELATING TO REAL ESTATE.

Introduced by: Hiraki K

Amends provision relating to real estate. Provides that property owned or leased in common by members of an owner's association but not used as commercial property, industrial property, multi unit residential property, other residential property, agricultural property or rural property shall be subject to de minimis structure position discrepancy tolerance of the abutting property on which the improvement is situated in part. -- HB0593 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0595 HD1 (HSCR 613)

RELATING TO CHECK CASHING.

Introduced by: Hiraki K

Amends provision relating to deferred deposits. Provides that a check casher shall defer

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deposit of a personal check until a specific date no later than 32 days from the date the written agreement was signed. Provides that the face amount of the check shall not exceed 600 dollars. -- HB0595 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0604

RELATING TO LAND USE.

Introduced by: Takamine D, Evans C, Herkes R

Provides that counties shall permit solar energy facilities in agricultural districts. -- HB0604

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0620 HD1 (HSCR 349)

RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS.

Introduced by: Evans C, Jernigan M

Appropriation to the department of education for the Junior Reserve Officers' Training Corps (JROTC) programs at Kealakehe high school. Requires matching federal funds. (\$\$) -- HB0620 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0626 HD1 (HSCR 704)

RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDIT.

Introduced by: Kahikina M, Arakaki D

Increases the individual development account contribution income tax credit from 50 per cent to 75 per cent of the amount contributed by the taxpayer to a fiduciary organization. -- HB0626 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0631

MAKING AN APPROPRIATION FOR THE HAWAIIAN IMMERSION PROGRAM.

Introduced by: Kahikina M, Kawakami B, Arakaki D, Bukoski K, Morita H

Appropriation to the department of education for the Hawaiian immersion program. (\$\$) -- HB0631

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0638 HD1 (HSCR 350)

RELATING TO THE HAWAII STATE PUBLIC LIBRARY SYSTEM.

Introduced by: Say C (BR)

Amends provision relating to income check off authorized by providing that any individual may designate 2 dollars of their income tax refund to the libraries special fund. -- HB0638 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0640 HD1 (HSCR 705)

MAKING AN APPROPRIATION FOR THE LOSS MITIGATION GRANT PROGRAM.

Introduced by: Say C (BR)

Appropriation from the interest income of the hurricane reserve trust fund to the insurance commissioner to be deposited into the loss mitigation grant fund. Appropriation out of the loss mitigation grant fund to develop and implement the grant program established under Act 179, session laws of 2002. (\$\$) -- HB0640 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0641 HD3 (HSCR 842)

RELATING TO CRIMINAL HISTORY RECORD CHECKS.

Introduced by: Say C (BR)

Amends provisions relating to criminal history record checks. Provides that agencies and other entities authorized to conduct criminal history checks are: the county liquor commissions on liquor license applicants; the department of education including the Hawaii state library system for people employed, seeking employment, or seeking to serve as a teacher trainee or in the library system; the department of health for persons seeking employment or seeking to serve as providers or subcontractors in positions that place them in direct contact with clients when providing non witnessed direct mental health services on behalf of the child and adolescent mental health division of the department; the board of directors of cooperative housing corporation or the manager of a cooperative housing project on applicants for employment as a security guard or manager or for a position that would allow the employee access to the keys of or entry into the units in the project or access to corporation funds; the department of health on operators of adult foster homes or developmental disabilities domiciliary homes and their employees; the counties on employees and prospective employees who may be in positions which place them in close

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proximity to children in recreation or child care programs and services; the department of human services on operators and employees of child caring institutions, child placing organizations, and foster boarding homes; the department of human services on prospective adoptive parents; the department of human services on applicants to operate child care facilities, prospective employees of the applicant, and new employees of the provider after registration or licensure; the department of human services on persons exempt to be eligible to provide child care and receive child care subsidies; the department of human services on operators and employees of home and community based case management agencies and operators and other adults; the department of human services on staff members of the Hawaii youth correctional facility; the judiciary on employees and applicants at detention and shelter facilities; the department of public safety on employees and prospective employees who are directly involved with the treatment and care of persons committed to a correctional facility or who possess police powers including the power of arrest; the department of commerce and consumer affairs on applicants for private detective or private guard licensure; private schools and designated organizations on employees and prospective employees who may be in positions that necessitate close proximity to children; and the State or any of its branches, political subdivisions, or agencies on applicants and employees whose duty location, work site, or assignment places that person in close proximity to other positions in a department or agency which is authorized by law to conduct criminal history record checks for its employees who work there. -- HB0641 HD3

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0645

RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR ASSISTING NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTHCARE FACILITIES TO THE GENERAL PUBLIC.

Introduced by: Nishimoto S, Say C

Authorizes the issuance of special purpose revenue bonds to assist the Queen's health systems, a Hawaii nonprofit corporation, and 1 or more of its nonprofit affiliates, to finance the costs of construction of, improvements to, and equipping of health care facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0645

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0651 HD2 (HSCR 793)

RELATING TO INFORMED CONSENT.

Introduced by: Say C (BR)

Amends provision relating to informed consent. Authorizes, rather than requires, the board of medical examiners to establish standards for health care providers to follow in giving information to a patient, or to a patient's guardian, including legal surrogate. Provides that where standards of medical practice indicate that a health care provider should provide the patient, the patient's guardian, or legal surrogate with information prior to obtaining consent for proposed medical or surgical treatment, or for a diagnostic or therapeutic procedure information shall be provided. Further provides that the information to be provided shall consist of the condition to be treated; a description of the proposed treatment or procedure; the intended or anticipated results of the proposed treatment or procedure; the recognized alternative treatments or procedures, including the option of not providing these treatments or procedures; the recognized substantial risks of serious complications or mortality with the proposed treatment procedure, the recognized alternative treatments or procedures; and not undergoing any treatment or procedure; and the recognized benefits of the proposed treatment or procedure, and the recognized alternative treatments or procedures. -- HB0651 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0652

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. -- HB0652

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Current Status: Feb=28 03 Introduction/Passed First Reading - Senate
Feb=28 03 Single Referral to JHW (586-7793)

- HB0657 HD1 (HSCR 245) MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION.
Introduced by: Ito K (BR), Wakai G
Appropriation to the department of defense to assist the 50th anniversary commemoration of the Korean war commission in commemorating the 50th anniversary of the end of the Korean war. (\$\$) -- HB0657 HD1
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate
- HB0659 RELATING TO THE LEGISLATIVE JOURNALS.
Introduced by: Say C
Amends provision relating to the sale and distribution of legislative journals. Provides that the responsibility for the publication, sale, and distribution of house and senate journals shall be transferred from the lieutenant governor to the legislature. Further provides that the speaker of the house of representatives and the senate president shall fix the price of their journals and determine who shall receive the journals free of charge. -- HB0659
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate
- HB0662 HD2 (HSCR 749) RELATING TO THE HAWAII SPORTS HALL OF FAME.
Introduced by: Wakai G, Say C, Waters T, Nishimoto S
Establishes the Hawaii sports hall of fame law. Requires the hall of fame to carry out activities to commemorate Hawaii's sports legends and people and to maintain, operate, and manage the location of the hall of fame. Provides that the hall of fame shall be headed by a board of directors and placed within the department of accounting and general services. Annual report to the legislature and governor. Creates the Hawaii sports hall of fame special fund. Annual report to the legislature on all receipts and expenditures of the fund. Provides that any moneys deposited into a trust account as a separate account of the stadium special fund to establish a Hawaii sports hall of fame shall be transferred to the Hawaii sports hall of fame special fund. -- HB0662 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB0668 RELATING TO HUMAN SERVICES.
Introduced by: Kahikina M, Kawakami B, Arakaki D
Appropriation to the department of human services to undertake outreach and application assistance, improve the readability of materials, improve internal processes, and comply with federal requirement for matching funds to enroll eligible families in medical assistance programs. (\$\$) -- HB0668
Current Status: Mar=04 03 Introduction/Passed First Reading - Senate
- HB0685 HD2 (HSCR 849) RELATING TO ENTERPRISE ZONE.
Introduced by: Karamatsu J, Shimabukuro M, Oshiro M, Waters T
Provides that the governor shall work with the city and county of Honolulu to create additional enterprise zones in areas where commercial real estate have a vacancy rate of 15 per cent or more. Provides that this designation shall last for 2 years beginning on July 1, 2003, and shall end on June 30, 2005 (sunset). -- HB0685 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB0691 RELATING TO THE PUBLIC PROCUREMENT CODE.
Introduced by: Karamatsu J, Magaoay M, Shimabukuro M, Oshiro M, Sonson A
Amends provision relating to preference to bidders on state agency contracts. Provides that in any competitive sealed bidding or competitive sealed proposal contracts for a public works project, a joint venture of 2 or more contractors shall qualify for the preference provided by these provisions if all joint venture contractors comprising the joint venture meet the requirements. -- HB0691
Current Status: Mar=04 03 Introduction/Passed First Reading - Senate
- HB0704 HD1 (HSCR 287) RELATING TO PROCUREMENT CODE.
Introduced by: Magaoay M, Chang J, Karamatsu J, Abinsay F, Schatz B, Luke S, Oshiro B
Establishes provision relating to pre job conference. Provides that any contract awarded for

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a construction project subject to provisions relating to competitive sealed bidding, competitive sealed proposals, procurement of professional services, small purchases, sole source procurement, and emergency procurements shall require a pre job conference that shall take place before any work on the project is commenced to ensure that potential problems are addressed and resolved. -- HB0704 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0712

RELATING TO THE STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND.

Introduced by: Nakasone B

Amends provisions which provides that the sum from all general excise tax revenues deposited to the credit of the state educational facilities improvement special fund shall be 45 million dollars minus the proceeds from the sale of any general obligation bonds for the state educational facilities improvement special fund, by also subtracting certificates of participation from the 45 million dollars. -- HB0712

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0714 HD1 (HSCR 828)

RELATING TO EDUCATION.

Introduced by: Nakasone B, Saiki S

Amends provision relating to the structure of government by repealing the department of education. Repeals the state educational facilities special fund and requires the comptroller of the department of accounting and general services to transfer the unexpended balance and unencumbered balance to the general fund. Establishes an educational restructuring and transition advisory committee to facilitate the restructuring of the department of education and the educational system. Board of education to report to the legislature and the governor. -- HB0714 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0730

RELATING TO OCCUPATIONAL THERAPISTS.

Introduced by: Kawakami B, Arakaki D, Hiraki K

Provides that a professional or vocational regulatory program enacted after January 1, 1994, shall be repealed on December 31, 2003 (sunset). Requires the auditor to perform an evaluation of the occupational therapy practice program and report to the legislature. -- Repeals the qualifications of an occupational therapy assistants. Further repeals provision relating to temporary permits to perform occupational therapy services. -- HB0730

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0731 HD1 (HSCR 48)

RELATING TO WORKERS' COMPENSATION.

Introduced by: Kawakami B, Hiraki K

Amends the workers' compensation law by redefining medical care, medical services, or medical supplies to include every type of care, treatment, surgery, hospitalization, attendance, service, and supplies as the nature of the work injury requires, and includes such care, services and supplies rendered or furnished by an occupational therapist, certified occupational therapy assistant, or licensed massage therapist. -- HB0731 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0735 HD1 (HSCR 284)

MAKING AN APPROPRIATION FOR SEXUAL ASSAULT SERVICES.

Introduced by: Kawakami B, Arakaki D

Appropriation to the department of health for sexual assault services. (\$\$) -- HB0735 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0736 HD1 (HSCR 795)

RELATING TO PROFESSIONAL AND VOCATIONAL LICENSES.

Introduced by: Kawakami B

Amends provisions relating to professional and vocational licensing. Provides that for the applicable licensing authority to act on the certification by an administering entity that a licensee or applicant is in default or breach of any obligation under a student loan, student loan repayment contract that financed the licensee's or applicant's education, the certification shall be based on a judgment from a district or circuit court that specifies the amount of the default, includes a finding by the court that the licensee or applicant has the financial means to cure the default without undue hardship, and includes proof of service of notice to the applicant or licensee that the court judgment is being reported to the applicable licensing authority to request summary suspension of, denial of application for, or renewal of the

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license. Applies the judgment requirement to teachers, laboratory technicians, tattoo artists, environmental health professionals, insurance agents, brokers, solicitors, adjusters, and bill reviewers, nurses, radiation therapists, attorneys, and insurance producers. -- HB0736 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0740 HD1 (HSCR 587)

RELATING TO CRIMINAL LITTERING.

Introduced by: Waters T, Wakai G, Ito K, Thielen C, Pendleton D

Amends provision relating to criminal littering. Redefines litter to include an automobile, van, truck, or large appliance or piece of furniture, including a dishwasher, stove, oven, refrigerator, freezer, hot water tank, sofa, couch, or bed. Provides that the court shall sentence the person convicted of committing the offense of criminal littering to a minimum of 24 hours of community service work if the criminal littering included an automobile, van, truck, dishwasher, stove, oven, refrigerator, freezer, hot water tank, sofa, couch, or bed. -- HB0740 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0744 HD1 (HSCR 181)

RELATING TO FUEL.

Introduced by: Waters T, Shimabukuro M, Thielen C

Provides that methyl tertiary butyl ether shall not be intentionally added to any gasoline, motor fuel, or clean fuel produced for sale or use in this State after December 31, 2003 and shall not exceed trace amounts of 0.05 per cent by volume. Defines trace amounts to mean the inadvertent presence of methyl tertiary butyl whether resulting from the transportation of gasoline in vessels previously containing methyl tertiary ether. -- HB0744 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0754

RELATING TO ELECTIONS BY MAIL.

Introduced by: Say C (BR)

Allows federal, state, or county elections, other than regularly scheduled primary or general elections, to be conducted by mail (provided that the election is state or county wide). Provides that chief election officer shall determine whether a federal or state election other than a regularly scheduled primary or general election is conducted by mail or at polling places and shall adopt rules to provide for the uniformity in the conduct of federal and statewide elections by mail. Provides that the county clerk shall determine whether a county election, other than on the date of a regularly scheduled primary or general election, may be conducted by mail or at polling places. -- HB0754

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0756 HD2 (HSCR 821)

RELATING TO ELECTIONS.

Introduced by: Say C (BR)

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 losing candidates appears to be 1/8 of 1 per cent or less of the total ballots cast for the office. Provides that in the case where several candidates are to be elected to an office with more than 1 seat, and the percentage difference contained appears between the votes received by the lowest among the winning candidates and those received by the highest among the losing candidates, the chief election officer or county clerk, in the case of a county election, shall order a recount of the questioned ballots for that contest. Provides that the ballots shall be recounted by machine no later than 7 days after the election. Amends provisions relating to contests for cause in primary, special primary elections, and county elections held concurrently with a regularly scheduled primary or special primary election. Provides that in the event of an automatic recount for small vote differences, the complaint shall be filed in the office of the clerk of the supreme court not later than 4:30 p.m. on the 6th day after completion of the recount. Amends provision relating to contest for cause in general, special general, special and runoff elections. Provides that in the event of an automatic recount for small vote differences, the complaint shall be filed in the office of the clerk of the supreme court not later than 4:30 p.m. on the 20th day after completion of the recount. -- HB0756 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0757 HD1 (HSCR 598)

RELATING TO CAMPAIGN SPENDING RECORDS.

Introduced by: Say C (BR)

HOUSE BILLS WHICH PASSED THIRD READING

Amends provision relating to the filing of reports. Provides that all reports filed within the county clerk's office for an election period may be discarded by that office upon the filing of the final report for that election period; provided that the county clerk has electronically transmitted a true and correct copy or sent the original and 1 copy, of all reports for that election period to the campaign spending commission. -- HB0757 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0762 HD1 (HSCR 573)

RELATING TO ELECTION HEARINGS.

Introduced by: Say C (BR)

Amends provision relating to the duties of the chief election officer. Provides that the chief election officer may establish procedures for receiving and processing complaints and conducting investigations in State elections. Provides that the chief election officer, subject to the privileges that witnesses have in the courts of this State, may compel at a specified time and place, by a subpoena, the appearance and sworn testimony of any person who the chief election officer reasonably believes may be able to give information relating to a matter under investigation and compel any person to produce any books, papers, documents, or other objects designated therein or any other records maintained, including those electronically stored, that the chief election officer reasonably believes may relate to a matter under investigation. Provides that the chief election officer may bring suit in an appropriate state court to enforce these powers. -- HB0762 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0772

RELATING TO BONDS.

Introduced by: Say C (BR)

Amends provision relating to details of bonds. Provides that unless the governing body shall itself perform the actions, the director of finance shall determine whether to acquire such policies of insurance and enter into such banking arrangements on such terms as the director of finance may deem necessary or desirable in order to carry out the purposes of fiscal policies, including, without limitation, credit or liquidity support facilities and interest rate swaps, swaptions, interest rate floors or caps and other similar contracts to hedge or reduce the amount of duration of payment, rate, spread or similar risk or to reduce the cost of borrowing when used in conjunction with the bonds. -- HB0772

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0773

RELATING TO BONDS.

Introduced by: Say C (BR)

Amends provision relating to the details of revenue bonds. Provides that the governing body may determine to acquire such policies of insurance and enter into such banking arrangements on such terms as the county may deem necessary or desirable including, without limitation, credit and liquidity support facilities and interest rate swaps, swaptions, interest rate floors or caps, and other similar contracts to hedge or reduce the amount or duration of payments, rate, spread, or similar risk or to reduce the cost of borrowing when used in conjunction with the bonds. -- HB0773

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0802 HD1 (HSCR 580)

RELATING TO CHAPTER 711, HAWAII REVISED STATUTES.

Introduced by: Say C (BR)

Amends provision relating to offenses against public order. Defines record to mean to videotape, film, photograph, or record electronically. Defines recording to mean a videotape, film, photograph, or electronic recording. Provides that a person commits the offense of disorderly conduct, with intent to cause physical inconveniences or alarm by a member or members of the public, or recklessly creating a risk thereof, if the person subjects another person to offensively coarse behavior or abusive language which is likely to provoke a violent response. Provides that the court may order the destruction of any recording made in violation of privacy in the 1st degree. Provides that a person commits the offense of violation of privacy in the 2nd degree if the person intentionally records or broadcasts an image of another person's intimate area underneath clothing, and such image is taken while that person is in a public place and without that person's consent. -- HB0802 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0807 HD2 (HSCR 794)

RELATING TO CHAPTER 291E.

HOUSE BILLS WHICH PASSED THIRD READING

Introduced by: Say C (BR)
Amends provisions relating to operating a vehicle under the influence of intoxicants. Establishes habitually operating a vehicle under the influence of intoxicants for convictions of 3 or more times in 10 years. Provides that adjudication of a minor for law or probation violation for driving under the influence of intoxicating liquor or drugs prior to December 31, 2001, shall be counted as prior offenses. -- HB0807 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0813 RELATING TO FAMILY COURTS.
Introduced by: Say C (BR)
Amends provision relating to appointment of counsel and guardian ad litem; compensation by providing that nothing in these provisions shall preclude the judiciary from contracting these professional services based on reasonable rates of compensation. -- HB0813
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0814 RELATING TO TRAFFIC INFRACTIONS.
Introduced by: Say C (BR)
Amends provisions relating to the adjudication of traffic infractions. Repeals the requirement that the return envelope be postage paid. -- HB0814
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0815 RELATING TO THE COURTS.
Introduced by: Say C (BR)
Amends provision relating to use of credit cards to pay for court costs, fees, expenses, and other charges by including debit cards. Provides that costs, fees, bond forfeitures, fines, expenses, and other charges that are due and owing to the courts may be paid by use of credit or debit cards acceptable to the administrative director of the courts provided that bail postings and driver's license and vehicle registration clearances shall be paid in cash only. -- HB0815
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0818 HD1 (HSCR 298) RELATING TO ADMINISTRATIVE DRIVER'S LICENSE REVOCATION.
Introduced by: Say C (BR)
Amends provisions relating to operating a vehicle under the influence of intoxicants. Repeals law enforcement mileage fees from the costs of processing a request for an administrative hearing. -- HB0818 HD1
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0851 HD1 (HSCR 597) RELATING TO TAXATION APPEALS.
Introduced by: Luke S, Takai K
Amends tax appeals, income tax, estate and transfer tax and general excise tax, transient accommodations tax, use tax, fuel tax, liquor tax, cigarette and tobacco tax, conveyance tax, rented motor vehicle and tour vehicle surcharge tax, nursing facility tax, and insurance tax provisions to repeal the provisions requiring the respective tax to be paid for appeals other than to the district board of review. -- HB0851 HD1
Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0857 RELATING TO CORRECTIONAL FACILITIES.
Introduced by: Oshiro B, Ito K
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. Provides that the time period for accepting public comments shall be concurrent with the time period for any review and comment for an environmental assessment or environmental impact statement. -- HB0857
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0865 HD2 (HSCR 734) RELATING TO CONFLICTS OF INTERESTS.

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Introduced by: Oshiro B, Schatz B, Saiki S, Luke S

Amends provision relating to conflicts of interests by public officers and employees. Prohibits an employee from taking any official action directly affecting a business or undertaking in which the employee knows or has reason to know that a brother, a sister, a parent, an emancipated child, or a household member has a substantial financial interest. Amends provision relating to requirements of disclosure. Provides that the financial disclosure statements of the members of the board of regents, the board of land and natural resources, the board of agriculture, the Hawaiian homes commission, the stadium authority, the Hawaii community development authority, the Hawaii tourism authority, the natural energy laboratory of Hawaii authority, and the Hawaii paroling authority shall be public records and available for inspection and duplication. Provides that members of the board of regents, the board of land and natural resources, the board of agriculture, and the Hawaiian homes commission who file public financial disclosure statements need not report, where an amount is required to be reported, the actual dollar value of the financial interest or the dollar range of value. Defines an official act directly affecting a financial interest to mean that it is reasonably foreseeable that the act will have a material financial effect, distinguishable from its effect on the public generally, on the individual or a member of the individual's immediate family. -- HB0865 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0884

RELATING TO WORKERS' COMPENSATION.

Introduced by: Oshiro B

Amends provision relating to fraud violations and penalties within the workers' compensation law. Provides that the petitioner shall have the burden to prove by a preponderance of the evidence that the violation occurred. Authorizes the director of labor and industrial relations or the labor and industrial relations appeals board to consider evidence of similar conduct from any other instances that demonstrated a pattern in rendering a decision. -- HB0884

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0887 HD1 (HSCR 599)

CORPORATE DISCLOSURE FOR CAMPAIGN SPENDING.

Introduced by: Oshiro B

Establishes provision relating to organizational report, reporting corporation. Provides that the organizational report of a reporting corporation shall include the full name of the corporation, street and mailing address, and telephone number of the corporate headquarters and, if different, the street and mailing address and telephone number of the principal business office located within the State; a list of the corporate officers and directors, stating the full name, mailing address, and telephone number of each officer and director; a description of the nature of the business; the full name, title, mailing address, and telephone number of the corporate officer or officers authorized to sign the required reports; the custodian of the reporting corporation's books and accounts, if different from the corporate officer(s) authorized to sign the reports; and the election period for which the report is being filed. Provides that any change in information submitted in the organizational report shall be reported no later than 4:30 p.m. on the 10th calendar day after such a change is made. Establishes preliminary reports, reporting corporation. Provides that the reporting corporation shall file a preliminary report with the campaign spending commission on forms provided by the commission no later than 4:30 p.m. 10 calendar days prior to each election. Provides that each report shall be certified and shall contain the following information which shall be current through the 5th calendar day prior to the filing of report including the aggregate sum of all contributions made to all candidates, committees, or parties within the election period; the aggregate sum of all expenditures made in support of or in opposition to any candidate, committee, or party, and the amount and date of each disbursement or contribution made to a candidate, party, or committee, including the name and address of each payee. Provides that for expenditures, identify the candidate, party, or committee on whose behalf the expenditure was made. Provides that the reporting corporation shall file a supplemental report to the filed report no later than 4:30 p.m. 3 calendar days prior to the election for any contributions or expenditures to a single candidate, committee, or party aggregating to more than 500 dollars. Establishes provision relating to the reporting corporation and final report. Provides that a reporting corporation shall file a final report certified with the commission on forms provided by the commission no later than 4:30 p.m. on the 20th calendar day after an election period. Provides that the report shall include the following information which shall be current through the end of the election period including,

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a statement of the aggregate sum of all contributions made to all candidates, committees, or parties within the election period; a statement of the aggregate sum of all expenditures made in support of or in opposition to any candidate, committee, or party within the election period; and the amount and date of each disbursement or contribution made to a candidate, party, or committee, including the name and address of each payee, that was not previously reported. Provides that for expenditures, identify the candidate, party, or committee on whose behalf the expenditure was made. Defines corporation to mean any business entity authorized to transact business within the State or subject to the laws of the State. Defines reporting corporation to mean any corporation that contributes or expends an aggregate of 10,000 dollars or more from its own funds to candidates, committees, or parties within an election period and has not filed reports as a noncandidate committee. Provides that a reporting corporation shall file an organizational report no later than 4:30 p.m. of the 15th calendar day prior to any election when the aggregate contributions or expenditures exceed 10,000 dollars. -- HB0887 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0899

RELATING TO FIREWORKS.

Introduced by: Chang J

Amends provision relating to fireworks by providing that the fee for any non aerial common fireworks shall be 10 dollars, rather than 25 dollars. -- HB0899

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

Feb=28 03 Multiple Referral to TMG then JHW (586-6970)

HB0907 HD2 (HSCR 829)

RELATING TO ADULT RESIDENTIAL CARE HOMES.

Introduced by: Arakaki D, Karamatsu J, Hamakawa E, Nishimoto S, Kawakami B, Tamayo T

Amends Act 273, session laws of 2001, relating to the home and community based case management agencies and community care foster family homes by extending the sunset date to June 30, 2005. Requires the department of human services to report to the legislature on the cost effectiveness and administration of the certification process of community care foster family homes, as well as the possibility of integrating or consolidating the classification of community care foster family homes with adult residential care homes (ARCH). -- HB0907 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0914 HD2 (HSCR 798)

RELATING TO ADULT RESIDENTIAL CARE HOMES.

Introduced by: Arakaki D, Magaoay M

Establishes provision relating to unannounced inspection of adult residential care homes and community care foster family homes. Authorizes the department of health to conduct unannounced annual inspections of either adult residential care homes (ARCH) or expanded adult residential care homes. Further authorizes the department of human services to conduct unannounced annual inspections of community care foster family homes. -- HB0914 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0925 HD3 (HSCR 782)

RELATING TO ELDER ABUSE.

Introduced by: Arakaki D, Pendleton D, Magaoay M

Requires the department of health to adopt rules to assure the reputable and responsible character of operators and employees of a skilled nursing facility, intermediate care facility, adult residential care home (ARCH), and assisted living facility. Provides that operators, employees, and prospective employees shall provide consent to the department to conduct criminal history record check, and be fingerprinted for the purpose of the Federal Bureau of Investigation and state criminal history record check. -- Requires the department of human services to adopt rules to ensure the reputable and responsible character of licensed adult day care center operators, employees, and adult volunteers; purchase of service contracted service providers; senior companion program, and respite companion program participants; and Medicaid waiver program contracted service providers. Provides that individuals shall be subjected to criminal history record checks and adult abuse perpetrator checks; provide consent to the department to conduct record checks; provide a sworn statement indicating whether the person was ever convicted of a crime or determined to be a perpetrator; and provide permission to be fingerprinted for the purpose of the Federal Bureau of Investigation

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(FBI) and state criminal history record check. Authorizes the department to implement appropriate action if the person identified has a conviction for a crime or is a perpetrator of adult abuse that the department determines will pose a risk to the health, safety, or well being of service recipients. Appropriation out of the state criminal history record improvement revolving fund to the department of the attorney general. (\$\$) -- HB0925 HD3
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0939 RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HOALA SCHOOL.
Introduced by: Takumi R
Authorizes the issuance of special purpose revenue bonds to assist Hoala School to finance or refinance the planning, acquisition, construction, and improvement of its educational facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0939
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB0948 HD3 (HSCR 801) RELATING TO EARNED INCOME DEDUCTION FOR PUBLIC HOUSING RENT CALCULATION.
Introduced by: Takumi R
Provides that the housing and community development corporation of Hawaii shall deduct 25 per cent of a family's earned income that would otherwise be counted in its adjusted annual income when figuring its rate of rent for dwelling accommodations in the housing projects provided for by the development corporation, as long as such deductions are allowed by federal law. -- HB0948 HD3
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0968 HD1 (HSCR 841) RELATING TO UNEMPLOYMENT BENEFITS.
Introduced by: Oshiro M
Amends provisions relating to employment security. Beginning January 21, 2003 and thereafter, each eligible individual who is unemployed in any week shall be paid with respect to that week a benefit in an amount equal to the individual's weekly benefit amount. -- HB0968 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0969 HD1 (HSCR 148) RELATING TO COLLECTIVE BARGAINING.
Introduced by: Oshiro M
Establishes provision exempting public employees from portions of the uniform arbitration act. -- HB0969 HD1
Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0980 HD1 (HSCR 712) RELATING TO CIVIL SETTLEMENTS.
Introduced by: Hamakawa E
Amends provision relating to release; joint tortfeasors; co obligors; good faith settlement. Provides that 1 or more joint tortfeasors or 1 or more co obligors who are mutually subject to contribution rights shall not discharge any other joint tortfeasor or co obligor not released from liability unless its terms so provide; reduce the claims against the joint tortfeasor or co obligor not released in the amount stipulated by the release, dismissal or covenant; or discharge the party to whom it is given from all liability for any contribution to any other joint tortfeasor or co obligor. Provides that the petition shall indicate the settling parties and except for a settlement that includes a confidential agreement regarding the case of the terms of the settlement, the basis, terms, and settlement amount. Provides that the notice, petition and proposed order shall be served as provided by the Hawaii rules of civil procedure. Further provides that a determination by the court that a settlement was made in good faith shall bar any other joint tortfeasor or co obligor from any further claims against the settling joint tortfeasor or co obligor except those based on a written indemnity agreement or statutorily created indemnification right; and result in a dismissal of all cross claims filed against the settling joint tortfeasor or co obligor. Provides that a joint tortfeasor or co obligor or settling party may appeal the determination without awaiting final judgement. Provides that upon showing a good cause, the court may shorten the time for filing an appeal. Further provides that where a release has been given, non settling parties shall have the right to require that the court include the settling entity upon any verdict or judgment form, and a

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court or jury shall consider and make a finding as to any liability, responsibility, or apportionment of fault of the settling entity, and the non settling parties shall be allowed to present evidence at trial as to the liability, responsibility, or apportionment of fault of the settling entity. -- HB0980 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0981 HD1 (HSCR 588)

RELATING TO COURTS.

Introduced by: Hamakawa E, Chang J, Herkes R, Hale H, Evans C

Amends provision relating to exempt when. Repeals the provision that no person shall be authorized to claim an exemption from service as a juror (jury duty) in the courts of the 1st circuit from January 1, 1989 through December 31, 1990, and in the courts of all circuits, other than the 1st circuit from January 1, 1990 through December 31, 1991; and from January 1, 1991 for the courts of the 1st circuit, and from January 1, 1992, for all other circuits of the state. Establishes that a person may claim exemption from service as a juror only if the person has served as a juror within 1 year preceding the time if filling out the juror qualification form; if the person lives more than 70 miles from the court for which the jury service is required; is an elected legislative official, provided that the exemption may be claimed only when the legislative body is in session; or is 80 years of age or older. -- HB0981 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB0986 HD2 (HSCR 783)

RELATING TO DEATH BENEFITS OF SURVIVING CHILDREN OF PUBLIC EMPLOYEES.

Introduced by: Hamakawa E

Amends provision relating to the death benefits of surviving children of public employees. Provides that if there is no surviving spouse or reciprocal beneficiary, an equally divided benefit shall be payable to the deceased member's dependent child, or children under the age of 18, including any dependent child who is age 18 or over but younger than 24, who is a full time student. Provides that the employee's retirement system death benefits may continue for each dependent child age 18 or over, who is or becomes a full time student, and shall continue so long as the child is a full time student, until the age of 24. -- HB0986 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0991

RELATING TO FIREARMS.

Introduced by: Hamakawa E

Amends provision relating to firearms. Provides that unless pardoned for the offense, no person shall own, possess, or control a firearm or ammunition if they are under indictment, or have waived indictment for, or been bound over to the circuit court for, or has been convicted of committing a felony or any crime of violence, or an illegal sale of any drug. -- HB0991

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

Feb=28 03 Single Referral to JHW (586-7793)

HB0993

RELATING TO RECONSTRUCTED VEHICLES.

Introduced by: Hamakawa E

Amends provision relating to the exemption from the inspection and certification requirement for any privately owned reconstructed vehicle in a county with a population less than 500,000, to require that the county has adopted and provided for the enforcement of ordinances regulating the inspection and certification of reconstructed vehicles. -- HB0993

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB0997 HD1 (HSCR 756)

RELATING TO LEGISLATIVE INFORMATION.

Introduced by: Hamakawa E

Amends the access / legislative information services law by changing it to legislative information services law. Establishes access/legislative information service. Establishes legislative subscription services. Provides that each house of the legislature may establish policies, procedures, and fees for legislative subscription services. Defines subscription service to mean a service by which a member of the public is provided with printed set of bills, resolutions, committee reports, hearing notices, orders of the day, referral sheets, and other printed documents and records of the legislature. -- HB0997 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HOUSE BILLS WHICH PASSED THIRD READING

- HB1003 HD1 (HSCR 534) RELATING TO CRIME VICTIM COMPENSATION.
Introduced by: Hamakawa E
Establishes provision relating to transfer by the crime victim compensation commission. Provides that if the crime victim compensation commission has ordered the payment of an award of compensation to a minor, the commission may make an irrevocable transfer of that award to an appropriate state agency, adult, or trust company as custodian for the benefit of the minor. -- Amends provision relating to escheat process by providing that any funds collected for payment of restitution shall be deposited to the credit of the crime victim compensation special fund. -- Amends provision relating to eligibility for compensation. Provides that the commission in its discretion, upon application may order the payment of compensation in cases involving a death or sexual assault, for mental health services for the surviving relatives; or in case involving a crime enumerated in violent crimes, for mental health services to or for the benefit of a child witness, or a witness who is 60 years old or older. -- Amends provision relating to victim restitution by providing that any amount of restitution collected that is not payable to the victim because the victim cannot be located, shall be deposited to the credit of the crime victim compensation special fund. -- HB1003 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB1004 HD1 (HSCR 713) RELATING TO DISPOSITION OF CONVICTED DEFENDANTS.
Introduced by: Hamakawa E
Repeals provisions relating to the interstate parole and probation compact. -- HB1004 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB1010 HD1 (HSCR 581) RELATING TO THE USE OF INTOXICANTS.
Introduced by: Hamakawa E
Amends provisions relating to proof of refusal. Provides that if a legally arrested person refuses to submit to a test of the person's breath, blood, or urine evidence of refusal may be admissible in any civil or criminal action or proceeding. -- Amends provisions relating to refusal to submit to testing for measurable amount of alcohol for a proof of refusal of drug testing. Provides that if a legally arrested person under the age of 21 refuses to submit to a test of the person's breath or blood, proof of refusal may be admissible in any civil or criminal action or proceeding. -- HB1010 HD1
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate
- HB1013 HD3 (HSCR 830) RELATING TO EXAMINATIONS FOR THE DETERMINATION OF PERMANENT IMPAIRMENT.
Introduced by: Hamakawa E
Establishes the examination for determination of permanent impairment in workers' compensation. Requires the examination to be conducted by an impairment examiner who has been mutually agreed upon by the employer and the employee. Requires the director of labor and industrial relations to appoint an impairment examiner from a list of qualified examiners categorized and selected by specialty of practice, if the parties are not able to mutually agree on an examiner. -- HB1013 HD3
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB1021 HD1 (HSCR 468) RELATING TO EDUCATION.
Introduced by: Hamakawa E
Establishes provisions relating to the operation of new century charter schools, laboratory program by the board of regents of the university of Hawaii. Allows the board to operate schools that use the Hawaiian language as their primary medium of education and establish the basis for a laboratory school program in the college of Hawaiian language to train prospective public school teachers and administrators in the Hawaiian language; Hawaiian immersion; and Hawaiian studies. Exempts the teachers and other personnel of the college of Hawaiian language laboratory school program at the university of Hawaii at Hilo from the Hawaii teacher standards board. Requires the board of education to negotiate to provide licensed, tenured, and probationary teachers and educational officer who transfer to new century charter schools with benefits. -- Requires the attorney general to prepare recommended legislation to designate the university of Hawaii as a local educational agency to establish the basis for a laboratory school program in the college of Hawaiian language at the university of Hawaii at Hilo. Report to the legislature. -- Appropriation to the university.

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(()) -- HB1021 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1022

RELATING TO EXPUNGEMENT.

Introduced by: Hamakawa E

Amends provision relating to expungement by providing that the court may issue an order to expunge a juvenile arrest record if the person was counseled and released by the police and the person is an adult. -- HB1022

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1029 HD1 (HSCR 743)

RELATING TO PERMIT APPROVALS.

Introduced by: Kaho'ohalahala S

Repeal the provision relating to the maximum time period for business or development related permits, licenses, or approvals, automatic approval and extensions. -- HB1029 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1041

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

Introduced by: Oshiro M, Saiki S

Appropriation to respective heads of the legislative agencies for salary increases and other cost adjustments for the office of the auditor, ethics commission, office of the legislative reference bureau, and office of the ombudsman, for officers and employees of these agencies excluded from collective bargaining. (()) -- HB1041

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1042

MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

Introduced by: Oshiro M, Saiki S

Appropriation to the director of finance and chief justice for negotiated collective bargaining cost items for public employees in collective bargaining unit 1 (nonsupervisory blue collar employees), for state officers and employees excluded from collective bargaining unit 1, and for state employees in unit 1 assigned to the Hawaii health systems corporation. (()) -- HB1042

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1043

MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES.

Introduced by: Oshiro M, Saiki S

Appropriation to the director of finance and chief justice for negotiated collective bargaining cost items for public employees in collective bargaining unit 2 (supervisory blue collar employees), unit 3 (nonsupervisory white collar employees), unit 4 (supervisory white collar employees), unit 6 (educational officers and other personnel of the department of education), unit 8 (personnel of the university of Hawaii and community college system), unit 9 (registered professional nurses), and unit 13 (other professional and scientific employees), for state officers and employees excluded from collective bargaining units 2, 3, 4, 6, 8, 9, and 13, and for state employees in these units assigned to the Hawaii health systems corporation. (()) -- HB1043

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1044

RELATING TO COLLECTIVE BARGAINING COST ITEMS.

Introduced by: Oshiro M, Saiki S

Appropriation to the director of finance for negotiated collective bargaining cost items for public employees in collective bargaining unit 5 (teachers and other personnel of the department of education) and for state officers and employees excluded from collective bargaining unit 5. (()) -- HB1044

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1045

MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

Introduced by: Oshiro M, Saiki S

Appropriation to the director of finance for negotiated collective bargaining cost items for public employees in collective bargaining unit 7 (faculty of the university of Hawaii and community college system) and for state officers and employees who are excluded from collective bargaining unit 7. (()) -- HB1045

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Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1046

MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

Introduced by: Oshiro M, Saiki S

Appropriation to the director of finance and chief justice for negotiated collective bargaining cost items for public employees in collective bargaining unit 10 (nonprofessional hospital and institutional workers), for state officers and employees excluded from collective bargaining unit 10, and for state employees in unit 10 assigned to the Hawaii health systems corporation. (\$\$) -- HB1046

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1047

MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

Introduced by: Oshiro M, Saiki S

Appropriation to the director of finance for negotiated collective bargaining cost items for public employees in collective bargaining unit 11 (firefighters) and for state officers and employees excluded from collective bargaining unit 11. (\$\$) -- HB1047

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1053

RELATING TO CONSERVATION.

Introduced by: Mindo R, Kanoho E

Amends provision relating to the conservation of natural resources. Redefines landowner to mean the owner of the fee simple interest in private land and may include public lands including Kapolei parkway, Ewa, Oahu, project no. E - 13 of the Oahu regional transportation plan adopted by the metropolitan planning organization on April 6, 2001 and the university of Hawaii West Oahu lands within tax map key number (1) 9-1-016: portion 108. -- HB1053

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1064

RELATING TO TRANSPORTATION.

Introduced by: Mindo R

Appropriation to the department of transportation to establish and implement a permanent intra island water ferry transportation system. Requires the department to work with the counties, the federal government, and other interested parties from the public and private sectors in establishing and implementing the system. (\$\$) -- HB1064

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1075 HD1 (HSCR 105)

RELATING TO IMPLEMENTATION OF A FIXED RAIL TRANSIT SYSTEM.

Introduced by: Caldwell K, Moses M, Oshiro B, Oshiro M

Requires the department of transportation in conjunction with the Oahu Metropolitan Planning Organization and the city and county of Honolulu to develop an action plan for the implementation of a fixed rail transit system for Oahu. Report to the legislature. -- HB1075 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1076 HD1 (HSCR 687)

RELATING TO APPELLATE JURISDICTION.

Introduced by: Caldwell K, Hamakawa E, Thielen C, Kanoho E, Lee M, Pendleton D, Saiki S, Oshiro B, Oshiro M

Establishes provision relating to appellate jurisdiction. Provides that a judgment entered on a decree of foreclosure; a judgment entered on an order confirming the sale of the foreclosed property; and a deficiency judgment shall be final and appealable. Establishes criteria. Provides that an appeal shall be taken in the manner and within the time provided by the rules of the court. -- HB1076 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1077 HD1 (HSCR 720)

MAKING EMERGENCY APPROPRIATIONS FOR THE OFFICES OF THE GOVERNOR AND LIEUTENANT GOVERNOR.

Introduced by: Say C (BR)

Appropriation to the office of the governor and the office of the lieutenant governor for the operations of the offices. (\$\$) -- HB1077 HD1

Current Status: Mar=06 03 Passed Third Reading House

HB1081

RELATING TO THE STATE INTERNET PORTAL.

HOUSE BILLS WHICH PASSED THIRD READING

Introduced by: Say C (BR)

Amends Act 292, session laws of 2000, by extending the sunset date for the access Hawaii committee within the office of the governor to June 30, 2005. -- HB1081

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1111 HD2 (HSCR 822)

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

Introduced by: Say C (BR)

Appropriation to the department of the attorney general 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. (\$\$) -- HB1111 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1113

RELATING TO DRIVERS' LICENSES.

Introduced by: Say C (BR)

Amends provision relating to unlawful use of motor vehicle driver's license. Prohibits 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 or otherwise commit a fraud in any driver's license application. -- HB1113

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

Feb=28 03 Single Referral to TMG (586-6970)

HB1114 HD1 (HSCR 790)

RELATING TO TOBACCO.

Introduced by: Say C (BR)

Amends the cigarette and tobacco tax law to establish provisions prohibiting against the stamping or sale of cigarettes not listed in the attorney general's directory listing all participating tobacco product manufacturers and their brand families. -- Amends the tobacco products reporting law to require tobacco product manufacturers to execute and deliver a certification that they are a participating manufacturer (tobacco liability law) to the attorney general and for the attorney general to create the directory. -- HB1114 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1116 HD1 (HSCR 300)

RELATING TO COURTS.

Introduced by: Say C (BR)

Establishes exemption of costs and fees. Provides that persons subjected to abuse by a household member, stalking, or sexual assault shall be exempt from paying court costs and fees in connection with filing, issuance, registration, or service of a protection order, or a petition for a protection order, warrant, or witness subpoena issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including any temporary or final order issued by a civil or criminal court, other than a support or custody order. -- HB1116 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1117 HD1 (HSCR 607)

RELATING TO ANTITRUST.

Introduced by: Say C (BR)

Provides that actions brought under unfair competition, practices, declared unlawful, shall be brought as parens patriae on behalf of natural persons residing in the State, to secure threefold damages for injuries sustained by such natural persons to their property by reason of any business enterprise or trade violation. -- HB1117 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1127 HD2 (HSCR 820)

RELATING TO ENERGY RESOURCES.

Introduced by: Say C (BR)

Amends Act 77, session laws of 2002, relating to maximum pretax gasoline prices. Provides that the department of business, economic development and tourism shall submit an interim report to the legislature before the convening of the regular session of 2003 and submit a final report of findings and recommendations to the legislature before the convening of the regular session of 2004. -- HB1127 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HOUSE BILLS WHICH PASSED THIRD READING

- HB1152 HD1 (HSCR 717) RELATING TO STATE FUNDS.
Introduced by: Say C (BR)
Repeals provisions relating to state funds. Repeals fees for statewide geographic information system services. -- Repeals the petroleum products control fund. -- Repeals the Hawaii film facility special fund. -- Repeals the clean Hawaii fund. -- Repeals the state disaster revolving loan fund. -- Repeals the Hawaii innovation development fund. -- HB1152 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB1153 HD1 (HSCR 481) RELATING TO TELECOMMUNICATIONS RELAY SERVICES.
Introduced by: Say C (BR)
Amends provisions relating to relay services for the deaf, hearing impaired, and speech impaired to telecommunications relay services for the deaf, persons with hearing disabilities, and persons with speech disabilities. Provides that the public utilities commission may require every intrastate telecommunications carrier to contract with a provider or providers for the provision of telecommunications relay service. Authorizes the commission to establish a surcharge to collect customer contributions for telecommunications relay services. Repeals telecommunications expedition of ratemaking procedures. -- HB1153 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB1154 HD1 (HSCR 702) RELATING TO UNCLAIMED PROPERTY.
Introduced by: Say C (BR)
Amends provision relating to unclaimed property trust fund. Provides that all money collected by the unclaimed property program from holders of property presumed abandoned and proceeds from the sale of unclaimed property, less costs in connection with the sale of the abandoned property, shall be deposited into the unclaimed property trust fund. Establishes what the money shall be used to pay. Provides that money in the fund shall be invested by the director of finance and that all investment earnings shall be deposited to the credit of the general fund. Provides that all unencumbered and unexpended money in excess of 1.5 million dollars remaining on balance in the unclaimed property trust fund on June 30 of each year shall lapse into the state general fund. Repeals provisions relating to deposit of funds. Appropriation out of the unclaimed property trust fund to the department of budget and finance. (\$\$) -- HB1154 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB1155 HD1 (HSCR 260) RELATING TO UNCLAIMED PROPERTY.
Introduced by: Say C (BR)
Amends provision relating to notice and publication of abandoned property. Provides that notice shall be given by posting on the State of Hawaii internet website; publication in a daily or weekly publication of statewide circulation; or any other method the director of finance deems effective for publicizing the notice. Excludes unclaimed property law from publication of notice provision. -- HB1155 HD1
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate
- HB1157 RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Say C (BR)
Amends provision relating to membership of the employees retirement system. Provides that class B shall consist of police officers and firefighters, and (B) employees who were members on June 30, 1957, who elected not to be covered by the Social Security Act. -- HB1157
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate
- HB1159 HD1 (HSCR 747) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Say C (BR)
Establishes the finalization of pensions within 6 calendar months following the month of the employee's retirement. Provides that for pensions finalized after the 6th calendar month, an interest payment amounting to 4 1/2 per cent per annum shall be paid to the retiree. Provides that beginning January 1, 2004 interest payments calculated as simple interest shall be prorated up to the date payment is made and the employee's retirement system shall assess 10 dollars for each month or fraction thereof that the department or agency fails to provide the system with the requested information for each retiree and all assessments

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collected shall be deposited to the pension accumulation fund. Appropriation out of the employees' retirement system's investment earnings. (\$\$) -- HB1159 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1160 HD1 (HSCR 590) RELATING TO THE EXAMINATION FOR LICENSURE AS A CERTIFIED PUBLIC ACCOUNTANT.
Introduced by: Say C (BR)
Amends provision relating to license of certified public accountants. Repeals the requirement that the examination be in writing, be held twice a year, and have the time of the examination be fixed by the board of accountancy and changed from time to time. -- HB1160 HD1
Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1161 HD1 (HSCR 577) RELATING TO PSYCHOLOGIST LICENSING REQUIREMENTS.
Introduced by: Say C (BR)
Amends provision relating to licensing of psychologists. Provides that a license for a psychologist may be issued to an applicant who holds a current Certificate of Professional Qualification in Psychology issued by the Association of State and Provincial Psychology Boards or a current National Register of Health Service Providers in Psychology credential. Repeals the requirement of an open book examination in jurisprudence for license as a senior psychologist. -- HB1161 HD1
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1163 RELATING TO DENTAL INSURANCE.
Introduced by: Say C (BR)
Amends Act 132, session laws of 2001, as amended by Act 219, session laws of 2002, relating to the regulation of dental service corporation by changing the sunset date to July 1, 2004. -- HB1163
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1164 HD1 (HSCR 272) RELATING TO INSURANCE.
Introduced by: Say C (BR)
Amends provisions relating to insurance. Establishes provisions relating to suspension or denial of insurance producers license for noncompliance with child support orders. Amends casualty insurance to include accident and health or sickness insurance and not disability insurance. Replaces the term insurance agent, subagent, broker, or solicitor with producer. Amends provisions relating to fillings with the insurance commissioner and the national association of insurance commissioners. Amends Act 39, session laws of 2002. -- HB1164 HD1
Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1165 HD2 (HSCR 557) RELATING TO BUSINESS REGISTRATION.
Introduced by: Say C (BR)
Amends provisions relating to the nonprofit corporation Act. Provides that a corporation shall not authorize or issue shares of stock except for limited equity housing cooperatives. Prohibits any dividend to be paid and no part of the income or profit of a corporation to be distributed to its members, directors, or officers. Authorizes a corporation to pay compensation in a reasonable amount to its members, directors, or officers for services rendered, to confer benefits upon its members in conformity with its purposes, and to make distributions to its members as permitted upon dissolution or final liquidation. Requires a foreign limited liability company to deliver the director of commerce and consumer affairs a certificate evidencing any name change. Further establishes that if any trade mark or service mark has not been used for 365 consecutive days, and the mark has not been registered in the Patent and Trademark Office of the US, the certificate of registration shall be subject to revocation. Amends provision relating to service on foreign corporation, corporation's administrative dissolution, and registered office and agents. Amends registration and protection of trademarks, prints, labels, and trade names law by changing it to registration and protection of trademarks, service marks, and trade names law. -- HB1165 HD2
Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1172 RELATING TO THE UNIFORM SECURITIES ACT.
Introduced by: Say C (BR)

HOUSE BILLS WHICH PASSED THIRD READING

Amends provision relating to the uniform securities Act. Redefines dealer to exclude a bank, savings institution, or trust company. -- HB1172

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1175 HD2 (HSCR 776)

RELATING TO THE DEPARTMENT OF EDUCATION.

Introduced by: Say C (BR)

Amends provision relating to deputies or assistants to department heads. Repeals the salary of the deputy to the superintendent of education. Provides that area superintendents, deputy and assistant superintendents shall be exempt from civil service. Repeals district superintendents. Provides that the superintendent of education shall appoint area superintendents. Provides that the salaries of the deputy superintendent and area superintendents shall be set by the board of education. -- HB1175 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1176 HD1 (HSCR 217)

RELATING TO EDUCATION.

Introduced by: Say C (BR)

Authorizes the issuance of general obligation bonds for appropriation to the department of education for statewide projects under the qualified zone academy bond program. (\$\$) -- HB1176 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1181 HD1 (HSCR 709)

MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION.

Introduced by: Say C (BR)

Appropriation to the Hawaii health systems corporation for employer contributions of the corporation to the employees' retirement system and the public employees' health fund. (\$\$) -- HB1181 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1182 HD2 (HSCR 736)

RELATING TO EMERGENCY MEDICAL SERVICES.

Introduced by: Say C (BR)

Amends provision relating to rapid identification documents. Requires the department of health to adopt rules for emergency medical services for uniform methods of rapidly identifying an adult who has certified, or for whom it has been certified in a written comfort care only document, or consistent with the uniform health care decisions act, that the person, the person's guardian, agent, or surrogate directs medical personnel not to administer chest compressions, rescue breathing, electric shocks, or medication to restart the heart if the person's breathing or heart stops. Requires the certification to have the signature of the patient and 2 other persons who personally know the patient. Adds that the original certified document shall be maintained by the patient or the patient's physician, attorney, trustee, agent, guardian, surrogate, or any person acting on behalf of the patient. -- HB1182 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1198 HD2 (HSCR 737)

RELATING TO CHILD LABOR.

Introduced by: Say C (BR)

Prohibits any minor under the age of 18 to be employed or permitted to work in, about, or in connection with adult entertainment. Provides exceptions to child labor laws during period when the minor is not legally required to attend school or when excused by school authorities from attending school, in an occupation which has not been declared hazardous, and not in connection with adult entertainment. Further provides that any person who knowingly violates this law shall be guilty of a misdemeanor, rather than fined 1,000 dollars or 1 year imprisonment. -- HB1198 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1212 HD1 (HSCR 366)

RELATING TO LAND EXCHANGES.

Introduced by: Say C (BR)

Amends provision relating to land exchanges. Requires the board of land and natural resources' approval in the principal of the exchange of public land for private land. Provides that limitations of time shall be removed for the department to submit for introduction to the legislature a resolution for review of action on any exchange to be consummated by the board wherein exchange deeds will be executed by the parties together with required

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information. -- HB1212 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1214 HD2 (HSCR 788)

RELATING TO PUBLIC LAND LIABILITY.

Introduced by: Say C (BR)

Establishes limitations on public entity liability in actions based upon duty to warn of natural conditions. Provides that a sign or signs warning of dangerous natural conditions on improved lands shall be conclusively presumed to be legally adequate to warn of the dangerous natural conditions of which the sign or signs warn, if the sign or signs are posted by the State or county and the a sign or signs and their design and placement have been approved by the chairperson of the board of land and natural resources. Provides that if a warning sign, device or system posted or established is vandalized, removed or made illegible, the conclusive presumption provided in these provisions shall continue for a period of 30 days from the date the vandalism, removal or illegibility is discovered by the public entity which posted the warning sign, device, or system provided that the conclusive presumption shall continue for a period of 7 days instead of 30 days for any warning sign, device, or system located at or near the public entrance to the area to which the warning sign, device, or system pertains. Establishes a risk assessment working group to be attached to the department of land and natural resources to provide consultation to the chairperson of the board of land and natural resources regarding the design and placement of warning signs, devices or systems on improved public lands. Defines improved public lands to mean lands that are part of a state park system, parks and parkways under the state parks and recreation areas law or as part of the county park system, that are part of the Hawaii statewide trail and access system. -- HB1214 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1217 HD1 (HSCR 589)

RELATING TO CONTROLLED SUBSTANCES.

Introduced by: Say C (BR)

Amends provisions relating to the controlled substance Act. Includes concentrate of poppy straw as a controlled substance in schedule II. Provides that unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of pyrovalerone having a stimulant effect on the central nervous system shall be included in schedule V. Excludes an office used by a practitioner where controlled substances are prescribed but neither administered nor otherwise dispensed and where no supplies of controlled substances are maintained, to be required to obtain a separate registration. -- HB1217 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1220

RELATING TO THE HAWAII PAROLING AUTHORITY.

Introduced by: Say C (BR)

Amends provision relating to rules and regulations of paroles by changing it to rules of paroles. Provides that the power to retake and reimprison a paroled prisoner is conferred upon the administrative secretary or the administrative secretary's designee. -- HB1220

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1223 HD2 (HSCR 703)

RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.

Introduced by: Say C (BR)

Revisions conforming to the Federal Internal Revenue Code for taxable years beginning after December 31, 2002. Provides that section 62(a)(2)(D) (with respect to certain expenses of elementary and secondary school teachers) and section 114 (with respect to extraterritorial income) shall not be operative. Provides that section 168 (with respect to accelerated cost recovery system) shall be operative. Provides that the 5 year carryback period for net operating losses for any taxable year ending during 2001 and 2002 in section 172(b)(1)(H) shall not be operative. -- HB1223 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1224 HD1 (HSCR 718)

RELATING TO THE AMENDMENT OR REPEAL OF OBSOLETE TAX LAWS.

Introduced by: Say C (BR)

Changes the tax reserve fund from a special fund to a trust fund. -- Amends provisions relating to general excise taxes by defining manufacturer and retailing. Repeals the tax on

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manufacturer and producer. Repeals the general excise tax exemption for agricultural meat or fish products grown, raised, or caught in Hawaii and provides the exemption to sale of products to any person or common carrier in interstate or foreign commerce. Repeals the general excise tax exemption of producers of motion pictures or television films. Repeals provisions relating to county general excise tax and use tax surcharge. -- HB1224 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1225 RELATING TO THE ADMINISTRATION OF TAXES.
Introduced by: Say C (BR)
Amends provisions relating to estimated tax payments by redefining tax to include estimated tax payments or payments remitted with extension requests. Provides that payment for estimated tax shall be 100 per cent of the tax shown for the preceding taxable year. Amends provisions relating to the department of taxation's authority to grant tax filing extensions. -- HB1225
Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1230 HD1 (HSCR 839) RELATING TO TRANSPORTATION.
Introduced by: Say C (BR)
Establishes the passenger facility charge special fund into which shall be deposited proceeds from any passenger facility charge. Provides that moneys in the fund shall be used for capital improvement programs projects approved by the legislature. Exempts the fund from contributing to the central service and administrative expenses of the government. -- HB1230 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1234 RELATING TO COMMERCIAL DRIVER LICENSING.
Introduced by: Say C (BR)
Amends provisions relating to commercial motor vehicle driver's license. Prohibits a license to be issued to someone not domiciled in the State. -- HB1234
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1235 RELATING TO COMMERCIAL DRIVER LICENSING.
Introduced by: Say C (BR)
Amends provision relating to the issuance of commercial drivers licenses. Provides that a license shall display the commercial driver's license number and not the licensee's social security number. -- HB1235
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1236 RELATING TO COMMERCIAL DRIVER LICENSING.
Introduced by: Say C (BR)
Amends provisions relating to commercial motor vehicle driver's license. Authorizes the examiner of drivers to waive the knowledge and skills test for any person who is at least 21 years of age and who possesses a valid commercial driver's license issued by any other state of the US or province of Canada. -- HB1236
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1247 MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A CONTRAFLOW LANE ON FARRINGTON HIGHWAY ALONG THE WAIANAE COAST FROM MOHIHI STREET TO PILIOKAHI AVENUE.
Introduced by: Shimabukuro M
Appropriation to the department of transportation to establish a contraflow lane on Farrington highway along the Waianae coast from Mohihi street to Piliokahi avenue during morning and evening rush hours. (\$\$) -- HB1247
Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1253 HD1 (HSCR 707) RELATING TO PROCUREMENT.
Introduced by: Saiki S (BR)
Establishes provision relating to evaluation of bids and offers for contracts valued at less than 25,000 dollars; inclusion of applicable taxes; not considered. Provides that in addition to the procedures established pursuant to small purchases and not withstanding taxpayer preference, in evaluating bids or offers on contracts valued at less than 25,000 dollars, to

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determine the cost aspect of a bid or offer, the purchasing agency shall not consider as part of the bid or offer, the inclusion of a general excise tax or any applicable use tax by a bidder or offeror domiciled in the State for tax purposes. -- HB1253 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1255

MAKING AN APPROPRIATION FOR THE OFFICE OF ELECTIONS.

Introduced by: Saiki S

Appropriation to the office of elections to meet the 5 per cent matching fund requirement of the federal Help America Vote Act of 2002. (\$\$) -- HB1255

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1258 HD1 (HSCR 608)

RELATING TO MOTOR VEHICLE FRANCHISES.

Introduced by: Hiraki K

Amends the motor vehicle industry licensing act. Provides that any condition, stipulation, or provision purporting to bind any person acquiring any franchise to waive compliance with any provision of this law or any other state law shall be void. Provides that the motor vehicle industry licensing board shall be authorized to suspend, revoke, or deny the renewal of any license for any manufacturers or distributor to coerce any dealer to enter into any agreement to perform or not to perform any act contrary to the franchise agreement with the dealer; cancel or fail to renew the franchise agreement of any dealer without good faith; delay delivery of or refuse to deliver without cause, any new motor vehicle to a dealer; discriminate against any dealer by directly or indirectly charging more for new motor vehicles or services; or wilfully fail to affix, deface, or remove the vehicle bumper impact notice. Further provides that the board shall be authorized to suspend, revoke, or deny the renewal of any license for any motor vehicle auctioneer who does not intend to be employed as such by a licensed auction. -- HB1258 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1261 HD2 (HSCR 735)

RELATING TO PUBLIC SAFETY.

Introduced by: Ito K

Amends provision relating to general powers and limitations of the counties. Provides that each county shall have the power to enact ordinances deemed necessary to protect health, life, and property, and may enact ordinances that impose an actionable duty on owners of private property situated within that county, on which there is a potential danger of falling rocks, to inspect and remove those rocks or otherwise mitigate any unreasonable danger to persons or property. -- HB1261 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1272 HD2 (HSCR 538)

RELATING TO ADVOCACY FOR HUMAN SERVICES.

Introduced by: Oshiro B, Shimabukuro M

Requires the department of human services to make available to a nonprofit legal services provider all information required to adequately identify claims for dually eligible Medicare and Medicaid recipients. Further requires the department to contract for legal services to maximize collection from the federal Medicare program, provided that payment to the contractor is paid 1/3 of the funds received by the department from the program as a result of the contract. -- HB1272 HD2

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1275 HD1 (HSCR 686)

RELATING TO THE SHORELINE.

Introduced by: Kanoho E, Morita H, Waters T

Redefines shoreline to mean the uppermost reach of annually recurring highest seasonal surf evidenced by the resultant debris line or the 1st stable vegetation, whichever is furthest mauka or inland; provided that the vegetation is not influenced or modified by human intervention. Establishes provision relating to notice of shoreline certification. Provides that an applicant for shoreline certification shall provide a copy of the application for shoreline certification, including the proposed map and photographs, by certified mail to all abutting shoreline property owners, the office of environmental quality control for publication in its periodic bulletin and the county planning agency. Provides that the notification may be made to the respective homeowners' board or association of the affected condominium property regime or cooperative housing corporation in lieu of individual owners. Provides that the applicant shall further provide to the chairperson of the board of land and natural resources

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a certificate of service with respect to the property owners and the county planning agency who have been served. Amends provision relating to the determination of the shoreline. Provides that the state land surveyor may review any shoreline certification during its 12 month validity period and rescind the certification if there is a substantial misrepresentation of material fact in the original application, whether intentional or unintentional. -- HB1275 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1276 HD1 (HSCR 605)

RELATING TO ELECTIONS.

Introduced by: Say C, Hamakawa E, Oshiro B

Establishes notice of proposed constitutional amendments. Provides that upon the adoption of any bill that proposes a constitutional amendment, the clerks of each house of the legislature shall publish the text of the proposed constitutional amendment in accordance with the Constitution of the State of Hawaii. -- Amends provision relating to the duties of the chief election officer. Provides that the chief election officer shall be responsible for public education with respect to voter registration and information. -- HB1276 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1277

PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 16, OF THE CONSTITUTION OF THE STATE OF HAWAII, TO PROVIDE THE LEGISLATURE WITH THE POWER TO RECALL A BILL PRESENTED TO THE GOVERNOR.

Introduced by: Say C, Hamakawa E, Oshiro B

Proposes to amend the constitution. Provides that a bill under consideration by the governor may be recalled to the legislature by concurrent resolution. Further provides that before the recalled bill is presented again to the governor, it shall pass 1 additional reading in each house during the session in which it was recalled. -- HB1277

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1285 HD1 (HSCR 738)

RELATING TO HISTORIC SITES.

Introduced by: Hale H

Provides that it shall be unlawful for a person to take, appropriate, excavate, injure, destroy, or alter any historic property or burial site during the course of land development or land alteration activities which required an approval, without obtaining the required approval. Further provides that it shall be unlawful for a person who inadvertently discovers a burial site to fail to stop work in the immediate area and report the discovery. Further provides that if human skeletal remains are discovered in the course of land development or land alteration activities, all activity in the immediate area that could damage the remains of the potential historic site shall cease, and the removal of the remains shall be allowed only in compliance with prehistoric and historic burial sites. -- HB1285 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1294

RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.

Introduced by: Nakasone B

Amends provision relating to applicability and requirements within the environmental impact statement law. Provides that the final decision making body or approving agency for the request for approval is not required to be the accepting authority. Requires the planning department for the county in which the action will occur to be a permissible accepting authority for the final statement. Provides that in the event that an agency desires to be the accepting authority and a dispute arises, the office of environmental quality control shall determine which agency shall be authorized to prepare the assessment and accept the final statement. -- HB1294

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1302

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

Introduced by: Say C (BR), Kanoho E, Waters T, Kaho'ohalahala S, Morita H, Bukoski K
Amends provision relating to the conditions and qualifications of grants. Provides that grants made by the office of Hawaiian affairs may be made without regard to Hawaii public procurement code or purchases of health and human services laws. -- HB1302

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1303

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

HOUSE BILLS WHICH PASSED THIRD READING

Introduced by: Say C (BR), Kanoho E, Kaho'ohalahala S, Morita H, Bukoski K
Provides that all state agencies, including the office of Hawaiian affairs, having control of funds other than the general fund shall reimburse the State for contributions made by the State pursuant to the employer union health benefits trust fund on account of agency employees whose compensation is paid in whole or part from funds other than the general fund. -- HB1303

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1307 HD1 (HSCR 606)

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

Introduced by: Say C (BR), Kanoho E, Waters T, Kaho'ohalahala S, Morita H, Bukoski K
Appropriation to the department of budget and finance to be deposited into the public land trust proceeds trust fund to better the conditions of native Hawaiians. Appropriation out of the parking control revolving fund to the department of accounting and general services; out of the agricultural parks special fund to the department of agriculture; out of the state educational facilities improvement special fund to the department of education; out of the foreign trade zones special fund, the natural energy laboratory of Hawaii authority special fund, and the Hawaii community development revolving fund to the department of business, economic development, and tourism; out of the boating special fund, special land and development fund, the Na Ala Hele special fund, the state parks special fund, the beach restoration special fund, and the water resource management fund, to the department of land and natural resources; and out of the harbor special fund to the department of transportation; all to be deposited into the public land trust proceeds trust fund to better the conditions of native Hawaiians. (\$\$) -- HB1307 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1309 HD1 (HSCR 715)

RELATING TO EVIDENCE.

Introduced by: Mindo R, Morita H, Hiraki K, Kaho'ohalahala S, Lee M, Karamatsu J, Kanoho E

Amends provision relating to evidence by redefining photographs to include electronic pictures including digital pictures. Requires the supreme court to establish procedures governing police use of electronic pictures recorded by a video or digital camera for the reconstruction of traffic accidents. Provides that measurement of the location, orientation, dimensions, and distances between physical evidence derived by photometric analysis of electronic pictures in accord with these procedures shall be admissible as prima facie evidence. -- HB1309 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1328 HD1 (HSCR 726)

RELATING TO THE CONSUMER ADVOCATE.

Introduced by: Thielen C

Amends public utility provisions to require the consumer advocate to consider the long term benefits of renewable resources. -- HB1328 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1339 HD1 (HSCR 610)

RELATING TO CONDOMINIUM PROPERTY REGIMES.

Introduced by: Takai K

Amends Act 39, session laws of 2000, relating to condominiums property regimes, by changing the sunset date to December 31, 2007. Amends provision relating to priority of lien by providing that the person who subsequently purchases the delinquent apartment shall be obliged to make, and shall be liable for, payment of the special assessment provided that a mortgagee or subsequent purchaser may require the association of apartment owners to provide at no charge a notice of the association's intention to claim a lien against the delinquent apartment for the amount of the special assessment. Further provides that the notice shall state the amount of the special assessment, how the amount was calculated, and the legal description of the apartment. -- HB1339 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1342 HD1 (HSCR 496)

MAKING AN APPROPRIATION FOR YOUTH SERVICES.

Introduced by: Kahikina M

Appropriation to the office of youth services for youth service centers. (\$\$) -- HB1342 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HOUSE BILLS WHICH PASSED THIRD READING

- HB1361 HD2 (HSCR 744) RELATING TO THE MEDICAID PRESCRIPTION DRUG EXPANSION PROGRAM.
Introduced by: Takumi R
Amends provision relating to the Medicaid prescription drug expansion program and the drug rebate special fund. Provides that discounted prescription drugs shall be offered to qualified individuals whose income level is at or below a maximum income limit established by the Centers for Medicare and Medicaid Services for approval of federal funding for this program. Amends Act 75, session laws of 2002 by establishing the sunset date on July 1, 2006. -- HB1361 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB1362 RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR ST. PATRICK SCHOOL.
Introduced by: Takumi R
Authorizes the issuance of special purpose revenue bonds for appropriation to assist St. Patrick school to finance or refinance the planning, acquisition, construction, or improvement of its educational facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1362
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate
- HB1363 HD1 (HSCR 719) MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO CLEAN SALT LAKE WATERWAY.
Introduced by: Wakai G, Oshiro B, Schatz B, Karamatsu J
Appropriation to the city and county of Honolulu for a grant in aid for the cleaning of Salt Lake waterway. (\$\$) -- HB1363 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB1373 RELATING TO PUBLIC EMPLOYEES.
Introduced by: Oshiro M
Establishes provision relating to leaves of absence for individuals who are permanent full time employees of the State or 1 of its political subdivisions, exempt from civil service and collective bargaining laws, and not considered to be an excluded employee. Establishes provisions for vacation, sick leave, family leave, funeral leave, leave for employee summoned as witness, credits for receiving workers' compensation benefits, pay of employees on active military service, and leave for pre induction examination. -- HB1373
Current Status: Mar=04 03 Introduction/Passed First Reading - Senate
- HB1394 HD2 (HSCR 854) RELATING TO TAXATION TO STIMULATE THE ECONOMY.
Introduced by: Schatz B, Wakai G, Oshiro B, Herkes R, Magaoay M, Sonson A
Provides a qualified project construction income tax credit. Defines qualified project construction costs to mean any costs incurred after June 30, 2003, and before January 1, 2006 (sunset), for plans, design, construction, infrastructure, amenities, equipment, alterations, modifications, telecommunications, and information technology relating to a qualified project. Requires the governor to issue a declaration allowing the credit. -- HB1394 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB1395 HD1 (HSCR 757) RELATING TO SPECIAL FACILITY PROJECTS.
Introduced by: Caldwell K, Chang J, Saiki S, Oshiro B, Oshiro M, Waters T, Kaho'ohalahala S
Amends Act 180 session laws of, 2001 relating to special facility projects by providing that special facility revenue bonds may be issued but shall not exceed 40 million dollars rather than 20 million dollars in amount. Amends provision relating to Hawaii community development authority by redefining special facility to mean 1 or more buildings or structures and the land thereof for the construction of facilities that provides benefits to the community at large including, without limitation, an ocean science center that incorporates research, education and training programs and which is the subject of a special facility lease. -- HB1395 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate
- HB1400 HD1 (HSCR 855) RELATING TO HOTEL CONSTRUCTION AND REMODELING TAX CREDIT.
Introduced by: Chang J, Souki J, Ito K, Herkes R, Sonson A, Kanoho E, Magaoay M,

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Karamatsu J

Amends the hotel construction and remodeling income tax credit. Provides a tax credit for years beginning after July 1, 2003, for costs incurred before January 1, 2008 (sunset). Requires the governor to issue a declaration allowing the credit. Redefines qualified hotel facility to include commercial buildings and facilities located within a qualified resort area designated by the counties. Amends Act 10, 3rd special session laws of 2001. -- HB1400 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1405 HD1 (HSCR 219)

RELATING TO BIOFUEL.

Introduced by: Morita H, Oshiro B, Hale H, Kaho'ohalahala S, Schatz B, Thielen C, Lee M
Establishes that contracts for the purchase of fuel shall be awarded to the lowest responsible and responsive bidders, with preference being given to bidders using or selling biofuel. Provides that when purchasing diesel fuel for transportation, state agencies shall, and county agencies may, give preference to biofuel to assist in the diversion of cooking oil wastes from the waste stream. Provides that when purchasing low grade fuel for power generation state agencies shall, and county agencies may give preference to bidders using biofuel. Defines biofuel to mean biodiesel fuel produced from recycled or recyclable cooking oil, fats, and greases, which meet the American Society of Testing and Materials Specification for Biodiesel Fuel (B100) Blend Stock for Distillate Fuels, as amended and fuel produced from waste cooking oils, fats, or greases, including grease trap waste, that can be used for power generation. -- HB1405 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1412 HD2 (HSCR 475)

RELATING TO PROFESSIONAL COUNSELORS.

Introduced by: Luke S, Takai K, Arakaki D, Karamatsu J, Sonson A

Establishes professional counselors law under the department of commerce and 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, 2005 and the remaining balance shall be deposited into the compliance resolution fund (sunset). Authorizes the department to appoint an administrative assistant and secretary, exempt from civil service, to assist with the program. -- HB1412 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1429 HD2 (HSCR 784)

RELATING TO A COMMISSION ON FATHERHOOD.

Introduced by: Arakaki D

Establishes the state commission on fatherhood within the office of the governor to make recommendations and oversee policies for programs, services, and contracts that promote healthy family relationships between parents and children and that are father friendly and inclusive. Annual report to the legislature and the governor. Requires each state department, board, commission, authority, or body within the executive branch that provides services to children and families to plan collaboratively with the commission for services to fathers. Further requires each body to report to the commission. -- HB1429 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1430 HD2 (HSCR 758)

RELATING TO COMMUNITY ORAL HEALTH.

Introduced by: Arakaki D

Provides that licensed dental hygienists employed or contracted by the department of health shall offer comprehensive oral health services to children in public school or in appropriate community health facilities, and to public schools in underserved areas, including topical fluoride application; oral health screening; dental sealant application; educational

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presentations to students, teachers, parents, caregivers, and community groups; and case management and consultation for special cases. Authorizes the dental hygienists to provide services to any preschool, private school, and community groups within the area of the complex. Appropriation to the department of health. (\$\$) -- HB1430 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1434 HD2 (HSCR 775) MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND DEVELOPMENT.
Introduced by: Abinsay F, Chang J, Schatz B, Sonson A, Magaoay M, Halford C, Morita H, Kaho'ohalahala S
Appropriation to the department of agriculture for the Hawaii farm bureau federation to pursue efforts in agricultural research and market development. (\$\$) -- HB1434 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1438 HD2 (HSCR 740) RELATING TO HOME LOAN PROTECTION.
Introduced by: Takamine D, Nishimoto S, Waters T, Karamatsu J, Chang J, Hale H, Wakai G, Sonson A, Shimabukuro M
Establishes the Hawaii home loan protection Act. Establishes prohibited practices for any mortgage broker in connection with a home loan. Provides that at the time of application for a brokered high cost home loan, the mortgage broker shall provide a disclosure to the borrower, clearly and conspicuously in writing, in a form the borrower may keep. Further provides that the disclosure shall state that the applicant is not required to complete the agreement merely because the applicant signed the loan application and the lender will have a mortgage on the home. Provides that the applicant could lose the home and any money put into it if the obligations are not met. Further provides that a mortgage broker who provides mortgage brokerage services to a borrower in a proposed loan transaction is the fiduciary of the borrower, and any violation of the fiduciary duties shall be a violation of the Hawaii home loan protection Act. Provides remedies for violations and limitation on actions. -- HB1438 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1453 HD1 (HSCR 498) RELATING TO RESIDENTIAL LEASEHOLDS.
Introduced by: Herkes R
Amends provision relating to residential leaseholds to redefine lot, house, residential lot and residential house lot to mean a parcel of land 2 acres or less in size, zoned for residential use, which is used or occupied or is developed, devoted, intended, or permitted to be used or occupied as a principal place of residence for 1 or 2 families. -- HB1453 HD1
Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1456 HD1 (HSCR 708) RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.
Introduced by: Morita H
Provides an income tax exemption for amounts received as beverage container deposits. -- Amends provision relating to sales of beverages in deposit beverage containers to include payment. Provides that each deposit beverage distributor to generate a monthly report to the department of health of total sales to dealers or consumers. Requires payment of the deposit beverage container fee and deposits to be made monthly based on sale reports of the the distributors beginning January 1, 2005. Authorizes the department to limit the number of redemption centers to maintain appropriate operating scale, set minimum distances between redemption centers, permit potential redemption center operators to bid for the right to operate a center if there are conflicts over servicing a particular area, and set minimum population requirements to be served by a redemption center. -- HB1456 HD1
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1465 HD2 (HSCR 785) RELATING TO INTOXICATING LIQUOR.
Introduced by: Hiraki K
Amends provisions relating to individual permits to receive shipments of liquor. Changes the amount of wine that a manufacture from a state with a reciprocal shipping privilege may ship to a consumer for personal use. Provides that an unlicensed adult shall not be required to obtain a permit to receive shipments. -- HB1465 HD2
Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1470 HD1 (HSCR 617) RELATING TO TIME SHARING.

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Introduced by: Say C (BR)

Amends provision relating to prohibited practices of time share plans. Provides that it is a violation of law for any sales agent or acquisition agent of time share units or plans to use any unregistered time share booth, or fail to display at all times a conspicuous, clear and unobstructed sign of a permanent nature that contains the words time share, time sharing; and to receive from any prospective purchaser any money, property or other valuable consideration prior to signing a contract or reservation agreement for the purchase of a time share plan or unit; provided that this paragraph shall not apply to sums paid for a tourist activity or other product or service offered to a purchaser or prospective purchaser to induce attendance at a time share sales presentation. Further provides that no developer, sales agent, or acquisition agent shall post anything on or adjacent to the sign that indicates that the booth is not being used for time share solicitation purposes. Repeals provisions relating to signs containing no artwork or text. -- HB1470 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1471 HD1 (HSCR 609)

RELATING TO LAND COURT.

Introduced by: Say C (BR)

Establishes provision relating to fee time share interests. Provides that upon presentation to the assistant registrar for filing or recording of any instrument, document, or paper conveying or encumbering a fee time share interest, or any interest therein, the assistant registrar shall not register the same but shall record in the bureau of conveyances the current certificate of title for the registered land in which the fee time share interest includes an undivided interest; record in the bureau of conveyances the instrument, document, or paper presented to the assistant registrar for filing or recording; cancel the certificate of title so recorded; note the recordation and cancellation of the certificate of title in the registration book and in the records of the application for registration of the land that is the subject of the certificate of title so recorded. Establishes the effects of deregistration. Provides that a certificate of title shall constitute a new chain of record title in the registered owner of any estate or interest as shown on the certificate of title so recorded. Establishes criteria. Amends provision relating to land court registration. Defines deregistered land to mean land that is the subject of a certificate of title recorded pursuant to these provisions. Defines fee time share interest to mean a time share interest, other than a leasehold time share interest, that consists of or includes a present undivided interest in registered land, including but not limited to an undivided interest in 1 or more fee simple condominium apartments established in whole or part on registered land. Establishes provision relating to deregistered land. Provides that in no event shall the period of limitations begin with respect to land that was registered under the land court registration law, but that has been deregistered pursuant to deregistration of fee time share interests prior to the recordation of the certificate of title for such land pursuant to deregistration of fee time share interests. Further provides that deregistration pursuant to these provisions shall not alter or revoke the conclusive nature or effect of a decree of registration, which shall continue to quiet the title to the deregistered land as to all claims arising prior to the recording of the certificate of title, except claims that would not otherwise be barred under this law if the lands were not deregistered. -- HB1471 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1479 HD1 (HSCR 413)

MAKING AN APPROPRIATION FOR A NATIONAL KOREAN WAR MUSEUM IN HAWAII.

Introduced by: Ito K, Mindo R, Moses M, Kanoho E, Herkes R, Caldwell K, Chang J, Sonson A, Abinsay F, Oshiro M, Oshiro B, Schatz B, Ontai G, Wakai G, Karamatsu J, Arakaki D, Kahikina M, Souki J, Nishimoto S, Kaho'ohalahala, Kanoho E, Saiki S, Kawakami B, Luke S, Lee M, Nakasone B, Waters T, Morita H, Bukoski K, Ching C, Takai K, Evans C, Hiraki K, Magaoay M, Hamakawa E

Appropriation to the department of business, economic development, and tourism for the establishment of the national Korean war museum in Hawaii. Requires 2 to 1 match from a combination of the US and Korean governments, US and Korean corporations, and US citizens. (\$\$) -- HB1479 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1492 HD2 (HSCR 728)

RELATING TO NET ENERGY METERING.

Introduced by: Morita H, Oshiro B, Waters T, Kaho'ohalahala S, Lee M

Amends provisions relating to net energy metering. Redefines eligible customer generator

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by changing metered residential or commercial customer to customer and by repealing the 10 kilowatt limitation. Increases the percentage of generating capacity that may be produced by eligible customer generators to 1 per cent in 2004, and increases it .5 per cent ever year until it reaches 5 per cent in 2020. -- HB1492 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1495 HD1 (HSCR 521)

RELATING TO CREMATION.

Introduced by: Takai K, Oshiro B, Takamine D, Arakaki D, Hiraki K

Establishes the cremation and crematory regulation law. Authorizes any person or legal entity doing business in this State, or any cemetery, funeral establishment, corporation, partnership, joint venture, voluntary organization, or any other entity, to erect, maintain, and operate a crematory in this State and provide the necessary equipment and facilities for the cremation of human remains. Requires the crematory to be subject to all local, State, and federal health and environmental protection requirements and to obtain all necessary licenses and permits from the department of commerce and consumer affairs and the department of health, the federal Department of Health and Human Services, and the federal Environmental Protection Agency. Provides that an authorizing agent shall assume full responsibility and liability for the identification of the human remains. Defines authorizing agent to mean a person legally entitled to order and direct the cremation and final disposition of specific human remains. Prohibits a crematory authority to cremate until it has received a cremation authorization form signed by an authorizing agent and a completed and executed burial transit permit. Establishes provisions for cremation containers, cremation procedures, and pre need cremation arrangements. -- HB1495 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1498 HD1 (HSCR 823)

MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL AIR TRANSPORT SERVICES FOR THE COUNTY OF MAUI.

Introduced by: Souki J, Nakasone B, Caldwell K, Kaho'ohalahala S

Appropriation to the department of health for intra-county emergency medical air helicopter trauma services to the residents of the county of Maui. Requires the services to offer transportation service only in geographic locations and emergency situations where Hawaii's current fixed wing operations are unable to provide appropriate service; services and crew to be based at the Maui memorial medical center; and the county of Maui appropriate an equal or greater amount to share in the cost of providing the services. (\$\$) --HB1498 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1506 HD1 (HSCR 760)

MAKING AN APPROPRIATION FOR ISPED CLERK TYPISTS.

Introduced by: Evans C

Appropriation to the department of education for 313 ISPED (integrated special education database system) educational support personnel. (\$\$) -- HB1506 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1509 HD2 (HSCR 857)

RELATING TO HISTORIC PRESERVATION.

Introduced by: Herkes R, Kaho'ohalahala S, Kanoho E, Kahikina M, Morita H, Chang J, Hale H, Hamakawa E, Evans C, Kawakami B

Establishes the south Kona wilderness area to be administered by the department of land and natural resources. Provides that the area be used for the preservation of visual, cultural, and historic aspects as well as the archeological sites, native Hawaiian plants and animals, to provide a wilderness area with minimal manmade structures, and to permit limited access for recreational purposes. Establishes that Honomalino, Okoe, Kapu'a (Kapua), Kaulanamauna, and Manuka shall be included in the wilderness area. Provides that the department of land and natural resources, in cooperation with appropriate county, state, and federal agencies, shall develop a comprehensive management plan. Provides that no new homes or other structures shall be constructed within 1000 feet of the shoreline of the south Kona wilderness area. Provides that the department of land and natural resources shall develop a plan for acquisition of any private lands and is authorized to include a value for value trade of other state lands. Provides that if the department of land and natural resources and a private landowner are unable to reach an agreement, arbitration proceedings may be initiated by either party. Further provides that all included lands shall be classified as lands within the conservation district. Act to be repealed on December 31, 2004 (sunset). -- HB1509 HD2

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Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1510 HD1 (HSCR 730)

RELATING TO CHIROPRACTIC.

Introduced by: Oshiro B, Hiraki K, Hamakawa E

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, and rib cage; 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. --

HB1510 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1511 HD1 (HSCR 591)

RELATING TO CONDOMINIUM PROPERTY REGIMES.

Introduced by: Oshiro B

Amends provision relating to condominium property regimes. Provides that no purchase or conveyance of the leased fee interest or allocation of costs made prior to June 25, 2002, to or by an association of apartment owners in a good faith belief that the purchase, conveyance or allocation was valid, and no assessment, borrowing, mortgage or pledge by an association of apartment owners in connection therewith, shall be invalid because the association was without capacity or power to undertake the act or to make or receive the allocation, conveyance, transfer or loan. Provides that no purchase or conveyance of the leased fee interest or allocation of costs made to or by an association of apartment owners in a good faith belief that the purchase, conveyance or allocation was in compliance with these provisions. Further provides that no assessment, borrowing, mortgage, or pledge by an association of apartment in connection therewith shall be void or voidable. --

HB1511 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate

HB1532 HD2 (HSCR 745)

MAKING AN APPROPRIATION FOR THE CELEBRATION OF MARTIN LUTHER KING, JR. DAY.

Introduced by: Hale H

Appropriation to the department of labor and industrial relations for the annual celebration of Martin Luther King, Jr. day. (\$\$) --

HB1532 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1547 HD2 (HSCR 759)

RELATING TO ELECTIONS.

Introduced by: Saiki S, Luke S, Lee M

Establishes provision relating public funding for state legislature offices elections. Establishes an alternative public funding program for candidates seeking election to state senator and state representative offices who voluntarily agree to abide by campaign contributions and expenditure limits and meet other criteria herein. Establishes sufficiency of funding for public funding for state legislature offices elections. Provides that on September 1 of each odd numbered year before a general election the campaign spending commission shall determine the amount of funding required to finance the public funding of 1 candidate for each contest in the legislature for the next general election year; and whether there are sufficient funds in the Hawaii election campaign fund to finance the public funding of 1 candidate for each contest in the legislature. Provides that if there is sufficient funding, the provisions shall become operative for the next election period in which the primary election is at least 6 months away. Further provides that if there is not sufficient funding, then the provisions shall be inoperative until September 1 of the next odd numbered year. Establishes qualifications for public funding. Establishes seed money contributions and limitations on use of seed money. Defines seed money to mean contributions made leading up to and during the qualifying period that may be expended solely for determining campaign viability purposes. Establishes restriction on use of surplus campaign funds. Establishes

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qualifying contributions. Establishes certification of qualification for public funds and provisions relating to publicly funded candidates, contributions and expenditures. Establishes distribution from election campaign fund and penalty for excess expenditures. Establishes deposit of money into the Hawaii election campaign fund. Amends provision relating to candidate funding; amounts available by changing it to matching public funding program; maximum allowed. Provides that public funds from the Hawaii election campaign fund shall be available to fund eligible candidates under the matching public funding program for all candidates except candidates certified for public funding under the public funding for state legislature offices elections program. Amends provision relating to qualifying campaign contributions; amounts by changing it to qualifying campaign contributions for matching public funding program; amounts. Appropriation out of the Hawaii election campaign fund to the campaign spending commission to provide staff positions to support publicly funded elections for the state legislature, including 2 staff positions for computer analysis of campaign contributions and 1 staff position for auditing and monitoring. Requires the campaign spending commission, in cooperation with the League of Women Voters, Common Cause Hawaii, and other relevant stakeholders, to conduct a comprehensive study of the campaign financing system in Hawaii. Report to the legislature. Requires the legislative reference bureau to assist the campaign spending commission in drafting any proposed amendments. (\$\$) -- HB1547 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1548 HD1 (HSCR 701)

MAKING AN APPROPRIATION FOR PUBLIC SCHOOL IMPROVEMENTS.

Introduced by: Say C, Saiki S, Souki J, Arakaki D, Abinsay F, Hale H, Morita H, Tamayo T, Mindo R, Luke S, Lee M, Oshiro M, Nakasone B, Herkes R, Ito K, Takumi R, Sonson A, Kawakami B, Magaoay M, Hamakawa E, Hiraki K, Wakai G, Shimabukuro M, Takamine D, Kahikina M, Schatz B, Chang J, Kanohe E, Kaho'ohalahala S, Caldwell K, Waters T, Karamatsu J, Oshiro B, Nishimoto S, Takai K

Authorizes the issuance of general obligation bonds for appropriation to the department of accounting and general services for repair and maintenance, replacing playground equipment, eliminating cesspools, making playgrounds handicapped accessible, upgrading electrical service, asbestos remediation, heat abatement, upgrading telecommunications service, lead removal, architectural barrier removal, and minor capital improvement projects. Appropriation out of the state educational facilities improvement special fund to the department of accounting and general services for repair and maintenance, replacing playground equipment, eliminating cesspools, making playgrounds handicapped accessible, upgrading electrical service, asbestos remediation, heat abatement, upgrading telecommunications service, lead removal, architectural barrier removal, and minor capital improvement projects. (\$\$) -- HB1548 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1554 HD1 (HSCR 856)

RELATING TO COUNTY TAXES.

Introduced by: Nakasone B

Changes the county general excise and use tax surcharge provisions by qualifying the tax to counties with a population of 200,000 or more, changing the surcharge limit, repealing the sunset dates, and the requirements on the use of surcharge revenues, and the county surcharge excise tax credit. Changes the distribution of proceeds from the transient accommodation tax for counties that establish the surcharge. -- HB1554 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1560 HD1 (HSCR 748)

RELATING TO DISPOSITION OF VESSELS BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES.

Introduced by: Kanohe E

Amends provision relating to the disposition of vessels by the department of land and natural resources. Provides that within 72 hours of impoundment the department of land and natural resources shall send by certified mail, return receipt requested, a notice of impoundment to the registered or documented owner or any operator or lien holder of the impounded vessel on record with the department or the US Coast Guard. Provides that if the vessel's appraised value is less than 5,000 dollars, the department, after giving public notice of intended disposition if not previously included in a public auction notice, may sell the vessel, retain and use it, donate it to another governmental agency, or dispose of it as junk. Provides that such owner, operator or lien holder of the vessel shall have 10 days after

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receipt of the notice to request in writing an administrative hearing. Adds that this administrative hearing is solely for the purpose of allowing the owner, operator or lien holder of an impounded vehicle to contest the basis given by the department for the impoundment of the vessel. Further provides that the hearing must be held within 5 working days of the department's receipt of written request. -- HB1560 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1564

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR CHAMINADE UNIVERSITY.

Introduced by: Takai K, Tamayo T

Authorizes the issuance of special purpose revenue bonds to assist Chaminade university of Honolulu to refinance, acquire, construct, and furnish its educational facilities, undertake improvements to and acquire furnishings for its existing facilities, as well as procure professional planning services. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1564

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1572 HD3 (HSCR 746)

RELATING TO PARKING FOR DISABLED PERSONS.

Introduced by: Caldwell K (BR)

Amends provisions relating to parking for people with disabilities. Establishes that a law enforcement officer is authorized to access private property to enforce parking for people with disabilities. Provides that a commissioned volunteer enforcement officer may access the property of a private entity provided the private entity's parking lot contains a parking space reserved for persons with disabilities. Includes the adjacent access aisle and 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. Provides that a citation may be sent by certified or registered mail to a violator who refuses the citation. Redefines disabled person to include a person with a vascular condition. Amends removable windshield placard, temporary removable windshield placard, and identification card provisions. -- HB1572 HD3

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1579 HD1 (HSCR 290)

RELATING TO THE ECONOMIC DIVERSIFICATION AUTHORITY.

Introduced by: Schatz B, Ito K, Herkes R, Luke S, Oshiro B, Shimabukuro M, Sonson A, Saiki S, Caldwell K, Takai K, Hiraki K

Establishes the economic diversification authority placed within the department of business, economic development, and tourism. Provides that the authority shall be headed by a board of directors. Provides that the authority shall disseminate information developed for or by the authority pertaining to economic development and diversification to assist present industry in the State, attract new industry and investments to the State, and assist new and emerging industry with good growth potential or prospects in jobs, exports, and new products. Annual report to the legislature and the governor. Provides that the board shall create a vision and develop a long range plan for economic diversification in Hawaii including development, infrastructure, and educational issues; and develop a strategic economic diversification plan that shall be updated at least every 3 years. Requires the board to establish a public information and educational program to inform the public about economic diversification. -- HB1579 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1590 HD2 (HSCR 797)

RELATING TO VETERANS' RIGHTS AND BENEFITS.

Introduced by: Abinsay F, Pendleton D, Oshiro M, Karamatsu J, Ito K, Magaoay M, Moses M, Sonson A, Mindo R, Chang J, Arakaki D, Tamayo T

Establishes provisions relating to disbursement of world war II Filipino American veterans burial grant funds. Requires the director of the office of veterans' services to make payment at the request of a deceased Filipino American veteran's survivor or an interested party, for funeral and burial services for deceased veterans, and for transporting the remains to the Philippines. Requires the office of veterans services to establish the maximum amount of burial grant funds to be distributed and not expend more than the amount appropriated for the fiscal year. Provides that payment shall be made by the director upon the submission of a contract for services and an unpaid invoice to the office. Requires the veteran to have been a resident of Hawaii at the time of death. Appropriation to the department of defense.

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(()) -- HB1590 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1594 HD1 (HSCR 620)

RELATING TO NONPROFIT CORPORATIONS.

Introduced by: Mindo R, Chang J

Establishes provision relating to amendment terminating or canceling members and redemption of membership of nonprofit corporations. -- HB1594 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1607 HD2 (HSCR 727)

RELATING TO AUTHORIZED EMERGENCY VEHICLES.

Introduced by: Souki J

Amends provisions relating the statewide traffic code by redefining authorized emergency vehicle to include ocean safety vehicles. Adds that the exemptions from parking regulations, traffic signals, speed limits, and regulations governing direction of movement shall be afforded to authorized emergency vehicles when the vehicle is making use of authorized audible and visual signals except for police officers. -- HB1607 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1613 HD2 (HSCR 778)

RELATING TO NORTH KOHALA.

Introduced by: Evans C, Say C

Requires the department of land and natural resources to determine the best option to purchase, or acquire through land exchange, lands adjacent to the Kohala historical sites state monument to preserve, protect, and provide public access to these historical sites. Authorizes the Mo'okini (Mookini) Luakini Corporation to protect and care for the Mo'okini heiau site. (()) -- HB1613 HD2

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1616 HD1 (HSCR 359)

RELATING TO LONG-TERM CARE.

Introduced by: Say C, Abinsay F, Oshiro M, Saiki S, Shimabukuro M, Arakaki D, Lee M

Establishes a long term care income tax. Provides that the tax shall go to the long term care benefits fund. Amends provisions relating to the long term care financing program investments. Authorizes the board of trustees of the long term care financing program to make investments with sufficient liquidity to allow market transactions to meet expected payout requirements without substantial loss in value or unreasonable delay. Amends Act 245, session laws of 2002, establishing the Hawaii long term care financing program law by repealing the requirement that the temporary board of trustees recommend a 3rd party administrator. -- HB1616 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1628 HD1 (HSCR 706)

RELATING TO EDUCATIONAL LOANS.

Introduced by: Kawakami B

Provides an income tax deduction for interest paid on educational loans if the taxpayer is a primary health care provider; is not a qualified business under enterprise zone law; and has established a new practice as a health care provider in a state enterprise zone on Hawaii, Kauai or Maui counties; the North Shore, Koolauloa; or the Leeward Coast of Oahu in Makaha, Waianae, Maili, or Nanakuli. Provides that the deduction shall apply to taxable years beginning after December 31, 2002, and ending before January 1, 2008 (sunset). -- HB1628 HD1

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1630 HD1 (HSCR 234)

MAKING AN APPROPRIATION FOR VETERANS CEMETERIES.

Introduced by: Chang J, Ito K, Herkes R, Sonson A, Ontai G, Hamakawa E, Morita H, Kanoho E, Oshiro B

Appropriation to the department of defense for the maintenance of state veterans cemeteries in the counties of Hawaii, Kauai, Maui, and city and county of Honolulu. (()) -- HB1630 HD1

Current Status: Feb=28 03 Introduction/Passed First Reading - Senate

HB1652

MAKING AN APPROPRIATION TO THE MEDICAID PRESCRIPTION DRUG REBATE SPECIAL FUND.

Introduced by: Takumi R, Nishimoto S

Appropriation for deposit into the medicaid prescription drug rebate special fund. (()) --

HB1652

Current Status: Mar=06 03 Introduction/Passed First Reading - Senate

HB1660 HD1 (HSCR 600)

RELATING TO ELECTIONS.

Introduced by: Hamakawa E

Amends provision relating to the campaign spending commission. Provides that if a candidate, committee, or party fails to file a report, or files a substantially defective or deficient report, the commission shall notify the candidate, committee, or party of its failure to file a report or the filing of a substantially defective or deficient report and require the submission of an explanation for the reasons why the candidate, committee, or party should not be fined. Provides that notification to the address of record shall be sent within 3 working days excluding Saturdays, Sundays, and holidays, after the date of the applicable filing deadline by certified mail, registered mail, or first class mail with a certificate of mailing obtained as evidence of service to the candidate. Provides that a candidate, committee, or party that fails to comply with the filing requirements shall be fined. Provides that if after reviewing any explanation offered by the candidate, committee, or party for the candidate's, committee's or party's failure to file a timely or correct report, the commission determines that good faith efforts were made by the candidate, committee, or party to meet the requirements and that the reason for failing to file or filing a defective or deficient report was caused by unforeseen circumstances beyond the person's control, the commission may waive any amount of the fine in excess of 50 dollars upon receipt of the report or correction. Provides that in no event shall the candidate, committee, or party be excused from filing the reports required. Provides that any candidate, committee, or party adversely affected by a decision rendered by the commission may contest the decision. -- HB1660 HD1

Current Status: Mar=04 03 Introduction/Passed First Reading - Senate