

BILLS PASSED

BY THE

HAWAII STATE LEGISLATURE

REGULAR SESSION OF 2004

SHOWING ACTIONS TAKEN AS OF

May 6, 2004

Prepared by the:



Legislative Reference Bureau Systems Office
State Capitol, Room 413
415 South Beretania Street
Honolulu, HI 96813

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

FOREWORD

This publication contains brief descriptions of all bills passed by the Hawaii State Legislature during the Regular Session of 2004. We have included such data as the bill number, title, introducer, description, committee reports, current status, and sections of the Hawaii Revised Statutes affected by the bill. This publication reflects data recorded up to and including May 6, 2004, which is the date that the Legislature adjourned sine die. For your information, under Article III, Section 16 of the Hawaii State Constitution, the Governor has 45 days after adjournment sine die (not counting Saturdays, Sundays, and holidays), to consider bills for approval.

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

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

Ken H. Takayama
Acting Director
Legislative Reference Bureau

May 2004

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

SOURCE	CONTACT	HOURS	COST
All public libraries. See www.librarieshawaii.org or listing in white pages: State Government, Dept. of Education	Reference Desk	Different for each library. Call to inquire.	Electronic ACCESS only. Optional 10¢/page donation for printout.
Hawaii State Archives Iolani Palace Grounds Honolulu 96813 Phone: 586-0329	Reference Archivist	Monday - Friday 9:00 am - 4:00 pm	Copies of 2003 - 2004 bills, committee reports, resolutions, and concurrent resolutions will be available after December 2004. No charge for local govt. agencies. For private individuals – 25¢/page. Postage charge for any mailings.
Senate Printshop State Capitol Room 012A Honolulu 96813 Phone: 586-6755	Tia Lobendahn or Senate Clerk's office	Monday - Friday 8:00 am - 4:30 pm	Free for reasonable quantities. Will fax 10 pages or less and mail reasonable quantities.
House Clerk's Office State Capitol Room 027 Honolulu 96813 Phone: 586-6400	Anyone	Monday - Friday 8:00 am - 5:00 pm	General public – free. Pick up in House Clerk's office. Mail and fax requests received for reasonable quantities.
Lieutenant Governor State Capitol 5 th Floor Honolulu 96813 Phone: 586-0255	Dawn	Monday - Friday 7:45 am - 4:30 pm	10¢/page
Supreme Court Law Library 417 S. King St., Rm. 115 Honolulu 96813 Phone: 539-4964	Front Desk	Monday - Friday 7:45 am - 4:15 pm	15¢/page (self-service). Will mail to attorneys on neighbor islands if unavailable at county circuit court libraries for 15¢/page plus \$2 handling charge plus postage (prepayment with cashier's check or money order required).
William S. Richardson School of Law Library 2525 Dole Street Honolulu 96822 Phone: 956-7583	Circulation Desk	Different hours depending on time of year. Call to inquire.	10¢/page (self-service) 7¢/page (with UH debit card — \$1 fee for card) Acts only.

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

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

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB0017 SD1 HD1 CD2 (CCR 93-04) RELATING TO EDUCATION.
Introduced by: Sakamoto N (586-8585)
Amends provisions relating to kindergartens by adding junior kindergarten programs. Requires the department of education to establish a 2 tier junior kindergarten and kindergarten program. Authorizes schools to move students between junior kindergarten and kindergarten as deemed appropriate. Provides that junior kindergarten students may graduate directly to the 1st grade. Provides that beginning with the 2006 - 2007 school year, a child who will be at least 5 years of age on or before August 1 of the school year may attend kindergarten and a child who will be at least 5 years of age after August 1 and before January 1 of the school year may attend junior kindergarten. -- Requires the department to develop a plan to assist schools for the development of the 2 tier junior kindergarten and kindergarten program. Reports to the legislature. -- Requires the department to develop assessments to aid in the placement of students in the appropriate classroom. Appropriation. (\$\$) -- SB0017 CD2
Committee Reports: SSCR 304 (EDU) SSCR 669 (WAM) HSCR 1117 (EDN) HSCR 1456 (FIN) CCR 125 CCR 93-04
Current Status: May-03 04 Passed Legislature
Section Affected: 302A-411, 302A-1131
- SB0214 SD3 HD2 CD1 (CCR 117-04) RELATING TO WORKFORCE DEVELOPMENT.
Introduced by: Hanabusa C (586-7793)
Authorizes Leeward community college to develop a program to provide services to FAS (Freely Associated States) students as well as to Micronesian, Marshallese, and Palauan communities at large, to ensure their success in school through cultural education and integration, language, employment, training, and legal services, provided that funding be restricted to private contributions and federal funding. Report to the legislature. (\$\$) -- SB0214 CD1
Committee Reports: SSCR 2072 (LBR) SSCR 2479 (LBR/ EDU/) SSCR 2851 (WAM) HSCR 783-04 (LAB/ HED/) HSCR 1249-04 (FIN) CCR 117-04
Current Status: May-03 04 Passed Legislature
- SB0420 SD1 HD1 CD1 (CCR 116-04) RELATING TO STATE FINANCES.
Introduced by: Hemmings F (587-8388), Hogue B, Trimble G, Slom S, Whalen P
Authorizes the director of finance to transfer 10 million dollars from the compliance resolution fund to the general fund. (\$\$) -- SB0420 CD1
Committee Reports: SSCR 835 (WAM) HSCR 1423 (FIN) CCR 116-04
Current Status: May-03 04 Passed Legislature
- SB0459 SD1 HD1 CD2 (CCR 152-04) RELATING TO CAMPAIGN SPENDING.
Introduced by: Kawamoto C (586-6970)
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 government facility that is used for the discharge of official duties by an officer or employee of the state or county. Excludes any government facility that permits use by non governmental organizations for a fee or with reservations. -- Defines separate segregated fund to mean an account set up by any corporation, partnership, labor organization, membership organization, trade association, cooperative, or corporation without capital stock that is used for the purpose of making contributions or expenditures to influence the nomination for election, or election of any candidate for political office or for an issue on a ballot. Requires all reports filed with the county clerk's office to be preserved by that office for 4 years from the date of receipt. -- Amends provision relating to registration by establishing when a candidate shall file an organizational report. Amends provision relating to campaign contributions; restrictions against transfer. Provides that a candidate, candidate's committee, or campaign treasurer shall not convert any campaign contribution for the personal benefit of any person. Establishes criteria. Amends provision relating to campaign contributions; limits as to persons. 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. Prohibits contributions from a corporation or business entity not doing business in this State, a labor union with fewer than 10 members who reside in this State, or a non candidate committee that has received contributions of \$10 or more from 10 or more individuals registered to vote in this State during the 180 days prior to an election. -- Amends provision relating to campaign contribution by state contractors by changing it to campaign contribution 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

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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. -- Defines coordinated activity to mean any activity including anything of value provided by a person in connection with a candidate's nomination or election who is actively engaged in coordination with that candidate or agent of that candidate on any campaign activity in connection with an election in which such candidate seeks nomination or election to office. -- Amends the disposition of funds to add residual funds. Provides that all candidates who withdraw or cease to be candidates, committees, or individuals who receive contributions but fail to file for nomination, within 1 year, shall dispose of residual funds from private campaign contributions. Funds not returned to the donors shall escheat to the Hawaii election campaign fund. -- 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. -- SB0459 CD2

Committee Reports: SSCR 974 (JHW/ TMG) HSCR 1412 (JUD) CCR 84 - filed SENATE FLOOR AMENDMENT 15 CCR 152-04

Current Status: May=06 04 Passed Legislature

Section Affected: 11- (1 SECTION), 11-191, 11-194, 11-195, 11-200, 11-204, 11-205.5, 11-206, 11-207, 11-207.6, 11-214, 11-219, 11-220, 11-221, 11-222, 11-223, 11-224, 11-228, 11-229

SB0469 HD1 (HSCR 1087-04)

RELATING TO EMPLOYMENT PRACTICES.

Introduced by: Hanabusa C (586-7793), Espero W

Establishes provision relating to sick leave. Provides that it shall be an unlawful discriminatory practice for an employer or labor organization to refuse to hire or employ, or to bar or discharge from employment, or withhold pay, demote, or penalize an employee because the employee uses accrued and available sick leave in accordance with an express provision of a valid collective bargaining agreement or a valid employment policy. -- SB0469 HD1

Committee Reports: SSCR 447 (LBR) SSCR 989 (JHW) HSCR 1087-04 (LAB)

Current Status: Apr=30 04 Passed Legislature

Section Affected: 378- (1 SECTION) SICK LEAVE

SB0473 SD1 HD3 CD1 (CCR 60-04)

RELATING TO HALFWAY HOUSES.

Introduced by: Hanabusa C (586-7793), Espero W

Amends provision relating to county zoning. Provides that no permit shall be issued by a county agency for the operation of a halfway house unless a public informational meeting is first held in the affected community. Defines halfway house as a group living facility for people who have been released or are under supervised release from a correctional facility, have been released from a mental health treatment facility or are receiving substance abuse or sex offender treatment and are housed to participate in programs that help them readjust to living in the community. -- SB0473 CD1

Committee Reports: SSCR 544 (TMG/ HMS) SSCR 779 (JHW) HSCR 949 (HSH/ HLT) HSCR 986-04 (JUD) HSCR 1264-04 (FIN) CCR 60-04

Current Status: May-03 04 Passed Legislature

Section Affected: 46-4

SB0779 SD2 HD2 CD1 (CCR 107-04)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Kanno B (586-6830)

Establishes provisions relating to retirement for class H public officers and employees. -- Establishes provisions relating to acceptance of rollovers and transfers from other plans. Requires the public employees retirement system to accept an eligible rollover distribution or a direct transfer of funds from another qualified plan in payment of all or a portion of any deposit a member is permitted to make. Appropriation out of the employees' retirement system's investment earnings. (\$\$) -- SB0779 CD1

Committee Reports: SSCR 524 (LBR) SSCR 951 (WAM) HSCR 490-04 (LAB) HSCR 1270-04 (FIN) CCR 107-04

Current Status: May-03 04 Passed Legislature

Section Affected: 88- (22 SECTIONS) RETIREMENT FOR CLASS H PUBLIC OFFICERS AND EMPLOYEES, 88- (1 SECTION), 88-41, 88-46.5, 88-47, 88-50.5, 88-54.5, 88-55, 88-73, 88-74, 88-82,

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88-83, 88-85, 88-85.5, 88-96, 88-132.5, 88-134, 88-135, 88-136,
88-137, 88-138, 88-139, 88-251, 88-271, 88-273, 88-281,
88-283, 88-285, 88-286

- SB1238 SD2 HD2 CD1 (CCR 65-04) RELATING TO MENTAL HEALTH.
Introduced by: Chun Oakland S (586-6130)
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 CD1
Committee Reports: SSCR 239 (HTH) SSCR 814 (WAM) HSCR 930 (HLT) HSCR 1006-04 (JUD) HSCR 1287-04 (FIN) CCR 65-04
Current Status: May-03 04 Passed Legislature
Section Affected: (14 SECTIONS) ADVANCE MENTAL HEALTH CARE DIRECTIVES, 327F-1, 327F-2, 327F-3, 327F-4, 327F-5, 327F-6, 327F-7, 327F-8, 327F-9, 327F-10, 327F-11, 327F-12, 327F-13, 327F-14, 327F-15, 327F-16, 560:5-304
- SB1239 SD1 HD2 CD1 (CCR 110-04) RELATING TO ENERGY.
Introduced by: Baker R (586-6070), English J, Ihara L, Ige D, Chun Oakland S, Fukunaga C
Amends provisions relating to fuel tax by reducing the tax on alternative fuels. -- SB1239 CD1
Committee Reports: SSCR 424 (ENE) SSCR 923 (WAM) HSCR 991 (EEP/ TRN/) HSCR 1438 (FIN) CCR 110-04
Current Status: May-03 04 Passed Legislature
Section Affected: 243-4
- SB1302 SD1 (SSCR 2480) MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.
Introduced by: Bunda R (BR) (586-6090)
Appropriation to the director of finance and chief justice for salary increases and other cost adjustments for negotiated collective bargaining cost items for public employees in collective bargaining unit 10 (nonprofessional hospital and institutional workers) and for state officers and employees excluded from collective bargaining. (\$\$) -- SB1302 SD1
Committee Reports: SSCR 2480 (LBR) SSCR 2671 (WAM) HSCR 1557-04 (FIN)
Current Status: May-03 04 Passed Legislature
- SB1318 SD1 HD2 CD1 (CCR 126-04) RELATING TO BUSINESS REGISTRATION.
Introduced by: Bunda R (BR) (586-6090)
Amends provisions relating to department of commerce and consumer affairs. Extends the authority of the respective directors to increase or decrease fee or nontax revenues. -- Reduces the fees for Hawaii revised business corporation Act, nonprofit corporation Act, partnerships, uniform limited partnership Act and the uniform limited liability company Act. -- SB1318 CD1
Committee Reports: SSCR 621 (CPH) HSCR 860-04 (CPC) HSCR 1293-04 (FIN) CCR 126-04
Current Status: May-03 04 Passed Legislature
Section Affected: 26-9, 92-28, 414-13, 414D-5, 414D-18, 425-12, 425-168, 425E-211, 428-1301
- SB1362 SD3 HD2 (HSCR 1194-04) RELATING TO MENTAL HEALTH
Introduced by: Bunda R (BR) (586-6090)
Amends provisions relating to non witnessed direct mental health services. Repeals services that are on behalf of the child and adolescent mental health division of the department of health. Amends provision relating to mental health by repealing the child and adolescent mental health division and replacing it with the mental health divisions. Amends provisions relating to functions of the department of health in mental health.

SENATE BILLS WHICH PASSED THE LEGISLATURE

Replaces 4 year plan with an annual statewide comprehensive integrated service plan that is the cumulative result of comprehensive integrated service area planning within each county to be developed by the service area administrator. -- SB1362 HD2
Committee Reports: SSCR 391 (HTH) SSCR 2783 (JHW) - filed FLOOR
AMENDMENT 5 HSCR 832-04 (HLT) HSCR 1194-04 (JUD)
Current Status: Apr-22 04 Received by the Governor
Section Affected: 321-171.5, 334-3, 334-10, 334-11, 378-2.5, 846-2.7

SB1491 SD1 HD1 CD1 (CCR 157-04) RELATING TO STATE GOVERNMENT.
Introduced by: Fukunaga C (586-6890), English J, Ige D, Baker R, Chun Oakland S, Hooser G
Amends Act 200, session laws of 2003, relating to the state budget, planning, development, management, and general support for Hawaiian homesteads. -- Provides that no state funds be made available to purchase the 1,129 acre property on the north shore of Oahu bordered by Paumalu gulch, Pupukea Paumalu forest reserve, and Kalunawaikaala gulch and stream unless matched by the federal government on a 2 to 1 basis and by the city and county of Honolulu on a 1 to 1 basis. -- Provides that the revolving fund appropriations for university of Hawaii, Manoa (UOH 100) shall be used for the operations of the new medical school campus at Kakaako and the new Kakaako university health science library. Further provides that the university may use funds from the research and training revolving fund or any other revolving fund of the university. -- Appropriation to the ethnic group presentations program of the department of accounting and general services as a grant to the Filipino Centennial Celebration Commission. -- Appropriation to the performing and visual arts events program of the department of accounting and general services as a grant to the Friends of Waipahu Cultural Garden Park; and as a grant to the Maui Community Arts and Cultural Center. -- Appropriation to the business development and marketing program of the department of business, economic development, and tourism as a grant to the Chamber of Commerce of Hawaii for its Military Affairs Council. -- Appropriation to the services to veterans program of the department of defense as a grant to the 442nd RCT Foundation. -- Appropriation to the alcohol and drug abuse program of the department of health as a grant to the Waikoloa Community Based Substance Abuse Rehabilitation and Recovery Program. -- Appropriation to the judiciary as a grant to the Legal Aid Society of Hawaii. -- Appropriation to the office of community services of the department of labor and industrial relations as a grant to the Hawaii County Economic Opportunity Council; as a grant to Kauai Economic Opportunity, Inc.; as a grant to Assistive Technology Resource Centers of Hawaii; as a grant to ORI Anuenue Hale, Inc.; and as a grant to the Volunteer Resource Center of Hawaii. -- Appropriation to the parks administration program of the department of land and natural resources as a grant to Aha Hui E Kala. -- Appropriation out of federal funds to the department of agriculture for 2 temporary plant quarantine inspector I (dog handler) positions for brown tree snake interdiction. -- Appropriation out of interdepartmental transfer funds to the department of agriculture for 1 permanent plant quarantine inspector I (dog handler) position to meet the requirements of the record of decision for Kahului airport expansion. -- Appropriation out of the irrigation system revolving fund and the agricultural park special fund to the department of agriculture for 1 temporary clerk typist II position (.50 FTE) required for the operation of the irrigation systems and agricultural park programs. -- Appropriation out of the certification services revolving fund to the department of agriculture for 3 temporary agricultural commodity aid I positions relating to seed certification and papaya export certification. -- Appropriation out of the public utilities commission special fund to the department of budget and finance for 1 permanent engineer IV and 1 permanent investigator IV positions for the regulation of public utility service companies operating in the state. -- Appropriation out of the compliance resolution fund to the department of commerce and consumer affairs for 4 permanent positions and for other current expenses to operate the cable television program; for 23 permanent positions and for other current expenses to operate the consumer advocate for communication, utilities, and transportation services program; for 29 permanent positions and for other current expenses to operate the financial institution services program; for 76 permanent positions and for other current expenses to operate the insurance regulatory services program; for 16 permanent and 4 temporary positions and for other current expenses to operate the office of consumer protection - unfair and deceptive practices program; for 71 permanent and 10 temporary positions and for other current expenses to operate the business registration program; for 17 permanent and 51 temporary positions and for other current expenses to operate the regulated industries complaints office program; for 40 permanent and 9 temporary positions and for other current expenses to operate the general support - protection of the consumer program; and for increases in fringe

SENATE BILLS WHICH PASSED THE LEGISLATURE

benefit costs for professional, vocational, and personal services. -- Appropriation out of federal funds to the department of human services for 2 permanent building maintenance helper, 2 permanent truck driver, 1 permanent plumber I, 1 permanent carpenter I, 1 permanent general construction maintenance supervisor, 2 permanent building maintenance worker II, 1 permanent automotive mechanic I, 1 permanent electrician I, and 1 permanent social services aid III positions for the operation and maintenance of public housing; for 1 permanent engineer IV, 1 permanent building construction inspector II, 1 permanent building engineer V, 1 permanent state housing development administrator, and 1 temporary housing development specialist I positions for facilities development of affordable housing; for 6 permanent positions to adjudicate and process disability claims of Hawaii residents for social security disability insurance and social security income; and for 1 .50 temporary health care financing assistant, 2 .50 permanent eligibility program specialist, 1 permanent .50 eligibility worker III, 1 permanent .50 account clerk II, 1 permanent .75 regular professional nurse VI, 1 temporary .50 clerk typist II, and 2 permanent .50 clerk typist II positions for the assistance of medical payments. -- Appropriation out of the state low income housing revolving fund to the department of human services for 1 permanent building maintenance helper, 1 permanent general construction maintenance supervisor I, 1 permanent procurement and supply specialist III, and 1 permanent general laborer II positions for the operation and maintenance of public housing. -- Appropriation out of the private housing development and ownership revolving fund to the department of human services for 1 temporary housing development specialist III and 1 temporary housing development specialist II positions for facilities development of affordable housing. -- Appropriation out of revolving funds to the department of human services for 1 permanent housing loan services officer, 3 permanent clerk typist II, 1 temporary loan processing assistant I positions for the operation and delivery of affordable housing. -- Appropriation out of general revenues and federal funds to the department of human services for 1 permanent registered professional nurse V and 1 permanent social service assistant IV positions for the delivery of adult medical services. -- Appropriation to the department of human services for 1 .50 temporary health care financing assistant, 2 .50 permanent eligibility program specialist, 1 permanent .50 eligibility worker III, 1 permanent .50 account clerk II, 1 permanent .25 regular professional nurse VI, 1 temporary .50 clerk typist II, and 2 permanent .50 clerk typist II positions for the assistance of medical payments; and for 1 permanent data processing systems analyst IV and 1 permanent computer programmer V positions for operational support. -- Appropriation out of the Hawaiian home administration account to the department of Hawaiian home lands for 1 private secretary III, 1 supervising land agent, 1 secretary III, 1 mortgage loan specialist, 1 commission chair, 1 engineer VI, 2 homestead assistant II, 1 accountant III, 1 heavy equipment operator, and 1 clerk typist III positions. -- Appropriation out of federal funds to the department of labor and industrial relations for 4.50 permanent workforce development specialist positions to provide services to persons seeking employment, job training, and job development services. -- Appropriation out of the employment and training fund to the department of labor and industrial relations for 2 temporary workforce development positions to assist employers by developing training programs to upgrade the skills of employees. -- Appropriation out of federal funds and general revenues to the department of labor and industrial relations for 1 permanent environmental health specialist, 1 permanent occupational safety and health program specialist, and 1 permanent occupational safety and health advisor positions to provide services to employers that are aimed at promoting safety in the workplace. -- Appropriation out of federal funds to the department of labor and industrial relations for 5.25 permanent unemployment insurance specialist, 1 permanent auditor, 1 permanent clerk typist, and .50 permanent clerk positions to meet workload increases and provide timely unemployment benefits; for 2 permanent research statistician, 1 permanent statistics clerk, and 1 permanent clerk typist positions to meet federal reporting requirements for research and statistical reports; for 2.16 permanent data processing systems analyst and .54 permanent clerk typist positions to provide the federal match for positions to implement and support information technology projects for the department; for 1 temporary accountant and 3 temporary clerk positions for activities related to the accounting of federal fund expenditures; and for 1 permanent program specialist position for the delivery of services to the economically disadvantaged, immigrants, and refugees. -- SB1491 CD1

Committee Reports: SSCR 364 (TMG/ ECD/) SSCR 2525 (WAM) HSCR 1038-04 (FIN) CCR 157-04

Current Status: May-03 04 Passed Legislature

Section Affected: ACT 200 2003

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB1611 HD2 CD1 (CCR 92-04) RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.
Introduced by: English J (587-7225), Inouye L
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 the deposit beverage container fee shall not apply to deposit beverage containers exported for sale outside the State. Provides that every August 1 the department of health shall notify distributors in writing of the deposit beverage container fee. Requires each deposit beverage distributor to generate a monthly report to the department of health of total sales to dealers or consumers. Requires all information submitted and contained in the monthly reports including commercial and financial information to be treated as confidential and to be protected to the extent allowable by state law. Provides that payment of the deposit beverage container fee and deposits shall be made monthly based on sale reports of the deposit beverage distributors. Provides that the department may allow dealers to charge customers the deposit value provided that the containers are clearly marked with the deposit value and the deposit beverage distributor has paid the deposit on each container to the department. Provides that all deposit beverage containers that do not indicate the Hawaii refund value by January 1, 2005, and are intended for sale shall be sold with stickers that indicate the Hawaii refund value and may be purchased from the department from November 1, 2004 to December 31, 2004. Requires redemption centers to pay the redeemer the full refund value in either cash or a redeemable voucher. Requires the department to pay to each certified redemption center a handling fee of not less than the prevailing deposit beverage container fee for each deposit beverage container redeemed by a consumer. Requires the department to evaluate the handling fee at least once a year and publish notice of the changes in handling fees within 30 days of its determination. -- Establishes procedures that shall be used by the department to implement and administer the deposit beverage container program. Repealed on March 31, 2005 (sunset). -- SB1611 CD1
Committee Reports: SSCR 600 (ENE) HSCR 1149 (EEP/EDB/) HSCR 1061-04 (FIN) CCR 92-04
Current Status: May-03 04 Passed Legislature
Section Affected: 235- (1 SECTION), 342G-101, 342G-102, 342G-104, 342G-111, 342G-112, 342G-113, 342G-114, 342G-115, 342G-117, 342G-119
- SB2005 RELATING TO MEDICAL RECORDS.
Introduced by: Baker R (586-6070), Chun Oakland S
Amends provision relating to confidentiality of records within the mental health, mental illness, drug addiction, and alcoholism law. Provides that all certificates, applications, records, and reports made, directly or indirectly identifying a person shall be kept confidential and shall not be disclosed by any person except when disclosure is made to the person's health care insurer to obtain reimbursement for services rendered to the person, provided that disclosure shall be made only if the provider informs the person that a reimbursement claim will be made to the person's insurer. -- SB2005
Committee Reports: SSCR 2002 (HTH) HSCR 921-04 (HLT) HSCR 1114-04 (CPC/JUD/)
Current Status: Apr-08 04 Received by the Governor
Apr-28 04 Approved by Governor (Act 22 2004)
Section Affected: 334-5
- SB2009 SD1 HD1 (HSCR 1018-04) RELATING TO CONDOMINIUM PROPERTY REGIMES.
Introduced by: Menor R (BR) (586-6740)
Amends provisions relating to common elements. Provides that the common interest appurtenant to each apartment as expressed in a declaration shall not be altered without the consent of all of the apartment owners affected except for any leases, licenses, or other agreements entered into for telecommunications equipment. -- SB2009 HD1
Committee Reports: SSCR 2538 (CPH) HSCR 1018-04 (CPC)
Current Status: Apr-23 04 Received by the Governor
Section Affected: 514A-13
- SB2021 SD1 HD2 (HSCR 1195-04) RELATING TO STREET ROD VEHICLES.
Introduced by: Kawamoto C (BR) (586-6970)
Amends provisions relating to special interest motor vehicles. Amends the definition of street rod vehicle to include a vehicle manufactured before 1968 or manufactured after 1967 to resemble a vehicle manufactured before 1968. -- SB2021 HD2
Committee Reports: SSCR 2036 (TMG) HSCR 802-04 (TRN) HSCR 1195-04 (JUD)

SENATE BILLS WHICH PASSED THE LEGISLATURE

Current Status: Apr=30 04 Passed Legislature
Section Affected: 286-2, 286-26.5, 286-83

- SB2045 SD2 HD1 CD1 (CCR 104-04) MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL.
Introduced by: Kawamoto C (586-6970), Espero W, Kanno B
Appropriation to the department of defense for operational expenses of the Hawaii civil air patrol (CAP). Requires dollar for dollar match by the department. (\$\$) -- SB2045 CD1
Committee Reports: SSCR 2050 (TMG) SSCR 2809 (WAM) HSCR 903-04 (PSM)
HSCR 1275-04 (FIN) CCR 104-04
Current Status: May-03 04 Passed Legislature
- SB2056 SD1 HD2 CD1 (CCR 66-04) RELATING TO THE AUDITOR.
Introduced by: Sakamoto N (586-8585), Chun Oakland S
Establishes provisions relating to access to confidential records. Authorizes the office of the auditor to be an authorized representative of the department of education and department of health, a state educational authority, or a state educational official, and to have access to any student or other record that may be necessary in connection with any audit or evaluation of any federal or state supported educational program or the enforcement of the federal or state legal requirements which relate to the education program, provided that parents shall be notified in writing in advance of such access. Requires any data collected by the office of the auditor to be protected in a manner that will not permit the personal identification of students and their parents 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. -- SB2056 CD1
Committee Reports: SSCR 2245 (EDU/ HTH/) SSCR 2575 (JHW) HSCR 995-04 (EDN/ LMG/) HSCR 1198-04 (JUD) CCR 66-04
Current Status: May-03 04 Passed Legislature
Section Affected: 23- (1 SECTION) ACCESS TO CONFIDENTIAL RECORDS
- SB2063 SD2 HD2 CD1 (CCR 76-04) RELATING TO EDUCATION.
Introduced by: Sakamoto N (586-8585), Kanno B, Chun Oakland S
Establishes the textbook and instructional materials fee special account within the department of education to receive fees and charges collected from students or the student's parents or guardians to purchase, replace or repair school textbooks, instructional materials, library books, equipment, or supplies. -- Amends provisions relating to educational textbooks and instructional materials. Defines school textbooks, instructional materials, library books, equipment, or supplies to include any book, printed matter, or other material used in a particular course of study. -- Amends provisions relating to textbook replacement fees to include restitution and textbook list. Authorizes the department of education to assess and collect special fees and charges from any student who negligently break, damage, lose, or destroy school textbooks, instructional materials, library books, equipment, or supplies as determined by the principal. Requires schools to make available a copy of the current list of textbooks and instructional materials upon request. -- SB2063 CD1
Committee Reports: SSCR 2249 (EDU) SSCR 2829 (WAM) HSCR 1001-04 (EDN) HSCR 1217-04 (FIN) CCR 76-04
Current Status: May-03 04 Passed Legislature
Section Affected: 302A- (1 SECTION), 302A-101, 302A-442.5, 302A-1130, 302A-1130.5, 302A-1146
- SB2073 SD2 HD2 CD1 (CCR 118-04) RELATING TO THE UNIVERSITY OF HAWAII.
Introduced by: Sakamoto N (586-8585), Aduja M
Amends provision relating to the university of Hawaii optional retirement system. Requires the board of regents of the university of Hawaii to establish a retirement system separate from the state employees' retirement system to provide retirement allowances and other benefits for university employees who are appointed on or after the effective date of this Act by the board and are eligible for membership in the state employees' retirement system. -- Requires the board to designate no fewer than 3 companies to provide annuity contracts, mutual fund accounts, or similar investment products offered through state or national banking institutions, or a combination of them, under the optional retirement system. -- Provides that for those employees electing membership in the optional retirement system, whose compensation is paid in whole or in part from the general fund, the university shall make an annual contribution on behalf of the employee to the optional retirement system. Requires the State to remit to the

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university an amount equal to 6 per cent of the employees' compensation in lieu of any contribution which it would have contributed to the state employees' retirement system on behalf of the employee had the employee not elected membership in the optional retirement system. -- Requires any person hired after the establishment of the optional retirement system of the university who is an appointee of the board and is eligible for membership in the state employees' retirement system to be enrolled as a member of the state employees' retirement system, unless the employee elects to be enrolled in the optional retirement system of the university. Prohibits the person to transfer from the optional retirement system to the state employees retirement system upon electing to be enrolled the optional retirement system. Act repealed on July 1, 2009 (sunset). -- SB2073 CD1

Committee Reports: SSCR 2486 (LBR/ EDU/) SSCR 2853 (WAM) HSCR 856-04 (HED/ LAB/) HSCR 1242-04 (FIN) CCR 118-04

Current Status: May-03 04 Passed Legislature

Section Affected: 88-8

SB2077 SD2 HD1 CD1 (CCR 57-04)

RELATING TO PLANNING.

Introduced by: Kokubun R (586-6760)

Amends provisions relating to the preparation of functional plans. Requires the state, to prepare functional plans with the assistance of the office of planning. Requires the state agency to update a functional plan at 10 year intervals, based on the initial plan update to be considered for approval by June 30, 2006, provided that previous findings and recommendations contained in any planning document produced by a state agency within the past 5 years shall considered and, if practicable, be incorporated. Report to the legislature. -- SB2077 CD1

Committee Reports: SSCR 2357 (ECD/ TMG/) SSCR 2700 (WAM/ WLA/) HSCR 1138-04 (FIN) CCR 57-04

Current Status: May-03 04 Passed Legislature

Section Affected: 226-55

SB2134 HD1 CD1 (CCR 99-04)

RELATING TO THE ENVIRONMENT.

Introduced by: Kokubun R (586-6760), Aduja M, Chun Oakland S, English J

Establishes provision relating to an emergency environmental workforce. Allows the workforce to employ individuals exempt from civil service and collective bargaining. Establishes the emergency environmental workforce attached to the Research Corporation of the University of Hawaii. Requires the environmental workforce to prevent the introduction of, controlling, and eradicating invasive species throughout the State, including by not limited to miconia, coqui frogs, fire ants, and other invasive species populations. Annual report to the legislature. -- SB2134 CD1

Committee Reports: SSCR 2347 (ENE/ TMG/) SSCR 2636 (WAM) HSCR 898-04 (EEP) HSCR 1224-04 (FIN) CCR 99-04

Current Status: May-03 04 Passed Legislature

Section Affected: 193- (1 SECTION) EMERGENCY ENVIRONMENTAL WORKFORCE

SB2165 SD1 HD1 CD1 (CCR 105-04)

RELATING TO CHILD ABUSE AND PROTECTION.

Introduced by: Chun Oakland S (586-6130), Kanno B, Aduja M, Ige D

Establishes provisions relating to drug affected infants; treatment; family referral; federal grants. Requires the department of human services to implement and operate a statewide program relating to child abuse and neglect. -- SB2165 CD1

Committee Reports: SSCR 2170 (HMS/ HTH/) SSCR 2736 (WAM) HSCR 803-04 (HSH/ HLT/) HSCR 1200-04 (FIN) CCR 105-04

Current Status: May-03 04 Passed Legislature

Section Affected: 587- (1 SECTION) DRUG-AFFECTED INFANTS

SB2200 HD1 CD1 (CCR 67-04)

RELATING TO EDUCATION.

Introduced by: Sakamoto N (586-8585), Kanno B, Aduja M

Amends provisions relating to the running start program that permits eligible high school students to enroll in courses offered by the university of Hawaii system. Repeals the provisions that the department of education adopt rules for the program. -- SB2200 CD1

Committee Reports: SSCR 2265 (EDU) SSCR 2577 (JHW) HSCR 948-04 (EDN) HSCR 1196-04 (JUD) CCR 67-04

Current Status: May-03 04 Passed Legislature

Section Affected: 302A-401

SB2210 SD2 HD1 CD1 (CCR 154-04) RELATING TO CONDOMINIUMS.

SENATE BILLS WHICH PASSED THE LEGISLATURE

Introduced by: Menor R (BR) (586-6740)

Repeals and replaces the condominiums law. Appropriations out of the condominium management fund to the department of commerce and consumer affairs to conduct post bill passage educational activities, including the continuation of 1 full time temporary condominium specialist position. -- Amends provisions relating to mediation to add condominium management dispute resolution. Provisions relating to condominium management dispute resolution shall be repealed on June 30, 2006 (sunset). Provides that the director of commerce and consumer affairs shall prepare and submit a report evaluating the operation and effect of the pilot program. Appropriation out of the condominium management fund to the department of commerce and consumer affairs for the operational expenses of this pilot program. (\$\$) -- SB2210 CD1

Committee Reports: SSCR 2443 (CPH) SSCR 2661 (WAM) HSCR 909-04 (CPC) HSCR 1289-04 (FIN) CCR 154-04

Current Status: May-03 04 Passed Legislature

Section Affected: (61 SECTIONS) CONDOMINIUMS, 521-3, 26-9, 237-16.5, 237-24.3, 237D-1, 302A-1312, 378-2.5, 414D-311, 421I-9, 467-1, 467-14, 467-30, 484-3, 485-6, 501-106, 502C-1, 514C-22, 514E-1, 514E-29, 516D-1, 521-38, 521-71, 514A-1, 514A-1.5, 514A-1.6, 514A-2, 514A-3, 514A-4, 514A-5, 514A-6, 514A-7, 514A-81, 514A-82, 514A-82.1, 514A-82.15, 514A-82.2, 514A-82.3, 514A-82.4, 514A-82.5, 514A-82.6, 514A-83, 514A-83.1, 514A-83.2, 514A-83.3, 514A-83.4, 514A-83.5, 514A-83.6, 514A-84, 514A-84.5, 514A-85, 514A-86, 514A-87, 514A-88, 514A-89, 514A-90, 514A-90.5, 514A-90.6, 514A-91, 514A-92, 514A-92.1, 514A-92.2, 514A-92.5, 514A-93, 514A-93.5, 514A-94, 514A-95, 514A-95.1, 514A-96, 514A-97, 514A-98, 514A-99, 514A-121, 514A-121.5, 514A-122, 514A-123, 514A-124, 514A-125, 514A-126, 514A-127

SB2246 SD1 HD1 (HSCR 1142-04)

RELATING TO AGRICULTURE.

Introduced by: Inouye L (586-7335), Aduja M

Amends provision relating to private restrictions on agricultural uses and activities. Provides that provisions of this section are not to be applied to agricultural leases, utility easements and access easements. -- SB2246 HD1

Committee Reports: SSCR 2158 (WLA) HSCR 1142-04 (AGR/ WLH/)

Current Status: Apr=30 04 Passed Legislature

Section Affected: 205-4.6

SB2278

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: Bunda R (BR) (586-6090)

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. -- SB2278

Committee Reports: SSCR 2004 (JHW) HSCR 1015-04 (JUD)

Current Status: Mar-31 04 Received by the Governor

Apr-19 04 Approved by Governor (Act 10 2004)

Section Affected: 39A-256, 88-103.5, 88D-3, 89-9, 89-11, 195D-21, 201B-2, 302A-482, 302A-805, 662-15, 706-649, 846-2.7, ACT 24 2000, 431:10C-103, ACT 66 2000, ACT 62 2003, ACT 1 2001 2SP, ACT 36 2002, 707-730, 707-732, ACT 85 2003

SB2281 SD1 HD1 CD1 (CCR 97-04)

RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION.

Introduced by: Bunda R (586-6090)

Amends provisions relating to high technology special fund. Repeals the maximum limit of the fund. Provides that moneys collected and received for projects under a contract for services may be deposited into a private trust account in any bank or financial institution. All moneys in the fund are to be expended by the high technology development corporation. -- SB2281 CD1

Committee Reports: SSCR 2353 (SAT/ ECD/) SSCR 2704 (WAM) HSCR 825-04 (EDB) HSCR 1179-04 (FIN) CCR 97-04

Current Status: May-03 04 Passed Legislature

Section Affected: 206M-15.5

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- SB2294 SD1 HD1 (HSCR 901-04) RELATING TO CRIMINAL TRESPASS.
Introduced by: Bunda R (586-6090)
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 the person enters or remains unlawfully in or upon commercial premises or public property after a reasonable warning or request to leave by the owner or lessee or their authorized agent or a police officer. -- SB2294 HD1
Committee Reports: SSCR 2586 (JHW) HSCR 901-04 (JUD)
Current Status: Apr-19 04 Received by the Governor
May-04 04 Approved by Governor (Act 50 2004)
Section Affected: 708-814
- SB2355 SD2 HD2 CD1 (CCR 119-04) RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS.
Introduced by: Kanno B (586-6830)
Amends provisions related to state and county contributions, retired employees. Provides that state and county contributions to the Hawaii employer union health benefits trust fund shall apply to an employee beneficiary who was hired prior to July 1, 1996, who transfers employment after June 30, 1996, and who cumulatively accrues at least 10 years of credited service or was hired prior to July 1, 1996, who has at least 10 years of credited service prior to a break in service. -- Amends provisions relating to state and county contributions by employees hired after June 30, 2001 and retired. Exempts employees hired after June 30, 1996 and prior to July 1, 2001 who transfers employment after June 30, 2001 and who cumulatively accrues at least 10 years of credited service and an employee hired after June 30, 1996 and prior to July 1, 2001, who has at least 10 years of credited service prior to a break in service. -- Requires the board of trustees of the employer union health benefits trust fund to establish a process by which employees affected shall be notified of the retirement health benefits options. -- SB2355 CD1
Committee Reports: SSCR 2329 (LBR) SSCR 2686 (WAM) HSCR 956-04 (LAB)
HSCR 1250-04 (FIN) CCR 119-04
Current Status: May-03 04 Passed Legislature
Section Affected: 87A-35, 87A-36
- SB2358 SD2 HD1 CD1 (CCR 77-04) RELATING TO CONSTRUCTION CLAIMS.
Introduced by: Sakamoto N (586-8585)
Establishes contractor repair Act. Provides procedures that all claimants filing an action alleging construction defects shall comply with. Establishes the ways a contractor may respond to claims of construction defects. Provides standard language to be included in contracts for construction. Repeals the design professional conciliation panel law. -- SB2358 CD1
Committee Reports: SSCR 2428 (CPH) SSCR 2790 (JHW) HSCR 1143-04 (CPC/JUD/) CCR 77-04
Current Status: May-03 04 Passed Legislature
Section Affected: (13 SECTIONS) CONTRACTOR REPAIR ACT, 444-25.5, 672-1, 672-2, 672-2.1, 672-2.5, 672-3, 672-4, 672-5, 672-6, 672-7, 672-8, 672-9, 672-10, 672-11, 672-12, 672-13, 672-14
- SB2377 SD1 HD1 CD1 (CCR 43-04) RELATING TO PRIVACY.
Introduced by: Ige D (586-6230)
Amends provisions relating to violation of privacy in the 1st degree. Makes intentionally or knowingly installing, using, or both any device for observing, recording, amplifying, or broadcasting another person in a stage of undress or sexual activity in any private place without consent an offense of violation of privacy in the 1st degree. -- Amends provisions relating to violation of privacy in the 2nd degree. Makes intentionally installing, using or both any device for observing, recording, amplifying, or broadcasting another person in a stage of undress or sexual activity in any private place without consent an offense of violation of privacy in the 2nd degree. Makes intercepting without the consent of the sender or receiver, a photographic image by telephone, telegraph, letter, electronic transmission, or other means of communicating privately a violation of privacy in the 2nd degree. Makes divulging without the consent of the sender or receiver the existence or contents of a photographic image by telephone, telegraph, letter, electronic transmission, or other means of communicating privately if the accused knows that the photographic image was unlawfully intercepted, or if the accused learned of the photographic image in the course of employment with an agency engaged in transmitting it a violation of privacy in the 2nd degree. -- SB2377 CD1
Committee Reports: SSCR 2297 (SAT) SSCR 2581 (JHW) HSCR 826-04 (EDB)

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- HSCR 1174-04 (JUD) CCR 43-04
Current Status: Apr-30 04 Passed Legislature
Section Affected: 711-1100, 711-1110.9, 711-1111
- SB2380 SD1 HD1 CD1 (CCR 44-04) RELATING TO THE STATE ART MUSEUM.
Introduced by: Ige D (586-6230), Aduja M, Chun Oakland S
Establish provision relating to art in public places and relocatable works of art programs and state art museum. Requires the state foundation on culture and the arts to administer the art in public places and relocatable works of art programs and the state art museum. -- Establishes the state art museum within the foundation. -- Establishes the friends of the Hawaii state art museum to work effectively with the foundation and its professional staff to enhance and support the work of the museum, its ancillary programs and amenities. Annual report to the legislature and governor. -- SB2380 CD1
Committee Reports: SSCR 2430 (SAT) SSCR 2706 (WAM) HSCR 912-04 (TAC) HSCR 1247-04 (FIN) CCR 44-04
Current Status: May-04 04 Received by the Governor
Section Affected: 9- (3 SECTIONS) ART IN PUBLIC PLACES AND RELOCATABLE WORKS OF ARTS PROGRAMS AND STATE ART MUSEUM, 9-1, 9-3
- SB2394 SD1 (SSCR 2007) RELATING TO THE HAWAII TOURISM AUTHORITY.
Introduced by: Kim D (587-7200)
Amends provision relating to Hawaii tourism authority. Requires the authority to be responsible for developing health and wellness, technology, agriculture and nature tourism and a marketing plan that will be updated every year. -- SB2394 SD1
Committee Reports: SSCR 2007 (TSM) HSCR 1014-04 (TAC)
Current Status: Mar-31 04 Received by the Governor
Apr-19 04 Approved by Governor (Act 9 2004)
Section Affected: 201B-3, 201B-6
- SB2395 SD2 HD1 (HSCR 1285-04) RELATING TO INFORMATION PRACTICES.
Introduced by: Kim D (BR) (587-7200)
Establishes provisions relating to Hawaii convention center licensees records; confidentiality. Requires booking records relating to the Hawaii convention center licensees to be exempt from disclosure under the uniform information practices act, until 10 days after the event has occurred, upon request by a potential licensee and disclosure may result in disclosure of a potential licensee's confidential business information or proprietary information or the loss of a convention center booking. Defines booking records as the company name, address and contact, event program contents, event schedules, exhibitor lists and description of the Hawaii convention center's offer, rent, discounts, and subsidies. -- SB2395 HD1
Committee Reports: SSCR 2096 (TSM) SSCR 2791 (JHW) HSCR 910-04 (TAC) HSCR 1285-04 (JUD)
Current Status: May-06 04 Vetoes
Section Affected: 201B- (1 SECTION) HAWAII CONVENTION CENTER LICENSEES RECORDS
- SB2396 SD1 HD1 CD1 (CCR 102-04) RELATING TO THE GENERAL EXCISE TAX.
Introduced by: Kim D (BR) (587-7200)
Provides a general excise tax exemption for income derived from fraternal benefit, religious, charitable, scientific, educational, or other nonprofit organization under 501(c) of the Federal Internal Revenue Code, from fees for convention, conference, or trade show exhibit or display spaces. -- SB2396 CD1
Committee Reports: SSCR 2008 (TSM) SSCR 2825 (WAM) HSCR 913-04 (TAC) HSCR 1233-04 (FIN) CCR 102-04
Current Status: May-03 04 Passed Legislature
Section Affected: 237- (1 SECTION) EXEMPTION OF CERTAIN CONVENTION, CONFERENCE, AND TRADE SHOW FEES
- SB2404 SD2 HD1 CD1 (CCR 153-04) MAKING AN APPROPRIATION FOR EXPENSES OF THE 2005 NATIONAL ASSOCIATION OF COUNTIES MEETING IN HONOLULU.
Introduced by: Bunda R (586-6090)
Appropriation to the city and county of Honolulu to host the 2005 National Association of Counties Annual Conference and Exposition. Requires dollar for dollar match by the city and county of Honolulu. (\$\$) -- SB2404 CD1
Committee Reports: SSCR 2124 (TMG/ TSM) SSCR 2812 (WAM) HSCR 929-04

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(TAC/ LMG/) HSCR 1232-04 (FIN) CCR 153-04
Current Status: May-03 04 Passed Legislature

- SB2424 SD2 HD2 CD1 (CCR 115-04) RELATING TO NEW CENTURY CONVERSION CHARTER SCHOOLS.
Introduced by: Sakamoto N (586-8585)
Amends provisions relating to new century charter schools. Provides that civil service employees of the department of education schools shall retain their civil service status upon conversion of their school to a new century conversion charter school and that positions in a new century conversion charter school that would be civil service in a department school shall be civil service positions. Further provides that an employee with civil service status at a new century conversion charter school who transfers to another civil service position shall be entitled to all of the rights, privileges, and benefits of continuous, uninterrupted civil service. -- SB2424 CD1
Committee Reports: SSCR 2487 (LBR/ EDU/) SSCR 2687 (WAM) HSCR 833-04 (LAB/ EDN) HSCR 1271-04 (FIN) CCR 115-04
Current Status: May-07 04 Received by the Governor
Section Affected: 302A-1184
- SB2425 SD1 HD1 CD1 (CCR 68-04) RELATING TO EDUCATION.
Introduced by: Sakamoto N (586-8585)
Amends provisions relating to new century charter school funding. Authorizes the legislature to make an adjustment to the per pupil allocation and to make appropriations based on fringe and other employee benefits and facility costs. Increases the amount of funds given to a new century charter school by August 1, to 50 per cent of a new century charter school's per pupil allocation based on the new century charter school's projected student enrollment. Also moves up the date for the initial payment from August 1 to July 20. Requires new century charter schools to submit an accounting of the percentage of student enrollment who transferred from public schools established and maintained by the department and that these accountings be submitted by the charter school administrative office annually to the legislature. Annual report to the legislature. Appropriation for new century charter schools. (\$\$) -- SB2425 CD1
Committee Reports: SSCR 2497 (EDU) SSCR 2767 (WAM) HSCR 999-04 (EDN) HSCR 1118-04 (FIN) CCR 68-04
Current Status: May-05 04 Received by the Governor
Section Affected: 302A-1185
- SB2440 SD1 HD1 CD1 (CCR 100-04) RELATING TO PUBLIC LANDS.
Introduced by: Hanabusa C (586-7793), Chun Oakland S, Aduja M, Kawamoto C, English J
Amends provisions relating to continuation of rights under existing homestead leases, certificates of occupation, right of purchase leases and cash freehold agreements. Defines family to include a parent's siblings, children of a parent's siblings, and grandchildren of a parent's siblings of the occupier or lessee. -- SB2440 CD1
Committee Reports: SSCR 2106 (WLA) SSCR 2584 (JHW) HSCR 793-04 (WLH/ HSH/) HSCR 1181-04 (FIN) CCR 100-04
Current Status: May-03 04 Passed Legislature
Section Affected: 171-99
- SB2443 SD1 HD1 (HSCR 1016-04) RELATING TO ATTORNEYS' LIENS.
Introduced by: Hanabusa C (586-7793)
Establishes provisions relating to attorney's lien upon actions and judgments. Provides that an attorney shall have an attorneys' lien by law upon an action, suit, and proceeding that results in a judgement, decree, order, settlement, or award in the clients favor and on proceeds paid in satisfaction of those judgements, decrees, orders, settlements, or awards in the same action that the attorney represented the client. -- SB2443 HD1
Committee Reports: SSCR 2006 (JHW) HSCR 1016-04 (JUD)
Current Status: Apr-19 04 Received by the Governor
May-04 04 Approved by Governor (Act 48 2004)
Section Affected: 507- (1 SECTION), 605-8
- SB2474 SD3 HD2 (HSCR 1283-04) RELATING TO RENEWABLE ENERGY.
Introduced by: English J (587-7225)
Establishes provisions relating to State support for achieving renewable portfolio standards. Requires the department of land and natural resources and department of business, economic development and tourism to facilitate the private sector's development of renewable energy projects by supporting the private sector's attainment

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of the renewable portfolio standards. Requires the department of business, economic development and tourism to report to the legislature an governor biennially. -- Requires the public utilities commission to develop and implement a utility rate structure which may include performance based ratemaking; to gather, review, and analyze data to determine the extent to which this proposed utility rate structure would impact electric utility companies' profit margins and to ensure that these profit margins do not decrease as a result of the implementation of this rate structure; using funds from the public utilities special fund to contract with the Hawaii natural energy institute of the university of Hawaii to conduct independent studies to make findings and recommendations to the commission as to the capability of Hawaii's electric utility companies to achieve renewable energy portfolio standard in a cost effective manner, or whether circumstances require that the standard be adjusted and make findings and recommendations to the commission for projected standards to be set 5 and 10 years beyond the then current standard; revise standards; and report to the legislature. -- Amends provisions relating to renewable portfolio standards. Redefines renewable energy to mean where biofuels, hydrogen, or fuel cell fuels are produced by a combination of renewable and nonrenewable means, the proportion attributable to the renewable means shall be credited as renewable energy. Provides that where fossil and renewable fuels are co fired in the same generating unit, the unit shall be considered to produce renewable electricity in direct proportion to the percentage of the total heat value represented by the heat value of the renewable fuels. Further redefines renewable energy to include seawater air conditioning district cooling system, solar air conditioning and ice storage, quantifiable energy conservation measures, use of rejected heat from co generation and combined heat and power systems excluding fossil fueled qualifying facilities that sell electricity to electric utility companies, and central station power projects. Provides that electric utility companies shall meet a renewable portfolio standard of 10 per cent of its electricity sales by December 31, 2010, 15 per cent of its net electricity sales by December 31, 2015, and 20 per cent by December 31, 2020. -- SB2474 HD2

Committee Reports: SSCR 2320 (ENE) SSCR 2802 (CPH) - filed FLOOR AMENDMENT 6 HSCR 857-04 (EEP) HSCR 1283-04 (CPC)

Current Status: May=06 04 Passed Legislature

Section Affected: 269- (2 SECTIONS), 269-27.2, 269-91, 269-92

SB2525 HD1 CD1 (CCR 8-04)

RELATING TO STATE FUNDS.

Introduced by: Taniguchi B (586-6460)

Establishes provisions relating to the compliance and regulatory education special fund, to be administered by the director of commerce and consumer affairs. -- Provides that fees collected by the licensing authority and the professional and vocational licensing division shall be deposited into the compliance and regulatory education special fund. Provides that the fund shall be used for any activity related to licensing compliance and regulatory education. Requires the director to report to the legislature and governor monthly. Appropriation into the compliance and regulatory education special fund. (\$\$) -- SB2525 CD1

Committee Reports: SSCR 2163 (WAM) HSCR 1039-04 (FIN) CCR 8-04

Current Status: Apr-27 04 Vetoed

Section Affected: 436B- (1 SECTION), 26-9, 92-24, 241-7, 269-33, 412:2-105, 412:2-109, 412:2-315, 412:2-611, 414D-5, 431:2-203, 431:2-215, 431:2-216, 431:2-306, 431:2-307.5, 431:3-221, 431:3-306.5, 431:7-101, 431:7-203, 431:9-238, 431:9A-126, 431:10C-215, 431:11-111, 431:15-334, 431:15-335, 431:19-101.8, 432E-11, 436B-14, 436B-15, 436B-20, 436B-26.5, 437-7, 437-23, 437D-8.4, 438-11, 439-14, 440-13, 440G-15, 442-18, 443B-3.5, 444-10.5, 444-15, 444-23.5, 447-1, 449-14, 452-17, 454-3, 466-8, 467-11, 467-30, 468L-27, 482-2, 482-36, 514A-44

SB2528 SD1 HD1 CD1 (CCR 149-04) RELATING TO INSURANCE.

Introduced by: Taniguchi B (586-6460), Chun Oakland S

Amends provisions relating to the loss mitigation grant program standards for the award of grants. Reduces the amount of the grant awarded for the installation of wind resistive devices and repeals reimbursement of a percentage of the inspection cost as part of the award. Appropriation to the department of commerce and consumer affairs for the program. -- Requires the department of commerce and consumer affairs to report to the legislature an outline of a plan to mitigate the future impact of a tropic storm or hurricane on the public's safety, the insurance markets, and the economy; address how the Hawaii hurricane relief fund will be used to mitigate future damage from tropical storms and

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hurricanes; and list each insurer that offers wind damage coverage and the approaches that each insurer is taking towards hazard mitigation. (\$\$) -- SB2528 CD1
Committee Reports: SSCR 2024 (CPH) SSCR 2662 (WAM) HSCR 1036-04 (FIN)
CCR 149-04
Current Status: May-03 04 Passed Legislature
Section Affected: 431:22-104

SB2529 HD1 CD1 (CCR 103-04) RELATING TO SECURITIES FOR THE PROTECTION OF PUBLIC FUNDS.
Introduced by: Taniguchi B (586-6460)
Amends provisions relating to securities for protection of funds deposited. Requires the protection of funds deposited by the director to be held therein for safekeeping subject to the order of the director, notwithstanding certificates of deposit issued through the Certificate of Deposit Account Registry Service in an amount at least equal in their market value, but not to exceed their par value, to the amount of the deposit with the depository. -- SB2529 CD1
Committee Reports: SSCR 2166 (WAM) HSCR 864-04 (FIN) CCR 103-04
Current Status: May-03 04 Passed Legislature
Section Affected: 38-3

SB2538 SD1 HD1 CD1 (CCR 70-04) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR IOLANI SCHOOL.
Introduced by: Taniguchi B (586-6460)
Authorizes the issuance of special purpose revenue bonds to assist Iolani school, a Hawaii nonprofit corporation, to finance and refinance the planning, construction, and improvements of its educational facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB2538 CD1
Committee Reports: SSCR 2445 (EDU) SSCR 2771 (WAM) HSCR 950-04 (EDN)
HSCR 1208-04 (FIN) CCR 70-04
Current Status: May-03 04 Passed Legislature

SB2550 HD1 CD1 (CCR 146-04) MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS.
Introduced by: Taniguchi B (586-6460)
Appropriation to the director of finance for salary increases and other cost adjustments 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. (\$\$) -- SB2550 CD1
Committee Reports: SSCR 2139 (LBR) SSCR 2681 (WAM) HSCR 1134-04 (FIN)
CCR 146-04
Current Status: May-03 04 Passed Legislature

SB2551 HD1 CD1 (CCR 147-04) MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS.
Introduced by: Taniguchi B (586-6460)
Appropriation to the director of finance for salary increases and other cost adjustments 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. (\$\$) -- SB2551 CD1
Committee Reports: SSCR 2193 (LBR) SSCR 2682 (WAM) HSCR 1137-04 (FIN)
CCR 147-04
Current Status: May=06 04 Passed Legislature

SB2556 HD1 CD2 (SENATE FLOOR AMENDMENT 15 OR HOUSE FLOOR AMENDMENT 19) RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS.
Introduced by: Taniguchi B (586-6460)
Appropriation to respective heads of the legislative agencies for salary increases and other cost adjustments for the State ethics commission, office of the auditor, office of the legislative reference bureau, and office of the ombudsman, for officers and employees of these agencies excluded from collective bargaining. (\$\$) -- SB2556 CD2
Committee Reports: SSCR 2195 (LBR) SSCR 2685 (WAM) HSCR 1135-04 (FIN)
CCR 148-04 - filed SENATE FLOOR AMENDMENT 15 HOUSE FLOOR AMENDMENT 19
Current Status: May-06 04 Passed Legislature

SB2577 SD1 HD2 (HSCR 1284-04) RELATING TO PEER REVIEW.

SENATE BILLS WHICH PASSED THE LEGISLATURE

Introduced by: Baker R (586-6070), Inouye L

Amends provisions relating to proceedings and records of peer review committees and quality assurance committees. Redefines quality assurance committee to include an interdisciplinary committee established by the board of trustees or administrative staff of a long term care facility, home care agency, or hospice, whose function is to monitor and evaluate patient care and to identify, study, and correct deficiencies in the health care delivery system to reduce the risk of harm to patients and improve patient safety or otherwise improve the quality of care delivered to patients, and to convene meetings for the presentation and critique of cases for educational purposes. Provides that information and data relating to a medical error reporting system that is compiled and submitted by a medical provider to a health care review organization for a peer review committee or hospital quality insurance committee, shall not be subject to discovery. -- SB2577 HD2

Committee Reports: SSCR 2387 (HTH) SSCR 2794 (JHW) HSCR 934-04 (HLT)
HSCR 1284-04 (JUD/ CPC/)

Current Status: Apr-19 04 Received by the Governor
May-05 04 Approved by Governor (Act 54 2004)

Section Affected: 624-25.5

SB2586 SD2 HD2 CD1 (CCR 23-04)

RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING.

Introduced by: Baker R (586-6070), English J, Hooser G, Tsutsui S, Kokubun R
Amends provisions relating to dental hygienists and dentistry. Provides that the board of dental examiners may issue, without examination, a community service license to practice dental hygiene or dentistry in the employment of a federally qualified health center, native Hawaiian health care system, or post secondary dental auxiliary training program accredited by the American Dental Association Commission on Dental Accreditation. Act to be repealed on July 1, 2009 (sunset). -- SB2586 CD1

Committee Reports: SSCR 2388 (HTH) SSCR 2630 (CPH) HSCR 923-04 (HLT)
HSCR 1189-04 (CPC) CCR 23-04

Current Status: Apr=30 04 Passed Legislature
Section Affected: 447- (1 SECTION), 448- (1 SECTION), 448-9, 448-9.5

SB2589 SD1 (SSCR 2565)

RELATING TO HEALTH INSURANCE.

Introduced by: Baker R (586-6070)

Amends provisions relating to the patients' bill of rights and responsibilities Act. Increases the days that a managed care plan has to send notice of its final internal determination of a complaint from 45 days to 60 days. -- SB2589 SD1

Committee Reports: SSCR 2009 (HTH) SSCR 2565 (CPH) HSCR 931-04 (HLT)
HSCR 1170-04 (CPC)

Current Status: Apr-14 04 Received by the Governor
Apr-29 04 Approved by Governor (Act 27 2004)

Section Affected: 432E-5, 432E-6.5

SB2595 SD2 HD2 CD1 (CCR 150-04)

RELATING TO PROFESSIONAL COUNSELORS.

Introduced by: Baker R (586-6070), Menor R

Establishes mental health 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 mental health 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 engaging in the practice of mental health counseling and the improper use of the title licensed mental health counselor or mental health counselor. 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 mental health counselor. Allows license to be valid for 3 years and be renewed triennially. Authorizes the department to appoint an administrative assistant and secretary, exempt from civil service, to assist with the activities of the mental health counselors licensing program. Provides that a professional or vocational regulatory program enacted after January 1, 1994, shall be repealed on December 31, 2008 (sunset). Further provides that the legislative auditor shall perform an evaluation of the program prior to its repeal date. Upon the issuance of a new license and at each renewal, each licensed professional counselor shall pay an additional 75 dollars which shall be maintained in a separate account within the compliance resolution fund. Requires moneys to be transferred to the general fund at the end of each quarter until the amount equals to the amount appropriated for the program. Appropriation. (\$\$) --

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- SB2595 CD1
Committee Reports: SSCR 2340 (CPH) SSCR 2663 (WAM) HSCR 897-04 (HLT)
HSCR 1231-04 (FIN) CCR 150-04
Current Status: May-03 04 Passed Legislature
Section Affected: (14 SECTIONS) MENTAL HEALTH COUNSELORS, 26H-4
- SB2606 SD1 HD2 CD1 (CCR 63-04) RELATING TO BREWPUB LICENSES.
Introduced by: Baker R (586-6070), English J, Tsutsui S, Espero W
Amends provision relating to intoxicating liquor class 14 (brewpub) license. Allows the sale of malt beverages manufactured on the premises for consumption off premises. -- SB2606 CD1
Committee Reports: SSCR 2470 (ECD/ CPH/) SSCR 2580 (JHW) HSCR 827-04 (EDB) HSCR 1197-04 (JUD) CCR 63-04
Current Status: May-03 04 Passed Legislature
Section Affected: 281-31
- SB2608 SD1 HD1 CD1 (CCR 25-04) RELATING TO CRITICAL ACCESS HOSPITALS.
Introduced by: Baker R (BR) (586-6070)
Amends Act 226, session laws of 2000, relating to critical access hospitals by repealing the sunset date. -- SB2608 CD1
Committee Reports: SSCR 2174 (HMS/ HTH/) SSCR 2740 (WAM) HSCR 937-04 (HLT/ HSH/) HSCR 1119-04 (FIN) CCR 25-04
Current Status: Apr=30 04 Passed Legislature
Section Affected: ACT 226 2000, 346-1, 346-59, 346D-1, 346D-1.5
- SB2647 SD1 (SSCR 2605) RELATING TO CORRECTIONS.
Introduced by: Chun Oakland S (586-6130)
Amends provision relating to Hawaii paroling authority; appointment; tenure; and qualifications. Replaces the Hawaii correctional association with Hawaii criminal justice association and Hawaii council of churches with interfaith alliance Hawaii on the nominating panel of the Hawaii paroling authority. -- SB2647 SD1
Committee Reports: SSCR 2605 (JHW) HSCR 905-04 (PSM) HSCR 1173-04 (JUD)
Current Status: Apr-14 04 Received by the Governor
Apr-29 04 Approved by Governor (Act 24 2004)
Section Affected: 353-61
- SB2671 SD1 HD1 CD1 (CCR 71-04) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR THE CONGREGATION OF CHRISTIAN BROTHERS, INC. DBA DAMIEN MEMORIAL HIGH SCHOOL.
Introduced by: Chun Oakland S (586-6130)
Authorizes the issuance of special purpose revenue bonds to assist the Congregation of Christian Brothers, Inc., dba Damien Memorial high school, a Hawaii corporation, 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. (\$\$) -- SB2671 CD1
Committee Reports: SSCR 2446 (EDU) SSCR 2773 (WAM) HSCR 951-04 (EDN) HSCR 1209-04 (FIN) CCR 71-04
Current Status: May-03 04 Passed Legislature
- SB2690 SD2 HD2 CD1 (CCR 98-04) RELATING TO EMERGENCY MEDICAL SERVICES.
Introduced by: Baker R (586-6070), English J, Tsutsui S
Establishes the emergency medical services special fund to be administered by the department of health for operating a state comprehensive emergency medical services system including enhanced and expanded services. Annual report to the legislature. Amends provision relating to state motor vehicle registration fee. Increases the fee to 25 dollars and provides that 20 dollars shall be deposited into the state highway fund and 5 dollars into the emergency medical services special fund. -- Appropriation to be deposited into the emergency medical services special fund. Appropriation out of the emergency medical services special fund to the department of health for an additional ambulance to serve the residents of and visitors of the leeward coast, including Makakilo; to upgrade the rapid response unit in urban Honolulu to a 24 / 7 advance life support unit; to establish a 16 hour, 7 day rapid response unit in the Kahaluu Kaawa area; to provide sufficient 24 hour advanced life support ambulance services for the Kihei / Wailea region of Maui; to staff the ambulance at Hawaiian Ocean View Estates, including operating expenses for supplies, equipment, and vehicle maintenance; and for development and training instructor for Kauai, video conference system to connect

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Kauai, Maui, and Hawaii with EMS Instruction on Oahu, and paramedic training equipment for Kauai, Maui, and Hawaii. Requires the department of health to deposit into the general fund 2,205,000 dollars from moneys in the emergency medical services special fund no later than June 30, 2006. (\$\$) -- SB2690 CD1

Committee Reports: SSCR 2377 (HTH) SSCR 2849 (WAM) HSCR 920-04 (HLT)
HSCR 1278-04 (FIN) CCR 98-04

Current Status: May-07 04 Received by the Governor

Section Affected: 321- (1 SECTION), 249-31

SB2704 HD1 CD1 (CCR 51-04)

RELATING TO MANDATORY SELLER DISCLOSURES.

Introduced by: Espero W (586-6360)

Establishes provisions relating to release or waiver of construction defect. Provides that any release from or waiver of liability by a seller to any government agency is a material fact that shall be contained in a disclosure statement. -- SB2704 CD1

Committee Reports: SSCR 2224 (CPH) SSCR 2796 (JHW) HSCR 1059-04 (CPC)
CCR 51-04

Current Status: May-03 04 Passed Legislature

Section Affected: 508D- (1 SECTION), 508D-1

SB2716 SD1 HD2 CD1 (CCR 69-04)

RELATING TO EDUCATION.

Introduced by: Chun Oakland S (586-6130)

Establishes the higher education statutory analysis interim study group to be co chaired by the chairs of the house committee on higher education and the senate committee on education. Provides that the study group shall examine statutes relating to higher education and the university of Hawaii. Report to the legislature. Requires the legislative reference bureau to provide technical assistance to the study group. -- SB2716 CD1

Committee Reports: SSCR 2558 (EDU) HSCR 855-04 (HED) HSCR 1282-04 (LMG)
CCR 69-04

Current Status: May-03 04 Passed Legislature

SB2748 SD1 HD2 CD1 (CCR 30-04)

RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS.

Introduced by: Bunda R (BR) (586-6090)

Amends Act 205, session laws of 1995, as amended by Act 7, session laws of 1996, as amended by Act 152, session laws of 1998, as amended by Act 116, session laws of 2001, relating to drug demand reduction assessments special fund. Provides that any person who is convicted of an offense related to drugs and intoxicating compounds, negligent homicide in the 1st degree, felony or misdemeanor offenses involving substance abuse, consuming or possessing intoxicating liquor while operating or a passenger in a motor vehicle, storage of opened containers containing intoxicating liquor, or consumption of intoxicating liquor at a scenic lookout shall pay a monetary assessment. Provides that if the person undergoes a substance abuse treatment program at the person's expense, the court may waive or reduce the amount of the monetary assessment. Provides that upon a showing by the defendant that the defendant is or will be unable to pay the monetary assessment during the period of the defendant's sentence, the court may decline to order the defendant to pay the monetary assessment. Repeals the sunset date. -- SB2748 CD1

Committee Reports: SSCR 2213 (JHW) SSCR 2645 (WAM) HSCR 874-04 (JUD)
HSCR 1245-04 (FIN) CCR 30-04

Current Status: Apr-30 04 Passed Legislature

Section Affected: ACT 205 1995, ACT 7 1996, ACT 152 1998, ACT 116 2001

SB2782 SD1 HD1 CD1 (CCR 47-04)

RELATING TO THE FUNDING OF A HABITAT CONSERVATION PLAN.

Introduced by: Inouye L (586-7335), Aduja M, English J, Espero W

Amends provisions relating to endangered species and threatened species. Requires the applicant for a temporary license as part of a habitat conservation plan to post a bond, provide an irrevocable letter of credit, insurance, surety bond, or provide other similar financial tools including depositing a sum of money in the endangered species trust fund or provide other means approved by the board of land and natural resources, adequate to ensure monitoring of the species by the State and to assure that the applicant takes all actions necessary to minimize and mitigate the impacts of the take. -- Changes endangered species special fund to endangered species trust fund. Adds that the fund includes moneys deposited to implement the obligations of a habitat conservation plan or as security for habitat conservation plan funding. -- SB2782 CD1

Committee Reports: SSCR 2552 (WLA/ ENE/) HSCR 947-04 (WLH/ EEP/) HSCR
1279-04 (FIN) CCR 47-04

SENATE BILLS WHICH PASSED THE LEGISLATURE

- Current Status: Apr-30 04 Passed Legislature
Section Affected: 195D-4, 195D-31
- SB2790 SD1 HD1 CD1 (CCR 72-04) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HALEAKALA WALDORF SCHOOL.
Introduced by: English J (587-7225)
Authorizes the issuance of special purpose revenue bonds to assist Haleakala Waldorf school, a Hawaii corporation, 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. (\$\$) -- SB2790 CD1
Committee Reports: SSCR 2449 (EDU) SSCR 2774 (WAM) HSCR 952-04 (EDN) HSCR 1210-04 (FIN) CCR 72-04
Current Status: May-03 04 Passed Legislature
- SB2791 SD1 HD1 CD1 (CCR 73-04) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MONTESSORI SCHOOL OF MAUI, INC.
Introduced by: English J (587-7225)
Authorizes the issuance of special purpose revenue bonds to assist Montessori School of Maui, Inc., a Hawaii corporation, 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. (\$\$) -- SB2791 CD1
Committee Reports: SSCR 2450 (EDU) SSCR 2775 (WAM) HSCR 953-04 (EDN) HSCR 1211-04 (FIN) CCR 73-04
Current Status: May-03 04 Passed Legislature
- SB2815 RELATING TO MILK CONTROL.
Introduced by: Bunda R (BR) (586-6090)
Amends provision relating to order fixing minimum price. Repeals an order establishing minimum prices or salvage values for milk, or both, to be subject to approval by the governor prior to the order taking effect. -- SB2815
Committee Reports: SSCR 2511 (WLA) HSCR 1086-04 (AGR)
Current Status: Apr-08 04 Received by the Governor
Apr-28 04 Approved by Governor (Act 20 2004)
Section Affected: 157-33
- SB2820 RELATING TO AGRICULTURAL LANDS.
Introduced by: Bunda R (BR) (586-6090)
Amends provisions relating to the transfer and management of non agricultural parks land to the department of agriculture. Repeals the requirement that the parcel be geographically adjacent. Requires qualified and encumbered non agricultural parks lands transferred to and managed by the department to not have the respective length of term of the lease or rents reduced over the remaining fixed term of the applicable encumbrances. -- SB2820
Committee Reports: SSCR 2121 (WLA) SSCR 2718 (WAM) HSCR 940-04 (WLH/AGR/) HSCR 1178-04 (FIN)
Current Status: Apr-14 04 Received by the Governor
Apr-29 04 Approved by Governor (Act 25 2004)
Section Affected: 166E-3, 166E-5
- SB2834 SD2 HD2 CD1 (CCR 55-04) MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.
Introduced by: Bunda R (BR) (586-6090)
Appropriation to the department of the attorney general; out of the harbor special fund and the highway special fund for department of transportation; from the school based budget (EDN 100) by the department of education; from the boating special fund (LNR 801) by the department of land and natural resources; from the tourism special fund (BED 113TO) by the Hawaii tourism authority; and to the State, Hawaii health systems corporation, and the judiciary 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. (\$\$) -- SB2834 CD1
Committee Reports: SSCR 2214 (JHW) SSCR 2648 (WAM) HSCR 875-04 (JUD) HSCR 1265-04 (FIN) CCR 55-04
Current Status: May-03 04 Passed Legislature

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB2839 SD2 HD2 CD1 (CCR 62-04) RELATING TO SOLICITATION OF FUNDS FOR CHARITABLE PURPOSES.
Introduced by: Bunda R (BR) (586-6090)
Amends provisions relating to solicitation of funds from the public. Establishes provisions relating to professional solicitor financial reports; contribution account, administrative enforcement and penalties, solicitation of funds for charitable purposes fund, and written contracts filed with the attorney general. Redefines department to mean department of the attorney general instead of the department of commerce and consumer affairs. Provides that all rights, powers, functions, and duties of the department of commerce and consumer affairs are transferred to the department of the attorney general. -- SB2839 CD1
Committee Reports: SSCR 2345 (CPH/ JHW/) SSCR 2664 (WAM) HSCR 798-04 (CPC/ JUD/) HSCR 1266-04 (FIN) CCR 62-04
Current Status: May-03 04 Passed Legislature
Section Affected: 467B- (4 SECTIONS), 36-27, 467B-1, 467B-3, 467B-5, 467B-5.5, 467B-8, 467B-9, 467B-9.5, 467B-9.6, 467B-10, 467B-12, 467B-13, 467B-6
- SB2840 SD2 HD2 CD1 (CCR 31-04) RELATING TO TOBACCO.
Introduced by: Bunda R (BR) (586-6090)
Establishes provisions relating to the unlawful shipment of cigarettes. Provides that a person commits the offense of unlawful shipment of cigarettes if the person is engaged in the business of selling cigarettes and ships or causes to be shipped any cigarettes to a person that is not licensed, not an export warehouse proprietor or an operator of a custom bonded warehouse, or ships cigarettes in any container or wrapping other than the cigarettes manufacturer's original container or wrapping. Establishes penalties. Redefines sale to include any sale or act of selling that originates from any order that is placed or submitted by means of a telephonic or other method of voice transmission, the mail or other delivery service, or the internet or other online service. Provides that any cigarette, package of cigarette, carton of cigarettes, or container of cigarettes unlawfully possessed, kept, stored, acquired, transported, sold, imported, offered, received, or distributed may be seized and confiscated by the attorney general. -- Establishes provisions relating to limitation on bond requirements in litigation involving master settlement agreement signatories, successors, and affiliates. Provides that in a civil litigation under any legal theory involving a signatory, a successor of a signatory, or an affiliate of a signatory to the tobacco master settlement agreement, the supersedeas bond to be furnished in order to stay the execution of the judgment during the course of appellate review shall be set in accordance with applicable laws or court rules. Limits the total bond of all appellants collectively to not exceed 150 million dollars. -- SB2840 CD1
Committee Reports: SSCR 2216 (JHW) SSCR 2649 (WAM) HSCR 1008-04 (JUD) HSCR 1201-04 (FIN) CCR 31-04
Current Status: Apr-30 04 Passed Legislature
Section Affected: 245- (1 SECTION), 245-1, 245-40, 245-62, 328L- (1 SECTION)
- SB2842 SD1 HD4 (FLOOR AMENDMENT 16) RELATING TO CHAPTER 846E, HAWAII REVISED STATUTES.
Introduced by: Bunda R (BR) (586-6090)
Amends provisions relating to sex offender registration and notification. Provides that sex offenders shall register with the attorney general and the county police chief where the offender resides for life. Provides that the offender take a new photograph every 5 years for the county police chief. Requires the judicial council to establish a task force to engage in a comprehensive review of public access to information regarding persons convicted of sexual offenses. Report to the legislature. -- SB2842 HD4
Committee Reports: SSCR 2607 (JHW) HSCR 819-04 (PSM) HSCR 987-04 (JUD) HSCR 1260-04 (FIN) FLOOR AMENDMENT 16
Current Status: Apr-27 04 Received by the Governor
Section Affected: 846E-1, 846E-2, 846E-3, 846E-6, 846E-9
- SB2843 SD1 HD2 (FLOOR AMENDMENT 17) PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII.
Introduced by: Bunda R (BR) (586-6090)
Proposes to amend the constitution. Establish provisions relating to public access to information concerning persons convicted of certain offenses against children and certain sexual offenses. Provides that the public has a right of access to registration information regarding persons convicted of certain offenses against children and persons convicted of certain sexual offenses. Provides that the legislature shall determine which offenses are subject to this provision, what information constitutes

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registration information to which the public has a right of access, the manner of public access to the registration information and a period of time after which and conditions pursuant to which a convicted person may petition for termination of public access. -- SB2843 HD2

Committee Reports: SSCR 2612 (JHW) HSCR 821-04 (PSM) HSCR 1296-04 (JUD) FLOOR AMENDMENT 17

Current Status: Apr-27 04 Received by the Governor

Section Affected: ART I (1 SECTION) PUBLIC ACCESS TO INFORMATION CONCERNING PERSONS CONVICTED OF CERTAIN OFFENSES AGAINST CHILDREN AND CERTAIN SEXUAL OFFENSES

SB2844 SD1 HD1 (HSCR 902-04)

RELATING TO CRIME.

Introduced by: Bunda R (BR) (586-6090)

Amends provisions relating to sentencing. Provides that a person who within 5 years of the instant offense, has been convicted of 3 felonies, 3 misdemeanors, or any combination of 3 felonies and misdemeanors that occurred on separate dates and for separate incidents is guilty of the class C felony of habitual property crime. -- SB2844 HD1

Committee Reports: SSCR 2616 (JHW) HSCR 902-04 (JUD)

Current Status: Apr-19 04 Received by the Governor

May-04 04 Approved by Governor (Act 49 2004)

Section Affected: 708- (1 SECTION) HABITUAL PROPERTY CRIME

SB2846 SD1 HD2 (FLOOR AMENDMENT 15)

PROPOSING AMENDMENTS TO ARTICLE I, SECTION 14, OF THE HAWAII CONSTITUTION.

Introduced by: Bunda R (BR) (586-6090)

Proposes to amend the constitution. Amends the rights of accused law. Provides that the legislature may provide by law for the inadmissibility of privileged confidential communications between an alleged crime victim and the alleged crime victim's physician, psychologist, counselor or licensed mental health professional. -- SB2846 HD2

Committee Reports: SSCR 2608 (JHW) HSCR 1149-04 (JUD) FLOOR AMENDMENT 15

Current Status: Apr-27 04 Received by the Governor

Section Affected: ART I S14

SB2851 SD1 (SSCR 2617)

PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII.

Introduced by: Bunda R (BR) (586-6090)

Proposes to amend the constitution. Amends provisions relating to indictment; preliminary hearing; information; double jeopardy; self incrimination. Provides that no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury or upon a finding of probable cause after a preliminary hearing held as provided by law, or upon information on writing signed by a legal prosecuting officer under conditions and in accordance with procedures that the legislature may provide. -- SB2851 SD1

Committee Reports: SSCR 2617 (JHW) HSCR 1035-04 (JUD)

Current Status: Apr-08 04 Received by the Governor

Section Affected: ART I S10

SB2861 SD1 HD2 CD1 (CCR 32-04)

RELATING TO CRIMINAL PROCEDURE.

Introduced by: Bunda R (BR) (586-6090)

Establishes provision relating to information charging. Provides that criminal charges may be instituted by written information signed by a legal prosecuting officer for certain offenses. Provides that the legal prosecuting officer shall attach exhibits demonstrating probable cause. Further provides that the court shall review the information to determine if there is probable cause to determine if the defendant committed the offense or offenses charged. Provides that the defendant may move to dismiss the information on the grounds that the information and its attachments do not demonstrate the existence of probable cause. Provides that the prosecuting attorney of each county shall maintain a record of all cases received and prosecuted by way of information and report to the legislature. -- SB2861 CD1

Committee Reports: SSCR 2620 (JHW) HSCR 1011-04 (JUD) HSCR 1251-04 (FIN) CCR 32-04

Current Status: May-04 04 Received by the Governor

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- Section Affected: 806- (8 SECTIONS) INFORMATION CHARGING, 641-13, 806-6
- SB2869 SD2 HD1 (HSCR 1227-04) RELATING TO THE MAINTENANCE OF PROPERTIES WITHIN THE KALAELOA COMMUNITY DEVELOPMENT DISTRICT.
Introduced by: Bunda R (BR) (586-6090)
Establishes provisions relating to the Kalaeloa community development district. Authorizes the Hawaii community development authority to receive and process district related complaints, conduct research, monitor and report it's findings. Requires the authority to provide notice to complainant and landowner and consult with the landowner. Authorizes the authority to present its opinion and recommendations. Requires the authority to submit a quarterly report to the landowner. -- SB2869 HD1
Committee Reports: SSCR 2410 (WLA/ ECD/) SSCR 2719 (WAM) HSCR 789-04 (EDB) HSCR 979-04 (WLH) HSCR 1227-04 (FIN)
Current Status: Apr=30 04 Passed Legislature
Section Affected: 206E- (6 SECTIONS) PROCEDURE
- SB2873 SD1 HD2 CD1 (CCR 120-04) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Bunda R (BR) (586-6090)
Amends provisions relating to actuarial investigations. Provides that commencing with fiscal year 2005 - 2006 and each subsequent fiscal year, the employer contributions for normal cost and accrued liability for each of the 2 groups of employees shall be based on 15.75 per cent of the member's compensation for police officers, firefighters, and corrections officers and 13.75 per cent of the member's compensation for all other employees. -- Requires that commencing with the 2006 calendar year and every subsequent calendar year, the board of trustees of the public employees' retirement system will by October 2 in every calendar year, certify to the governor the actual amount owed by the State under this part for the just completed fiscal year ended June 30. Amends Act 212, session laws of 1994, as amended by Act 216, session laws of 2000. -- SB2873 CD1
Committee Reports: SSCR 2198 (LBR) SSCR 2690 (WAM) HSCR 957-04 (LAB) HSCR 1261-04 (FIN) CCR 120-04
Current Status: May-03 04 Passed Legislature
Section Affected: 88-105, 88-122, 88-123, 88-124, 88-125, 88-126, 88-127, ACT 212 1994, ACT 216 2000
- SB2878 SD2 HD2 CD1 (CCR 121-04) RELATING TO THE FEDERAL TAX LIMIT ON COMPENSATION APPLICABLE TO THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Bunda R (BR) (586-6090)
Establishes provisions relating to federal tax limits on annual compensation. Requires any member who accrued public employees retirement system benefits prior to July 1, 2004 to receive a non tax qualified pension benefit equal to the difference between the pension benefit that would be payable at the earliest age the member could retire with an unreduced benefit, based on the member's years of credited service and the member's average final compensation as of June 30, 2004, without regard to the limit and the tax qualified pension benefit that would be payable at the earliest age the member could retire with an unreduced benefit, based on the member's years of credited service as of June 30, 2004, and the member's average final compensation as of the earliest age the member could retire with an unreduced benefit or upon the member's termination of service, if earlier. The non tax qualified benefit shall be determined and paid in a single lump sum within the time required to meet federal tax withholding and reporting obligations for the 1st year the benefit is taxable. -- Provides that federal tax limits on annual compensation shall take effect retroactive to July 1, 1996. Appropriation. (\$\$) -- SB2878 CD1
Committee Reports: SSCR 2142 (LBR) SSCR 2691 (WAM) HSCR 964-04 (LAB) HSCR 1267-04 (FIN) CCR 121-04
Current Status: May-03 04 Passed Legislature
Section Affected: 88- (1 SECTION) FEDERAL TAX LIMITS ON ANNUAL COMPENSATION
- SB2879 SD2 HD2 CD1 (CCR 122-04) RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Bunda R (BR) (586-6090)
Establish provisions relating to federal tax qualification requirements. Requires the public employees' retirement system to be administered in accordance with the requirements of the Federal Internal Revenue Code. -- SB2879 CD1
Committee Reports: SSCR 2143 (LBR) SSCR 2692 (WAM) HSCR 958-04 (LAB)

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- HSCR 1268-04 (FIN) CCR 122-04
Current Status: May-03 04 Passed Legislature
Section Affected: 88- (1 SECTION), 88-21.5, 88-21
- SB2882 SD1 HD1 (HSCR 1077-04) RELATING TO ALIEN INSURERS.
Introduced by: Bunda R (BR) (586-6090)
Establishes provisions relating to state of entry for alien insurers. Authorizes an alien insurer to use this State as an entry to transact insurance in the US through a US branch by qualifying for a state license and establishing trust account and meeting the requirements of the insurance commissioner. -- SB2882 HD1
Committee Reports: SSCR 2539 (CPH) HSCR 1077-04 (CPC)
Current Status: Apr=30 04 Passed Legislature
Section Affected: 431: - (8 SECTIONS) STATE OF ENTRY FOR ALIEN INSURERS
- SB2887 SD2 HD2 CD1 (CCR 61-04) RELATING TO INTERSTATE INSURANCE COMPACT.
Introduced by: Bunda R (BR) (586-6090)
Establishes provisions relating to interstate insurance product regulation compact. Establishes the interstate insurance product regulation commission to adopt rules which shall be binding in the compacting states and to promote and protect the interest of consumers of individual and group annuity, life insurance, along term care, and disability income products. Requires the governor with the advice and consent of the senate to appoint the member of the commission to represent the State. Establishes a legislative committee to monitor the operation of and make recommendations to the commission. Annual report to the legislature and the governor. -- SB2887 CD1
Committee Reports: SSCR 2392 (CPH) SSCR 2856 (WAM) HSCR 924-04 (CPC) HSCR 1292-04 (FIN) CCR 61-04
Current Status: May-03 04 Passed Legislature
Section Affected: 431: - (24 SECTIONS) INTERSTATE INSURANCE PRODUCT REGULATION COMPACT, 431:2- (1 SECTION)
- SB2895 SD1 HD1 (HSCR 955-04) RELATING TO PEST CONTROL.
Introduced by: Bunda R (BR) (586-6090)
Amends provisions relating to pest control operators. Establishes requirements to maintain license. Changes the director of commerce and consumer affairs to pest control board. -- SB2895 HD1
Committee Reports: SSCR 2330 (LBR) SSCR 2572 (CPH) HSCR 955-04 (LAB) HSCR 1172-04 (CPC)
Current Status: May=06 04 Passed Legislature
Section Affected: 460J- (1 SECTION), 460J-3, 460J-15, 460J-25
- SB2897 SD2 HD2 (HSCR 1188-04) RELATING TO THE DENTAL EXAMINATION.
Introduced by: Bunda R (BR) (586-6090)
Amends provision relating to dental examiners and dental hygienists. Provides that in the event the board of dental examiners is unable to administer an examination, a qualified applicant for the canceled board examination who has passed a regional or state examination satisfactory to the board within 1 year prior to the canceled board examination or who takes and passes a regional or state examination satisfactory to the board prior to the board's next administered examination shall meet the board's examination requirement. Repeals provision relating to application for examination of graduates of foreign dental schools not accredited by the American Dental Association. -- SB2897 HD2
Committee Reports: SSCR 2313 (HTH) SSCR 2805 (CPH) HSCR 932-04 (HLT) HSCR 1188-04 (CPC)
Current Status: Apr-22 04 Received by the Governor
Section Affected: 447-1, 448-9, 448-9.5, 448-10
- SB2899 SD2 HD1 (HSCR 942-04) RELATING TO NURSES.
Introduced by: Bunda R (BR) (586-6090)
Amends provisions relating to nurses. Provides that applicants who have graduated from a practical nursing program at an educational institution in a foreign jurisdiction and are applying for a license to practice as a licensed practical nurse by examination shall submit to the board of nursing proof of eligibility. Provides that applicants shall be eligible to apply for a license by examination if they have met the educational requirements prescribed by the board and have had their transcripts evaluated by professional evaluators designated by the board. Further provides that a nurse who has

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not actively practiced in this State or any other state in the US or any other territory or possession under the jurisdiction of the US for more than 5 years shall be required by the board to submit proof of continued competency by retaking and passing the licensing examination. Amends Act 192 session laws of 2002, as amended by Act 3, session laws of 2003, relating to prescriptive authority for advanced practice registered nurses. Repeals the sunset date. Report to legislature. -- SB2899 HD1

Committee Reports: SSCR 2379 (HTH) SSCR 2567 (CPH) HSCR 942-04 (HLT)
HSCR 1113-04 (CPC)

Current Status: Apr=28 04 Passed Legislature

Section Affected: 457-1, 457-7, 457-8, 457-8.5, 457-8.6, 457-9, 457-11, ACT 192
2002, ACT 3 2003

SB2902 SD2 (SSCR 2571)

RELATING TO TELEMARKETING.

Introduced by: Bunda R (BR) (586-6090)

Amends provisions relating to unfair or deceptive acts or practices prohibited. Provides that it is an unfair or deceptive act or practice and a violation for any seller or telephone solicitor to call to a telephone number that is listed on the national do not call registry administered by the Federal Trade Commission and the Federal Communications Commission. -- SB2902 SD2

Committee Reports: SSCR 2299 (SAT) SSCR 2571 (CPH) HSCR 1012-04 (CPC)

Current Status: Mar-31 04 Received by the Governor

Apr-19 04 Approved by Governor (Act 8 2004)

Section Affected: 481P-2

SB2905

RELATING TO MEDICAL BOARD DISCIPLINARY ACTION.

Introduced by: Bunda R (BR) (586-6090)

Amends provisions relating to disciplinary action. Provides that the board of medical examiners may impose the sanction of censure or reprimand. -- SB2905

Committee Reports: SSCR 2543 (CPH) HSCR 1112-04 (CPC)

Current Status: Apr-14 04 Received by the Governor

Apr-29 04 Approved by Governor (Act 26 2004)

Section Affected: 453-8.2, 460-14.5

SB2906 SD1 HD2 CD1 (CCR 151-04)

RELATING TO CERTIFICATES OF GOOD STANDING.

Introduced by: Bunda R (BR) (586-6090)

Amends provisions relating to filing of corporate documents; for furnishing certified copies of documents; for service of process; for filing of general partnership document; for limited liability partnership documents; for filing limited partnership documents; for filing and issuance of records for limited liability companies by reducing the fee for good standing certificate. -- SB2906 CD1

Committee Reports: SSCR 2232 (CPH) SSCR 2666 (WAM) HSCR 841-04 (CPC)
HSCR 1252-04 (FIN) CCR 151-04

Current Status: May-03 04 Passed Legislature

Section Affected: 414-13, 414D-5, 425-12, 425-168, 425E-211, 428-1301

SB2908 SD1 HD1 CD1 (CCR 42-04)

RELATING TO BUSINESS REGISTRATION.

Introduced by: Bunda R (BR) (586-6090)

Amends provisions relating to corporations and partnerships. -- SB2908 CD1

Committee Reports: SSCR 2550 (CPH) HSCR 824-04 (EDB) HSCR 1190-04 (CPC)
CCR 42-04

Current Status: May-04 04 Received by the Governor

Section Affected: 414D- (1 SECTION), 414D- (1 SECTION), 421-1, 414-3,
414-125, 414-163, 414-310, 414-311, 414-311.6, 414-315,
414-316, 414-342, 414-384, 414-422, 414D-14, 414D-201,
414D-201.5, 414D-203, 414D-244, 414D-308, 415A-18, 419-7,
419-9, 421-6, 421-21.6, 421-23, 421C-31, 425-101, 425-106,
425-153, 425-158, 425-201, 425-202, 425-204, 425E-102,
425E-210, 425E-905, 425E-907, 425E-1101, 425E-1107,
425E-1109, 425E-1114, 428-101, 428-103, 428-901, 428-901.5,
428-903, 428-905, 428-1002, 482-3, 482-7, 482E-2, 482E-5,
485-1, 485-4, 485-6, 485-14, 421-27, 425-206, 428-907

SB2909 SD1 HD1 CD1 (CCR 52-04)

RELATING TO APPLICATIONS SEEKING GENERAL RATE INCREASES FILED BY PUBLIC UTILITIES HAVING ANNUAL GROSS REVENUES OF LESS THAN \$2,000,000.

Introduced by: Bunda R (BR) (586-6090)

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Amends provisions relating to the regulation of public utility rates and ratemaking procedures. Provides that for public utilities having annual gross revenues of less than 2 million dollars the public utilities commission shall require the filing of a standard form application to be developed by the commission to determine the reasonableness of the proposed rates. -- SB2909 CD1

Committee Reports: SSCR 2551 (CPH) HSCR 780-04 (EDB) HSCR 974-04 (CPC)
HSCR 1214-04 (FIN) CCR 52-04

Current Status: May-03 04 Passed Legislature

Section Affected: 269-16

SB2926 SD1 HD2 CD1 (CCR 58-04)

RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAMS.

Introduced by: Bunda R (BR) (586-6090)

Amends Act 291, session laws of 1980 as amended by Act 304, session laws of 1996, by amending provision relating to issuance of revenue bond; amount authorized. Changes the housing finance to the community development corporation of Hawaii and increases the aggregate limit. -- SB2926 CD1

Committee Reports: SSCR 2237 (CPH) SSCR 2667 (WAM) HSCR 889-04 (HSH)
HSCR 1202-04 (FIN) CCR 58-04

Current Status: May-03 04 Passed Legislature

Section Affected: ACT 291 1980, ACT 304 1996

SB2929 SD1 HD1 CD1 (CCR 26-04)

RELATING TO MEDICAID REIMBURSEMENT.

Introduced by: Bunda R (BR) (586-6090)

Amends provision relating to Medicaid reimbursement equity. Extends the deadline that there be no distinction between hospital based and nonhospital based reimbursement rates for institutionalized long term care under Medicaid from June 30, 2003, to July 1, 2008. Amends Act 226, session laws of 2000, relating to critical access hospitals by repealing the sunset date. -- SB2929 CD1

Committee Reports: SSCR 2399 (HMS/ HTH) SSCR 2743 (WAM) HSCR 884-04
(HSH/ HLT) HSCR 1203-04 (FIN) CCR 26-04

Current Status: Apr=30 04 Passed Legislature

Section Affected: 346D-1.5, ACT 226 2000, 346-1, 346-59, 346D-1

SB2930 SD2 HD1 CD1 (CCR 108-04)

RELATING TO HOME AND COMMUNITY-BASED SERVICES.

Introduced by: Bunda R (BR) (586-6090)

Amends Act 273, session laws of 2001 as amended by Acts 95 and 98, session laws of 2003 relating to home and community based case management agencies and community care foster family homes. Changes community based case management agencies and community care foster family homes to the department of human services or its designee. Requires that any person engaged in providing, coordinating, or monitoring comprehensive services to clients in community care foster family homes or medicaid clients in expanded adult residential care homes, and assisted living facilities to meet the standards of conditions, management and competence set by the department. Requires an applicant for a home and community based case management agency license and operators, employees, and new employees of a home and community based case management agency to be subject to adult abuse perpetrator checks, if the individual has direct contact with the client. Extends the sunset date to June 30, 2006. Report to legislature. -- SB2930 CD1

Committee Reports: SSCR 2400 (HMS/ HTH) SSCR 2744 (WAM) HSCR 885-04
(HSH/ HLT) HSCR 1269-04 (FIN) CCR 108-04

Current Status: May-03 04 Passed Legislature

Section Affected: ACT 273 2001, ACT 95 2003, ACT 98 2003

SB2936 SD2 HD1 CD1 (CCR 106-04)

RELATING TO MEDICAL ASSISTANCE FOR PREGNANT LEGAL IMMIGRANTS.

Introduced by: Bunda R (BR) (586-6090)

Establishes provisions relating to medical assistance for other pregnant women. Provides that the department of human services may provide state funded medical assistance to a pregnant woman 19 years of age or older whose countable family income does not exceed 185 per cent of the federal poverty level for a family of applicable size which includes the expected unborn children. -- SB2936 CD1

Committee Reports: SSCR 2484 (HMS) SSCR 2845 (WAM) HSCR 805-04 (HSH/
HLT) HSCR 1253-04 (FIN) CCR 106-04

Current Status: May-03 04 Passed Legislature

Section Affected: 346- (1 SECTION) MEDICAL ASSISTANCE FOR OTHER
PREGNANT WOMEN

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB2948 SD2 HD1 CD1 (CCR 24-04) RELATING TO PUBLIC HEALTH NURSING SERVICES.
Introduced by: Bunda R (BR) (586-6090)
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 public 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. -- SB2948 CD1
Committee Reports: SSCR 2463 (HTH) SSCR 2730 (WAM) HSCR 882-04 (HLT) HSCR 1228-04 (FIN) CCR 24-04
Current Status: Apr=30 04 Passed Legislature
Section Affected: 321- (1 SECTION) PUBLIC HEALTH NURSING SERVICES PROGRAM
- SB2950 SD1 (SSCR 2380) RELATING TO GENERIC SUBSTITUTION OF PRESCRIPTION DRUG PRODUCTS.
Introduced by: Bunda R (BR) (586-6090)
Amends provisions relating to Hawaii food, drug and cosmetic Act. Defines US food and drug administration approved generic drug product with therapeutic equivalency evaluations means a generic drug product approved for marketing by the US food and drug administration. Gives the drug product selection board responsibility for the compendia of therapeutically equivalent generic drug products to the director of health. -- SB2950 SD1
Committee Reports: SSCR 2380 (HTH) SSCR 2568 (CPH) HSCR 922-04 (HLT) HSCR 1171-04 (CPC)
Current Status: Apr-14 04 Received by the Governor
Apr-29 04 Approved by Governor (Act 28 2004)
Section Affected: 328-1, 328-91, 328-96
- SB2951 SD1 HD1 CD1 (CCR 53-04) RELATING TO RADIOLOGIC TECHNOLOGY.
Introduced by: Bunda R (BR) (586-6090)
Amends provisions relating to radiologic technology. Changes executive secretary to executive officer. Establishes penalties. Requires the radio technology board to report to the legislature on monetary fines for violations of the radio technology law. -- SB2951 CD1
Committee Reports: SSCR 2541 (CPH) HSCR 1060-04 (CPC/ JUD/) CCR 53-04
Current Status: May-03 04 Passed Legislature
Section Affected: 466J-2, 466J-3, 466J-9
- SB2968 SD1 HD1 CD1 (CCR 75-04) RELATING TO NATURAL RESOURCE VIOLATIONS.
Introduced by: Bunda R (BR) (586-6090)
Establishes the civil natural resources violations act law. Provides that the purpose is to process violations of department of land and natural resources regulations for which administrative penalties have been authorized by legislative act or rules adopted. -- Authorizes the Kaho'olawe (Kahoolawe) island reserve commission and the water commission to use the civil natural resource violations system of the department. -- Authorizes the board of land and natural resources and the water commission to set, charge and collect administrative fines or bring legal action to recover administrative fees and costs. -- Repeals unencumbered public lands. Establishes penalties. -- Amends provisions relating to the board of land and natural resources duties. Requires board of land and natural resources to establish enforcement programs to enforce the protection of caves, historic preservation and Kaho'olawe island reserve. -- SB2968 CD1
Committee Reports: SSCR 2411 (WLA) SSCR 2799 (JHW) HSCR 811-04 (WLH/ EEP/) HSCR 1175-04 (JUD) CCR 75-04
Current Status: May-05 04 Received by the Governor
Section Affected: (2 SECTIONS) CIVIL NATURAL RESOURCE VIOLATIONS ACT, 6K- (1 SECTION), 171- (1 SECTION), 174C- (1 SECTION), 174C-15, 171-6.5, 199-1, 199-2, 199-3, 199-4, 199-5, 199-6, 199-7

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- SB2976 SD1 HD1 CD1 (CCR 90-04) MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF PUBLIC SAFETY.
Introduced by: Bunda R (BR) (586-6090)
Appropriation to the department of public safety for additional transportation and necessary operation costs of housing inmates in the federal detention center in Honolulu or in mainland correctional facilities. (\$\$) -- SB2976 CD1
Committee Reports: SSCR 2094 (JHW) SSCR 2652 (WAM) HSCR 873-04 (PSM)
HSCR 1204-04 (FIN) CCR 90-04
Current Status: May-07 04 Received by the Governor
- SB2983 SD2 HD1 (HSCR 866-04) RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.
Introduced by: Bunda R (BR) (586-6090)
Amends provisions relating to time for performing acts postponed by reason of service in combat zone to include an individual deployed outside the US away from the individual's permanent duty station while participating in an operation designated by the Secretary of Defense as a contingency operation. -- Amends provisions conforming to the Federal Internal Revenue Code to apply for taxable years beginning after December 31, 2003. Provides section 163 (with respect to interest) of the Internal Revenue Code shall be operative for state income tax purposes except that provisions defining net investment income to exclude dividends shall not be operative. Provides that section 179 (with respect to the election to expense certain depreciable business assets) shall be operative for income tax purposes except provisions relating to maximum deductions; qualifying investment amount; defining property to include computer software; inflation adjustments; and irrevocable election shall not be operative. -- SB2983 HD1
Committee Reports: SSCR 2513 (WAM) SSCR 2592 (WAM) HSCR 866-04 (FIN)
Current Status: May=06 04 Passed Legislature
Section Affected: 231-15.8, 235-2.3, 235-2.4
- SB2990 HD1 (HSCR 1136-04) RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION.
Introduced by: Bunda R (BR) (586-6090)
Amends provisions which provides that a portion of general excise tax revenues be for the integrated tax information management systems performance based contract by extending the sunset date to July 1, 2005. -- SB2990 HD1
Committee Reports: SSCR 2594 (WAM) HSCR 1136-04 (FIN)
Current Status: May=03 04 Passed Legislature
Section Affected: 231-3.2, 237-31
- SB2994 SD1 HD2 (HSCR 1229-04) RELATING TO THE USE TAX.
Introduced by: Bunda R (BR) (586-6090)
Amends provisions relating to use taxes. Redefines import to include the importation of tangible property, services, or contracting owned, purchased from an unlicensed seller or however acquired, from any other part of the US or its possessions or from any foreign country, whether in interstate or foreign commerce, or both and the sale and delivery of tangible personal property owned, purchased from an unlicensed seller, or however acquired, by a seller who is or should be licensed under the general excise tax law from an out of state location to an in state purchaser, regardless of the free on board point or the place where title to the property transfers to the purchaser. Redefines use to include control over tangible or intangible property by a seller who is licensed or should be licensed under general excise tax law, who directs the importation of the property into the state. Changes the imposition of tax to the imposition of tax on tangible personal property. -- SB2994 HD2
Committee Reports: SSCR 2518 (JHW/ WAM/) SSCR 2626 (JHW/ WAM/) HSCR 1007-04 (JUD) HSCR 1229-04 (FIN)
Current Status: Apr=30 04 Passed Legislature
Section Affected: 238-1, 238-2, 238-2.3, 238-6
- SB2995 SD2 HD1 CD1 (CCR 95-04) RELATING TO COMMERCIAL DRIVER LICENSING.
Introduced by: Bunda R (BR) (586-6090)
Amends provisions relating to commercial motor vehicle driver's license. Amends provisions relating to employer responsibilities; license qualification standards including the requirement that the examiner of drivers check applicants driving record; driving without a commercial driver's license; notification of traffic convictions and recordation of driving record information; and driving a commercial motor vehicle while under the influence of an intoxicant. -- SB2995 CD1

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Committee Reports: SSCR 2086 (TMG/ JHW/) SSCR 2854 (WAM) HSCR 879-04 (JUD) HSCR 1182-04 (FIN) CCR 95-04
Current Status: May-03 04 Passed Legislature
Section Affected: 286-231, 286-102, 286-234, 286-236, 286-238, 286-239, 286-240, 286-241, 286-244, 286-245, 286-249, 291E-44

- SB3018 SD2 HD1 CD1 (CCR 124-04) RELATING TO PENSION AND RETIREMENT SYSTEMS.
Introduced by: Kanno B (586-6830)
Amends provision relating to allowance on service retirement. Provides that after June 30, 2004, if the member has at least 10 years of credited service as a police officer, is deemed permanently medically disqualified, due to a service related disability, to be a police officer by the employer's physician; and continues employment in a class A or B position other than a police officer, the retirement allowance shall be 2 1/2 per cent of the members average compensation. -- SB3018 CD1
Committee Reports: SSCR 2147 (LBR) SSCR 2695 (WAM) HSCR 945-04 (LAB) HSCR 1180-04 (FIN) CCR 124-04
Current Status: May-03 04 Passed Legislature
Section Affected: 88-74
- SB3020 HD1 CD1 (CCR 114-04) RELATING TO EDUCATION.
Introduced by: Kanno B (586-6830), Espero W
Appropriation to the department of education for the conversion of a counselor position (1.00 FTE) to a 12 month term of service at Kapolei elementary school and the conversion of 8 teacher positions (8.00 FTE) to 12 month terms of service at Kapolei middle school. (\$\$) -- SB3020 CD1
Committee Reports: SSCR 2500 (EDU/ LBR/) SSCR 2836 (WAM) HSCR 949-04 (EDN) HSCR 1213-04 (FIN) CCR 114-04
Current Status: May-03 04 Passed Legislature
- SB3025 HD1 CD1 (CCR 37-04) RELATING TO THE OFFICE OF PLANNING.
Introduced by: Kokubun R (586-6760), Inouye L, Bunda R, English J
Amends provision relating to general objective, functions, and duties of the department. Requires the department of business, economic development, and tourism to have sole jurisdiction over the land use commission, state planning, and the state planning act. -- Requires the director of the office of planning to report to the director of business, economic development, and tourism. -- SB3025 CD1
Committee Reports: SSCR 2413 (WLA/ ECD/) SSCR 2720 (WAM) HSCR 939-04 (WLH) HSCR 1240-04 (FIN) CCR 37-04
Current Status: May-04 04 Received by the Governor
Section Affected: 201-2, 225M-2
- SB3044 HD1 (HSCR 1193-04) RELATING TO PUBLIC PROPERTY.
Introduced by: Hooser G (586-6030), Baker R, English J, Tsutsui S, Chun Oakland S, Kanno B
Establishes provisions relating to obstructing access to public property; penalty. Provides that a person commits the offense of obstructing access to public property if the person, by action or by having installed a physical impediment, intentionally prevents a member of the public from traversing a public right of way, a transit area, or a public transit corridor and thereby obstructs access to the sea, the shoreline, or any inland public recreational area. -- SB3044 HD1
Committee Reports: SSCR 2414 (WLA/ TMG/) SSCR 2585 (JHW) HSCR 787-04 (WLH) HSCR 1193-04 (JUD)
Current Status: Apr-30 04 Passed Legislature
Section Affected: 115- (1 SECTION) OBSTRUCTING ACCESS TO PUBLIC PROPERTY
- SB3049 SD2 HD2 CD1 (CCR 101-04) RELATING TO CHARITABLE ANNUITIES.
Introduced by: Espero W (586-6360)
Amends provisions relating to life insurance. Clarifies that the transacting of life insurance includes contracting to provide additional benefits in the event of death or dismemberment by accident or accidental means. Further clarifies that transacting of life insurance includes the granting of annuities and endowment benefits that are provided under charitable gift annuity agreement with a donor and issued by a nonprofit educational foundation or a nonprofit corporation. Establishes requirements for nonprofit educational foundations or nonprofit organizations issuing charitable gift annuities. -- SB3049 CD1

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Committee Reports: SSCR 2341 (CPH) SSCR 2670 (WAM) HSCR 975-04 (CPC)
HSCR 1273-04 (FIN) CCR 101-04
Current Status: May-03 04 Passed Legislature
Section Affected: 431:1-204

SB3080 SD2 HD2 CD1 (CCR 96-04) RELATING TO TRANSPORTATION.
Introduced by: Kawamoto C (586-6970)
Amends provisions relating to contracts for concessions; bid required, exception. Provides that the bidding requirements of concessions on public property law shall not apply for airport florist services, lei greeting services, or florist and lei greeting services. Provides that the governor or the department of transportation as authorized by the governor, may renegotiate airport concession leases with concessionaires and waive or modify any lease obligation or term upon such terms and conditions as the governor shall deem necessary to grant relief. -- Authorizes the governor to waive the effect of the deposition of public lands provision to implement the grant of relief. Act to be repealed on July 1, 2005 (sunset). -- SB3080 CD1
Committee Reports: SSCR 2132 (TMG/ TSM) SSCR 2818 (WAM) HSCR 919-04 (TRN) HSCR 1281-04 (FIN) CCR 96-04
Current Status: May-03 04 Passed Legislature
Section Affected: 102-2

SB3085 SD2 HD2 CD1 (CCR 46-04) RELATING TO NURSES.
Introduced by: Kanno B (586-6830), Baker R
Amends provision relating to prescriptive authority for advanced practice registered nurses. Requires the department of commerce and consumer affairs to establish a joint advisory committee to advise the board of medical examiners on issues relating to the formulary. Requires the board of nursing to establish nursing requirements for education, experience, and national certification. Amends Act 192 session laws of 2002, as amended by Act 3, session laws of 2003, relating to prescriptive authority for advanced practice registered nurses. Report to legislature. -- SB3085 CD1
Committee Reports: SSCR 2464 (HTH) SSCR 2806 (CPH) HSCR 933-04 (HLT) HSCR 1191-04 (CPC) CCR 46-04
Current Status: Apr-30 04 Passed Legislature
Section Affected: 457-8.6, ACT 192 2002, ACT 3 2003

SB3086 HD1 CD1 (CCR 74-04) RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR ISLAND PACIFIC ACADEMY.
Introduced by: Kanno B (586-6830)
Authorizes the issuance of special purpose revenue bonds to assist Island Pacific Academy to finance or refinance the planning and construction of its educational facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB3086 CD1
Committee Reports: SSCR 2454 (EDU) SSCR 2779 (WAM) HSCR 954-04 (EDN) HSCR 1212-04 (FIN) CCR 74-04
Current Status: May-03 04 Passed Legislature

SB3092 SD1 HD1 CD1 (CCR 78-04) RELATING TO SOLID WASTE MANAGEMENT.
Introduced by: Aduja M (586-7330)
Amends provisions relating to solid waste pollution. Requires each fine collected to be distributed to the authorized agency that enforced the activity prohibited. Provides that when a fine is collected, 50 per cent of the fine shall be awarded to the person who reported the activity. -- SB3092 CD1
Committee Reports: SSCR 2326 (ENE) SSCR 2641 (WAM) HSCR 965-04 (EEP) HSCR 1185-04 (FIN) CCR 78-04
Current Status: May-03 04 Passed Legislature
Section Affected: 342H-30

SB3106 SD1 HD2 CD1 (CCR 123-04) RELATING TO COUNTIES.
Introduced by: Tsutsui S (BR) (586-7344)
Amends provisions relating to state deferred compensation retirement plan for state and county part time, temporary, and seasonal or casual employees. Authorizes the county to enter into a formal agreement with the State to extend the State's plan and its provisions to part time, temporary, and seasonal or casual employees of the county; provided that the agreement designates 1 of the county's agencies to locally coordinate the plan. Authorizes the department of human resources development to levy fees on the counties. -- Authorizes the counties to enter into a formal agreement with the State

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to extend the State's plan and its provisions to part time, temporary, and seasonal or casual employees of the county or establish a deferred compensation retirement plan independently. -- SB3106 CD1

Committee Reports: SSCR 2199 (LBR/ TMG/) SSCR 2697 (WAM) HSCR 959-04 (LAB) HSCR 1263-04 (FIN) CCR 123-04

Current Status: May-03 04 Passed Legislature

Section Affected: 88F-2, 88F-12

SB3113 SD1 HD1 CD1 (CCR 33-04)

RELATING TO VOTING.

Introduced by: English J (587-7225), Tsutsui S, Baker R

Amends provisions relating to a request for absentee ballot. Authorizes the clerk to mail an absentee ballot for each primary, special primary, special, general election, and special general election to each registered voter who resides in the county of Kalawao.

-- SB3113 CD1

Committee Reports: SSCR 2590 (JHW) HSCR 1148-04 (JUD) CCR 33-04

Current Status: Apr-30 04 Passed Legislature

Section Affected: 15-4

SB3135 SD1 HD1 CD1 (CCR 14-04)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST ST. FRANCIS HEALTHCARE SYSTEM OF HAWAII AND ITS AFFILIATES.

Introduced by: Chun Oakland S (586-6130)

Authorizes the issuance of special purpose revenue bonds to assist St. Francis Healthcare System of Hawaii, a Hawaii nonprofit corporation, and 1 or more of its nonprofit affiliates, to finance the construction, improvement, and equipment of health care facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB3135 CD1

Committee Reports: SSCR 2466 (HTH) SSCR 2734 (WAM) HSCR 1123-04 (FIN) CCR 14-04

Current Status: Apr-27 04 Received by the Governor

SB3148 SD2 HD3 CD1 (CCR 113-04)

RELATING TO EDUCATION.

Introduced by: Hanabusa C (586-7793)

Requires the legislative reference bureau shall conduct a feasibility study regarding the establishment of a noncontiguous host culture charter school district and a noncontiguous charter school district in the State. Requires the study to include the financial and administrative implications of creating these additional school districts and of establishing local educational agency (LEA) status for the purpose of obtaining additional federal funding; an analysis of how the new districts would interact administratively with the board of education and the existing charter school administrative structure in the department of education; and an analysis of whether the districts would violate the 14th amendment to the US Constitution. Further requires the bureau to review and consider the proposals made in Senate Bill 3148, S.D. 2 and H.D. 3 (SB3148 SD2 and HD3). Report to the legislature. -- SB3148 CD1

Committee Reports: SSCR 2456 (EDU/ JHW/) SSCR 2781 (WAM) HSCR 863-04 (EDN) HSCR 984-04 (WLH) HSCR 1205-04 (FIN) CCR 113-04

Current Status: May-03 04 Passed Legislature

SB3153 SD2 HD2 CD1 (CCR 112-04)

MAKING AN APPROPRIATION FOR BIOREMEDIATION RESEARCH.

Introduced by: Baker R (586-6070), Tsutsui S, English J, Hooser G

Appropriation to the research corporation of the university of Hawaii for a pilot project on soil renutrition research by Maui Ag Partners, coordinated by the Pacific cooperative studies unit of the college of natural sciences and the college of tropical agriculture and human resources at the university of Hawaii. Requires matching funds by non state funds through Maui Ag Partners. (\$\$) -- SB3153 CD1

Committee Reports: SSCR 2476 (ENE/ WLA/) SSCR 2642 (WAM) HSCR 971-04 (AGR) HSCR 1215-04 (FIN) CCR 112-04

Current Status: May-03 04 Passed Legislature

SB3156 SD1 HD1 CD1 (CCR 45-04)

RELATING TO EMERGENCY MEDICAL SERVICES.

Introduced by: Baker R (586-6070), English J, Tsutsui S

Establishes provision relating to immunity and limitation on liability for emergency aeromedical services. Provides that the State shall not be liable for any claim of injury or death based on a failure to establish or continue emergency aeromedical services in any part of the State or in any county, including the failure of the department of health to establish emergency aeromedical services. -- SB3156 CD1

Committee Reports: SSCR 2156 (HTH) SSCR 2735 (WAM) HSCR 1124-04 (FIN)

SENATE BILLS WHICH PASSED THE LEGISLATURE

- CCR 45-04
Current Status: May-04 04 Received by the Governor
Section Affected: 321- (1 SECTION) IMMUNITY AND LIMITATION ON LIABILITY FOR EMERGENCY AEROMEDICAL SERVICES
- SB3162 SD1 HD1 CD1 (CCR 111-04) RELATING TO RENEWABLE ENERGY TECHNOLOGIES INCOME TAX CREDIT.
Introduced by: English J (587-7225)
Amends provisions relating to renewable energy technologies income tax credit. Provides that it shall be for every renewable energy technology systems installed and placed in service after June 30, 2003. Provides that in the case of partnerships, S corporations, estate, or trust the tax credit shall be determined at the entity level. -- Provides that the renewable energy technologies income tax credit rather than the energy conservation income tax credit shall be operative for the taxation of banks and other financial corporations. -- SB3162 CD1
Committee Reports: SSCR 2327 (ENE) SSCR 2643 (WAM) HSCR 867-04 (FIN) CCR 111-04
Current Status: May-03 04 Passed Legislature
Section Affected: 235-12.5, 241-4.6
- SB3170 SD2 HD2 CD1 (CCR 64-04) RELATING TO PETROLEUM PRODUCTS.
Introduced by: Fukunaga C (586-6890)
Amends provisions relating to ethanol content requirement. Repeals provisions requiring gasoline to have 10 per cent ethanol by volume for all gasoline in the State to be replaced with at least 85 per cent of all gasoline sold by each distributor for use in motor vehicles in the State to contain 10 per cent ethanol by volume on an annual basis. -- Requires that within 90 calendar days following the close of each calendar year, each distributor shall file with the director of business, economic development and tourism, on forms prescribed, prepared, and furnished by the director, a statement for the previous year showing the amount of ethanol blended gasoline sold by the distributor to fleets or gasoline retailers, the amount of non ethanol blended gasoline sold by the distributor to fleets or gasoline retailers. -- SB3170 CD1
Committee Reports: SSCR 2337 (ECD/ CPH/) SSCR 2703 (WAM) HSCR 858-04 (EEP) HSCR 1230-04 (FIN) CCR 64-04
Current Status: May-05 04 Received by the Governor
Section Affected: 486J-1, 486J-10
- SB3172 SD1 (SSCR 2573) RELATING TO PEST CONTROL.
Introduced by: Fukunaga C (586-6890)
Amends provisions relating to pest control operators. Repeals the power of the board of pest control to revoke, suspend, or refuse to renew any license because of a conviction of any offense of property rights committed on the job. -- SB3172 SD1
Committee Reports: SSCR 2352 (ENE) SSCR 2573 (CPH) HSCR 1013-04 (CPC)
Current Status: Mar-31 04 Received by the Governor
Apr-19 04 Approved by Governor (Act 7 2004)
Section Affected: 460J-15
- SB3175 SD2 HD2 CD1 (CCR 125-04) RELATING TO FEDERAL SOCIAL SECURITY FOR PUBLIC EMPLOYEES.
Introduced by: Espero W (586-6360), Kanno B
Provides that the Center for Cultural and Technical Interchange Between East and West, Inc., may submit for approval by the state, a plan for extending the benefits of social security. Requires the Center for Cultural and Technical Interchange Between East and West, Inc., to fund all costs incurred as a result of the extension of benefits. -- Amends provisions relating to federal social security for public employees. Changes the phrase health, education, and welfare to health and human services. -- SB3175 CD1
Committee Reports: SSCR 2201 (LBR/ TMG/) SSCR 2698 (WAM) HSCR 960-04 (LAB) HSCR 1220-04 (FIN) CCR 125-04
Current Status: May-03 04 Passed Legislature
- SB3182 HD1 CD1 (CCR 94-04) RELATING TO THE STATE OF HAWAII.
Introduced by: Taniguchi B (586-6460)
Amends provisions relating to the business action center. Changes the supervisor and personnel of the business center from civil service exempt positions to be subject to civil service and collective bargaining laws. -- SB3182 CD1
Committee Reports: SSCR 2168 (WAM) HSCR 1144-04 (FIN) CCR 94-04
Current Status: May-03 04 Passed Legislature
Section Affected: 201D-2

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB3190 SD1 HD1 (HSCR 1192-04) RELATING TO THE PUBLIC UTILITIES COMMISSION.
Introduced by: Kawamoto C (586-6970)
Amends the motor carrier law. Requires the public utilities commission to revoke a certificate of convenience and necessity or contract carrier permit of a holder for knowingly and willfully engaging the services of a driver who does not have a commercial driver's license. Provides that the person shall not be eligible for certificate or permit for 5 years. -- SB3190 HD1
Committee Reports: SSCR 2600 (CPH) HSCR 915-04 (TRN) HSCR 1192-04 (CPC)
Current Status: Apr=30 04 Passed Legislature
Section Affected: 271-19, 271-38
- SB3193 SD2 HD2 CD1 (CCR 158-04) RELATING TO CONSUMERS.
Introduced by: Menor R (586-6740), Kim D, Espero W, Baker R, Kanno B, Tsutsui S, English J, Hooser G, Aduja M, Fukunaga C, Hanabusa C
Establishes provisions relating to restricting supply of petroleum products. Requires the attorney general to immediately investigate any shortage or condition affecting the supply of any petroleum products or other matters relating to the requirements relating to petroleum products and to institute all appropriate criminal and civil actions and pursue all legal and equitable remedies that may be available to the State. Report to the legislature regarding shortages or conditions affecting the supply of petroleum products. -- Amends provisions relating to maximum pre tax wholesale price for the sale of gasoline, civil actions. Prohibits any manufacturer, wholesaler, or jobber to sell regular unleaded, mid grade or premium gasoline at a price above the maximum pre tax wholesale prices. Provides that the maximum pre tax wholesale price of regular unleaded gasoline shall consist of the baseline price for regular unleaded gasoline, plus the location adjustment factor, the marketing margin factor, and the zone price adjustment, and for mid grade and premium gasoline, the applicable mid grade and premium adjustment factor. Requires, that on a weekly basis, the public utilities commission shall determine the maximum pre tax wholesale price of regular unleaded, mid grade, premium gasoline. Provides that the baseline price for regular unleaded gasoline shall be determined on a weekly basis and shall be equal to the average of the weekly average of the spot daily price for regular unleaded gasoline for Los Angeles, New York Harbor, and the United States Gulf Coast, provided that the commission, in its discretion, may determine a more appropriate baseline or a more appropriate price information reporting service. Requires the commission to establish zone price adjustments to the maximum pre tax wholesale regular unleaded, mid grade, and premium gasoline prices on a zone by zone basis. Establishes penalties for over charging. Requires the commission to report to the legislature and the governor on any significant aberrations, trends, or conditions that may adversely impact the gasoline consumers in the State. -- Repeals maximum pre tax retail price for gasoline sold on a self serve basis; civil actions. - Requires the governor, in a written determination, to state the specific provision of the section or rule that strict compliance with will cause a major adverse impact on the economy, public order, or the health, welfare, or safety of the people of the State, along with specific reasons for that determination. -- Establishes a special task force to investigate the petroleum industry and its operations and impacts on the islands. Report to the legislature. Appropriations. (\$\$). -- SB3193 CD1
Committee Reports: SSCR 2429 (CPH) SSCR 2860 (WAM) HSCR 859-04 (EEP)
HSCR 978-04 (CPC) HSCR 1184-04 (FIN) CCR 158-04
Current Status: May-03 04 Passed Legislature
Section Affected: 486H- (1 SECTION), 486H-13, 486H-14, 486H-15, 486H-16
- SB3207 SD2 HD2 CD1 (CCR 19-04) RELATING TO ETHANOL TAX CREDIT.
Introduced by: Tsutsui S (586-7344), English J, Baker R, Hooser G
Changes the ethanol investment tax credit by changing it to be the ethanol facility tax credit. Changes the tax credit to 30 per cent of the qualified ethanol production facility nameplate capacity if the nameplate capacity is greater than 500,000 but less than 15 million gallons. Redefines investment to mean a nonrefundable capital expenditure related to the development and construction of any qualifying ethanol production facility. Requires the department of business, economic development, and tourism to maintain records of investments, verify investments, and certify the amount of tax credits. Provides that in the case of a partnership, S corporation, estate, or trust, the tax credit allowable is for every qualifying ethanol production facility and that the cost upon which the tax is computed shall be determined at the entity level. -- SB3207 CD1
Committee Reports: SSCR 2478 (ENE) SSCR 2644 (WAM) HSCR 966-04 (EEP)
HSCR 1272-04 (FIN) CCR 19-04
Current Status: Apr-29 04 Passed Legislature

SENATE BILLS WHICH PASSED THE LEGISLATURE

Section Affected: 235-110.3

SB3222 SD2 HD2 (HSCR 1223-04) RELATING TO MOTOR VEHICLE INSURANCE.
Introduced by: Bunda R (586-6090)
Amends provisions relating to motor vehicle personal injury protection benefits by including naturopathic treatments limited to no more than 30 visits at no more than 75 dollars a visit. Provides that the combined total of chiropractic, acupuncture, and naturopathic visits may not exceed 30 visits. -- SB3222 HD2
Committee Reports: SSCR 2395 (HTH) SSCR 2570 (CPH) HSCR 843-04 (CPC) HSCR 1223-04 (FIN)
Current Status: Apr-19 04 Received by the Governor
May-05 04 Approved by Governor (Act 56 2004)
Section Affected: 431:10C-103.5, 431:10C-103.6

SB3230 SD2 HD1 CD1 (CCR 109-04) RELATING TO EARLY CHILDHOOD CARE.
Introduced by: Sakamoto N (586-8585)
Requires the department of human services to establish a pilot project in east Hawaii to provide community based, collaborative, comprehensive early childhood care direct services for children under age 5 and their families in the critical needs areas as determined by the department. Report to the legislature. Appropriation for the services based on the Hui Imua O Koolauloa model, provided that the funds shall be used for implementation of community based comprehensive direct service delivery systems, and not for planning, studies, or any other strategic functions.. (\$\$) -- SB3230 CD1
Committee Reports: SSCR 2485 (HMS/ EDU/) SSCR 2748 (WAM) HSCR 895-04 (HSH) HSCR 997-04 (EDN) HSCR 1121-04 (FIN) CCR 109-04
Current Status: May-03 04 Passed Legislature

SB3237 SD1 HD1 (HSCR 1037-04) RELATING TO PRESCRIPTION DRUGS.
Introduced by: Menor R (586-6740), Baker R, Chun Oakland S, Kim D, Tsutsui S, English J, Taniguchi B, Aduja M, Hooser G, Espero W, Fukunaga C, Ige D, Kokubun R, Inouye L, Hanabusa C, Ihara L, Sakamoto N, Bunda R, Kanno B, Kawamoto C
Amends provisions relating to the rx plus program. Requires the department of human services to establish a rx plus preferred drug list. Provides that the names of manufacturers who do and who do not enter into rebate agreements pursuant to the rx program are public information. Authorizes department to release this information to health care providers and the public on a regular basis and shall publicize participation by manufacturers that is of particular benefit to the public. Changes the name of the rx program to rx plus. Appropriation from the rx special fund to implement the rx plus program. (\$\$) -- SB3237 HD1
Committee Reports: SSCR 2514 (CPH/ HTH/) HSCR 1037-04 (FIN)
Current Status: Apr-16 04 Received by the Governor
May-03 04 Approved by Governor (Act 47 2004)
Section Affected: 346- (2 SECTIONS), 346-311, 346-312, 346-313, 346-314, 346-315, 346-316, 346-317, 346-318, 346-319

SB3238 SD2 HD2 CD1 (CCR 9-04) RELATING TO EDUCATION.
Introduced by: Sakamoto N (586-8585), Aduja M, Hooser G, Kim D, Tsutsui S, English J, Kanno B, Baker R, Espero W, Fukunaga C
Requires the department of education to provide supplementary allocation to those schools whose budgets are adversely affected upon the implementation of the weighted student formula. -- Establishes the committee on weights within the department to develop a weighted student formula. -- Establishes provisions relating to weighted student formula. Requires the board of education to adopt a student weighted formula for the allocation of moneys to public schools excluding new century charter schools and new century conversion charter schools, which takes into account the educational needs of each student. Requires the department to use the formula to allocate funds to the schools and for principals to expend moneys provided to the principals' schools. Appropriation to the department of education to support the operations of the committee on weights. -- Appropriation to the department for positions to provide technical support to school level information systems uses; infrastructure to meet the security and privacy requirements of the telecommunications network; customization of the student information system software; and training regarding the use of information technology. -- Requires the department with the participation of the exclusive bargaining agent of educational officers of the department to propose salary schedules and other terms and conditions of employment of principals and vice principals based upon a 12 month term of service. Report to the legislature. -- Amends provisions relating to classification of

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educational officers. Requires the board of education to adopt 2 separate classification / compensation plans for educational officers, 1 for principals and vice principals and 1 for other educational officers. -- Requires the superintendent to convene a working group to create a plan for the implementation of performance contracts for principals. Department to report to the legislature. -- Establishes the Hawaii principals academy placed within the department to support and train department complex area superintendents, principals and prospective principals in becoming better leaders; improving students' academic achievement, safety, and well being and civic responsibility; collaborating with the school community councils; developing curriculum alignment; managing school budgets, and establishing partnerships with the private sector. -- Amends provisions relating to the authority and responsibility of principals to include implementation of budget, policies, and operations of the school and collaboration with other principals in the principals school complex. -- Appropriation to the department for the academy, administrator certification for excellence program, and for principals recalled to work by the department. -- Repeals school / community based management system and replaces it with school community councils. Requires each school to create and maintain a school community council to participate in the development of the school's annual academic plan and financial plan for approval by the complex area superintendent. Appropriation to the department for the transition to the councils and for parent community networking centers. -- Appropriation to department to purchase mathematics textbooks; to reduce class size in kindergarten to the 2nd grade by hiring 75 full time (75.00 FTE) teachers; for full time, year round, high school student activities coordinators; and for programs that support parents working with students. -- Establishes provisions relating to teacher national board certification incentive program within the department to recognize and support teachers who have achieved national board certification from the National Board for Professional Teaching Standards. Gives a certified teacher a bonus for every year that the teacher maintains certification, money upon completing the certification program, and a reimbursement for expenses related to the application for certification upon achieving certification. Provides that the incentive program includes a mentoring component that encourages and enables national board certified teachers to assist other teachers and share their teaching expertise. Appropriation. -- Appropriation to the university of Hawaii for 7 full time (7.00 FTE) teacher education positions and 1 full time (1.00 FTE) educational administration position. -- Requires the department to convene an interagency working group to develop comprehensive plans for transferring certain rights, powers, functions, duties, and resources, including positions, from the departments of accounting and general services, budget and finance, health, human resources development, the attorney general, and human services to the department. Report to the legislature. Working group to cease to exist on June 30, 2007 (sunset). -- Transfers the state educational facilities repair and maintenance account and the school physical plant operations and maintenance account; the Hawaii 3R's school repair and maintenance fund; and all rights, powers, functions, duties, and resources of the department of accounting and general services relating to capital improvement programs to the department. -- Transfers the department of human resources development operation of a centralized human resources system that encompasses the classes of work performed by department of education employees, and that integrates payroll, records, transactions, leaves, and reports; and recruitment, certification, examination, management, classification, and compensation of department of education employees to the department of education. -- Transfers all the rights, powers, functions, duties, and resources of the department of budget and finance relating to the funding of collective bargaining agreement increases and securing, administering, use, and expending of federal funds and other aid, including their custodial supervision; the department of the attorney general relating to the negotiating of workers' compensation claims and labor management relations within the department of education; the department of human services relating to the conducting of employment background checks for the after school plus program, private vendors, and other employees and trainees who work with public school students; and the department of health relating to school health aides and public health nurses who supervise school health aides to the department of education.-- Requires the department to adopt a single unified school calendar. -- Amends provisions relating to the department of education budget by replacing the comptroller with the superintendent of education and replaces AGS 807 (physical plant operations and maintenance) with EDN 100 (school based budgeting). -- Amends provisions relating to department carryover funds. Provides that the school physical plant operations and maintenance account shall be under EDN 400 (school support). Repeals the limitation of which funds the department of education can carryover and provides the department with the flexibility to transfer funds and positions. -- Amends provisions relating to the

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educational accountability system. Adds that the system shall include academic achievement, safety and well being, and civic responsibility; a statewide assessment program; a statewide fiscal accountability program; and a evaluation of the effectiveness of complex area superintendents and principals. -- Provides that at least 70 per cent of appropriations to the department be expended by principals. -- Requires the board of education to hold at least 2 community meetings annually in each departmental school district. -- Appropriation for the piloting of school community councils and development of academic and financial plans at selected schools. Report to the legislature. -- Requires the legislative reference bureau to conduct a study to determine the conforming amendments necessary. Report to the legislature. (\$\$) -- SB3238 CD1

Committee Reports: SSCR 2073 (EDU) SSCR 2537 (WAM) HSCR 1004-04 (EDN/LAB/ HED/) HSCR 1040-04 (FIN) CCR 9-04

Current Status: May=03 04 Veto Overridden - Senate

May-03 04 Veto Overridden - House

May-03 04 Became Law (Act 51 2004)

Section Affected: 302A- (1 SECTION), 302A- (1 SECTION), 302A-101, 302A-619, 302A- (1 SECTION), 302A-1103, 89-10.6, 302A-202, 302A-601, 302A-1124, 302A-1126, 302A-1306, 302A-1307, 302A-1309, 302A-1505, 302A-1507, 302A- (1 SECTION), 36-35, 36-36, 37-41.5, 37-74, 302A-1502.4, 302A-1004, 302A-1301, 302A- (1 SECTION)

HOUSE BILLS WHICH PASSED THE LEGISLATURE

HB0267 HD2 SD2 (SSCR 3244)

RELATING TO GOVERNMENT.

Introduced by: Arakaki D (586-6050), Kahikina M, Takai K, Thielen C, Ching C, Leong B, Meyer C, Abinsay F, Kaho'ohalahala S, Magaoay M

Amends provisions relating to elections. Authorizes the office of elections to make direct communications with the governor and legislature, make all decisions regarding employment, appointment, promotion, transfer, demotion, discharge, and job descriptions of all officers and employees and purchase all supplies, equipment, or furniture without the approval of the comptroller. -- Authorizes the chief election officer to employ a staff without regard to the civil service law, collective bargaining and employment of attorneys. -- Authorizes the campaign spending commission to make direct communications with the governor and legislature, make all decisions regarding employment, appointment, promotion, transfer, demotion, discharge, and job descriptions of all officers and employees and purchase all supplies, equipment, or furniture without the approval of the comptroller. -- Authorizes the office of elections and the campaign spending commission to appoint or retain attorneys independent of the attorney general. -- Establishes the elections commission, within the department of accounting and general services, to investigate and hold hearings for receiving evidence of any violations and complaints and advise the chief election officer on matters relating to elections. Requires the elections commission to develop and implement an elections review program. Authorizes the elections commission to make direct communications with the governor and legislature, make all decisions regarding employment, appointment, promotion, transfer, demotion, discharge, and job descriptions of all officers and employees and purchase all supplies, equipment, or furniture without the approval of the comptroller. Report to the legislature. -- Repeals the elections appointment and review panel and transfers all powers to the elections commission. -- HB0267 SD2

Committee Reports: HSCR 125 (TAC) HSCR 755-04 (JUD) SSCR 2969 (JHW/ TMG/ SSCR 3244 (WAM)

Current Status: May=03 04 Veto Overridden - Senate
May=06 04 Veto Overridden - House

Section Affected: 11- (1 SECTION), 11-5, 11-193, 28-8.3, 11- (5 SECTIONS), 11-1, 11-1.5, 11-1.6, 11-2.5, 11-2.6, 11-2.7

HB0680 HD2 SD1 CD1 (CCR 91-04)

RELATING TO ETHICS.

Introduced by: Karamatsu J (586-8490), Shimabukuro M, Tamayo T, Lee M, Oshiro M, Hale H, Nishimoto S, Ito K, Oshiro B

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 establish, design, supervise, and conduct a program of ethics training. Provides criteria. -- HB0680 CD1

Committee Reports: HSCR 264 (LMG) HSCR 696-04 (JUD) SSCR 2957 (TMG) SSCR 3258 (WAM) CCR 91-04

Current Status: May-03 04 Passed Legislature

Section Affected: 84- (3 SECTIONS) MANDATORY ETHICS TRAINING

HB0851 HD1 SD1 CD1 (CCR 131-04)

RELATING TO TAXATION APPEALS.

Introduced by: Luke S (586-8530), Takai K

Amends tax appeals, income tax, estate and transfer tax, 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 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. Requires for appeals by the taxpayer or the assessor to the tax appeal court from a decision by the board or to an appellate court from a decision by the tax court the taxpayer shall pay the tax and plus interest. -- HB0851 CD1

Committee Reports: HSCR 597 (FIN) SSCR 1027 (JHW) SSCR 1366 (WAM) CCR 131-04

Current Status: May-03 04 Passed Legislature

Section Affected: 235-114, 236D-15, 237-42, 237D-11, 238-8, 243-14.5, 244D-12, 245-10, 247-4.5, 251-10, 346E-8, 431:7-204.5

HB1043 SD1 CD1 (CCR 4-04)

MAKING APPROPRIATIONS FOR SALARY INCREASES FOR PUBLIC EMPLOYEES.

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Introduced by: Oshiro M (586-8505), Saiki S
Appropriation to the director of finance and chief justice for salary increases and other cost adjustments 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), and unit 13 (other professional and scientific employees), for state officers and employees excluded from collective bargaining units 2, 3, 4, 6, 8, and 13, and for state employees in these units assigned to the Hawaii health systems corporation. (\$\$) -- HB1043 CD1
Committee Reports: HSCR 693 (FIN) SSCR 1106 (LBR) SSCR 1391 (WAM) CCR 4-04
Current Status: May-03 04 Veto Overridden - Senate
May-03 04 Veto Overridden - House
May-03 04 Became Law (Act 53 2004)

HB1113

RELATING TO DRIVERS' LICENSES.
Introduced by: Say C (BR) (586-6100)
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
Committee Reports: HSCR 570 (JUD) SSCR 2561 (TMG)
Current Status: Mar-15 04 Received by the Governor
Mar-31 04 Approved by Governor (Act 2 2004)
Section Affected: 286-131

HB1259 HD1 SD1 CD1 (CCR 27-04)

RELATING TO THE UNIFORM COMMERCIAL CODE.
Introduced by: Hiraki K (586-6180)
Repeals and replaces the general provisions of the uniform commercial code. -- HB1259 CD1
Committee Reports: HSCR 650-04 (CPC) SSCR 3106 (CPH) CCR 27-04
Current Status: Apr-30 04 Passed Legislature
Section Affected: 490:1-101, 490:1-102, 490:1-103, 490:1-104, 490:1-105, 490:1-106, 490:1-107, 490:1-108, 490:1-201, 490:1-202, 490:1-203, 490:1-204, 490:1-205, 490:1-206, 490:1-301, 490:1-302, 490:1-303, 490:1-304, 490:1-305, 490:1-306, 490:1-307, 490:1-308, 490:1-309, 490:1-310, 155-11, 489E-3, 489E-16, 490:2-202, 490:2A-501, 490:2A-518, 490:2A-519, 490:2A-527, 490:2A-528, 490:3-103, 490:4A-105, 490:4A-106, 490:4A-204, 490:5-103, 490:2-208, 490:2A-207, 490:1-109, 490:1-207, 490:1-208

HB1294 SD1 CD1 (CCR 10-04)

RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.
Introduced by: Nakasone B (586-6210)
Amends provision relating to applicability and requirements within the environmental impact statement law. 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 fossil fueled, electricity generating facility or an expansion in generating capacity of an existing fossil fueled electricity generating facility where the incremental electrical output rating of the new equipment exceeds 5.0 megawatts. 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. -- HB1294 CD1
Committee Reports: HSCR 574 (EEP) SSCR 1349 (ENE) CCR 10-04
Current Status: Apr-19 04 Received by the Governor
May-05 04 Approved by Governor (Act 55 2004)
Section Affected: 343-2, 343-5

HB1374 HD2 SD2 CD1 (CCR 142-04)

RELATING TO WORKERS' COMPENSATION.
Introduced by: Oshiro M (BR) (586-8505)
Amends provision relating to fraud violations and penalties within the workers' compensation law. Provides that in cases where any party successfully investigates and a determination is made that fraud has occurred, the successful party shall be entitled

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to the administrative penalties. Further provides that in cases where a determination is made that fraud has not occurred, the person charged shall be entitled to reimbursement of attorney's fees and costs payable by the person or persons who initiated the charge and prosecuted the action. Provides that when the charges filed are criminal in nature, a person shall not be entitled to attorney's fees and costs. -- Amends provisions relating to insurance enforcement. Authorizes the insurance commissioner to investigate a complaint and prosecute an action in court relating to workers' compensation fraud complaints brought against an insurance carrier, a self insured employer, or a fully insured employer. Act to be repealed on June 30, 2006 (sunset). -- HB1374 CD1

Committee Reports: HSCR 432-04 (LAB) HSCR 764-04 (FIN) SSCR 3054 (LBR)
SSCR 3250 (WAM) CCR 142-04
Current Status: May-03 04 Passed Legislature
Section Affected: 386-98, 431:2-203

HB1560 HD1 SD1 (SSCR 3231)

RELATING TO DISPOSITION OF VESSELS BY THE DEPARTMENT OF LAND AND NATURAL RESOURCES.

Introduced by: Kanoho E (586-6270)

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 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 SD1

Committee Reports: HSCR 306 (WLH) HSCR 748 (FIN) SSCR 3039 (WLA/ TMG/ SSCR 3231 (WAM)
Current Status: Apr-27 04 Received by the Governor
Section Affected: 200-16, 200-42, 200-44, 200-45, 200-47, 200-49

HB1710 HD2 SD2 CD1 (CCR 80-04)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Takai K (586-8455), Tamayo T

Establishes the student scholarship and assistance special fund administered by the university of Hawaii to provide financial assistance to qualified students. Annual report to the legislature. Authorizes the university to transfer funds from the tuition and fees special fund into the student scholarship and assistance special fund. Appropriation out of the student scholarship and assistance special fund. (\$\$) -- HB1710 CD1

Committee Reports: HSCR 45-04 (HED) HSCR 747-04 (FIN) SSCR 3020 (EDU)
SSCR 3269 (WAM) CCR 80-04
Current Status: May-03 04 Passed Legislature
Section Affected: 304- (1 SECTION), 304-16.5

HB1737 HD1 (HSCR 514-04)

RELATING TO MORTGAGE BROKERS AND SOLICITORS.

Introduced by: Hiraki K (586-6180)

Amends provision relating to licensing, requirements and application. Requires the commissioner (director of commerce and consumer affairs) to consider as equivalent experience, 2 years of experience as a licensed insurance producer. -- HB1737 HD1

Committee Reports: HSCR 514-04 (CPC) SSCR 3068 (CPH)
Current Status: Apr-02 04 Received by the Governor
Apr-22 04 Approved by Governor (Act 14 2004)
Section Affected: 454-3

HB1743 HD2 SD2 (SSCR 3215)

RELATING TO LIGHT POLLUTION.

Introduced by: Ito K (586-8470)

Establishes provision relating to light pollution on ocean waters. Prohibits artificial light, within the special management area, to be positioned toward or directed to illuminate ocean waters, unless such light is required for public safety or safe ocean navigation. -- Prohibits special management area use permit or special area minor permits to be

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granted for structures that allow artificial light to be positioned toward or directly illuminate ocean waters, unless such light is authorized and required for public safety or safe ocean navigation. -- Exempts outdoor lighting fixture that is located in a hotel / hotel condo, provided that the outdoor lighting fixture is located under water or is directed downward and illuminates a limited area of no more than 30 feet into ocean waters. -- HB1743 SD2

Committee Reports: HSCR 110-04 (EEP/ WLH/) HSCR 753-04 (JUD) SSCR 2998 (ECD) SSCR 3215 (WLA)

Current Status: Apr-22 04 Received by the Governor

Section Affected: 205A- (3 SECTIONS) LIGHT POLLUTION ON OCEAN WATERS

HB1756 HD2 SD1 CD1 (CCR 79-04) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HIGH TECHNOLOGY INDUSTRIAL ENTERPRISES.

Introduced by: Tamayo T (586-6080), Schatz B, Chang J, Moses M

Authorizes the issuance of special purpose revenue bonds to assist the Hawaii operations of Electricore, Inc., in the planning, design, construction, and operation of facilities for the development and production of unmanned vehicle systems, unmanned aerial vehicles, and the technologies associated with integrated multi use unmanned systems. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1756 CD1

Committee Reports: HSCR 120-04 (EDB) HSCR 603-04 (FIN) SSCR 2989 (SAT) SSCR 3237 (WAM) CCR 79-04

Current Status: May-03 04 Passed Legislature

HB1765 HD1 SD1 CD1 (CCR 34-04) RELATING TO GOVERNMENT BOARDS, COMMISSIONS, AND AGENCIES.

Introduced by: Herkes R (586-8400)

Establishes provision relating to nonattendance of board members. Requires the term of a member of a board to expire upon the failure of the member, without valid excuse, to attend 3 consecutive unexcused meetings duly noticed to all members of the board where the board failed to constitute quorum necessary to transact board business. Exempts ex officio members of a board and any board, commission, agency, authority, committee of any political subdivision of the State, or any board whose authority is strictly advisory in nature. -- HB1765 CD1

Committee Reports: HSCR 644-04 (JUD) SSCR 3002 (TMG) SSCR 3110 (JHW) CCR 34-04

Current Status: Apr-30 04 Passed Legislature

Section Affected: 92- (1 SECTION) NONATTENDANCE OF BOARD MEMBER

HB1770 HD1 SD2 CD1 (CCR 38-04) RELATING TO MOTOR VEHICLES.

Introduced by: Wakai G (586-6220), Schatz B, Caldwell K, Lee M, Shimabukuro M, Nishimoto S, Luke S

Amends provisions relating to motor vehicle alarm systems. Adds increasing penalties for 4th, 5th, and 6th or subsequent violations. Provides that an offense shall be a violation for which a police issues a summons or citation to the registered owner. -- Amends provisions relating to prohibiting noncompliance with the speed limit. Adds that if a person exceeds the speed limit by operating a vehicle at a speed exceeding 90 miles per hour the court may revoke the driver's license for up to 5 years. -- HB1770 CD1

Committee Reports: HSCR 142-04 (TRN) HSCR 543-04 (JUD) SSCR 2958 (TMG) SSCR 3127 (JHW) CCR 38-04

Current Status: Apr-30 04 Passed Legislature

Section Affected: 291-24.6, 291C-102

HB1774 HD2 SD2 CD1 (CCR 21-04) RELATING TO UNEMPLOYMENT BENEFITS.

Introduced by: Oshiro M (586-8505)

Amends provisions relating to employment security. Beginning January 1, 2004 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. Provides that the funds payable shall be withdrawn from the unemployment compensation trust fund and if necessary, additional moneys may be allocated from the federal Reed Act funds and used for the payment of expenses incurred for the administration of unemployment compensation benefits. -- HB1774 CD1

Committee Reports: HSCR 461-04 (LAB) HSCR 729-04 (FIN) SSCR 3013 (LBR) SSCR 3251 (WAM) CCR 21-04

Current Status: Apr-30 04 Received by the Governor

Section Affected: 383-23

HOUSE BILLS WHICH PASSED THE LEGISLATURE

1989, ACT 299 1990, (1 SECTION), ACT 296 1991, ACT 300 1992, (1 SECTION), ACT 7 1993 1SP, (1 SECTION), ACT 289 1993, ACT 252 1994, (1 SECTION), ACT 218 1995, ACT 287 1996, (1 SECTION), ACT 328 1997, ACT 116 1998, (1 SECTION), ACT 91 1999, ACT 281 2000, (1 SECTION), ACT 259 2001, ACT 3 2001 3SP, ACT 177 2002, (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION)

- HB1819 RELATING TO MOTOR VEHICLE INSURANCE.
Introduced by: Hiraki K (586-6180)
Amends provisions relating to motor vehicle insurance. Requires a member owned reciprocal insurer and its wholly owned insurer subsidiaries to make satisfactory arrangements for claims service and adjustment and for policy service of all policies sold or issued to consumers in this State if a majority of its members are members of the US military services, veterans of the US military services, current or former spouses or dependents of these persons and the primary purpose of the insurer is to serve these persons. -- HB1819
Committee Reports: HSCR 64-04 (CPC) SSCR 3191 (CPH/ TMG/)
Current Status: Apr-15 04 Received by the Governor
Apr-29 04 Approved by Governor (Act 36 2004)
Section Affected: 431:10C-119
- HB1820 HD1 SD1 CD1 (CCR 85-04) RELATING TO MOTOR VEHICLE INSURANCE.
Introduced by: Hiraki K (586-6180)
Amends provisions relating to cancellation or nonrenewal and notice of cancellation or nonrenewal of motor vehicle insurance policies. Allows an insurer to cancel or refuse to renew a policy that has been in effect for 60 days or less. Provides that for the cancellation of insurance for nonpayment of premium, the insurer shall mail a written notice of prospective cancellation to the insured at least 20 days prior to the cancellation and continue coverage for 20 days following the mailing. -- HB1820 CD1
Committee Reports: HSCR 496-04 (CPC) SSCR 3122 (CPH) CCR 85-04
Current Status: May-03 04 Passed Legislature
Section Affected: 431:10C-111, 431:10C-112
- HB1824 SD1 (SSCR 3089) RELATING TO ELECTRICIANS AND PLUMBERS.
Introduced by: Hiraki K (586-6180)
Amends provisions relating to electricians and plumbers fees and license renewal. Provides that plumbers and electricians shall renew their license every 3 years. Provides that all plumbers furnish the board of electricians and plumbers with proof of attendance at an educational course and successfully complete an examination prescribed by the board. -- HB1824 SD1
Committee Reports: HSCR 510-04 (CPC) SSCR 3089 (CPH)
Current Status: Apr-29 04 Passed Legislature
Section Affected: 448E-8, 448E-8.5
- HB1828 HD1 SD1 CD1 (CCR 17-04) RELATING TO PUBLIC ORDER.
Introduced by: Hiraki K (586-6180)
Establishes provisions relating to urinating and defecating in public. Provides that a person commits the offense of urinating or defecating in public if the person intentionally or knowingly urinates or defecates in a public place or any area where such an act is likely to be observed by any member of the public within the boundaries of the downtown Honolulu area. Act to be repealed December 31, 2009 (sunset). -- HB1828 CD1
Committee Reports: HSCR 483-04 (JUD) SSCR 2919 (JHW) CCR 17-04
Current Status: Apr-29 04 Passed Legislature
Section Affected: 711- (1 SECTION) URINATING OR DEFECATING IN PUBLIC
- HB1839 HD2 SD2 (SSCR 3225) RELATING TO PAIN PATIENT'S BILL OF RIGHTS.
Introduced by: Evans C (586-8510), Caldwell K, Oshiro M, Arakaki D, Shimabukuro M
Establishes pain patient's bill of rights law. Provides that a patient suffering from severe acute pain or severe chronic pain has the option to request or reject the use of any or all modalities to relieve the pain. Provides that patients who suffer from severe acute or chronic pain have the option to choose from appropriate pharmacologic treatment options to relieve severe acute and chronic pain, including opiate medications without 1st having to submit to an invasive medical procedure. Allows the physician to refuse to prescribe opiate medication but, the physician must inform the patient of physicians

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who are qualified to treat severe acute and chronic pain to prescribe a dosage deemed medically necessary to relieve severe acute and chronic pain. Establishes provisions relating to pain management guidelines. Provides that the board of medical examiners may establish guidelines for physicians, physician assistants and osteopathic physicians with respect to patients' pain management. -- HB1839 SD2

Committee Reports: HSCR 284-04 (HLT) HSCR 771-04 (CPC/ JUD/) SSCR 3019 (HTH/ CPH/) SSCR 3225 (WAM)

Current Status: Apr-29 04 Passed Legislature

Section Affected: (2 SECTIONS) PAIN PATIENTS BILL OF RIGHTS, 453- (1 SECTION), 460- (1 SECTION)

HB1840 HD1 SD1 CD1 (CCR 12-04) RELATING TO AIR POLLUTION CONTROL.

Introduced by: Evans C (586-8510)

Amends provisions relating to subjects of health. Provides that the department of health prescribe rules to control fugitive dust including emissions that pass over a property lot boundary line, as well as those that pass into other buildings, structures, facilities, installations, or other units within the same property lot boundary line, regardless of whether they enter the ambient air. -- HB1840 CD1

Committee Reports: HSCR 640-04 (EEP) SSCR 3195 (HTH/ ENE/) CCR 12-04

Current Status: Apr-27 04 Received by the Governor

Section Affected: 321-11, 346-16, 431:10H-301

HB1848 HD1 SD1 CD1 (CCR 133-04) RELATING TO EXCEPTIONAL TREES.

Introduced by: Caldwell K (586-8475), Morita H, Kanoho E, Abinsay F, Shimabukuro M, Kaho'ohalahala S, Magaoay M, Lee M, Evans C, Karamatsu J, Oshiro B

Provides an income tax deduction of up to 3,000 dollars per exceptional tree for expenditures to maintain exceptional trees on the taxpayer's property that have been designated by the county arborist advisory committee as an exceptional tree. -- HB1848 CD1

Committee Reports: HSCR 203-04 (EEP) HSCR 749-04 (FIN) SSCR 2978 (WLA) SSCR 3233 (WAM) CCR 133-04 - notwithstanding

Current Status: May-06 04 Passed Legislature

Section Affected: 235- (1 SECTION) EXCEPTIONAL TREES

HB1860 HD1 SD2 CD1 (CCR 20-04) RELATING TO CHILD ABUSE AND NEGLECT.

Introduced by: Arakaki D (586-6050), Mindo R, Shimabukuro M, Thielen C, Marumoto B, Oshiro M, Takai K, Kahikina M, Hale H, Evans C, Leong B, Oshiro B

Amends provision relating to income check off authorized by providing that any individual may designate 5 dollars of their income tax refund to the Hawaii children's trust fund, domestic violence prevention special fund, and spouse and child abuse special accounts under the department of human services and the judiciary. -- HB1860 CD1

Committee Reports: HSCR 188-04 (HSH) HSCR 605-04 (FIN) SSCR 2904 (HMS) SSCR 3227 (WAM) CCR 20-04

Current Status: Apr-30 04 Received by the Governor

Section Affected: 235-102.5, 321-1.3, 346-7.5, 350B-2, 601-3.6

HB1893 HD2 SD1 (SSCR 3022) RELATING TO EDUCATION.

Introduced by: Takai K (586-8455), Tamayo T, Oshiro B, Shimabukuro M, Mindo R, Blundell B, Marumoto B, Lee M, Oshiro M, Evans C, Arakaki D, Thielen C, Leong B, Kahikina M

Establishes provisions relating to GEAR UP Hawaii scholarship trust fund. Authorizes the university of Hawaii to establish a charitable trust known as GEAR UP Hawaii scholarship trust fund and to appoint 1 or more trustees. Provides that the purpose of the trust is to establish and maintain a financial assistance program to award scholarships to eligible students in accordance with funds received from the US Department of Education under the Gaining Early Awareness and Readiness for Undergraduate Program. Provides that the trust fund shall consist of moneys received from under GEAR UP. -- HB1893 SD1

Committee Reports: HSCR 239-04 (HED/ EDN/) HSCR 570-04 (FIN) SSCR 3022 (EDU) SSCR 3141 (WAM)

Current Status: Apr-29 04 Passed Legislature

Section Affected: 304- (1 SECTION) GEAR UP HAWAII SCHOLARSHIP TRUST FUND

HB1898 HD1 (HSCR 704-04)

RELATING TO FINANCIAL LITERACY FOR YOUTH MONTH.

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Introduced by: Takai K (586-8455), Caldwell K, Marumoto B, Meyer C, Mindo R, Arakaki D, Shimabukuro M

Establishes the financial literacy for youth month. Require the entire month of April to be known and designated as financial literacy for youth month. This month is not and shall not be construed to be a state holiday. -- HB1898 HD1

Committee Reports: HSCR 236-04 (EDN) HSCR 704-04 (LMG) SSCR 2982 (ECD) SSCR 3216 (TMG)

Current Status: Apr-15 04 Received by the Governor
Apr-29 04 Approved by Governor (Act 37 2004)

Section Affected: 8- (1 SECTION) FINANCIAL LITERACY FOR YOUTH MONTH

HB1904 HD1 SD2 CD1 (CCR 155-04) RELATING TO TAXATION.

Introduced by: Ito K (586-8470), Takai K, Tamayo T, Oshiro M

Changes the income tax deduction of the 1st 1,750 dollars to income received by reserve components of the Army, Navy, Air Force, and Marine Corps, or Coast Guard of the US and the Hawaii national guard as compensation for performance of duty equivalent to pay received for 48 drills (equivalent of 12 weekends and 15 days of annual duty) at an E - 1 pay grade after 8 years of service for taxable years beginning after December 31, 2004. Increases the pay grade yearly to E - 5 for taxable years beginning after December 31, 2008. -- HB1904 CD1

Committee Reports: HSCR 4-04 (PSM) HSCR 571-04 (FIN) SSCR 2960 (TMG) SSCR 3260 (WAM) CCR 155-04

Current Status: May-03 04 Passed Legislature

Section Affected: 235-7

HB1908 HD2 SD1 CD1 (CCR 135-04) RELATING TO EDUCATION.

Introduced by: Takai K (586-8455), Ito K, Tamayo T, Oshiro M, Takumi R, Pendleton D, Finnegan L

Amends provisions relating to federal indirect overhead reimbursements received by the department of education. Requires the department to set aside 100,000 dollar of federal impact aid moneys for establishing and funding a permanent, full time military liaison position within the department of education and funding the joint venture education program to facilitate interaction between the military community and the department. Provides that the military liaison position shall be exempt from civil service provisions. -- HB1908 CD1

Committee Reports: HSCR 112-04 (EDN) HSCR 583-04 (FIN) SSCR 3003 (TMG/EDU) SSCR 3261 (WAM) CCR 135-04

Current Status: May-03 04 Passed Legislature

Section Affected: 29-25, 302A-1404

HB1919 HD1 (HSCR 737-04)

RELATING TO PUBLIC EMPLOYEES.

Introduced by: Takamine D (586-6200), Mindo R, Ito K, Oshiro M, Schatz B, Nishimoto S, Kahikina M, Takumi R

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. -- HB1919 HD1

Committee Reports: HSCR 9-04 (LAB) HSCR 737-04 (FIN) SSCR 2927 (LBR) SSCR 3451 (WAM)

Current Status: Apr-23 04 Received by the Governor

Section Affected: 89C-3

HB1926

RELATING TO EDUCATION.

Introduced by: Takumi R (586-6170), Caldwell K, Karamatsu J, Evans C, Oshiro B, Takai K, Tamayo T, Arakaki D, Kawakami B, Nishimoto S, Shimabukuro M, Hamakawa E

Amends provisions relating to interstate agreement on qualification of educational personnel. Changes certification to license, replaces the superintendent of education with the executive director of the teacher standards board, and replaces the department of education with the Hawaii teacher standards board. -- HB1926

Committee Reports: HSCR 546-04 (EDN) SSCR 2944 (EDU) SSCR 3112 (JHW)

Current Status: Apr-12 04 Received by the Governor

Apr-28 04 Approved by Governor (Act 21 2004)

Section Affected: 315-1, 315-2, 315-3

HB1929 HD1 SD2 CD1 (CCR 83-04) RELATING TO SCHOOL REPAIR AND MAINTENANCE.

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Introduced by: Takumi R (586-6170), Arakaki D, Caldwell K, Ito K, Karamatsu J, Nishimoto S, Oshiro B, Takai K, Shimabukuro M, Oshiro M, Hamakawa E, Tamayo T
Amends provisions relating to the income tax credit for school repair and maintenance. Replaces the department of accounting and general services with the department of education. -- Amends provisions relating to Hawaii 3R's school repair and maintenance project by replacing the department of accounting and general services and the comptroller with the department of education and the superintendent of education. Establishes a coordinator position within the department of education to coordinate the public and private efforts to repair and maintain public schools. Provides that the coordinator shall serve at the pleasure of the superintendent and be exempt from civil service laws. -- HB1929 CD1

Committee Reports: HSCR 116-04 (EDN) HSCR 578-04 (FIN) SSCR 3024 (EDU)
SSCR 3142 (WAM) CCR 83-04

Current Status: May-03 04 Passed Legislature

Section Affected: 235-110.2, 302A-1502.4, 302A-1502.6

HB1944 HD1 SD1 (SSCR 3029)

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

Introduced by: Waters T (586-9450), Morita H, Kanoho E, Kaho'ohalahala S, Thielen C, Evans C, Bukoski K

Amends Act 136, session laws of 2000, which authorizes the issuance of special purpose revenue bonds, to assist Worldwide Energy Group, Inc., a Hawaii corporation, in the planning, design, construction, and operation of any and all elements of the Hawaii sugar ethanol project, including a multi million gallon per year fuel grade ethanol facility on the island of Kauai and other appropriate locations in the State by extending the lapse date of the authorization to issue the bonds to June 30, 2009 (sunset). -- HB1944 SD1

Committee Reports: HSCR 590-04 (FIN) SSCR 3029 (ENE) SSCR 3133 (WAM)

Current Status: Apr-28 04 Received by the Governor

Section Affected: ACT 136 2000

HB1980 HD1 SD1 CD1 (CCR 50-04)

RELATING TO FAMILY COURT.

Introduced by: Kahikina M (586-8465), Arakaki D, Evans C, Shimabukuro M, Kawakami B, Sonson A, Hale H, Kanoho E

Amends provisions relating to procedure in children's cases. Provides that the requirement that the public be excluded from child cases shall not apply to hearings initiated pursuant to child protective provisions which may be open to the public if a judge determines that doing so would be in the best interest of the child. Allows each party involved to be accompanied by an adult advocate to provide support, unless the court finds that the presence of the advocate would not be in the best interest of the child. Provides that the advocate need not be a licensed attorney. Prohibits persons who have an interest in the matter beyond the protection of the child and the healing and rehabilitation of the family from acting as an advocate. Provides that prior to the start of a hearing, the parents, guardian, or legal custodian, and, when appropriate, the child, the child victim, or witness shall be notified of the right to be represented by counsel and the right to remain silent. -- HB1980 CD1

Committee Reports: HSCR 657-04 (JUD) SSCR 3198 (JHW) CCR 50-04

Current Status: Apr-30 04 Passed Legislature

Section Affected: 571-41

HB1987 HD1 SD1 (SSCR 3004)

RELATING TO MOTOR VEHICLES.

Introduced by: Souki J (586-9444), Caldwell K

Amends provisions relating to the regulation of motor vehicle sun screening devices (car tint, car tinting). Increases the penalty for the owner of the motor vehicle and establishes penalty for the person or business entity who is the installer of the sun screening device which does not meet requirements. -- HB1987 SD1

Committee Reports: HSCR 30-04 (TRN) HSCR 692-04 (CPC/ JUD/) SSCR 3004 (TMG) SSCR 3113 (JHW)

Current Status: May-06 04 Passed Legislature

Section Affected: 291-21.5

HB1991 HD1 SD1 (SSCR 2952)

RELATING TO AUTOMATIC EXTERNAL DEFIBRILLATORS.

Introduced by: Kawakami B (586-6280)

Amends provisions relating to exception to liability. Provides that any physician who administers an automatic external defibrillator program without remuneration or expectation of remuneration shall not be liable for any civil damages resulting from that

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act or omission except as may result from gross negligence or wanton acts or omissions. -- HB1991 SD1

Committee Reports: HSCR 259-04 (HLT) HSCR 695-04 (JUD) SSCR 2952 (HTH) SSCR 3114 (JHW)

Current Status: Apr-29 04 Passed Legislature

Section Affected: 663-1.5

HB2002 HD2 SD1 CD2 (SENATE
FLOOR AMENDMENT 16 OR
HOUSE FLOOR AMENDMENT 23)

RELATING TO EDUCATION.

Introduced by: Say C (586-6100), Saiki S, Chang J, Luke S, Lee M, Schatz B, Takumi R, Arakaki D, Hamakawa E, Morita H, Sonson A, Abinsay F, Magaoay M, Evans C, Shimabukuro M, Souki J, Mindo R, Oshiro M, Takai K, Kahikina M, Oshiro B, Nishimoto S, Waters T, Caldwell K, Tamayo T, Herkes R, Hiraki K, Ito K, Karamatsu J, Wakai G, Kaho'ohalahala S, Hale H, Takamine D, Kawakami B, Kanoho E, Nakasone B
Establishes the afterschool plus (A+, A-plus, A plus) program revolving fund administered by the department of education to pay for the costs of administering and operating the program. Provides that the fund consist of fees collected for administering the program, legislative appropriations, interest earned on deposits or investments, and other moneys available to the program. Authorizes the department to establish appropriate fees to be assessed to each participant of the program. Authorizes charter schools to elect whether to receive allocations according to the weighted student formula. Appropriation out of the afterschool plus program revolving fund. -- Amends the Act that results from the enactment of S.B. 3238, S.D. 2, H.D. 2, C.D. 1 (SB3238 SD2 HD2 CD1). Authorizes charter schools to elect whether to receive allocations according to the weighted student formula. Requires the working group to establish performance criteria to be used in individual performance contracts for principals. Requires principals to develop academic and financial plans relating to their schools. Further requires the school community councils to review and evaluate the plans and recommend revisions or recommend approval to the complex area superintendent. Requires the appropriation to be for the piloting of school community councils and development of academic financial plans at 1 school in each complex area, at the minimum. Requires the department of education to report to the legislature details of the programs and functions that would need to be placed under the control of the individual schools to achieve benchmark figures in enabling principals to expend an increased percentage of the appropriations for the total department of education budget. (\$\$) -- HB2002 CD2

Committee Reports: HSCR 476-04 (EDN) HSCR 773-04 (FIN) SSCR 3088 (EDU/WAM/) CCR 136-04 - filed SENATE FLOOR AMENDMENT 16 HOUSE FLOOR AMENDMENT 23

Current Status: May-06 04 Passed Legislature

Section Affected: 302A- (1 SECTION), 302A- (1 SECTION), ACT 2004 (SB3238 SD2 HD2 CD1), 302A-1103, 302A-1124

HB2003 HD1 SD1 (SSCR 3091)

RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES.

Introduced by: Say C (586-6100), Saiki S, Chang J, Takumi R, Luke S, Lee M, Schatz B, Kahikina M, Arakaki D, Waters T, Hamakawa E, Morita H, Sonson A, Magaoay M, Evans C, Souki J, Karamatsu J, Mindo R, Kaho'ohalahala S, Kawakami B, Takai K, Oshiro B, Nishimoto S, Caldwell K, Tamayo T, Herkes R, Abinsay F, Hiraki K, Ito K, Shimabukuro M, Oshiro M, Hale H, Takamine D, Kanoho E, Nakasone B
Establishes provisions relating to manufacturing a controlled substance with a child present. Provides that any person convicted of manufacturing a controlled substance knowing that a child under the age of 16 is present in the structure where the offense occurs, shall be sentenced to an additional term of imprisonment. Provides that a person commits the offense of unlawful methamphetamine trafficking if the person knowingly manufactures, distributes, dispenses, or possesses with intent to manufacture, distribute or dispense 1 or more preparations, compounds, mixtures, or substances of methamphetamine, or any of its salts, isomers, and salts of isomers. Provides that a person age 18 or over commits the offense of promoting a controlled substance through a minor if the person knowingly employs, hires, uses, persuades, induces, entices, or coerces a minor to facilitate the illegal distribution of a controlled substance. Provides that a person commits the offense of promoting a controlled substance in, on, or near schools, school vehicles, or public parks if the person knowingly manufactures methamphetamines or any of its salts, isomers, and salts of isomers within 750 feet of the real property comprising a school or public park. Provides that if a 1st time violator of parole terms and conditions for possession or use of any dangerous drug, detrimental drug, harmful drug, intoxicating compound, marijuana, or marijuana concentrate, or involving possession or use of drug paraphernalia fails to

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complete a substance abuse treatment program or the Hawaii paroling authority determines that the paroled prisoner cannot benefit from any substance abuse program, the paroled prisoner shall be subject to revocation of parole and return to incarceration. -- Establishes drug dealer liability law. Allows a parent, legal guardian, child, spouse, or sibling of the individual drug user, an individual who was exposed to an illegal drug in utero, an employer of the individual drug user, a medical facility, insurer, governmental entity, employer, or other entity that funds a drug treatment program or employee assistance program for the individual drug user, or a person injured as a result of the intentional, knowing, reckless, or negligent actions of an individual drug user to bring action to recover damages caused by an individual's use of an illegal drug. -- Establishes provisions relating to substance abuse prevention education. Provides that an employer shall provide on an annual basis a mandatory substance abuse prevention education program for the employer's employees. Provides that prior to implementing any decision to exclude the child from attending school due to a possession, selling, consuming, or using intoxicating liquor or illegal drugs while attending school or department of education supervised activities shall be referred to and assessed by a certified substance abuse treatment counselor to determine whether the child needs treatment for substance abuse or dependency. Provides that services and benefits provided by health insurance plans including QUEST for drug and alcohol dependency shall be equal to and co extensive with health insurance coverage for physical disease and illness. Provides for civil commitment for substance abuse outpatient treatment. Allows family members to petition the family court for an order requiring a respondent to enter into an outpatient treatment program for substance abuse. Provides that a drug rehabilitation home shall be considered a residential use of property and shall be a permitted use in residentially designated zones. Provides that any citizen who brings a nuisance abatement suit against a place used for the purpose of committing drug offenses or who files a complaint with the local police or drug nuisance abatement unit of the department of the attorney general shall be entitled to the same rights and protections of victims and witnesses in criminal proceedings. Provides that the department of public safety shall coordinate drug abatement efforts of the communities with the State, counties, and community agencies. Annual report to the legislature. Act to be repealed on June 30, 2007 (sunset) except for insurance provisions which will be repealed on June 30, 2011. -- HB2003 SD1

Committee Reports: HSCR 495-04 (JUD) SSCR 3091 (JHW/ HTH/)

Current Status: Apr-30 04 Veto Overridden - House
Apr=30 04 Veto Overridden - Senate
Apr-30 04 Became Law (Act 44 2004)

Section Affected: 712- (3 SECTIONS), 329-1, 712-1241, 712-1242, 712-1243, 712-1249.6, 353-66, 706-622.5, 706-625, (13 SECTIONS) DRUG DEALER LIABILITY, 302A-1134.6, 431M- (1 SECTION), 334- (8 SECTIONS) CIVIL COMMITMENT FOR SUBSTANCE ABUSE OUTPATIENT TREATMENT, 46- (1 SECTION), 322-1, 712- (1 SECTION), 26-14.6, 712-1276, 712-1278

HB2004 HD1 SD1 CD1 (CCR 5-04)

RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES.

Introduced by: Say C (586-6100), Saiki S, Chang J, Takumi R, Takai K, Oshiro B, Waters T, Hamakawa E, Luke S, Lee M, Schatz B, Kahikina M, Arakaki D, Nishimoto S, Caldwell K, Tamayo T, Herkes R, Abinsay F, Hiraki K, Ito K, Karamatsu J, Mindo R, Oshiro M, Hale H, Takamine D, Kawakami B, Kanoho E, Morita H, Sonson A, Magaoay M, Evans C, Shimabukuro M, Souki J, Wakai G, Kaho'ohalahala S, Nakasone B
Appropriation to the department of health for adolescent substance abuse treatment programs; for substance abuse prevention; and for adult treatment services. -- Appropriation to the judiciary for the drug courts to expand their programs, including juvenile and family drug courts; and for the treatment of 1st time nonviolent drug offenders sentenced by the court. -- Appropriation to the department of public safety for the canine drug interdiction program; for a needs assessment for adult substance abuse treatment services or the implementation of the substance abuse treatment monitoring program, and for coordination of community based drug abatement and mobilization efforts; as a grant in aid to the Being Empowered and Safe Together Reintegration Program for the establishment and continuation of services to provide a supportive environment that assists former incarcerated individuals returning to the community to remain free from the influences, temptations, and dangers related to illegal drugs. -- Appropriation out of the environmental response revolving fund to the department of health for a study and analysis of the effects of clandestine methamphetamine laboratories on the environment (particularly ground water), disposal of toxic waste materials found at the site and disposal of the site itself, and recommendations for

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action. -- Appropriation out of the emergency and budget reserve fund (rainy day fund) as a grant in aid to the city and county of Honolulu, the county of Hawaii, the county of Kauai, and the county of Maui to fund grassroots community efforts to sustain their anti drug campaigns, provided that no single nonprofit entity to receive more than 5,000 dollars and provides that funds be matched by the respective counties. -- Appropriation to the county of Hawaii for community adolescent drug prevention programs on the island of Hawaii; and for community anti drug efforts aimed at preventing crystal methamphetamine use (requires matching federal funds). -- Appropriation out of the emergency and budget reserve fund as a grant in aid to the city and county of Honolulu, county of Hawaii, county of Kauai, and county of Maui to fund community based substance abuse prevention programs with priority given to drug education and awareness in the schools and community partnerships, non school youth activities in communities with the greatest need. -- Appropriation out of the emergency budget reserve fund to the department of the attorney general to expand the weed and seed program to other communities that meet federal guidelines for receiving federal funding under the weed and seed program. Requires a steering committee for the program to advise the program regarding the disbursement of funds. Requires an account to be established for the program. -- Establishes a substance abuse treatment monitoring program. Requires the department of health to establish the program to determine the effectiveness of substance abuse treatment services and maintain accurate numbers of individuals receiving publicly funded substance abuse treatment. Requires the office of youth services, the judiciary, and the department of public safety to collect the same information. Annual reports to the legislature. Appropriation to the department of health for 3 full time equivalent (FTE) positions in the alcohol and drug abuse division to collect data and evaluate outcomes. -- Requires the department of health to annually report to the legislature on the implementation of the statewide substance abuse plan. -- Requires the department of human services to coordinate the efforts of the department of health, the department of human services, department of the attorney general, the department of education, county police departments, county prosecutors, the judiciary, and community agencies to develop the drug endangered child protective program. Report to the legislature. Appropriation to the department of human services. -- Appropriation to the department of public safety for staffing, equipment, and other operating expenses for the expansion of the KASHBOX substance abuse treatment program at the Waiawa correctional facility. (\$\$) -- HB2004 CD1

Committee Reports: HSCR 516-04 (FIN) SSCR 3092 (WAM) CCR 5-04

Current Status: Apr-15 04 Received by the Governor

Apr-30 04 Became Law Without Governor's Signature (Act 40 2004)

Section Affected: 321- (1 SECTION), 352D- (1 SECTION), 601- (1 SECTION), 353G-13

HB2005 HD1 SD1 CD1 (CCR 129-04) RELATING TO PRESCRIPTION DRUGS.

Introduced by: Say C (586-6100), Saiki S, Schatz B, Chang J, Takai K, Takumi R, Oshiro B, Waters T, Tamayo T, Herkes R, Magaoay M, Ito K, Luke S, Lee M, Kahikina M, Arakaki D, Nishimoto S, Hamakawa E, Caldwell K, Morita H, Sonson A, Abinsay F, Hiraki K, Shimabukuro M, Karamatsu J, Mindo R, Oshiro M, Kaho'ohalahala S, Takamine D, Kawakami B, Kanoho E, Evans C, Souki J, Wakai G, Hale H, Nakasone B

Establishes return for credit and reuse of prescription drugs law. Provides that previously dispensed prescription drugs may be returned to the dispensing pharmacy for credit to the payer and subsequent reuse. Establishes requirements for prescription drugs previously dispensed or distributed by a pharmacy for administration to patients in an institutional facility by personnel of the institutional facility that may be returned to and redispensed or redistributed by the pharmacist. Allows drugs that meet these requirements but are otherwise not appropriate for return for credit and reuse, to be donated to repository entities. Provides that prescription drugs from individual members of the public shall not be accepted for donation. Further provides that all dispensed and billed drugs subject to return for credit and reuse or all drugs subject to donation to repository entities, shall be recorded subject to audit. Report to legislature. Act to be repealed on July 1, 2010 (sunset). -- HB2005 CD1

Committee Reports: HSCR 46-04 (HLT/ CPC/) HSCR 523-04 (FIN) SSCR 3190 (CPH/ HTH/) CCR 129-04

Current Status: May-03 04 Passed Legislature

Section Affected: (7 SECTIONS) RETURN-FOR-CREDIT-AND-REUSE OF PRESCRIPTION DRUGS, 328C- (2 SECTIONS), 328C-1, 461- (1 SECTION), 461-1, 328C-2

HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB2009 HD1 SD1 CD1 (CCR 139-04) MAKING AN APPROPRIATION FOR AGRICULTURAL RESEARCH AND MARKET DEVELOPMENT.
Introduced by: Abinsay F (586-6010), Chang J, Kawakami B, Karamatsu J, Schatz B, Magaoay M, Herkes R, Marumoto B, Sonson A, Oshiro B, Tamayo T, Jernigan M
Appropriation to the department of agriculture for the Hawaii farm bureau federation to pursue efforts in agricultural research and market development. Appropriation to the university of Hawaii for the research programs of the college of tropical agriculture and human resources to further its mission and actively help Hawaii diversify its economy, provided that the funds be added to the base budget of the university. (\$\$) -- HB2009 CD1
Committee Reports: HSCR 96-04 (AGR) HSCR 579-04 (FIN) SSCR 3185 (WAM) CCR 139-04
Current Status: May-05 04 Received by the Governor
- HB2013 SD2 CD1 (CCR 29-04) RELATING TO POLYBROMINATED DIPHENYL ETHERS.
Introduced by: Leong B (586-6510), Marumoto B, Thielen C, Shimabukuro M, Kawakami B, Lee M, Morita H
Establishes the polybrominated diphenyl ether law. Prohibits any person to manufacture, process, or distribute in commerce a product, or a flame retarded part of a product, containing more than 1/10 of 1 per cent of pentaBDE or octaBDE, by mass. Exempts the processing of metallic recyclables containing pentaBDE or octaBDE, or any other chemical formulation that is part of these classifications that is conducted in compliance with federal, state and local laws. -- HB2013 CD1
Committee Reports: HSCR 205-04 (EEP) HSCR 529-04 (CPC) SSCR 3036 (ENE) SSCR 3108 (CPH) CCR 29-04
Current Status: Apr-30 04 Passed Legislature
Section Affected: (3 SECTIONS) POLYBROMINATED DIPHENYL ETHERS
- HB2020 HD1 SD2 CD1 (CCR 28-04) RELATING TO PROSTITUTION.
Introduced by: Lee M (586-9460), Marumoto B, Thielen C, Evans C, Hale H, Shimabukuro M, Kawakami B, Leong B, Luke S, Karamatsu J, Morita H, Chang J, Magaoay M
Establishes provision relating to promoting travel for prostitution. Provides that a person commits the offense of promoting travel for prostitution if the person knowingly sells or offers to sell travel services that include or facilitate travel for the purpose of engaging in what would be prostitution if occurring in the State and that it shall be a class C felony. Prohibits a travel agency or charter tour operator from promoting travel for prostitution or from selling, advertising, or offering to sell travel services or facilitating travel for the purpose of engaging in commercial sexual acts; that consists of tourism packages or activities using and offering sexual acts as enticement for tourism; or providing or purporting to provide access to or facilitating the availability of sex escorts or sexual services. -- HB2020 CD1
Committee Reports: HSCR 494-04 (JUD) SSCR 2903 (HMS) SSCR 3115 (JHW) CCR 28-04
Current Status: Apr-30 04 Passed Legislature
Section Affected: 712- (1 SECTION), 468L-7.5
- HB2022 HD2 SD1 CD1 (CCR 18-04) RELATING TO GENERAL ASSISTANCE.
Introduced by: Shimabukuro M (586-8460), Lee M, Kawakami B, Leong B, Luke S, Morita H, Chang J, Magaoay M, Blundell B
Amends provision relating to eligibility of general assistance to households without minor dependents. Requires the department of human services to ask the person whether the person has a physical or mental disability, or both and ask the person to choose whether the person's primary disability is physical or mental. If a determination and certification is made that the applicant does not have a physical and mental disability, the department shall provide the person with an initial denial notice that gives the person at least 10 business days to provide additional medical evidence and refer the person to free legal services for assistance. Requires the department to promptly provide the person with a complete and legible copy of the recommended appropriate treatment. Requires the department to report on the progress of this Act to the legislature. -- HB2022 CD1
Committee Reports: HSCR 422-04 (HSH/ HLT/) HSCR 732-04 (FIN) SSCR 2901 (HMS) SSCR 3138 (WAM) CCR 18-04
Current Status: Apr-29 04 Passed Legislature
Section Affected: 346-71

HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB2023 HD2 SD2 CD1 (CCR 39-04) RELATING TO ADMINISTRATIVE APPEALS.
Introduced by: Shimabukuro M (586-8460), Takai K, Lee M
Amends provisions relating to a fair hearing. Provides that the applicant or recipient's self is entitled to appeal to the director of human services provided that at the hearing all the evidence presented by the parties shall be considered in a fair and impartial manner. -- HB2023 CD1
Committee Reports: HSCR 287-04 (HSH) HSCR 699-04 (JUD) SSCR 2983 (HMS)
SSCR 3221 (JHW) CCR 39-04
Current Status: Apr-30 04 Passed Legislature
Section Affected: 346-12
- HB2024 HD1 (HSCR 484-04) RELATING TO TRANSFER OF OWNERSHIP OF FIREARMS AND AMMUNITION.
Introduced by: Lee M (586-9460), Thielen C, Hale H, Kawakami B, Leong B, Luke S, Blundell B, Shimabukuro M, Morita H, Chang J, Magaoay M
Amends provision relating to transfer of ownership of firearms and ammunition. Provides that no person who has been restrained pursuant to an order of any court shall transfer ownership of any firearm or ammunition so long as the restraining order is in effect. Further provides that any person disqualified from ownership, possession, control or the right to transfer ownership shall surrender or dispose of all firearms and ammunition. -- HB2024 HD1
Committee Reports: HSCR 484-04 (JUD) SSCR 2920 (JHW)
Current Status: Mar-29 04 Received by the Governor
Apr-15 04 Approved by Governor (Act 4 2004)
Section Affected: 134-7, 134-7.3
- HB2025 HD3 SD2 (SSCR 3256) RELATING TO EQUAL PAY.
Introduced by: Evans C (586-8510), Thielen C, Karamatsu J, Hale H, Shimabukuro M, Lee M, Kawakami B, Leong B, Luke S, Morita H, Magaoay M, Blundell B
Establishes provisions relating to equal pay. Prohibits an employer to discriminate within any establishment in which employees are employed, between employees because of sex, by paying wages to employees in the establishment at a rate less than the rate at which the employer pays wages to employees of the opposite sex in the establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions. Establishes a 4 year pay equity task force to be conducted under the office of the governor. Requires the task force to review relevant information and develop recommendations to the legislature on funding or specific actions to correct any gender based pay inequities that are discovered. Act to be repealed on June 30, 2010 (sunset). -- HB2025 SD2
Committee Reports: HSCR 8-04 (LAB) HSCR 304-04 (JUD) HSCR 709-04 (FIN)
SSCR 3035 (LBR/ JHW/) SSCR 3256 (WAM)
Current Status: May-06 04 Passed Legislature
Section Affected: 378- (1 SECTION) EQUAL PAY
- HB2048 HD1 SD1 (SSCR 3276) RELATING TO NET ENERGY METERING.
Introduced by: Morita H (586-8435), Waters T
Amends provisions relating to net energy metering. Redefines eligible customer generator by including government entities and by increasing the metered residential or commercial customer to a capacity of not more than 50 kilowatts. Provides that for systems of 10 kilowatts or less, an eligible customer generator whose solar, wind turbine, biomass, or hydroelectric energy generating system or whose hybrid system consisting of 2 or more of these facilities, which meets standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories and rules of the public utilities commission regarding safety and reliability shall not be required to install additional controls, perform or pay for additional tests, or purchase additional liability insurance. -- HB2048 SD1
Committee Reports: HSCR 7-04 (EEP) HSCR 618-04 (CPC) SSCR 3030 (ENE)
SSCR 3276 (CPH)
Current Status: Apr-27 04 Received by the Governor
Section Affected: 269-101, 269-111
- HB2049 HD1 SD2 CD1 (CCR 84-04) RELATING TO ENERGY.
Introduced by: Morita H (586-8435)
Amends provisions relating to energy retrofit and performance contracting for public facilities. Provides that an energy performance contract may include but not be limited to financing options such as leasing, lease purchase, financing agreement, 3rd party

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joint ventures, guaranteed savings plans or energy service contracts, or any combination thereof. Increases the term of any energy performance contract to not exceed 20 years. Defines energy conservation retrofits to include energy saved off site by water or other utility conservation enhancing retrofits. -- HB2049 CD1

Committee Reports: HSCR 206-04 (EEP) HSCR 520-04 (CPC) SSCR 3201 (ENE/SAT/) FLOOR AMENDMENT 10 CCR 84-04

Current Status: May-03 04 Passed Legislature

Section Affected: 36-41

HB2061 HD2 SD1 CD1 (CCR 11-04)

RELATING TO TRANSIENT ACCOMMODATIONS TAX.

Introduced by: Chang J (586-6120), Oshiro B, Leong B, Karamatsu J, Kanoho E
Amends provision relating to the transient accommodations tax. Provides that beginning on July 1, 2004, 1.3 per cent of the revenues collected shall be transferred to a sub account in the tourism special fund for an aloha aina patrol established in each county under the jurisdiction of the police department for operational expenses including staffing from the police service employees and cadet program, to provide security and assistance to tourists and to serve as ambassadors of aloha in areas of popular beaches and parks that have high tourist traffic, as determined in conjunction with the Hawaii tourism authority. Reduces the amount of revenues distributed to the counties. -- HB2061 CD1

Committee Reports: HSCR 281-04 (TAC) HSCR 730-04 (FIN) SSCR 2914 (TSM) SSCR 3228 (WAM) CCR 11-04

Current Status: May-06 04 Vetoes

Section Affected: 237D-6.5

HB2074 HD1 SD1 CD1 (CCR 89-04)

RELATING TO PENALTIES OF HEALTH, ENVIRONMENTAL, AND CULTURAL PRESERVATION LAWS.

Introduced by: Oshiro B (586-6340), Tamayo T, Waters T, Schatz B, Thielen C, Morita H

Amends provision relating to waiver or reduction of penalties within the small business regulatory flexibility act. Provides that waiver not apply under to violations focusing on historic preservation, soil and water conservation districts, soil erosion and sediment control, strip mining, reservation and disposition of government mineral rights, forest reserves, water development, zoning, conservation districts, wildlife, tree farms, aquatic resources, fishing rights and regulations, west Hawaii regional fishery management area, commercial fishing, marine life conservation program, ocean and submerged lands leasing, natural area reserves system, conservation of aquatic life, wildlife and land plants, forest stewardship, land use commission, coastal zone management, solid waste, safe drinking water, environmental quality control, air pollution control, ozone layer protection, water pollution, nonpoint source pollution management and control, noise pollution, integrated solid waste management, solid waste pollution, special wastes recycling, hazardous waste, underground storage tanks, asbestos and lead, ocean recreation and coastal areas programs, except requirements of small boat harbor's permits and fees. -- HB2074 CD1

Committee Reports: HSCR 11-04 (EDB) HSCR 207-04 (EEP/ TAC/) HSCR 564-04 (JUD) SSCR 3202 (ENE/ ECD/) CCR 89-04

Current Status: May-03 04 Passed Legislature

Section Affected: 201M-8

HB2092 HD2 SD2 (SSCR 3126)

RELATING TO MEDICINE AND SURGERY.

Introduced by: Arakaki D (586-6050)

Amends provisions relating to qualifications for examination and licensure to practice medicine or surgery. Authorizes the board of medical examiners to grant licenses to foreign medical school graduates who completed at least a 1 year residency program in Canada which has been accredited by the Royal College of Physicians and Surgeons of Canada or the College of Family Physicians of Canada and to accept applicants with residency training in Canada with scores deemed satisfactory by the board of medical examiners and by the Special Purpose Examination or Medical Council of Canada Qualifying Examination. Requires the board to periodically review these provisions. -- HB2092 SD2

Committee Reports: HSCR 270-04 (HLT) HSCR 565-04 (CPC) SSCR 3016 (HTH) SSCR 3126 (CPH)

Current Status: Apr-29 04 Passed Legislature

Section Affected: 453-4

HB2098 HD1 SD2 (SSCR 3116)

RELATING TO MEDICAL RECORDS.

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Introduced by: Arakaki D (586-6050), Nishimoto S

Amends provisions relating to availability of medical records. Provides that a personal representative of a deceased person's estate may obtain copies of or may authorize the health care provider to release copies of the deceased person's medical records. Provides that if no personal representative has been appointed, the deceased person's next of kin in order of superseding priority, without court order, may obtain copies of or may authorize the health care provider to release copies of the deceased person's medical records. Provides that health care providers may honor a request if the medical records contain references pertaining to HIV or AIDS, mental illness, or substance abuse treatment or if the deceased person had previously indicated to the medical provider in writing that the person did not wish to have medical records released to the next of kin. -- HB2098 SD2

Committee Reports: HSCR 274-04 (HLT) HSCR 693-04 (CPC/ JUD/) SSCR 2975 (HTH) SSCR 3116 (JHW)

Current Status: Apr-29 04 Passed Legislature

Section Affected: 622-57

HB2136 HD1 SD1 CD1 (CCR 134-04) RELATING TO PROCUREMENT.

Introduced by: Magaoay M (586-6380), Oshiro B, Herkes R, Hiraki K, Kawakami B, Evans C, Caldwell K, Chang J, Saiki S, Luke S, Abinsay F

Amends provisions relating to the procurement of professional services. Provides that recommendations of the selection committee shall not be overturned without due cause. -- Amends provisions relating to the authority to debar or suspend. Provides that the existence of a cause of debarment does not require the contractor be debarred. Provides that the chief procurement officer shall consider factors before, arriving at any debarment decision. Provides that the procuring officer shall verify that all contracts awarded pursuant to competitive sealed bidding, competitive sealed proposals, procurement of professional services and small purchases comply with the Hawaii public procurement code. Provides that the attorney general may waive the requirement that the procurement of legal services be done with a business incorporated, organized and registered to do business in the state if the attorney general certifies in writing that comparable legal services are not available in the state. Removes exemptions from the Hawaii public procurement code. Provides that the president of the university of Hawaii shall be the chief procurement officer for the university of Hawaii. -- HB2136 CD1

Committee Reports: HSCR 663-04 (FIN) SSCR 3196 (TMG) CCR 134-04

Current Status: May-03 04 Passed Legislature

Section Affected: 103D-304, 103D-702, 103D-310, 36-35, 36-36, 39A-32, 39A-72, 39A-112, 39A-152, 39A-192, 41D-2, 87A-18, 87A-24, 103-53, 103D-203, 163D-6, 163D-15.5, 163D-17, 196-22, 201-85, 201G-13, 201G-114, 201G-455, 206E-182, 206M-3, 206M-42, 227D-7, 245-23, 255D-4, 261-52, 266-52, 302A-415, 304-4, 304-8.94, 323F-7, 329-58, 354D-4, 354D-8, 383-128, 412:12-108, 412:13-224, 431:22-102, 87A-20

HB2137 HD1 SD1 CD1 (CCR 141-04) RELATING TO A ONE CALL CENTER.

Introduced by: Hiraki K (586-6180)

Establishes provisions relating to 1 call center. Requires the public utilities commission to establish and administer a 1 call center that provides advance warning to excavators of the location of subsurface installations to protect the installations from damage. Further requires the commission to establish a 1 call center advisory committee. Requires the commission to award the administration of the center to qualified center services provider. Requires operators who own, operate, or maintain a subsurface installation to pay a fee to finance the center and allows the commission to assess fees on excavators. Appropriation out of the public utilities commission special fund to the public utilities commission to establish and operate the center. Act to be repealed on June 30, 2009 (sunset). (\$\$) -- HB2137 CD1

Committee Reports: HSCR 227-04 (CPC) HSCR 614-04 (FIN) SSCR 2986 (CPH/ SAT/) SSCR 3134 (WAM) CCR 141-04

Current Status: May-03 04 Passed Legislature

Section Affected: (17 SECTIONS) ONE CALL CENTER, 269-30, 269-33

HB2139 HD1 (HSCR 497-04)

RELATING TO INSURANCE.

Introduced by: Hiraki K (586-6180)

Amends provisions relating to life insurance and annuities. Repeals the standard nonforfeiture law and individual deferred annuities on July 1, 2006 (sunset) and establishes a new nonforfeiture law effective July 1, 2006. Allows an insurer to elect to

HOUSE BILLS WHICH PASSED THE LEGISLATURE

apply the new nonforfeiture law on a contract form by contract form basis beginning July 1, 2004. -- HB2139 HD1

Committee Reports: HSCR 497-04 (CPC) SSCR 3069 (CPH)

Current Status: Apr-02 04 Received by the Governor

Apr-22 04 Approved by Governor (Act 15 2004)

Section Affected: 431:10D-107

HB2140 HD1 SD1 (SSCR 3070)

RELATING TO MANDATORY CONTINUING EDUCATION FOR PHARMACISTS.

Introduced by: Hiraki K (586-6180)

Amends provision relating to the renewal of licenses for pharmacists to include continuing education requirements. Requires licensed pharmacists to complete 30 hours of continuing education courses within the 2 years preceding the renewal date of the license. Allows the board of pharmacy to extend the time for compliance with the continuing education requirements. Provides that in addition to any other actions authorized by law, the board shall have the power to deny, revoke, or suspend any license or permit for making a false statement on any document submitted or required to be filed including a false certification of compliance with continuing education requirements. -- HB2140 SD1

Committee Reports: HSCR 498-04 (CPC) SSCR 3070 (CPH)

Current Status: Apr-29 04 Passed Legislature

Section Affected: 461-1, 461-8, 461-21

HB2142 HD2 (HSCR 700-04)

RELATING TO BUSINESS PRACTICES.

Introduced by: Hiraki K (586-6180)

Establish provisions relating to confidentiality of business trade secrets and other proprietary information of a tenant or prospective tenant of the authority. Requires any government record made or received by any member or employee of the natural energy laboratory of Hawaii authority to be subject to segregation, and information contained therein to not be subject to public disclosure, inspection or duplication to the extent that the information consists of business trade secrets of a tenant or prospective tenant of the authority, commercial or financial information regarding the operation of any business of a tenant or prospective tenant of the authority or relates to the competitive position in a particular field of endeavor of a tenant or prospective tenant of the authority. -- HB2142 HD2

Committee Reports: HSCR 240-04 (EDB) HSCR 441-04 (EDB) HSCR 700-04 (JUD) SSCR 3031 (ENE) SSCR 3117 (JHW)

Current Status: Apr-12 04 Received by the Governor

Apr-28 04 Approved by Governor (Act 23 2004)

Section Affected: 227D- (1 SECTION) CONFIDENTIALITY OF BUSINESS TRADE SECRETS AND OTHER PROPRIETARY INFORMATION OF A TENANT OR PROSPECTIVE TENANT OF THE AUTHORITY

HB2143 HD2 SD1 CD1 (CCR 86-04)

RELATING TO BUSINESS REGULATION.

Introduced by: Hiraki K (586-6180)

Amends provision relating to gift certificates. Prohibits a certificate issuer to charge a service fee, including a service fee for dormancy. Requires the date of issuance and the expiration date to be clearly identified on the face of the gift certificate, or, if an electronic card with a banked dollar value, clearly printed upon a sales receipt transferred to the purchaser of the electronic card upon the completed transaction. Provides that the expiration date shall be not less than 2 years after the date of issuance, if the gift certificate does not have an expiration date, it shall be valid in perpetuity. Exempts gift certificates that are issued as part of an awards, loyalty, or promotional program, or to a not for profit charity organization, where no money or anything of value is given to the issuer by the consumer in exchange for the gift certificate, provided that the expiration date appears on the gift certificate or accompanying printed receipt. -- Redefines gift certificate or certificate to include any electronic card with a banked dollar value where the issuer has received payment for the full banked dollar value for the future purchase or delivery of goods or services. -- HB2143 CD1

Committee Reports: HSCR 517-04 (CPC) HSCR 637-04 (CPC) SSCR 3192 (CPH) CCR 86-04

Current Status: May-03 04 Passed Legislature

Section Affected: 481B-13

HB2147 HD1 SD1 (SSCR 3071)

RELATING TO THE UNIFORM COMMERCIAL CODE.

Introduced by: Hiraki K (586-6180)

Repeals warehouse receipts, bills of lading and other documents of title and replaces

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with provisions relating to documents of title in the commercial code. -- HB2147 HD1
Committee Reports: HSCR 499-04 (CPC) SSCR 3071 (CPH)
Current Status: Apr-29 04 Passed Legislature
Section Affected: 490:7-101, 490:7-102, 490:7-103, 490:7-104, 490:7-105,
490:7-106, 490:7-201, 490:7-202, 490:7-203, 490:7-204,
490:7-205, 490:7-206, 490:7-207, 490:7-208, 490:7-209,
490:7-210, 490:7-301, 490:7-302, 490:7-303, 490:7-304,
490:7-305, 490:7-306, 490:7-307, 490:7-308, 490:7-309,
490:7-401, 490:7-402, 490:7-403, 490:7-404, 490:7-501,
490:7-502, 490:7-503, 490:7-504, 490:7-505, 490:7-506,
490:7-507, 490:7-508, 490:7-509, 490:7-601, 490:7-602,
490:7-603, 490:7-701, 490:7-702, 490:1-201, 490:2-103,
490:2-104, 490:2-310, 490:2-323, 490:2-401, 490:2-503,
490:2-505, 490:2-506, 490:2-509, 490:2-605, 490:2-705,
490:2A-103, 490:2A-514, 490:2A-526, 490:4-104, 490:4-210,
490:9-102, 490:9-203, 490:9-207, 490:9-208, 490:9-301,
490:9-310, 490:9-312, 490:9-313, 490:9-314, 490:9-317,
490:9-338, 490:9-601

HB2170 HD1 SD1 (SSCR 2953) RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR REHABILITATION HOSPITAL OF THE PACIFIC.
Introduced by: Say C (586-6100), Marumoto B, Leong B
Authorizes the issuance of special purpose revenue bonds to assist the Rehabilitation Hospital of the Pacific, a Hawaii nonprofit corporation, in financing construction improvements and expanding in patient and out patient service capabilities to meet requirements. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2170 SD1
Committee Reports: HSCR 592-04 (FIN) SSCR 2953 (HTH) SSCR 3135 (WAM)
Current Status: May-03 04 Passed Legislature

HB2181 HD2 (HSCR 733-04) RELATING TO HOUSING FINANCING PROGRAMS.
Introduced by: Say C (586-6100), Karamatsu J
Amends provision relating to housing financing programs. Authorizes that the corporation can issue from time to time bonds in amounts not exceeding the amount of bonds authorized to be issued by the legislature for any of its corporate purposes; provided however, that bonds may be issued in connection with any program whose primary purpose is to provide housing for active or retired US military personnel, their families, and other person authorized by any branch of the US military to reside in such housing, in an amount not to exceed 2 billion dollars. -- HB2181 HD2
Committee Reports: HSCR 122-04 (HSH) HSCR 733-04 (FIN) SSCR 3005 (TMG/CPH) SSCR 3528 (WAM)
Current Status: May-03 04 Passed Legislature
Section Affected: 201G-161

HB2198 HD1 (HSCR 493-04) RELATING TO SCHOOL HEALTH.
Introduced by: Lee M (586-9460), Shimabukuro M, Hale H, Kahikina M, Takai K, Nishimoto S, Arakaki D, Mindo R
Establishes provisions relating to self administration of medication by a student. Requires the department of education to permit the self administration of medication by a student for asthma, anaphylaxis or other potentially life threatening illnesses. Permits student to carry an inhaler and / or auto injectable epinephrine. Requires written authorization by the student's parent or guardian and certification from the student's physician. -- HB2198 HD1
Committee Reports: HSCR 493-04 (HLT/ EDN) SSCR 2912 (HTH) SSCR 3098 (EDU)
Current Status: Apr-06 04 Received by the Governor
Apr-26 04 Approved by Governor (Act 19 2004)
Section Affected: 302A- (1 SECTION) SELF-ADMINISTRATION OF MEDICATION BY STUDENT PERMITTED

HB2206 HD1 SD1 (SSCR 3056) RELATING TO CONTROLLED SUBSTANCES.
Introduced by: Lee M (586-9460), Chang J, Schatz B, Ito K, Mindo R
Establishes requirements for any manufacturer, wholesaler, or retailer who sells any quantity of sodium cyanide, potassium cyanide, cyclohexanon, bromobenzene, magnesium turnings, mercuric chloride, sodium metal, lead acetate, paladium black, red and white phosphorous, iodine, hydrogen chloride gas, trichlorofluoromethane,

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dichlorodifluoromethane, 1,1,2-trichloro-tirchloro-1,2,2-trifluoroethane, sodium acetate, or acetic anhydride. Amends provisions relating to the uniform controlled substances Act. Includes Ketamine, its salts of isomers and gamma hydroxybutyric acid and its salts and isomers in schedule III, as depressants. Requires the department of public safety to designate the chemicals temporarily added or deleted from the controlled substances Act. -- HB2206 SD1

Committee Reports: HSCR 208-04 (PSM) HSCR 701-04 (JUD) SSCR 3056 (JHW)
Current Status: Apr-30 04 Passed Legislature
Section Affected: 329- (2 SECTIONS), 329-18, 329-61, 712-1240

HB2223 SD1 (SSCR 2999)

RELATING TO BOXING.

Introduced by: Chang J (586-6120)

Amends provisions relating to the boxing contest law. Repeals the executive secretary to the state boxing commission and replaces with the executive officer assigned to the commission. Amends the powers and duties of the boxing commission to include procedures to evaluate professional records and physician's certification of boxers; procedures to ensure that a suspended boxer is not permitted to box; procedures to review suspensions; procedures to revoke a suspension; and establishing a boxing registry and the issuance of identification cards to boxers. -- HB2223 SD1

Committee Reports: HSCR 501-04 (CPC) SSCR 2999 (ECD) SSCR 3109 (CPH)
Current Status: Apr-29 04 Passed Legislature
Section Affected: 440-1, 440-2, 440-5, 440-6, 440-8, 440-8.5, 440-9, 440-10, 440-11, 440-12, 440-13, 440-14, 440-15, 440-16, 440-18, 440-19, 440-21, 440-22, 440-24, 440-27, 440-34, 440-35, 440-36, 440-25

HB2250 HD2 SD2 (SSCR 3262)

RELATING TO HABITUAL OPERATION OF A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.

Introduced by: Say C (BR) (586-6100)

Amends provisions relating to habitually operating a vehicle under the influence of intoxicants. Requires the offender to be referred to the driver's education program for an assessment and need for appropriate treatment. Requires the court to order the person to make restitution to the police department or other agency incurring the expense of the blood or urine test. -- HB2250 SD2

Committee Reports: HSCR 249-04 (TRN) HSCR 542-04 (JUD) SSCR 3006 (TMG/JHW) SSCR 3262 (WAM)
Current Status: Apr-28 04 Received by the Governor
Section Affected: 286G-3, 291E-1, 291E-3, 291E-4, 291E-11, 291E-21, 291E-32, 291E-33, 291E-34, 291E-36, 291E-41, 291E-61, 291E-61.5, 291E-62

HB2251

RELATING TO CHAPTER 291E.

Introduced by: Say C (586-6100)

Amends provisions relating to operating a vehicle after license and privilege have been suspended or revoked for operating a vehicle under the influence of intoxicants to include convictions under prior driving under the influence laws. -- HB2251

Committee Reports: HSCR 248-04 (TRN) HSCR 679-04 (JUD) SSCR 3057 (JHW/TMG)
Current Status: Mar-30 04 Received by the Governor
Apr-16 04 Approved by Governor (Act 6 2004)
Section Affected: 291E-62

HB2254 SD1 CD1 (CCR 35-04)

RELATING TO CHAPTER 707, HAWAII REVISED STATUTES.

Introduced by: Say C (BR) (586-6100)

Amends provisions related to definitions of terms in general provisions relating to offenses against the person. Defines sexual contact to include acts other than sexual penetration. Defines sexual penetration to include cunnilingus or anilingus, whether or not actual penetration has occurred. -- Amends provisions relating to sexual assault in the 2nd degree. Provides that a person commits the offense of sexual assault in the 2nd degree if a person knowingly subjects to sexual penetration a person committed to the director of public safety. Provides that a person commits the offense of sexual assault in the 3rd degree if a person while employed in a state correctional facility or as a law enforcement officer knowingly subjects to sexual contact a person confined to a detention facility or a person in custody. -- HB2254 CD1

Committee Reports: HSCR 655-04 (JUD) SSCR 3121 (JHW) CCR 35-04
Current Status: May-03 04 Received by the Governor

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Section Affected: 707-700, 707-731, 707-732

- HB2280 SD1 CD1 (CCR 3-04) RELATING TO STATE BONDS.
Introduced by: Takamine D (586-6200)
Establishes debt limit on general obligation bonds. Authorizes the issuance of general obligation bonds for appropriation to finance projects authorized in the supplemental appropriations Act of 2004 (state budget) and the judiciary supplemental appropriations Act of 2004 (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. (\$\$) -- HB2280 CD1
Committee Reports: HSCR 661-04 (FIN) SSCR 3058 (WAM) CCR 3-04
Current Status: Apr-15 04 Received by the Governor
Apr-30 04 Approved by Governor (Act 42 2004)
- HB2286 HD1 SD1 (SSCR 3247) RELATING TO THE HAWAII COMMISSION FOR NATIONAL AND COMMUNITY SERVICE.
Introduced by: Oshiro M (586-8505), Arakaki D
Appropriation to the university of Hawaii for state matching funds for the administration of the Hawaii commission for national and community service. (\$\$) -- HB2286 SD1
Committee Reports: HSCR 107-04 (HED) HSCR 555-04 (FIN) SSCR 3025 (EDU) SSCR 3247 (WAM)
Current Status: May-03 04 Passed Legislature
- HB2292 HD1 SD1 (SSCR 3130) RELATING TO FEES FOR ELECTRONIC FILING, SIGNING, SERVING, CERTIFICATION, AND VERIFICATION OF COURT DOCUMENTS.
Introduced by: Say C (586-6100)
Amends provision relating to rules of court. Provides that any fees prescribed by supreme court rule for the electronic filing, signing, serving, certification, and verification of documents shall be deposited into the judiciary computer special fund. Act to be repealed on June 30, 2004 (sunset). -- HB2292 SD1
Committee Reports: HSCR 413-04 (JUD) HSCR 560-04 (FIN) SSCR 2908 (JHW) SSCR 3130 (WAM)
Current Status: Apr-27 04 Received by the Governor
Section Affected: 601-3.7, 607-1, 607-2
- HB2293 RELATING TO INTERSTATE ADULT OFFENDER SUPERVISION.
Introduced by: Say C (BR) (586-6100)
Amends provision relating to probation services fee; assessment. Provides that any defendant received for supervision pursuant to interstate compact for the supervision of adult offenders shall be assessed a probation services fee pursuant to probation services fee. Repeals the compact commission. -- HB2293
Committee Reports: HSCR 176-04 (JUD) HSCR 556-04 (FIN) SSCR 2909 (JHW) SSCR 3454 (WAM)
Current Status: Apr-23 04 Received by the Governor
Section Affected: 353-34, 706-648, 353-81, 353-82
- HB2294 RELATING TO FEES FOR ADMINISTRATIVE COSTS IN TRAFFIC CASES.
Introduced by: Say C (BR) (586-6100)
Amends provisions relating to judiciary computer system special fund. Provides that 1/2 of the administrative traffic fees collected shall be deposited into the judiciary computer system special fund increases the fees for traffic citations. -- HB2294
Committee Reports: HSCR 368-04 (JUD) HSCR 682-04 (FIN) SSCR 2938 (JHW) SSCR 3455 (WAM)
Current Status: Apr-23 04 Received by the Governor
Section Affected: 601-3.7, 607-4
- HB2295 HD1 (HSCR 371-04) RELATING TO COLLECTIONS ON DELINQUENT COURT-ORDERED PAYMENTS.
Introduced by: Say C (BR) (586-6100)
Establishes provisions relating to collection of delinquent court ordered payments. Provides that the judiciary may contract with a collection agency or with a licensed attorney to collect any delinquent court ordered penalties, fines, restitution, sanctions, and court costs. -- HB2295 HD1
Committee Reports: HSCR 371-04 (JUD) HSCR 557-04 (FIN) SSCR 2910 (JHW) SSCR 3456 (WAM)
Current Status: Apr-23 04 Received by the Governor

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Section Affected: 601- (1 SECTION) COLLECTION OF DELINQUENT COURT-ORDERED PAYMENTS

HB2296 HD1 (HSCR 305-04)

RELATING TO THE USE OF CREDIT AND DEBIT CARDS.

Introduced by: Say C (BR) (586-6100)

Amends provisions relating to use of credit and debit cards to pay for court costs, fees, expenses, and other charges. Provides that in the event that a credit or debit card is used to pay any charges due and owing to the courts, the judiciary may impose an additional convenience fee. -- HB2296 HD1

Committee Reports: HSCR 305-04 (JUD) HSCR 561-04 (FIN) SSCR 2911 (JHW) SSCR 3457 (WAM)

Current Status: Apr-23 04 Received by the Governor

Section Affected: 601-17, 804-11, 804-11.5

HB2297 HD1 SD2 (SSCR 3129)

RELATING TO GUARDIANSHIP AND PROTECTIVE PROCEEDINGS.

Introduced by: Say C (BR) (586-6100)

Repeals and replaces provisions relating to guardianship of minors, incapacitated persons, and persons under disability and replaces with the uniform guardianship and protective proceedings Act. -- HB2297 SD2

Committee Reports: HSCR 597-04 (JUD) SSCR 2971 (JHW) SSCR 3129 (WAM)

Current Status: Apr-28 04 Received by the Governor

Section Affected: 560:5-101, 560:5-102, 560:5-104, 560:5-105, 560:5-106, 560:5-107, 560:5-108, 560:5-109, 560:5-110, 560:5-111, 560:5-112, 560:5-113, 560:5-114, 560:5-115, 560:5-116, 560:5-117, 560:5-201, 560:5-202, 560:5-203, 560:5-204, 560:5-205, 560:5-206, 560:5-207, 560:5-208, 560:5-209, 560:5-210, 560:5-301, 560:5-302, 560:5-303, 560:5-304, 560:5-305, 560:5-306, 560:5-307, 560:5-308, 560:5-309, 560:5-310, 560:5-311, 560:5-312, 560:5-313, 560:5-314, 560:5-315, 560:5-316, 560:5-317, 560:5-318, 560:5-401, 560:5-402, 560:5-403, 560:5-404, 560:5-405, 560:5-406, 560:5-407, 560:5-408, 560:5-409, 560:5-410, 560:5-411, 560:5-412, 560:5-413, 560:5-414, 560:5-415, 560:5-416, 560:5-417, 560:5-418, 560:5-419, 560:5-420, 560:5-421, 560:5-422, 560:5-423, 560:5-424, 560:5-425, 560:5-426, 560:5-427, 560:5-428, 560:5-429, 560:5-430, 560:5-431, 560:5-432, 560:5-433, 128-23, 327E-2, 327E-6, 333F-11, 333F-13, 334-1, 334-60.5, 346-235, 346-237, 353-24, 353-25, 353-26, 353-27, 353-28, 551-1, 551-21, 551-22, 551-35, 551A-2, 551D-3, 554B-1, 554B-13, 560:1-201, 560:3-915, 560:3-1214, 560:5-601, 571-2, 571-14, 586-3, 586-10.5, 603-21.5, 603-21.6, 607-5, 327-3, 327E-3, 327E-16, 334-60.4, 346-45, 352-8, 412:8-201, 553A-18, 553A-19, 554B-2, 554B-5, 554B-16, 554B-17, 571-11, 571-63, 574-5, 560:5-103, 560:5-211, 560:5-212, 560:5-308A

HB2298 HD1 (HSCR 485-04)

RELATING TO DISQUALIFICATION OF JUDGES.

Introduced by: Say C (BR) (586-6100)

Amends provisions relating to disqualification of judge; relationship, pecuniary interest, previous judgment, bias or prejudice. Provides that no person shall sit as a judge in any case in which the judge's relative has a more than de minimis pecuniary interest, no interest held by mutual or common funds, the investment or divestment of which are not subject to the direction of the judge. -- HB2298 HD1

Committee Reports: HSCR 485-04 (JUD) SSCR 2921 (JHW)

Current Status: Mar-29 04 Received by the Governor

Apr-15 04 Approved by Governor (Act 5 2004)

Section Affected: 601-7

HB2299 HD1 (HSCR 486-04)

RELATING TO APPELLATE COURT COSTS.

Introduced by: Say C (BR) (586-6100)

Amends provisions relating to deposit and payment of fees and costs on appeal. Provides that the required fees and costs for an appeal shall be payable only once upon the initial filing of the appeal. Provides that an appeal from a governmental official or body other than a court requiring costs and fees for filing an appeal shall be made payable to the clerk of the court. Provides that if an appeal from a government official or body is taken directly to the supreme court required costs and fees for the appeal

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shall be payable only once. -- HB2299 HD1
Committee Reports: HSCR 486-04 (JUD) SSCR 2922 (JHW)
Current Status: Mar-29 04 Received by the Governor
Apr-15 04 Approved by Governor (Act 3 2004)
Section Affected: 607-5, 607-6, 607-7, 501-63, 607-5.5

HB2300 HD1 SD1 CD1 (CCR 2-04) RELATING TO THE JUDICIARY.
Introduced by: Say C (BR) (586-6100)
Judiciary Supplemental Appropriations Act of 2004. Amends Act 120, session laws of 2003, relating to the judiciary budget. (\$\$) -- HB2300 CD1
Committee Reports: HSCR 446-04 (JUD) HSCR 775-04 (FIN) SSCR 3084 (JHW/WAM) CCR 2-04
Current Status: Apr-15 04 Received by the Governor
Apr-29 04 Approved by Governor (Act 38 2004)
Section Affected: ACT 120 2003, (1 SECTION)

HB2301 HD1 SD1 (SSCR 2939) RELATING TO APPELLATE JURISDICTION.
Introduced by: Say C (BR) (586-6100)
Amends provisions relating to appeals to the supreme court being filed with the intermediate court of appeals. Establishes within the judiciary a appellate review task force to review proposed changes to the appellate system of the courts and make recommendations for implementation of proposed changes to the legislature. Report to the legislature. Provides that the legislative reference bureau shall provide technical assistance to the appellate review task force with legislative drafting and shall assist in drafting any legislation proposed by the appellate review task force. -- HB2301 SD1
Committee Reports: HSCR 672-04 (JUD) SSCR 2939 (JHW) SSCR 3131 (WAM)
Current Status: Apr-30 04 Passed Legislature
Section Affected: 11-51, 11-52, 11-53, 11-54, 40-91, 47-46, 53-6, 91-14, 101-10, 101-32, 101-34, 101-52, 124A-105, 128-24, 196D-5, 201G-57, 201G-58, 232-1, 232-5, 232-19, 232-20, 232-21, 232-22, 232-23, 235-114, 261-13, 269-15, 269-15.5, 269-54, 271-27, 271-32, 271-33, 271G-19, 271G-24, 281-92, 286-60, 377-9, 380-10, 383-41, 383-69, 383-76, 386-73, 386-73.5, 386-88, 386-93, 392-21.5, 392-75, 412:2-501, 431:14-118, 431:14F-113, 482-9, 485-23, 501-63, 571-54, 602-5, 602-10, 602-57, 602-58, 602-59, 606-12, 607-4, 607-5, 607-5.5, 607-6, 607-7, 641-1, 641-2, 641-11, 641-12, 641-13, 641-17, 660-28, 664-5, 664-8, 664-9, 664-25, 664-36, 802-5, 805-8, 602-6, 661-9

HB2322 HD1 SD2 CD1 (CCR 16-04) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PROCESSING ENTERPRISES.
Introduced by: Mindo R (586-9730), Sonson A, Abinsay F
Authorizes the issuance of special purpose revenue bonds to assist Aloun Farms, a Hawaii corporation, in building an agricultural processing plant. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2322 CD1
Committee Reports: HSCR 593-04 (FIN) SSCR 3042 (WLA) SSCR 3234 (WAM) CCR 16-04
Current Status: Apr-29 04 Passed Legislature

HB2337 HD1 SD1 (SSCR 3059) RELATING TO NAME CHANGES.
Introduced by: Say C (BR) (586-6100)
Amends provisions relating to change of name; procedure. Reduces the filing fee to 50 dollars for a name change. -- HB2337 SD1
Committee Reports: HSCR 309-04 (JUD) HSCR 563-04 (FIN) SSCR 3059 (WAM)
Current Status: Apr-28 04 Received by the Governor
Section Affected: 574-5

HB2341 HD1 (HSCR 576-04) RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION.
Introduced by: Say C (BR) (586-6100)
Amends provisions relating to agribusiness development corporation, board of directors. Requires the terms of the 8 members of the board of directors of the agribusiness development corporation to be 4 years commencing on July 1, 2005, the governor shall reduce the terms of those initially appointed so as to provide for the expiration of an equal number of terms at intervals of 1 year. -- HB2341 HD1
Committee Reports: HSCR 37-04 (AGR) HSCR 576-04 (JUD) SSCR 3224 (WLA)

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- Current Status: Apr-15 04 Received by the Governor
Apr-29 04 Approved by Governor (Act 29 2004)
Section Affected: 163D-3
- HB2354 MAKING AN EMERGENCY APPROPRIATION TO RISK MANAGEMENT.
Introduced by: Say C (BR) (586-6100)
Appropriation out of the state risk management revolving fund to the department of accounting and general services for repairing or replacing damaged or destroyed state facilities. (\$\$) – HB2354
Committee Reports: HSCR 630-04 (FIN) SSCR 2962 (TMG) SSCR 3458 (WAM)
Current Status: Apr-23 04 Received by the Governor
- HB2363 HD1 SD2 (SSCR 3223) RELATING TO PUBLIC BENEFIT CORPORATIONS.
Introduced by: Say C (BR) (586-6100)
Amends provision relating to nonprofit corporation Act. Establishes provision relating to notice to the attorney general of commencement of proceeding, limitations on merger by public benefit corporations and notice to the attorney general of intention to dissolve. -- HB2363 SD2
Committee Reports: HSCR 513-04 (CPC/ JUD/) SSCR 2950 (CPH) SSCR 3223 (JHW)
Current Status: Apr-29 04 Passed Legislature
Section Affected: 414D- (1 SECTION), 414D- (1 SECTION), 414D- (1 SECTION), 414D-14, 414D-54, 414D-90, 414D-140, 414D-150, 414D-222, 414D-245, 414D-252, 414D-253
- HB2375 HD1 SD1 (SSCR 3078) RELATING TO SOLID WASTE CONTROL.
Introduced by: Say C (BR) (586-6100)
Amends provision relating to solid waste pollution. Establishes provisions relating to felony disposal of solid waste. -- HB2375 SD1
Committee Reports: HSCR 319-04 (EEP) HSCR 539-04 (JUD) SSCR 3078 (JHW)
Current Status: Apr-30 04 Passed Legislature
Section Affected: 342H- (2 SECTIONS), 342H-30
- HB2378 RELATING TO THE SOVEREIGN IMMUNITY OF BOARDS AND COMMISSIONS.
Introduced by: Say C (BR) (586-6100)
Amends provisions relating to administrative supervision of boards and commissions. Requires every board or commission established or placed within a principal department for administrative purposes or subject to the administrative control or supervision of the head of the department to be considered an arm of the State and to enjoy the same sovereign immunity available to the State. -- HB2378
Committee Reports: HSCR 642-04 (JUD) SSCR 3079 (JHW)
Current Status: Apr-05 04 Received by the Governor
Apr-23 04 Approved by Governor (Act 16 2004)
Section Affected: 26-35, 201B-5, 201G-2, 206M-2.5, 323F-2, 323F-8
- HB2385 HD1 SD1 (SSCR 2902) RELATING TO ACCESS TO VITAL STATISTICS RECORDS BY CHILD SUPPORT ENFORCEMENT AGENCIES.
Introduced by: Say C (BR) (586-6100)
Amends provisions relating to investigators; access to information. Provides that the child support enforcement agency shall have access including automated inquiry access to the public health statistics records of the department of health. Provides that the US Secretary of Health and Human Services shall also have access but only for the purpose of funding and oversight. -- HB2385 SD1
Committee Reports: HSCR 198-04 (HSH/ HLT/) HSCR 537-04 (JUD) SSCR 2902 (HMS) SSCR 3222 (JHW)
Current Status: Apr-27 04 Received by the Governor
Section Affected: 576D-18
- HB2396 HD2 SD2 CD1 (CCR 144-04) RELATING TO CAPITAL INVESTMENTS.
Introduced by: Say C (BR) (586-6100)
Establish provisions relating to State private investment fund law. Requires the Hawaii strategic development corporation to mobilize equity and near equity capital for investment in a manner that will result in a significant potential to diversify and stabilize the economy of the State and to develop an annual business plan to implement this. Requires the plan to be approved by the board of directors of the corporation who shall also supervise the corporation. Authorizes the State to issue to the corporation tax

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credits that may be transferred or otherwise used to reduce the income tax and tax on banks and other financial corporations liability of a person. Provides that the credits may not be transferred before July 1, 2005, nor after July 1, 2030 (sunset). Requires the corporation, in conjunction with the department of taxation, to develop a system for registration of any tax credits issued or transferred. Authorizes the corporation to solicit investment plans from investor groups. Annual report to the legislature and governor. Establishes the Hawaii capital formation revolving fund. -- Establishes provisions relating to comfort letters. Authorizes the department of taxation to assess and collect a fee for the issuance of a comfort letter. Establishes a tax administration special fund into which shall be deposited the fees for the letters and used to offset the costs of issuing comfort letters and issuing certificates for the high technology business investment income tax credit and the income tax credit for research activities. -- Amends provisions relating to the Hawaii strategic development corporation board of directors. -- Amends provisions relating to income tax deduction for royalties derived from patents, copyrights, or trade secrets. Redefines qualified research to include the development and design of computer software for ultimate commercial sale, lease, license or to be otherwise marketed for economic consideration. -- Extends the technology infrastructure renovation income tax credit to December 31, 2010 (sunset). -- Amends provisions relating to the high technology business investment income tax credit and the income tax credit for research activities to require the department of business, economic development, and tourism to maintain records of the taxpayers claiming the credits, verify the nature of the investments, total all qualifying investments, and certify the amount of the credits. Extends the credits to December 31, 2010 (sunset). -- Amends Act 297, session laws of 2000. -- Amends Act 221, session laws of 2001. -- Amend Act 178, session laws of 2003, by repealing the sunset of the Hawaii strategic development corporation revolving fund. -- HB2396 CD1

Committee Reports: HSCR 439-04 (EDB) HSCR 770-04 (FIN) SSCR 3051 (SAT/ECD/) SSCR 3238 (WAM) CCR 144-04

Current Status: May-03 04 Passed Legislature

Section Affected: (13 SECTIONS) STATE PRIVATE INVESTMENT FUND, 235- (2 SECTIONS), 211F-3, 211F-4, 235-7.3, 235-110.51, 235-110.9, 235-110.91, ACT 297 2000, ACT 221 2001, ACT 178 2003, 211F-5

HB2397 HD1 SD1 (SSCR 3105)

MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII STATE DISASTER REVOLVING LOAN FUND.

Introduced by: Say C (BR) (586-6100)

Appropriation out of the state disaster revolving fund to the department of business, economic development, and tourism. (\$\$) -- HB2397 SD1

Committee Reports: HSCR 209-04 (PSM) HSCR 572-04 (FIN) SSCR 3105 (WAM)

Current Status: May-03 04 Received by the Governor

HB2408 HD2 SD1 (SSCR 3107)

RELATING TO INSURANCE.

Introduced by: Say C (BR) (586-6100)

Amends the accident and sickness insurance contracts law, the benefit societies law, and the health maintenance organizations act (HMOs) to require the insurer to treat the bona fide trade association and its members as a group for the purpose of issuing a disability insurance, group hospital or medical service plan, policy, contract, or agreement, or group contract. Act to be repealed on December 31, 2006 (sunset). -- HB2408 SD1

Committee Reports: HSCR 159-04 (LAB/HLT/) HSCR 383-04 (CPC) HSCR 716-04 (FIN) SSCR 3107 (CPH) - filed

Current Status: May-06 04 Passed Legislature

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

HB2411 HD1 SD1 CD1 (CCR 137-04)

RELATING TO INSURANCE.

Introduced by: Say C (BR) (586-6100)

Amends provisions relating to insurance. -- HB2411 CD1

Committee Reports: HSCR 389-04 (CPC/ JUD/) HSCR 613-04 (FIN) SSCR 3090 (CPH) CCR 137-04

Current Status: May-03 04 Passed Legislature

Section Affected: 431:10A- (1 SECTION), 431:2-201.5, 431:2-202, 431:2-208, 431:2-209, 431:2-212, 431:2-305, 431:3-203.5, 431:3-212.5, 431:3-215, 431:3-218, 431:3-302.5, 431:3-306, 431:4-125, 431:4-203, 431:4-247, 431:5-202, 431:5-306, 431:6-310,

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431:6-312, 431:6-323, 431:6-324, 431:6-601, 431:7-101,
431:8-208, 431:8-310, 431:9-222.5, 431:9A-107, 431:9B-102,
431:10A-104, 431:10A-105, 431:10A-106, 431:10A-117,
431:10A-302, 431:10A-309, 431:10A-310, 431:10A-601,
431:10B-108, 431:10C-105, 431:10C-111, 431:10C-119,
431:10C-602, 431:10D-102, 431:10D-103, 431:10D-104,
431:10D-105, 431:10D-202, 431:10D-203, 431:10D-204,
431:10D-207, 431:10D-209, 431:10D-211, 431:10D-212,
431:10D-213, 431:10D-407, 431:10D-410, 431:10D-502,
431:10D-505, 431:10G-106, 431:14-104, 431:14-106,
431:14-107, 431:14-113, 431:14A-103, 431:14A-108,
431:15-103, 431:15-104, 431:15-310, 431:15-317, 431:15-327,
431:15-334, 431:15-410, 431:16-117, 431:16-205, 431:16-211,
431:16-212, 431:19-102, 431:20-118, 431:20-123, 431K-1,
431L-3, 431M-2, 431M-6, 432:1-101.6, 432:1-203, 432:1-301,
432:1-304, 432:2-103.5, 432:2-203, 432:2-404, 432D-13,
432D-27, 432E-6, 435C-4, 431:9-220

- HB2414 RELATING TO DENTAL INSURANCE.
Introduced by: Say C (BR) (586-6100)
Amends Act 132, session laws of 2001, as amended by Act 219, session laws of 2002, and Act 128, session laws of 2003, relating to the regulation of dental service corporation by changing the sunset date to July 1, 2005. -- HB2414
Committee Reports: HSCR 277-04 (CPC) HSCR 617-04 (FIN) SSCR 2913 (HTH) SSCR 3124 (CPH)
Current Status: Apr-15 04 Received by the Governor
Apr-29 04 Approved by Governor (Act 30 2004)
Section Affected: ACT 132 2001, ACT 219 2002, ACT 128 2003
- HB2417 RELATING TO REAL ESTATE LICENSING.
Introduced by: Say C (BR) (586-6100)
Establishes provisions relating to license recognition. Provides that the real estate commission may enter into license recognition agreement with another state, or a jurisdiction recognized by the association of real estate license law officials, with an equivalent real estate licensing law as determined by the commission. -- HB2417
Committee Reports: HSCR 502-04 (CPC) SSCR 3072 (CPH)
Current Status: Apr-02 04 Received by the Governor
Apr-22 04 Approved by Governor (Act 12 2004)
Section Affected: 467- (1 SECTION) LICENSE RECOGNITION
- HB2418 RELATING TO ABANDONED APPLICATIONS FOR PROFESSIONAL AND VOCATIONAL LICENSES.
Introduced by: Say C (BR) (586-6100)
Amends provisions relating to uniform professional and vocational licensing Act. Provides that an application shall be considered abandoned if the applicant fails to provide evidence of continued efforts to complete the licensing process for 2 consecutive years. Provides that if the application is deemed abandoned by the licensing authority, the applicant shall be required to reapply for licensure and comply with the licensing requirements in effect at the time of reapplication. -- HB2418
Committee Reports: HSCR 503-04 (CPC) SSCR 3073 (CPH)
Current Status: Apr-02 04 Received by the Governor
Apr-22 04 Approved by Governor (Act 11 2004)
Section Affected: 436B-9
- HB2421 SD1 (SSCR 3074) RELATING TO THE LICENSING REQUIREMENTS FOR PRIVATE DETECTIVES AND GUARDS.
Introduced by: Say C (BR) (586-6100)
Amends provisions relating to private investigators and guards. Defines firm to mean a sole proprietor, corporation, joint venture, limited liability corporation, partnership, association, or any other legal business identity. Provides for appeals of denial and licensure. Provides for the qualifications for license of private detectives, detective agencies and guards and guard agencies to include possessing a history of honesty, truthfulness, financial integrity and fair dealing and that for a firm applying for a detective agency license shall have in its employ an individual who is licensed as a private detective and who shall designated as the principal detective for the firm and shall provide a bond. Provides that the inactive license fee shall be paid to the board of

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private detectives and guards. Further provides that the board may place the licensee's active license on an inactive status. -- HB2421 SD1
Committee Reports: HSCR 504-04 (CPC) SSCR 3074 (CPH)
Current Status: Apr-29 04 Passed Legislature
Section Affected: 463-1, 463-3, 463-4, 463-5, 463-6, 463-7, 463-8, 463-10

HB2423 RELATING TO COSMETOLOGY LICENSE RESTORATION.
Introduced by: Say C (BR) (586-6100)
Amends provisions relating to beauty culture. Provides that the license shall be restored upon payment of all delinquent fees and a penalty fee if application is made within 3 years after lapse provided that the board of cosmetology may consider restoration beyond this period as prescribed by rules of the board. -- HB2423
Committee Reports: HSCR 505-04 (CPC) SSCR 3075 (CPH)
Current Status: Apr-02 04 Received by the Governor
Apr-22 04 Approved by Governor (Act 13 2004)
Section Affected: 439-15

HB2426 RELATING TO THE LICENSING REQUIREMENTS FOR ELEVATOR MECHANICS.
Introduced by: Say C (BR) (586-6100)
Amends provision relating to elevator mechanics. Changes requirement for years of work from 2 to 4 years for the apprentice elevator mechanic and qualifications for license. -- HB2426
Committee Reports: HSCR 506-04 (CPC) SSCR 3123 (CPH)
Current Status: Apr-15 04 Received by the Governor
Apr-29 04 Approved by Governor (Act 31 2004)
Section Affected: 448H-1, 448H-6

HB2439 RELATING TO CIVIL DEFENSE SIRENS.
Introduced by: Say C (BR) (586-6100)
Amends provisions relating to definitions. Redefines development to include a construction, installation, maintenance, repair, and replacement of civil defense warning or signal devices and sirens. -- HB2439
Committee Reports: HSCR 356-04 (PSM) HSCR 549-04 (WLH) SSCR 3043 (WLA/TMG) SSCR 3459 (WAM)
Current Status: Apr-23 04 Received by the Governor
Section Affected: 205A-22

HB2446 MAKING AN EMERGENCY APPROPRIATION FOR COLLECTIVE BARGAINING INCREASES.
Introduced by: Say C (BR) (586-6100)
Appropriation to the department of education for payment of collective bargaining increases that were effective January 2003 for employees of bargaining units 1 (nonsupervisory blue collar employees) and 5 (teachers and other personnel of the department of education). (\$\$) -- HB2446
Committee Reports: HSCR 629-04 (FIN) SSCR 2928 (LBR) SSCR 3452 (WAM)
Current Status: Apr-23 04 Received by the Governor

HB2459 HD1 SD2 (SSCR 3139) RELATING TO PUBLIC ASSISTANCE.
Introduced by: Say C (BR) (586-6100)
Amends provisions relating to motor vehicle insurance. Provides that covered loss deductible shall not include benefits paid under any public assistance program. -- HB2459 SD2
Committee Reports: HSCR 195-04 (HSH/ HLT/) HSCR 744-04 (FIN) SSCR 2907 (HMS) SSCR 3139 (WAM)
Current Status: May-06 04 Passed Legislature
Section Affected: 431:10C-301.5

HB2466 MAKING AN EMERGENCY APPROPRIATION FOR THE STATE WORKERS' COMPENSATION PROGRAM.
Introduced by: Say C (BR) (586-6100)
Appropriation to the department of human resources development for the payment of claims against the State. (\$\$) -- HB2466
Committee Reports: HSCR 311-04 (LAB) HSCR 684-04 (FIN) SSCR 2929 (LBR) SSCR 3453 (WAM)
Current Status: Apr-23 04 Received by the Governor
Apr-29 04 Approved by Governor (Act 39 2004)

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- HB2472 HD2 SD1 CD1 (CCR 49-04) RELATING TO THE SALE OF STERILE SYRINGES FOR THE PREVENTION OF DISEASE.
Introduced by: Say C (BR) (586-6100)
Amends Act 292, session laws of 2001, making permanent the sale of syringes by qualified individuals to prevent the transmission of deadly blood borne diseases by repealing the sunset date. -- HB2472 CD1
Committee Reports: HSCR 179-04 (HLT) HSCR 535-04 (JUD) SSCR 2954 (HTH)
SSCR 3119 (JHW) CCR 49-04
Current Status: Apr-30 04 Passed Legislature
Section Affected: ACT 292 2001
- HB2498 HD1 (HSCR 575-04) RELATING TO INTERIM RULES OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES.
Introduced by: Say C (BR) (586-6100)
Establish provisions relating to interim rule making. Authorizes the department of land and natural resources to declare any indigenous species as endangered and establish, implement, and enforce interim rules governing the exportation from the State or the taking, possession, sale, offer for sale, delivery, or transport within the State, by any means whatsoever, of any such endangered species. Requires any interim rule to be published statewide at least once within 5 days after issuance. -- HB2498 HD1
Committee Reports: HSCR 100-04 (WLH) HSCR 575-04 (JUD) SSCR 3203 (ENE/WLA/)
Current Status: Apr-15 04 Received by the Governor
Apr-29 04 Approved by Governor (Act 32 2004)
Section Affected: 195D- (1 SECTION) INTERIM RULEMAKING
- HB2511 SD1 CD1 (CCR 143-04) RELATING TO INCOME TAX WITHHOLDING.
Introduced by: Say C (BR) (586-6100)
Amends provisions relating to withholding of income tax on wages to provide that the electronic funds transfer shall apply to annual tax liabilities that exceed 40,000 dollars. -- HB2511 CD1
Committee Reports: HSCR 587-04 (FIN) SSCR 3104 (WAM) CCR 143-04
Current Status: May-03 04 Passed Legislature
Section Affected: 231-9.9, 235-62
- HB2523 HD1 SD1 CD1 (CCR 138-04) RELATING TO PASSENGER FACILITY CHARGES.
Introduced by: Say C (BR) (586-6100)
Exempts the passenger facility charge special fund from contributing to central service and administrative expenses of the government. -- Provides that all proceeds from the passenger facility charge shall be deposited into the passenger facility charge special fund. Changes the passenger facility charge revenue fund to the passenger facility charge special fund. -- HB2523 CD1
Committee Reports: HSCR 344-04 (TRN) HSCR 582-04 (FIN) SSCR 2964 (TMG)
SSCR 3264 (WAM) CCR 138-04
Current Status: May-03 04 Passed Legislature
Section Affected: 36-27, 36-30, 103-8.5, 261-5, 261-5.5
- HB2539 HD2 (HSCR 690-04) RELATING TO HOSPITALS.
Introduced by: Arakaki D (586-6050)
Amends provisions relating to certificates of need; licenses and permits. Provides that no building permit shall be issued by any county or state officer for the development, construction, expansion, alteration, conversion, initiation, or modification of an existing hospital unless there is submitted in connection with the application for such building permit a current certificate of need issued by the state health planning and development agency that the health care facility or health care service is not required to hold a certificate of need. -- HB2539 HD2
Committee Reports: HSCR 90-04 (HLT) HSCR 258-04 (HLT) HSCR 690-04 (CPC)
SSCR 2955 (HTH) SSCR 3125 (CPH)
Current Status: Apr-15 04 Received by the Governor
Apr-29 04 Approved by Governor (Act 33 2004)
Section Affected: 323D-49
- HB2547 HD2 SD2 CD1 (CCR 130-04) RELATING TO THE UNIVERSITY OF HAWAII.
Introduced by: Takai K (586-8455)
Amends provisions relating to the university of Hawaii tuition and fees special fund. Provides that the board of regents of the university of Hawaii may authorize expenditure

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of up to 3 million dollars annually for the purpose of promoting alumni relations and generating private donations for deposit into the university of Hawaii foundation. Establishes requirements for the university's annual report to the legislature including the identity of each department of the university of Hawaii foundation supported by moneys from the fund.-- HB2547 CD1

Committee Reports: HSCR 324-04 (HED) HSCR 569-04 (FIN) SSCR 3026 (EDU) SSCR 3143 (WAM) CCR 130-04

Current Status: May-03 04 Passed Legislature

Section Affected: 304-16.5

HB2558 HD1 (HSCR 512-04)

RELATING TO PENSION PLANS.

Introduced by: Halford C (586-8525)

Amends provision relating to pension money exempt. Provides that the right of a debtor to anything included in section 401k of the Federal Internal Revenue Code of 1954, shall be exempt from attachment, execution, seizure, or under any legal process whatever.

-- HB2558 HD1

Committee Reports: HSCR 512-04 (CPC) SSCR 3168 (CPH/ JHW/)

Current Status: Apr-15 04 Received by the Governor

Apr-29 04 Approved by Governor (Act 34 2004)

Section Affected: 651-124

HB2569 HD1 SD1 (SSCR 3217)

RELATING TO NIIHAU SHELL PRODUCTS.

Introduced by: Karamatsu J (586-8490), Mindo R, Morita H, Shimabukuro M, Tamayo T, Takai K, Kanoho E, Hale H

Establishes provision relating to Niihau shells. Prohibits any person to offer, display, expose for sale, or solicit for sale any product or jewelry item fabricated, processed, or manufactured with seashells, that is identified using the term Niihau, either alone or in conjunction with other words, unless the product is comprised 100 per cent of seashells harvested from the island of Niihau and fabricated, processed, or manufactured entirely within the State. Allows any product or jewelry item that consists of at least 80 per cent Ni'i'hau (Niihau) shells to be described, labeled, or identified using the term "contains", followed immediately by the nearest whole number representing the percentage of Ni'i'hau shells contained in the product or jewelry item. -- HB2569 SD1

Committee Reports: HSCR 500-04 (CPC) SSCR 2981 (ECD) SSCR 3217 (CPH)

Current Status: Apr-30 04 Received by the Governor

Section Affected: 486- (1 SECTION) NIIHAU SHELLS

HB2578 HD1 SD2 CD1 (CCR 15-04)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU.

Introduced by: Wakai G (586-6220), Schatz B, Oshiro B, Karamatsu J, Lee M, Kanoho E, Nishimoto S

Authorizes the issuance of special purpose revenue bonds to assist Honolulu Seawater Air Conditioning LLC, a Hawaii corporation, in the establishment of a cold seawater supply and warmed seawater disposal system, including but not limited to the seawater pipelines and pumping station, through which chilled water will be produced and moved to buildings wishing to be connected to the SWAC (seawater air conditioning) / TES (thermal energy storage) system, and the financing, refinancing, or both, of the costs related to the planning, design, and construction of the seawater system, including costs of construction, renovation, equipping, and purchasing tangible assets (including land and easements for the shoreline crossing, pumping facility, and other improvements) comprising such a seawater system. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2578 CD1

Committee Reports: HSCR 598-04 (FIN) SSCR 3037 (ENE) SSCR 3230 (WAM) CCR 15-04

Current Status: Apr-29 04 Passed Legislature

HB2585 HD1 (HSCR 1-04)

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

Introduced by: Takamine D (586-6200)

Appropriation for session and nonsession expenses of the senate and the house of representatives during the interim. 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

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and report to the senate and house of representatives respectively. Expenses for legislators while traveling abroad shall 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. (\$\$) -- HB2585 HD1

Committee Reports: HSCR 1-04 (FIN) SSCR 2001 (WAM)

Current Status: Feb-06 04 Received by the Governor

Feb-10 04 Approved by Governor (Act 1 2004)

HB2608 HD1 SD1 (SSCR 2924)

RELATING TO THE HAWAII TOURISM AUTHORITY.

Introduced by: Chang J (586-6120), Karamatsu J, Sonson A, Oshiro B

Establishes that the board of directors of the Hawaii tourism authority may appoint or retain by contract 1 or more attorneys who are independent of the attorney general, to provide legal services for the board solely in cases of contract negotiations in which the attorney general lacks sufficient expertise. Repealed on June 30, 2007 (sunset). --

Provides that the compensation package for the executive director of the authority shall not exceed 9 per cent of the 5 per cent authorized for administrative purposes. Authorizes the board to appoint a sports coordinator who shall provide management services for all sporting events supported through the authority. -- Hawaii Tourism Authority to report to the legislature. Appropriation out of the tourism special fund. (\$\$) -- HB2608 SD1

Committee Reports: HSCR 222-04 (TAC/ JUD/) HSCR 769-04 (FIN) SSCR 2924 (TSM/ JHW/) SSCR 3229 (WAM)

Current Status: May=03 04 Veto Overridden - Senate

May-06 04 Veto Overridden - House

Section Affected: 201B- (1 SECTION), 28-8.3, 40-1, 40-4, 40-6, 201B-2, 201B-11

HB2630 HD2 (HSCR 522-04)

RELATING TO MOTOR VEHICLE RENTAL INDUSTRY.

Introduced by: Hiraki K (586-6180)

Amends provisions relating to fuel charges. Repeals provisions prohibiting a lessor or officer, employee, agent, or other representative of the lessor to pay or receive a commission for selling any specific or particular options for fuel charges. -- HB2630 HD2

Committee Reports: HSCR 155-04 (TAC) HSCR 522-04 (CPC) SSCR 2965 (TMG) SSCR 3219 (CPH)

Current Status: Apr-15 04 Received by the Governor

Apr-29 04 Approved by Governor (Act 35 2004)

Section Affected: 437D-14

HB2645 HD2 SD2 (SSCR 3248)

RELATING TO EDUCATION.

Introduced by: Takumi R (586-6170)

Establishes provisions relating to retired teachers. Exempts retired department of education teachers who held valid teaching certificate or license at the date of retirement from any prerequisite coursework that the department requires of other substitute teachers for a period of 10 years after the date of their retirement. -- HB2645 SD2

Committee Reports: HSCR 228-04 (EDN) HSCR 689-04 (LAB) SSCR 2946 (EDU) SSCR 3248 (WAM)

Current Status: Apr-30 04 Passed Legislature

Section Affected: 302A- (1 SECTION) RETIRED TEACHERS

HB2662 HD1 SD1 CD1 (CCR 156-04)

RELATING TO ECONOMIC DEVELOPMENT.

Introduced by: Oshiro M (586-8505)

Amends provisions relating to loans, terms, and restrictions. Authorizes the department of business, economic development and tourism to make loans to assist businesses located in communities near military installations to develop infrastructure to minimize the possibility of or assist in the mitigation of the adverse effects of the closure or reduction in capacity of a military installation. Appropriation. (\$\$) -- HB2662 CD1

Committee Reports: HSCR 210-04 (PSM) HSCR 719-04 (FIN) SSCR 3009 (TMG/ ECD/) SSCR 3265 (WAM) CCR 156-04

Current Status: May-03 04 Passed Legislature

Section Affected: 210-6

HB2667 HD2 SD1 CD1 (CCR 127-04)

RELATING TO HAWAIIAN LANGUAGE MEDIUM EDUCATION.

Introduced by: Hamakawa E (586-8480)

Establishes the Hawaiian language medium education law. Provides that the Hawaiian language medium education program may be established as a complete educational program or schooling experience provided to students in the medium of the Hawaiian

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language. Provides that families of fluent Hawaiian speaking persons choosing to enroll in the Hawaiian language medium program may be given preference for admittance. Authorizes the department of education to create a separate office of Hawaiian language medium education for the direction and control of the program. Provides that when 15 or more qualified children in any 1 departmental school district wish to enroll in the Hawaiian language medium education program, the superintendent of education may provide facilities for a Hawaiian medium education program or provide transportation to the nearest schooling site providing the program. Authorizes the department to establish a Hawaiian language medium state education agency with the capability of operating districts and complex areas on an equal basis with any other districts and complex areas of the department. Requires the department to work collaboratively with the Hawaiian language college of the university of Hawaii at Hilo and other entities to address Hawaiian language medium education. Provides that teachers whose responsibilities are greater or unique and require additional language skills may be provided additional benefits. -- HB2667 CD1

Committee Reports: HSCR 44-04 (WLH) HSCR 475-04 (EDN) HSCR 745-04 (FIN)
SSCR 2996 (EDU/LBR/JHW/) SSCR 3144 (WAM) CCR 127-04
Current Status: May-03 04 Passed Legislature
Section Affected: (7 SECTIONS) HAWAIIAN LANGUAGE MEDIUM EDUCATION,
302A-630, 302A-1128, 302A-1143

HB2674 HD1 SD1 CD1 (CCR 40-04)

RELATING TO IDENTITY THEFT.

Introduced by: Hamakawa E (586-8480)

Establishes provisions relating to retail merchant club cards. Provides that no club card issuer shall request in a club card application, or require as a condition of obtaining a club card, that the applicant provide any personal information except name, address, and telephone number. Provides that the club card issuer may ask for the last 4 digits of the applicant's social security number. Provides that no club card issuer may sell or share a cardholder's name, address, telephone number or any personal information to any unaffiliated 3rd party except if the club card issuer charges an annual fee; allows only cardholders to make purchases; provides a written statement that cardholder information may be shared with other businesses for marketing and that payment of an annual fee means the cardholder has agreed to allow the club card issuer to share cardholder information, and the card holder may opt out from cardholder information sharing; and the cardholder obtains written confirmation from unaffiliated 3rd parties that shared information will not be transferred to any other entity. Prohibits club card issuers from requiring as a condition of obtaining a club card that the cardholder obtain the club card as an identification card for purposes of check cashing or credit. Allows a club card issuer to include on its club card application form a credit application to a designated credit card company and to transmit the credit application to the credit card company, provided that; the credit application form is separately identified as an option on the club card and the credit application clearly discloses that the cardholder is applying for credit with the designated credit card company. Provides that each agency shall make certified payroll records on public works contracts, not including social security numbers, available for public inspection and duplication during regular business hours. Provides that social security numbers are examples of information in which an individual has a significant privacy interest. -- HB2674 CD1

Committee Reports: HSCR 673-04 (JUD/CPC/) SSCR 3200 (JHW/CPH/) CCR 40-04
Current Status: Apr-30 04 Passed Legislature
Section Affected: (2 SECTIONS) RETAIL MERCHANT CLUB CARDS, 92F-12,
92F-14

HB2683 SD1 CD1 (CCR 36-04)

RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA AND DEFERRED ACCEPTANCE OF NOLO CONTENDERE PLEA.

Introduced by: Hamakawa E (586-8480)

Amends provisions related to chapter not applicable; when, within criminal procedure, deferred acceptance of guilty plea, nolo contendere plea, by providing that these provisions shall not apply when the offense charged is a felony that involves substantial bodily injury. -- HB2683 CD1

Committee Reports: HSCR 200-04 (JUD) SSCR 3093 (JHW) CCR 36-04
Current Status: Apr-30 04 Passed Legislature
Section Affected: 853-4

HB2685

RELATING TO BAIL JUMPING.

Introduced by: Hamakawa E (586-8480)

Amends provisions relating to bail jumping in the 1st and 2nd degree. Changes

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intentionally fails to appear to knowingly fails to appear. -- HB2685
Committee Reports: HSCR 201-04 (JUD) SSCR 3082 (JHW)
Current Status: Apr-05 04 Received by the Governor
Apr-23 04 Approved by Governor (Act 17 2004)
Section Affected: 710-1024, 710-1025

HB2689

RELATING TO STALKING.
Introduced by: Hamakawa E (586-8480)
Amends provisions relating to jurisdiction; adults and general. Provides that the family court shall have concurrent jurisdiction with the circuit court over violations of harassment by stalking. -- HB2689
Committee Reports: HSCR 202-04 (JUD) SSCR 3083 (JHW)
Current Status: Apr-05 04 Received by the Governor
Apr-23 04 Approved by Governor (Act 18 2004)
Section Affected: 571-14, 603-21.5

HB2703 HD1 SD2 CD1 (CCR 128-04)

RELATING TO IMPACT FEES.
Introduced by: Mindo R (586-9730), Shimabukuro M, Tamayo T, Oshiro M, Morita H
Amends provisions relating to highways to establish impact fees. Authorizes the counties to assess, impose, levy, collect, and transfer impact fees for any development. Provides that prior to the assessment, imposition, levy, collection, or transfer of impact fees the director of transportation shall approve a needs assessment study that shall identify the kinds of state highway improvements for which the fees shall be imposed. Prohibits a county to assess impact fees for state highway improvements without approval of the director of transportation. Defines impact fee to mean an assessment on development used to incrementally fund a fair share of the capital cost of public highway improvements needed to serve that development. Defines development to mean any artificial change to real property that requires a county grading or building permit. 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 land use commissions. -- HB2703 CD1
Committee Reports: HSCR 666-04 (FIN) SSCR 3018 (TMG/ WLA/) SSCR 3266 (WAM) CCR 128-04
Current Status: May-03 04 Passed Legislature
Section Affected: 264- (7 SECTIONS) IMPACT FEES, 46-143

HB2739 HD1 SD2 CD1 (CCR 41-04)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS BY THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION.
Introduced by: Schatz B (586-9425)
Authorizes the issuance of special purpose revenue bonds to assist Townsend Capital, LLC, a Maryland limited liability company, to finance the acquisition, construction, improvement, installation, equipping, and development of land, buildings, and other improvements to provide wet lab space and a biotech incubator near the university of Hawaii medical school at Kakaako. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2739 CD1
Committee Reports: HSCR 594-04 (FIN) SSCR 2991 (SAT) SSCR 3272 (WAM) CCR 41-04
Current Status: Apr-30 04 Passed Legislature

HB2740 HD1 SD1 (SSCR 3205)

RELATING TO NOTIFICATION OF EMPLOYMENT CHANGES.
Introduced by: Oshiro M (586-8505), Magaoay M, Lee M
Amends provisions relating to dislocated workers. Requires an employer to provide each employee and the director of labor and industrial relations written notification of a closing, partial closing, or relocation at least 90 days prior to the occurrence and if the employer provides housing or housing assistance for employees, the employer shall provide each employee and the director written notification of the discontinuance, termination, or reduction of housing or housing assistance at least 180 days prior to occurrence. Provides that written notification is not required when the discontinuance or termination of housing or housing assistance is a result of an employee's resignation or termination for cause. Defines housing assistance as any stipend, subsidy, relocation fee, sub market lease, or other financial assistance provided by an employer to an employee toward housing. -- HB2740 SD1
Committee Reports: HSCR 639-04 (LAB) SSCR 3205 (LBR)
Current Status: Apr-28 04 Received by the Governor
Section Affected: 394B-1, 394B-9

HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB2741 HD1 SD1 CD1 (CCR 22-04) RELATING TO EXECUTIVE DEPARTMENTS.
Introduced by: Takamine D (586-6200)
Establishes provisions relating to executive departments, deputy director and special assistant positions, appointment review process. Prohibits any department or agency to establish a deputy director or special assistant position or appoint a person to fill a deputy director or special assistant position within the department or agency without 1st filing with the department of human resources development. Exempts the department of education and the university of Hawaii. Report to the legislature by the governor. -- Requires any deputy director and special assistant positions that have been established or filled without compliance with the appointment review process to be abolished. -- HB2741 CD1
Committee Reports: HSCR 464-04 (LAB) HSCR 750-04 (FIN) SSCR 3186 (WAM) CCR 22-04
Current Status: Apr-30 04 Received by the Governor
Section Affected: 26- (1 SECTION) EXECUTIVE DEPARTMENTS
- HB2743 HD2 SD1 CD1 (CCR 6-04) RELATING TO NON-GENERAL FUNDS.
Introduced by: Takamine D (586-6200)
Authorizes the director of finance to transfer funds from the animal quarantine special fund, the agricultural loan reserve fund, the stadium special fund, the state motor pool revolving fund, the state identification revolving fund, the medicaid investigations recovery fund, the research subaccount of the tourism special fund, the foreign trade zones special fund, the Aloha tower fund, the Hawaii community development revolving fund, the dwelling unit revolving fund, the human resources development special fund, the environmental response revolving fund, the environmental management special fund, the special land and development fund, and the state highway fund to the general fund. -- Amends provision relating to the tobacco enforcement special fund in the department of the attorney general. Reduces the maximum amount that can remain in the fund at the close of June 30 of each year to 500,000 dollars. -- Amends provision relating to the state parking revolving fund under the comptroller. Provides that the maximum amount that can remain in the fund at the close of June 30 of each year to 500,000 dollars. -- HB2743 CD1
Committee Reports: HSCR 519-04 (FIN) HSCR 676-04 (FIN) SSCR 3087 (WAM) CCR 6-04
Current Status: Apr-16 04 Received by the Governor
May-03 04 Approved by Governor (Act 43 2004 + vetoed items)
May=03 04 Veto Items Overridden - Senate
May-03 04 Veto Items Overridden - House
May-03 04 Became Law - vetoed items (Act 52 2004)
Section Affected: 28-15, 107-11
- HB2748 SD1 (SSCR 3187) RELATING TO STATE FINANCES.
Introduced by: Takamine D (586-6200)
Amends provisions relating to the business action center. Changes the supervisor and personnel of the business center from civil service exempt positions to be subject to civil service and collective bargaining laws. -- HB2748 SD1
Committee Reports: HSCR 662-04 (FIN) SSCR 3187 (WAM)
Current Status: Apr-30 04 Passed Legislature
Section Affected: 201D-2
- HB2749 SD1 (SSCR 3188) RELATING TO STATE FUNDS.
Introduced by: Takamine D (586-6200)
Amends provision relating to payment for goods and services by repealing the provision that a person shall not collect more than 12 per cent interest a year from a paying agency prevented from complying with these provisions. -- HB2749 SD1
Committee Reports: HSCR 652-04 (FIN) SSCR 3188 (WAM)
Current Status: Apr-29 04 Passed Legislature
Section Affected: 103-10
- HB2773 HD1 SD1 CD1 (CCR 87-04) RELATING TO CONDOMINIUM PROPERTY REGIMES.
Introduced by: Hiraki K (586-6180)
Amends provisions relating to condominium property regimes telecommunications equipment. Authorizes the board of directors of a condominium association to permit owners to install antennas for amateur radios in their apartments or their limited common element without the consent of the owner or owners of the apartment or apartments for the use of which the limited common element is reserved. Provides that the installation

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of antennas for amateur radios approved by the board shall not be deemed to alter, impair, or diminish the common interest, elements, and easements appurtenant to each apartment or to be a structural alteration or addition to any building different in any material respect from the floor plans of the project filed, but no such installation shall directly affect any nonconsenting apartment owner. Requires a board to provide reasons in writing if the board denies permission to install an antenna. -- HB2773 CD1
Committee Reports: HSCR 595-04 (CPC) SSCR 3194 (CPH) CCR 87-04
Current Status: May-03 04 Passed Legislature
Section Affected: 514A-13.4

HB2774 HD1 SD1 CD1 (CCR 88-04) RELATING TO SUBDIVISIONS.
Introduced by: Hiraki K (586-6180)
Establishes provisions relating to amateur radio antennas. Authorizes the board of directors of an association to have the authority to permit owners to install antennas for amateur radios in their units located in agricultural districts, provided that no antenna shall be installed upon any common area without compliance with all the provisions of the association documents. Provides that if a board in its sole discretion denies an owner permission to install an antenna for amateur radio, that board shall provide the reason for the denial in writing. -- HB2774 CD1
Committee Reports: HSCR 596-04 (CPC) SSCR 3193 (CPH) CCR 88-04
Current Status: May-03 04 Passed Legislature
Section Affected: 421J- (1 SECTION) AMATEUR RADIO ANTENNAS

HB2786 HD1 SD2 CD1 (CCR 54-04) RELATING TO ARBITRATION.
Introduced by: Oshiro B (586-6340)
Amends provisions relating to policyholder and other suits against insurer. Changes suits to proceedings. Provides that an arbitrator or an arbitration panel may order an insurer to pay benefits where an insurer has contested its liability under the policy. -- HB2786 CD1
Committee Reports: HSCR 646-04 (JUD) SSCR 2988 (CPH) SSCR 3274 (JHW) CCR 54-04
Current Status: May-03 04 Passed Legislature
Section Affected: 431:10-242

HB2789 HD1 SD1 (SSCR 3094) RELATING TO SEXUAL ASSAULT.
Introduced by: Oshiro B (586-6340), Hamakawa E
Proposes to amend the constitution. Establishes that the legislature may define what behavior constitutes a continuing course of conduct in sexual assault crimes. -- Repeals and replaces provisions relating to continuous sexual assault of a minor under the age of 14. -- HB2789 SD1
Committee Reports: HSCR 488-04 (JUD) SSCR 3094 (JHW)
Current Status: Apr-27 04 Received by the Governor
Section Affected: ART I (1 SECTION), 707- (1 SECTION), 707-733.5

HB2796 HD1 SD2 CD1 (CCR 7-04) RELATING TO STATE FUNDS.
Introduced by: Takamine D (586-6200), Kawakami B, Arakaki D, Kahikina M
Appropriation out of the emergency and budget reserve fund (rainy day fund) to the department of human services as a grant to Hale Mahaolu for the personal care program for disabled or chronically ill frail adults and elders residing in Maui county; as a grant for Family Support Services of West Hawaii for family centers in North Hawaii and in Kau on the island of Hawaii; and as a grant for Friends of Foster Kids. -- Appropriation out of the emergency and budget reserve fund to the judiciary via the children's justice center 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 of human services. -- Appropriation out of the emergency and budget reserve fund to the department of human services, office of youth services as a grant to the Hawaii Youth Services Network for its Transitional Living Program for Unserviced Street Youth; as a grant for the Boys and Girls Club of Hawaii in Papakolea; and as a grant to assist in the completion of the Teen Center at Nanakuli high and intermediate school. -- Appropriation out of the emergency and budget reserve fund to the department of human services for the residential alternative community care program; for the chore services program; and as a grant for Parents and Children Together. -- Appropriation out of the emergency and budget reserve fund to the department of labor and industrial relations, office of community services as a grant to Volunteer Legal Services Hawaii for its Na Keiki Law Center project focusing on protecting the legal

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rights of children; as a grant for the Honolulu Community Action Program in Waianae to support the Hawaii Family Advocacy Program in assisting families in the child protective services system; and as a grant for the Weed and Seed Program to collaborate and support existing programs on the Waianae Coast. -- Appropriation out of the emergency and budget reserve fund to the judiciary, circuit court of the 2nd circuit as a grant for the Domestic Violence Clearinghouse and Legal Hotline for Maui program services. -- Appropriation out of the emergency and budget reserve fund to the department of human services, housing and community development corporation of Hawaii for costs related to homeless assistance; as a grant to the Self Help Housing Corporation of Hawaii; as a grant for the Honolulu Neighborhood Housing Services operating expenses for the purposes of developing low income rental homes and rehabilitating homes for low income families and individuals. -- Appropriation out of the emergency and budget reserve fund to the department of health, Hawaii health systems corporation, for the Program for All Inclusive Care for the Elderly to expand to the neighbor islands. -- Appropriation out of the emergency and budget reserve fund to the department of health as a subsidy for the operating costs of Molokai general hospital; as a subsidy to Kahuku hospital to fund the costs of emergency room operations, inpatient and outpatient care for the underinsured, medical malpractice insurance, and labor; as a subsidy for emergency services at the Waianae Coast Comprehensive Health Center; as a subsidy for Wahiawa general hospital to provide indigent care services; as a subsidy to the St. Francis Medical Center for the operations of the bone marrow registry; to enable the department of health to operate a hospital based poison center 24 hours a day; as a subsidy to the Hana Community Health Center for operational expenses; as a subsidy to the Hana Community Health Center for behavioral health services for Hana high and elementary school (provided that no funds be made available unless matched dollar for dollar by the department of education); to provide resources to nonprofit, community based healthcare providers to care for the uninsured for providing direct care, which includes primary medical, dental, and mental health care, and may pay for the purchase of prescription drugs; as a subsidy for the Kapiolani Medical Center for Women and Children Sex Abuse Treatment Center master contract; as a subsidy for Kauai Community Health Center; for the donated dental services program in Hawaii; for the Hawaii Drug Assistance Program; for the Hawaii Seropositivity and Medical Management Program; as a grant to Na Lei Wili Area Health Education Center for the Grow Our Own Healers Youth Program and Health Corps Hawaii to address workforce shortage through tiered mentoring, health care exploration, community health education, and community service; as a grant to the Roman Catholic Church in the State for the Mobile Care Health Project to provide primary dental care services for the uninsured and underinsured on the island of Hawaii; and as a grant for Kokua Kalihi Valley Comprehensive Family Services, in collaboration with the Kalihi Palama Health Center, to establish school based or school linked health services at the high school and middle schools in Kalihi. -- Appropriation out of the emergency and budget reserve fund to the department of health, executive office on aging, as a grant for Catholic Charities of the Diocese of Honolulu for the Lanakila Multi Purpose Senior Center; as a grant for the Moiliili Community Center for program support; and as a grant for the Waikiki Community Center for program support. -- Appropriation out of the emergency and budget reserve fund to the department of labor and industrial relations, office of community services, as a grant for Maui Economic Opportunity, Inc., and its night transportation service for dialysis treatment programs in Maui County. -- Appropriation out of the emergency and budget reserve fund to the department of education for continued enrichment and after school programs at Nanaikapono elementary school. -- (\$\$) -- HB2796 CD1

Committee Reports: HSCR 420-04 (HSH/ HLT/) HSCR 711-04 (FIN) SSCR 3053 (HTH/ HMS/) SSCR 3086 (WAM) CCR 7-04

Current Status: Apr-16 04 Received by the Governor
May-03 04 Became Law Without Governor's Signature (Act 45 2004)

HB2798 HD1 SD2 (SSCR 3278)

RELATING TO THE PRACTICE OF PHARMACY.

Introduced by: Schatz B (586-9425)

Amends provisions relating to pharmacists and pharmacy. Redefines practice of pharmacy to include administering drugs intranasally and administering immunizations orally by injection or by intranasal delivery. -- HB2798 SD2

Committee Reports: HSCR 336-04 (HLT) HSCR 568-04 (CPC) SSCR 2956 (HTH) SSCR 3278 (CPH)

Current Status: Apr-27 04 Received by the Governor

Section Affected: 461-1

HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB2814 HD2 SD1 CD1 (CCR 48-04) RELATING TO KALAUPAPA SETTLEMENT.
Introduced by: Kaho'ohalahala S (586-6790), Kanoho E, Arakaki D, Waters T, Blundell B, Moses M, Mindo R, Nishimoto S, Morita H, Meyer C, Hale H, Shimabukuro M, Kahikina M
Requires the department of health to annually report to the legislature with regard to Kalaupapa Settlement (hansen's disease), on the department's provision of medical and basic living needs of the patients; progress towards defining and addressing nonmedical patient needs; progress towards promoting a positive living environment; management of state resources; and performance of the administrator. -- HB2814 CD1
Committee Reports: HSCR 273-04 (HLT) HSCR 727-04 (FIN) SSCR 2984 (HTH) SSCR 3270 (WAM) CCR 48-04
Current Status: Apr-30 04 Passed Legislature
Section Affected: 326- (1 SECTION), 326-13
- HB2840 HD1 SD3 CD1 (CCR 132-04) RELATING TO ENHANCING ECONOMIC DIVERSITY.
Introduced by: Say C (586-6100)
Establishes the Hawaii 3Ts school technology laboratories fund as a separate fund of the economic development alliance of Hawaii inc., a Hawaii nonprofit organization, to provide either grants to organizations or contracts with private vendors for the establishment and maintenance of technology laboratories in the schools. Requires the alliance to appoint members of the Hawaii 3Ts school technology laboratories board who shall raise money for the fund, establish criteria for proposals, review grant proposals, and make recommendations for grants and other expenditures. Requires an annual report on the progress of the fund to be made to the director of business, economic development, and tourism who shall transmit it to the legislature. Report to the legislature. -- HB2840 CD1
Committee Reports: HSCR 468-04 (WLH/ EDB/) HSCR 585-04 (FIN) SSCR 2997 (ECD/ WLA/ SAT/) SSCR 3136 (WAM) - filed FLOOR AMENDMENT 9 CCR 132-04
Current Status: May-03 04 Passed Legislature
Section Affected: 302A- (1 SECTION) HAWAII 3TS SCHOOL TECHNOLOGY LABORATORIES FUND
- HB2859 HD2 SD2 (SSCR 3236) RELATING TO THE DEVELOPMENT OF AN INTERNATIONAL EQUESTRIAN FACILITY.
Introduced by: Hale H (586-6530), Shimabukuro M, Karamatsu J
Requires the governor to convene an international equestrian facility working group that represents both public and private interests and concerns. Report to the legislature. -- HB2859 SD2
Committee Reports: HSCR 261-04 (INT) HSCR 602-04 (FIN) SSCR 3048 (WLA/ TSM/) SSCR 3236 (WAM)
Current Status: Apr-27 04 Received by the Governor
- HB2871 HD2 SD1 (SSCR 3204) RELATING TO TOBACCO.
Introduced by: Arakaki D (586-6050), Shimabukuro M
Establishes provisions relating to smoking prohibited. Requires public schools from kindergarten through the 12th grade to prohibit the use of tobacco at public schools or at public school functions. Requires the department of education to provide affected public employees with breaks throughout the work day during which they may smoke at locations off campus and to provide a smoking cessation program for employees. -- Amends provisions relating to collective bargaining in public employment by providing that the federal Pro Children Act shall impose mandatory restrictions on smoking in the workplace. -- HB2871 SD1
Committee Reports: HSCR 77-04 (HLT/ LAB/) HSCR 545-04 (EDN) SSCR 3204 (LBR/ EDU/)
Current Status: Apr-30 04 Received by the Governor
Section Affected: 302A- (1 SECTION), 89-20
- HB2883 HD2 SD2 CD1 (CCR 140-04) RELATING TO WIRELESS ENHANCED 911 SERVICE.
Introduced by: Souki J (586-9444)
Establishes the enhanced 911 services for mobile phones (cell phone, cellular phone, hand held phone) law. Provides that there is created within the department of accounting and general services a wireless enhanced 911 board. Establishes the wireless enhanced 911 fund to be administered by the board within the department for the purpose of ensuring adequate cost recovery for the deployment of wireless enhanced 911 service in Hawaii and administering the fund. Establishes a monthly

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enhanced wireless 911 surcharge imposed upon each commercial mobile radio service connection. Requires all providers and resellers to bill and collect from each of their customers a monthly surcharge. Allows each provider or reseller to retain 2 per cent of the amount of surcharges collected to offset administrative expenses and remit the remainder to the fund. Provides that the wireless enhanced 911 board shall submit an annual report to the legislature. Provides that all proprietary information shall be retained in confidence. -- HB2883 CD1

Committee Reports: HSCR 167-04 (TRN) HSCR 385-04 (CPC) HSCR 622-04 (FIN)
SSCR 3010 (TMG/CPH/) SSCR 3267 (WAM) CCR 140-04

Current Status: May-03 04 Passed Legislature

Section Affected: (12 SECTIONS) ENHANCED 911 SERVICES FOR MOBILE PHONES

HB2911 HD2 SD1 CD1 (CCR 82-04)

RELATING TO CHARTER SCHOOLS.

Introduced by: Hamakawa E (586-8480)

Amends provisions relating to new century charter schools. Provides that new century charter schools shall be subject to State land use laws and county laws, codes, and rules governing land use and public health and safety. Further provides that new century charter schools shall be subject to audit and inspection by the charter school administrative office. -- HB2911 CD1

Committee Reports: HSCR 266-04 (EDN) HSCR 714-04 (FIN) SSCR 3027 (EDU)
SSCR 3146 (WAM) CCR 82-04

Current Status: May-03 04 Passed Legislature

Section Affected: 302A-1184