

***REQUESTS BY THE HAWAII STATE LEGISLATURE
TO AGENCIES AND OFFICIALS OF FEDERAL,
STATE AND COUNTY GOVERNMENTS AND
QUASI-PUBLIC AND PRIVATE AGENCIES***

REGULAR SESSION OF 2005

**Compiled by the
Systems Office**

**LEGISLATIVE REFERENCE BUREAU
State Capitol
Honolulu, Hawaii 96813**

FOREWORD

This publication sets forth all of the requests made by the Hawaii State Legislature during the Regular Session of 2005 to agencies and officials of the federal, state and county governments and of quasi-public and private agencies. These requests are contained in acts enacted by the Legislature or bills passed which have yet to be approved by the Governor. These acts or bills include specific requests for submission of information back to the Legislature excluding annual and other reports requested on an indefinite basis. These requests are also contained in resolutions adopted by the Senate or House of Representatives or by the whole legislature. Dates by which reports and other responses are expected are indicated when specifically set by the Legislature. The names of the agencies involved in the conduct of a study or the execution of a request are underscored.

For the reader's convenience these legislative requests are also grouped together by agencies (see agency index); as well as by subject matter (see subject index).

Standard abbreviations used in the text are:

SB	-	Senate Bill
SC	-	Senate Conference Committee Report
SCR	-	Senate Concurrent Resolution
SD	-	Senate Draft
SR	-	Senate Resolution
SSCR	-	Senate Standing Committee Report
HB	-	House Bill
HC	-	House Conference Committee Report
HCR	-	House Concurrent Resolution
HD	-	House Draft
HR	-	House Resolution
HSCR	-	House Standing Committee Report
CD	-	Conference Draft
CCR	-	Conference Committee Report

An asterisk (*) preceding a measure number denotes that there are minor differences between the measures grouped together.

The word "notwithstanding" appended to certain committee reports denotes that the recommendations of the committee report were not followed.

Ken H. Takayama
Acting Director

June 2005

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ACT 35

HB 1305, HD1

PAY, GENDER-BASED INEQUITIES OF. Establishes a five-year pay equity task force to be conducted under the Office of the Governor. Requires the task force to consist of:

- (1) One representative from each of the unions serving as exclusive representative for civil service workers;
- (2) The Director of Labor and Industrial Relations or the director's designee;
- (3) Four representatives of public employers appointed by the Governor;
- (4) The chairperson of the Hawaii State Commission on the Status of Women or the chairperson's designee; and
- (5) Three individuals appointed by the Governor who represent the public at large.

Requires the task force to review the materials and develop recommendations for submission to the Legislature regarding the need for funding or specific actions to correct any gender-based pay inequities that are discovered.

Further requires the task force to provide the Legislature with an annual report documenting its progress.

Act to be repealed on June 30, 2011.

(HSCR 705, SSCR 1119, 1420)

ACT 40

SB 1235, HD1

ELDERLY CARE, DEMONSTRATION PROJECT FOR. Extends the Program for All Inclusive Care for the Elderly (PACE) to June 30, 2007, and requires the PACE Program to report to the Legislature no later than twenty days prior to the Regular Sessions of 2005, 2006, and 2007.

(SSCR 640, HSCR 1124, 1495)

ACT 65

SB 1170, SD2, HD1

ELECTRONIC COMMERCE-BASED CRIMES (PHISHING), PREVENTION OF. Establishes a Hawaii anti-phishing task force within the Department of the Attorney General to examine options to prevent electronic commerce-based crimes in the State.

Requires the task force to include:

- (1) The Attorney General or the Attorney General's designee;
- (2) The Director of the Office of Consumer Protection;
- (3) The United States Attorney for the District of Hawaii or the United States Attorney's designee;

- (4) Two members of the Hawaii State Senate appointed by the President of the Senate;
- (5) Two members of the Hawaii State House of Representatives appointed by the Speaker of the House of Representatives;
- (6) Two members representing the financial services industry, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives;
- (7) A member of the Honolulu Police Department's Criminal Investigation Division; and
- (8) A member of the Honolulu Field Office's United States Secret Service Electronic Crimes Unit.

Further requires the task force to:

- (1) Examine the policies, procedures, and operations of state agencies charged with the responsibility of developing policies to prevent electronic commerce-based crimes, monitoring electronic commerce-based criminal activity, and enforcing electronic commerce-based criminal sanctions;
- (2) Review other jurisdictions' activities, policies, directives, and laws related to preventing electronic commerce-based crimes and derive best practices models therefrom;
- (3) Explore any other options available to the task force to deter electronic commerce-based crimes from occurring in the State; and
- (4) Establish findings and develop recommendations on how the State may best deter electronic commerce-based crimes from occurring in the State.

Further requires the task force to submit its findings and recommendations to the Legislature, including any proposed legislation, no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 544, 645, HSCR 1538)

ACT 70

SB 1250, SD2, HD2, CD1

SUBSTITUTE TEACHERS, CLASSIFICATION AND COMPENSATION OF. Requires the Department of Education to submit its findings and recommendations, including the classification and compensation schedule as well as any proposed legislation to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 475, 990, HSCR 1212, 1597, CCR 111)

ACT 72

HB 150, HD2, SD2, CD1

DRIVER'S LICENSE FOR MINORS, PROVISIONAL LICENSING PROGRAM FOR. Requires the Department of Transportation and the Department of Health to compile and analyze all relevant traffic and accident data including accident reports, crash data, and

data relating to injuries and fatalities relating to motor vehicle accidents to determine the effectiveness of the graduated provisional licensing program in reducing traffic fatalities and accidents in the State.

Further requires the report to be submitted to the Legislature no later than twenty days prior to the convening of each Regular Session while this graduated provisional licensing program remains in effect.

Act to be repealed on January 9, 2011.

(HSCR 465, 844, SSCR 1044, 1462, CCR 59)

ACT 87

SB 1643, SD2, HD2, CD1

CHARTER SCHOOLS, OVERSEEING AND SUPPORT OF. Establishes the task force on charter school governance to identify and recommend revisions to the existing charter school law and to help create an effective framework for overseeing and supporting new and existing charter schools. Requires the recommendations of the task force to address:

- (1) The powers, authority, and requirements of schools, local school boards, the charter school administrative office, and board of education, including:
 - (A) The responsibility and authority to impose sanctions when a charter school fails to comply with contractual or statutory requirements;
 - (B) The authority for and management of technical support and interventions, including mergers and closure of charter schools and transfer of students to other public schools; and
 - (C) The ability to impose accountability measures for all charter schools, such as appropriate accreditations and adherence to generally accepted government accounting standards;
- (2) An application and start-up process for charter schools requiring sufficient time and proper scrutiny to ensure a school's readiness prior to accepting students;
- (3) The limitation of charter school exemptions from laws to only those laws applying to public schools;
- (4) The State's rights and liabilities when charter schools or their governing corporate bodies acquire real property or conduct for-profit business activities, including clarification of charter schools' authority to incur debt and the State's responsibility in case of default;
- (5) The conflict of interest inherent in the position of the director of the charter school administrative office;
- (6) The eligibility, administration, and funding of state benefits for non-certificated employees of charter schools;
- (7) The feasibility of assisting charter schools with facilities needs, including priority access to any vacant government buildings suitable for conversion to a charter school;
- (8) Whether there should be a different per-pupil allocation for those new century charter schools and new century conversion charter schools whose physical plant is located on state property and therefore reap the benefits of being accommodated on the State of Hawaii's preexisting, regularly scheduled repair and maintenance and capital improvement program initiatives;

- (9) The feasibility of creating a formal charter school board to bring needed expertise and focus on charter school support and accountability issues, and to operate in a manner similar to the Hawaii teacher standards board;
- (10) The feasibility of exempting local school boards from the requirements of chapter 91 and 92, provided that the local school boards shall make available the notices and agendas of public meetings:
 - (A) At a publicly accessible area in the local school board or new century charter school's administrative office so as to be available for review during regular business hours; and
 - (B) On the local school board's or new century charter school's Internet web site not less than six days prior to the public meeting, unless a waiver is granted by the charter school administrative office executive director in the case of an emergency; and
- (11) The appropriate applicability of state and county land use and zoning laws.

Provides that the task force consist of:

- (1) The Executive Director of the Charter School Administrative Office or the Director's designee, who shall serve as the chairperson and facilitator of the task force;
- (2) The State Auditor or the Auditor's designee;
- (3) The Superintendent of Education or the Superintendent's designee;
- (4) The Chairperson of the Board of Education or the Chairperson's designee;
- (5) The Chairperson of the Charter Schools Committee of the Board of Education or the Chairperson's designee;
- (6) The Director of Human Resources Development or the Director's designee;
- (7) The State Director of Finance or the Director's designee;
- (8) The Dean of the University of Hawaii College of Education or the Dean's designee;
- (9) The Director of the Hawaii Educational Policy Center or the Director's designee;
- (10) A representative from the Hawaii State Teachers Association;
- (11) A representative from the Hawaii Government Employees Association;
- (12) A representative from the Hawaii Charter Schools Network;
- (13) A representative from Na Lei Na'auao Native Hawaiian Charter School Alliance;
- (14) A representative from the Ho'okako'o Corporation;
- (15) A representative from Ho'olako Like; and
- (16) A representative from the business community to be appointed by the Governor.

Requires the Charter School Administrative Office to submit a report to the Legislature on the task force's progress, findings, and recommendations no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 234, 995, HSCR 1227, 1577, CCR 119)

SB 179, SD3, HD2, CD1

PART I, SECTION 5

RENTAL HOUSING TRUST FUND GRANTS, USE FOR UNITS FOR FAMILIES BELOW 30 PER CENT OF THE MEDIAN FAMILY INCOME. Requires the Housing and

Community Development Corporation of Hawaii to report to the Legislature on the number and use of grants provided and whether the grants were effective in developing rental housing for families at or below 30 per cent of the median family income.

PART IX, SECTION 35

AFFORDABLE HOUSING AND HOMELESS PROBLEM, TASK FORCE ON. Establishes a joint legislative housing and homeless task force in the Senate and House of Representatives to further identify near-term solutions to Hawaii's affordable housing and homeless problem. Requires four members to be appointed by the President of the Senate and four members to be appointed by the Speaker of the House of Representatives. Further requires the task force to be co-chaired by the Chair of the Senate Committee on Commerce, Consumer Protection and Housing and the Chair of the House of Representatives Committee on Housing.

Requires the task force to submit a report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

PART XI, SECTION 38

STATE'S HOUSING FUNCTIONS, REORGANIZATION OF. Requires the Housing and Community Development Corporation of Hawaii to prepare an implementation plan for the reorganization of the State's housing functions and submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 20, 545, 764, HSCR 1214, 1632, CCR 181)

SB 212, SD2, HD2, CD1

REVERSE VENDING MACHINE REBATE PROGRAM, REPORT ON. Requires the Director of Health to include a report on the reverse vending machine rebate program in the deposit beverage container program annual report to the Legislature.

REDEMPTION CENTER AND RECYCLING INFRASTRUCTURE IMPROVEMENT PROGRAM, REPORT ON. Requires the Director of Health to include a report on the redemption center and recycling infrastructure improvement program in the deposit beverage container program annual report to the Legislature.

BEVERAGE CONTAINER PROGRAM, REPORT ON. Requires the Department of Health to provide annual reports on the deposit beverage container program to the Legislature and the Governor no later than twenty days prior to the convening of each Regular Session. Further requires the reports to contain:

- (1) Performance indicators;
- (2) Measures of effectiveness;
- (3) Organization charts; and
- (4) Position descriptions of every type of position created and actual salaries paid to each employee.

Further requires the reports to include recommended legislation for statutory changes.

Act to be repealed on June 30, 2006.

(SSCR 29, 472, 915, HSCR 1143, 1633, CCR 124)

SB 639, SD2, HD1, CD1

TEACHER HOUSING PROGRAM, TRANSFER TO THE DEPARTMENT OF EDUCATION. Requires the Department of Education to prepare a report detailing the feasibility of the transfer and the Department's capacity to assume the Housing and Community Development Corporation of Hawaii's responsibilities and submit its findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007.

(SSCR 511, 948, HSCR 1042, 1200, 1576, CCR 16)

SB 813, SD2, HD2, CD1

WORKFORCE INVESTMENT BOARD OF THE CITY AND COUNTY OF HONOLULU, COUNTY OF MAUI, COUNTY OF KAUAI, AND HAWAII COUNTY, TIMELY RELEASE OF FUNDS FOR. Requires the Department of Labor and Industrial Relations to report on the status of the timely release of funds appropriated to the county workforce investment boards no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

(SSCR 488, 855, HSCR 1221, 1620, CCR 127)

SB 1018, SD1, HD1, CD1

PRESCHOOL LICENSING AND ACCREDITATION, RECOMMENDATIONS FOR. Establishes a temporary private preschool licensing and accreditation task force, under the Department of Human Services to develop recommendations for licensing and accreditation standards, policies, and procedures for private elementary schools serving children under the age of five, with special focus on the policies and procedures of the Western Association of Schools and Colleges and the health and safety standards of the Department.

Requires the task force to consist of five members including:

- (1) The Director of Human Services or the director's designee;
- (2) The Executive Director of the Good Beginnings Alliance;
- (3) The Executive Director of the Hawaii Association of Independent Schools;
- (4) The Superintendent of the Hawaii Catholic Schools; and
- (5) A representative from the Hawaii Business Roundtable.

Requires the task force to submit a report of its findings and recommendations, including any recommended legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 731, HSCR 1364, CCR 22)

SB 1262, SD1, HD2, CD1

OCEAN RECREATION MANAGEMENT AREA RULES, ENVIRONMENTAL STUDY FOR. Requires the Department of Land and Natural Resources to prepare a baseline environmental study as an information document of the area from Kalaeloa to Kaena Point, Oahu, to be used for the preparation of draft ocean recreation management area rules.

Further requires the Department to submit the study to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007.

(SSCR 87, 958, HSCR 1152, 1501, CCR 121)

SB 1394, SD2, HD2, CD1

MEDICAID ELIGIBLE HEALTH SERVICES FOR STUDENTS, FEDERAL FUNDS FOR. Requires the Department of Education to submit quarterly reports to the Legislature that include:

- (1) The amount of medicaid federal reimbursement received for federal fiscal years 2004-2005 to 2009-2010;
- (2) The amount of additional funding that has been secured;
- (3) The amount of claims pending;
- (4) The amount of additional federal funding that is projected to be secured over the next five years; and
- (5) Plans for the reinvestment of additional federal funds to expand needed services to the state's children.

Further requires the Department to submit an annual report to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 to 2010.

(SSCR 268, 787, HSCR 1225, 1607, CCR 117)

SB 1419, SD1

SECTION 2

DOMESTIC VIOLENCE AND SUPPORT FOR VICTIMS, STRATEGIC PLAN FOR. Requires the Department of Health to work with providers of services to victims of domestic violence and sexual assault to develop a five year strategic plan to reduce the incidence of domestic violence and to increase support to victims and to submit a report on the plan to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

"SHAPING TOMORROW, THE FUTURE OF SEXUAL VIOLENCE PROGRAMS IN HAWAII", IMPLEMENTATION OF THE RECOMMENDATIONS OF. Requires the Department to work with the sexual violence strategic planning groups to implement the recommendations of the January 2005 strategic plan entitled "Shaping Tomorrow, The Future of Sexual Violence Programs in Hawaii " and submit a report on the progress made with implementing the plan to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 561, 810, HSCR 1785)

SB 1420, SD2, HD3, CD1

PSYCHOTROPIC MEDICATION, PRESCRIBING OF. Requires the Department of Human Services to report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007 on:

- (1) The number of prescriptions written pursuant to this Act;
- (2) The cost and impact of psychiatrists or physicians prescribing medications pursuant to this Act that are not part of the existing formulary; and
- (3) The overall utilization under chapter 346, Hawaii Revised Statutes.

(SSCR 607, 814, HSCR 1080, 1273, 1592, CCR 105)

SB 1473, SD1, HD1, CD1

WAIMANO RIDGE, OAHU, MASTER PLAN FOR. Requires the Department of Health in consultation with the Department of Land and Natural Resources, residents of Pearl City, the Pearl City Community Association, and Pearl City Neighborhood Board No. 21, to prepare an updated master plan for the future use of the State-owned Waimano Ridge lands.

Further requires the Department to conduct not less than two public hearings, noticed two weeks in advance, in the Waimano ridge community to obtain public input on formulating the master plan.

Further requires the Department to submit an updated master plan to the Legislature at the next Regular Session.

(SSCR 580, 715, HSCR 1113, 1516, CCR 35)

SB 1592, SD1, HD2, CD1

SECTION 2

HAWAII 2050 SUSTAINABILITY PLAN, RECOMMENDATIONS FOR. Establishes a Hawaii 2050 task force consisting of:

- (1) Four members from the Senate appointed by the Senate President;

- (2) Four members from the House of Representatives appointed by the Speaker of the House of Representatives;
- (3) A representative of the Governor appointed by the Governor;
- (4) The Director of the State Office of Planning or the director's designee;
- (5) The Auditor or the Auditor's designee;
- (6) Two members from the University of Hawaii's School of Urban and Regional Planning to be appointed by the President of the University of Hawaii; and
- (7) Three members from each county, with at least one member from each county being the departmental director of the appropriate county planning department or agency or the director's designee; provided that the Mayor of each county shall appoint the representatives for each respective county.

Requires the State Office of Planning to assist the task force.

Requires the task force to review, solicit input on, and develop recommendations for the creation of the Hawaii 2050 sustainability plan to ensure its relevance as a guide for the future long-term development of the State and report to the Legislature and the Governor on creating the plan.

Further requires the task force to submit recommendations that include but are not limited to:

- (1) Whether the goals, objectives, policies, and priorities for the State as envisioned in the Hawaii state plan and the quality growth policy developed pursuant to chapter 223, Hawaii Revised Statutes, are in need of amendment;
- (2) Whether the existing bases for determining priorities; allocating limited resources, such as public funds, services, human resources, land, energy, water, and other resources; and improving coordination of federal, state, and county plans, policies, programs, projects, and regulatory activities are adequate and, if not, a recommendation on how to improve them;
- (3) A listing of Hawaii's inherent economic assets and how best to use those assets to define Hawaii's role in the global economy;
- (4) How to forecast vocational needs within the State and direct the education and training of Hawaii's workforce to ensure that Hawaii residents learn marketable skills in secondary school, university, and adult training programs;
- (5) The development of a framework to ensure that traffic congestion, pollution, and other adverse effects caused by population and economic growth are mitigated;
- (6) An assessment of the tools needed for the private sector to better compete in the global economy and the means to improve Hawaii's balance of trade by increasing exports and reducing imports, and whether these tools would have any adverse economic or environmental impact on the State and its residents; and
- (7) How best to engage the community in a public discussion to achieve a consensus on the State's preferred future, and coordinate the actions needed to sustain a growing and vibrant economy, while maintaining a high quality of life for all residents and visitors.

SECTION 3

Requires the task force to submit a report on its recommendations, including any implementing legislation, to the Legislature and to the Auditor no later than twenty days prior to the convening of the Regular Session of 2006.

SECTION 4

HAWAII 2050 SUSTAINABILITY PLAN, SUBMITTAL OF. Requires the Auditor to submit the sustainability plan to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007.

(SSCR 184, 925, HSCR 1055, 1615, CCR 102)

SB 1814, SD2, HD2, CD1

SCHOOLS, IMPACT FEES FOR. Establishes a school impact fee working group administratively attached to the Office of the Auditor composed of:

- (1) The President of the Senate or the President's designee;
- (2) The Speaker of the House of Representatives or the Speaker's designee;
- (3) The Mayor of the City and County of Honolulu or the Mayor's designee;
- (4) The Superintendent of Education or the Superintendent's designee;
- (5) The Executive Director of the Land Use Commission or the Director's designee;
- (6) The President of the Hawaii State Association of Counties or the President's designee;
- (7) A Department of Education employee or consultant whose primary area of responsibility is repair and maintenance, capital improvement projects, land use planning, or any other relevant field, to be appointed by the Superintendent of Education;
- (8) A principal or complex area superintendent to be appointed by the Superintendent of Education;
- (9) The Executive Director of the Land Use Research Foundation or the Director's designee; and
- (10) One member of the Development Community to be designated by the Director of the Land Use Research Foundation.

Requires the working group to:

- (1) Examine the background of the salient issues, which shall include but not necessarily be limited to an investigation and evaluation of:
 - (A) The 2001 Group 70, Inc. and Duncan Associates report entitled "School Fair Share Contribution Study" and its relevancy today;
 - (B) The 1992 study entitled "Impact Fees in Hawaii: Implementing the State Law," and its relevancy today;
 - (C) The differing school facility infrastructure needs posed by:
 - (i) Infill and new development;
 - (ii) Condominium, duplex, detached single-family homes, and other types of construction; and
 - (iii) The varied market prices targeted by differing types of developments;
 - (D) Various funding mechanisms and other best practices utilized by other jurisdictions nation-wide;
 - (E) Current practices engaged in by the Department of Education to assess and collect fair-share contributions and any other relevant means of resource acquisition;
 - (F) Potential means of funding, including:

- (i) Impact fees assessed through calculations of proportionate shares of overall development costs; and
- (ii) Any other means as may be deemed appropriate by the working group; and
- (G) How to improve the Department of Education projections for future facilities to be better aligned with various county plans and priorities;
- (2) Conduct a case study, using central Oahu, on how these issues and proposals may affect a specific, contiguous geographic area that is slated for ongoing, complex, and varied development which will probably result in the need for increased department of education facility capacity. The case study shall include a "needs assessment" which shall at a minimum include the following:
 - (A) Developing service and facility standards;
 - (B) Identifying and projecting needs for capital facility capacity;
 - (C) Defining current deficiencies or excess capacity in existing capital facilities;
 - (D) Separating the capital costs of new growth and development from existing capital needs;
 - (E) Estimating capital costs on a per-unit-of-demand;
 - (F) Apportioning the capital costs of new development to various types of land use;
 - (G) Calculating credits for past and future tax payments toward capital facility capacity; and
 - (H) Developing legislation, ordinances, and rules or regulations containing policies and procedures for impact fee assessment, collection, administration and appeals; and
- (3) Provide the legislature, counties, and other interested public and private entities with measurable, specific deliverables which may include but not necessarily be limited to:
 - (A) New or revised statutes;
 - (B) New or revised ordinances;
 - (C) New or revised Department of Education procedures for consideration and possible approval by the Board of Education.

Further requires the working group to submit its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 274, 794, HSCR 1043, 1217, 1578, CCR 118)

SB 1816, SD2, HD2, CD1

SUBSTANCE ABUSE ASSESSMENT AND TREATMENT IN THE SCHOOLS, REVIEW OF. Establishes a student substance abuse assessment and treatment advisory task force within the Department of Health to review the process by which a child who violates the zero tolerance policy for drugs and alcohol in public schools is referred for assessment and treatment of substance abuse and excluded from school.

Requires the advisory task force to consist of:

- (1) Two members to represent the Director of Health and the Administrator of the Alcohol and Drug Abuse Division of the Department of Health;

- (2) Two members to represent the Department of Education and to consist of the Superintendent of Education or the Superintendent's designee and a school administrator to be appointed by the Superintendent;
- (3) A member of the House of Representatives to be appointed by the Speaker of the House of Representatives;
- (4) A member of the Senate to be appointed by the President of the Senate; and
- (5) Three members from the healthcare profession, which may include persons involved with the assessment or treatment of children for substance abuse or dependence, to be appointed jointly by the Speaker of the House of Representatives and President of the Senate.

Requires the advisory task force to:

- (1) Review the process established by section 302A-1134.6, Hawaii Revised Statutes, as amended by section 14 of Act 44, Session Laws of Hawaii 2004, to determine whether it is working and, if not, why not;
- (2) Review the amendments to section 302A-1134.6, Hawaii Revised Statutes, made by section 2 of this Act, and other applicable federal laws to determine whether the amendments will improve the process;
- (3) Determine what further changes need to be made, including the addition of resources, to improve the assessment and treatment of children in public schools for substance abuse and dependence; and
- (4) Develop a long-range plan for development and implementation of school-based substance abuse treatment programs for middle and high school students. The treatment model shall provide all middle and high school students with access to immediate treatment options for substance abuse or dependency in lieu of disciplinary action.

Further requires the advisory task force to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 585, 955, HSCR 1268, 1621, CCR 115)

HB 100, HD1, SD1, CD1

PART III, SECTION 4

CONVENTION CENTER OPERATIONS, VARIANCES IN. Requires the Hawaii Tourism Authority to submit a detailed report for expenditures comparing budget appropriations to actual expenditures for fiscal years 2005-2006 and 2006-2007 with accompanying explanations for variances thereof for the Hawaii Convention Center operations.

Requires the report to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 9

BOILER AND ELEVATOR SAFETY PROGRAM, EFFECTIVENESS OF. Requires the Department of Labor and Industrial Relations to submit detailed reports on the amount of

expenditures, amount of revenues, and effectiveness of the safety program, and shall include the complete report from the previous fiscal year, to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 10

AIRPORTS SPECIAL REPAIR AND MAINTENANCE PROJECTS, REPORT ON.

Requires the Department of Transportation to prepare a report on planned uses and actual expenditures of all special repair and maintenance appropriations to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 12

HARBORS SPECIAL REPAIR AND MAINTENANCE PROJECTS, REPORT ON.

Requires the Department of Transportation to prepare a report on planned uses and actual expenditures of all special repair and maintenance appropriations to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 14

HARBORS SECURITY APPROPRIATIONS, REPORT ON. Requires the Department of Transportation to prepare a report on actual expenditures of all security appropriations to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 15

HIGHWAYS SPECIAL REPAIR AND MAINTENANCE PROJECTS, REPORT ON.

Requires the Department of Transportation to prepare a report on planned uses and actual expenditures of all special repair and maintenance appropriations to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 16

NOISE LEVEL STUDY FOR RESIDENTIAL AREAS ADJACENT TO THE H-1 FREEWAY, OAHU, RESULTS OF. Provides that the noise level study for the residential area of Puakala Street, Poopala Street, and Laka Street immediately adjacent to the H-1 Freeway shall include recommendations and requirements for the abatement of freeway noise impacting the safety and health of the residents.

Further provides that the study be completed by June 30, 2006, and that the results be submitted to the Legislature upon its completion.

PART III, SECTION 17

PALI HIGHWAY, OAHU, TRAFFIC CONGESTION MITIGATION MEASURES FOR. Requires the Department of Transportation Highways Division to review all studies,

designs, and plans for the Pali Contraflow project, to include but not be limited to, the 1988 Kaku Associates study, and provide an update of possible traffic congestion mitigation measures for Pali Highway from Castle Junction to Bishop Street or segment thereof including suggested route and cost updates.

Requires the Department to submit the report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

PART III, SECTION 19

INVASIVE SPECIES PROGRAM, HAWAII, EFFECTIVENESS OF. Requires the Department of Land and Natural Resources to submit detailed reports that shall include the amount of expenditures, the amount of revenues, and the effectiveness of the Hawaii Invasive Species Program to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 20

ENVIRONMENTAL RESPONSE REVOLVING FUND, REPORT ON. Requires the Environmental Health Administration to submit a report on all expenditures from the environmental response revolving fund to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 23

HOME VISIT SERVICES, PURCHASE OF SERVICE FOR. Requires the Healthy Start Program to prepare a detailed report evaluating its delivery of services and specifically focusing on the purchase of services for home visit services.

Further requires that the report include findings and substantive recommendations for the overall restructuring of the Program and include the following information:

- (1) Recommendations to address the issues of engagement and retention of at-risk families;
- (2) Recommendations;
- (3) New measures of effectiveness for the Program to restructure its program to meet the current needs of this program;
- (4) A detailed financial report from each of its providers including a detailed breakdown of services provided and costs incurred including treatment outcome and performance reports on each service provided for its home visits and for all other services provided by the Program;
- (5) A review of the effectiveness of its current methods to assess, identify, and offer services to those families needing extra support among all civilian birth families in Hawaii and determine whether these services are needed; and
- (6) Recommendations to ensure that provider billings are appropriate and services were provided accordingly.

Further requires the Program to submit its recommendations and findings to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 25

HEALTHY HAWAII INITIATIVE, STATUS OF. Requires the Health Resources Administration to prepare a yearly detailed progress report on the status of the Healthy Hawaii Initiative, including a listing of any statistical successes resulting from this program.

Further requires the report to identify the impact on the following three components of the Healthy Hawaii Initiative:

- (1) Community based initiatives;
- (2) Public awareness and professional educational campaigns; and
- (3) School-based programs;

or any other aspect of the Initiative success due to the reallocation of funds from the Tobacco Settlement Fund to the Healthy Start Purchase of Service under Maternal and Children Health Services.

Further requires the report to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 37

CHILD WELFARE SERVICES, MULTI-AGENCY CASE COORDINATORS AND CASE SUPPORT COORDINATORS FOR. Requires the Department of Human Services to submit a report on:

- (1) The availability of federal funding in support of this initiative, including the amount and requirements that the Department of Human Services must fulfill to receive this funding;
- (2) The number of children aided by the services provided by this initiative and the capacity of service provided by this initiative;
- (3) The caseload per employee; and
- (4) The status of any court mandates that the Child Welfare Services Division is subject to.

Further requires the report to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 38

TITLE IV-E ELIGIBILITY DETERMINATION UNIT, REPORT ON FEDERAL FUNDS RECEIVED. Requires the Department of Human Services to submit a report each year on the amount of federal fund reimbursement received by the eligibility determination unit as a percent of expenditures, the amounts and purposes of the actual (previous fiscal year and current fiscal four months) and planned expenditure of the federal funds, and the actual (previous fiscal year and current fiscal year four months) and planned number of children aided and types of services provided by the additional federal funds.

Further requires the Department to include a breakdown of administrative costs and other overhead costs and that the report be submitted to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 39

HOMELESS SERVICES, REPORT ON. Requires the Department of Human Services to submit a report identifying the number of homeless persons assisted in the prior two fiscal years and the number of individuals anticipated to be assisted in the current and succeeding fiscal year.

Further requires the Department to provide a full list of homeless services rendered, a detailed financial plan that identifies expenses broken down by cost elements, identified fixed costs, and the average expenditure per client, and that expenditures be limited to programs specifically identified in the justification sheet for the proposed additional expenditure submitted to the Legislature prior to March 1, 2005.

Further requires the Department to submit the report to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 40

NURSING HOME WITHOUT WALLS AND RESIDENTIAL ALTERNATIVE COMMUNITY CARE PROGRAMS, REPORT ON. Requires the Department of Human Services to submit a report on the number of clients receiving services and the number projected to receive services, the number of individuals requesting services or on any waitlists, and the number of individuals in the State that qualify for these services to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 43

DEPARTMENT OF HUMAN SERVICES RESPONSE TO THE LEGISLATURE, POLICIES ON. Requires the Department of Human Services to conduct a review of the current internal policies to respond to legislative inquiries, to establish new written policies to respond to legislative inquiries in a more timely manner, and that these policies include a definitive work plan, a tracking mechanism of legislative requests and reports due, and clearer performance expectations of staff.

Further requires the Department to submit to the Legislature a report of both the new and old internal procedures to respond to legislative inquiries by August 1, 2005.

PART III, SECTION 44

HEALTH BENEFITS FOR CHARTER SCHOOL EMPLOYEES, FUNDS FOR. Requires the Department of Budget and Finance to submit a detailed report comparing general fund appropriations for participating employees of charter schools to actual general fund expenditures for participating employees of charter schools for benefits provided by the Hawaii Employer-Union Health Benefits Trust Fund to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 46

RETIREMENT BENEFITS FOR CHARTER SCHOOL EMPLOYEES, FUNDS FOR. Requires the Department of Budget and Finance to submit a detailed report comparing general fund appropriations for participating employees of charter schools to actual

general fund expenditures for participating employees of charter schools share of pension accumulation contributions and Social Security/Medicare contributions to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 48

DEPARTMENT OF EDUCATION'S FOOD SERVICES PROGRAM, REPORTS ON. Requires the Department of Education to submit:

- (1) Year-to-date data on revenues and expenditures, by all means of financing, from the Food Services Program as of November 30;
- (2) Annualized projections on revenue and expenditures, by all means of financing, from the Food Services Program;
- (3) Annualized projections on estimated total number of lunches to be served segregated into the various categories such as free, reduced, and full payment;

to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 61

UNIVERSITY OF HAWAII'S SHARE OF GENERAL OBLIGATION BOND DEBT SERVICE, EXPENDITURES FOR. Requires the Department of Budget and Finance to submit a detailed report comparing general fund appropriations to actual general fund expenditures for the University of Hawaii's share of general obligation bond debt service for each fiscal year from the 2001-2002 fiscal year through the last completed fiscal year, and a projection for each of the succeeding two fiscal years to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 63

SUBSTANCE ABUSE TREATMENT, SEX ABUSE TREATMENT, SEX OFFENDER TREATMENT, AND JOB DEVELOPMENT PROGRAMS FOR PRETRIAL, INCARCERATED, AND PAROLEE POPULATIONS. Requires the Department of Public Safety to submit a report on all services provided, graduation rates, recidivism rates of graduates, and expenditures for the previous fiscal year and the current fiscal year, four months actual.

Further requires the report to include monthly parole population counts and parole revocations for the previous fiscal year and the current fiscal year, four months actual.

Further requires the report to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 64

PRISONERS SENT TO THE MAINLAND, EXPENDITURES FOR. Requires the Department of Public Safety to submit a report of all expenditures made for the mainland prisoners for the previous fiscal year and the current fiscal year, four months actual, to the

Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 65

PRISONERS SENT TO THE MAINLAND, EXPENDITURES FOR. Requires the Department of Public Safety to submit a report on the transportation of additional inmates to mainland facilities to provide more space, the total cost including transportation and housing of an inmate on the mainland versus renting bed space at the Federal Detention Center, and a detailed breakdown of the criteria used to select inmates to be moved to mainland facilities to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 66

DEPARTMENT OF PUBLIC SAFETY'S PLAN TO REALLOCATE FUNDS, DEVELOPMENT OF. Requires the Department of Public Safety to develop a plan to realign funds from long standing vacant positions to the appropriate cost elements which includes a discussion of the reasons for the practice of reallocating funds, a discussion of the expenses paid for using reallocated funds for the previous two fiscal years, and a discussion of the legal authority used to reallocate payroll funds for other expenses.

Further requires the Department to submit the plan to the Legislature no later than October 1, 2005.

PART III, SECTION 67

DISASTERS, FUNDS FOR RELIEF. Requires the Department of Defense to notify the Legislature within five business days of any expenditure of funds by submitting a report detailing the date, reason, and amount of the expenditure.

PART III, SECTION 68

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS SPECIAL FUNDS REVENUE COLLECTIONS AND EXPENDITURES, REPORT ON. Requires the Department of Commerce and Consumer Affairs to submit a detailed report on how the Department's expenditures will be aligned with their special fund revenue collections to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 69

GOVERNOR'S CONTINGENCY FUND, EXPENDITURE REPORT. Requires the Office of the Governor to submit a report on all expenditures made from the "contingency fund" (sic) for the preceding twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 74

GENERAL OBLIGATION BONDS DEBT SERVICE, EXPENDITURES FOR. Requires the Department of Budget and Finance to submit a detailed report comparing general fund

appropriations to actual general fund expenditures for the non-Department of Education and non-University of Hawaii share of general obligation bond debt service for each fiscal year from the 2001-2002 fiscal year through the last completed fiscal year, and compare appropriations to a projection for the fiscal year in which the report is to be submitted no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 75

COLD CASE UNIT, ESTABLISHMENT OF. Requires the Department of the Attorney General to submit a report on the activities, progress, and expenditures of the cold case unit as required by the Byrne Grant to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 76

DEPARTMENT OF THE ATTORNEY GENERAL DRUG NUISANCE ABATEMENT UNIT, REPORT ON. Requires the Department of the Attorney General to provide a report of the drug nuisance abatement unit outlining priorities, projected expenditures, possible alternative sources of funding, actions taken, and unit performance to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

PART III, SECTION 78

STATEWIDE COMPUTER DISASTER RECOVERY SITE, CREATION OF. Requires Information Processing Services to contract a consultant to prepare and submit a detailed report to evaluate and analyze all viable options and alternatives to the creation of a statewide computer disaster recovery site.

Requires the report to include findings and substantive recommendations of the fiscal, business, and economic impacts upon the State if a site is not provided and to consider the viability of public-private partnerships between the state and private companies interested in utilizing the computer disaster recovery site.

Further requires that Information Processing Services submit its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

PART III, SECTION 80

WORKER'S COMPENSATION CLAIM PAYMENTS, REPORT ON. Requires the Department of Human Resources Development to submit a detailed report each year of all expenditures, number of claims for workers' compensation claim payments, statistics on the duration of payments made to claimants, statistics on the average compensation paid per claimant, and a breakdown of the claims paid by department, to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 111

GENERAL OBLIGATION BOND FUND PROJECTS WITH DEBT SERVICE COSTS TO BE PAID FROM SPECIAL FUNDS. Authorizes the Governor to use the State Highway Fund, the Harbor Special Fund, the Boating Special Fund, the Airport Revenue Fund, the

Special Land and Development Fund, or other appropriate special funds to finance the respective public undertaking, improvement, or system where the method of financing is designated to be general obligation bond fund with debt service cost to be paid from the funds.

Requires the Governor to submit a report to the Legislature on such changes in the method of financing of such projects.

PART VII, SECTION 112

CAPITAL IMPROVEMENT PROJECTS, SUPPLEMENTAL ALLOTMENTS FOR.

Authorizes the Governor to make supplemental allotments from the special fund or revolving fund responsible for cash or debt service payments for the projects or transfer unrequired balances from other completed and unlapsed projects which authorized the use of special funds, general obligation bond fund with debt service costs to be paid from special funds, revenue bond funds, or revolving funds.

Requires the Governor to notify the Legislature within five days of each use of the authority granted and submit a summary report to the Legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 114

CAPITAL IMPROVEMENT PROJECTS, SUPPLEMENTAL ALLOTMENTS FOR.

Authorizes the Governor to supplement funds for any cost element for a capital improvement project by transferring the sums as may be needed from the funds appropriated for other cost elements of the same project.

Requires the Governor to notify the Legislature within five days of each use of this proviso and submit a report to the Legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 115

PROJECT ADJUSTMENT FUNDS, TRANSFERS. Authorizes unrequired balances to be transferred to the Project Adjustment Fund. Requires the Governor to notify the Legislature within five days of each use of this proviso and submit a report to the Legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 116

PROJECT ADJUSTMENT FUND, TRANSFERS. Authorizes the Governor to make supplemental allotments from the Project Adjustment Fund.

Requires the Governor to notify the Legislature within five days of each use of this proviso and submit a report to the Legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 120

CAPITAL IMPROVEMENT PROJECTS, REDUCTION IN SCOPE. Allows the Governor to authorize a reduction of the scope of a project.

Requires the Governor to notify the Legislature within five days of each use of this proviso and submit a report to the Legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 and that the report be submitted to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 122

CAPITAL IMPROVEMENT PROJECTS, DELEGATION OF. Authorizes designated expending agencies with the approval of the Governor to delegate to other state or county agencies the implementation of projects when it is determined advantageous to do so.

Requires the Governor to notify the Legislature within five days of each use of this proviso and submit a report to the Legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 123

PROJECT ADJUSTMENT FUND, USE FOR NATURAL DISASTERS OR EMERGENCY. Allows the Governor to authorize the expenditure of funds for capital improvement projects not previously authorized to cope with the effects of natural disasters or unforeseen emergencies, when the effects of the natural disaster or unforeseen emergencies create an urgent need to pursue a course of action that is in the best interest of the State.

Requires the Governor to notify the Legislature within five days of each use of this proviso and submit a report to the Legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 124

APPROPRIATED FUNDS OF ANY PROGRAM, USE FOR NATURAL DISASTERS OR EMERGENCY. Authorizes the Governor to use appropriated funds of any program to cope with the effects of natural disasters or other unforeseen emergencies.

Requires the Governor to notify the Legislature within five days of each use of this proviso and submit a report to the Legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 130

FEDERALLY-FUNDED STATE PROGRAMS, USE OF SAVINGS FROM OTHER STATE PROGRAMS FOR. Authorizes the Governor to utilize savings as determined to be

available from other state programs for the purpose of maintaining the programs until the next legislative session.

Requires the Governor to notify the Legislature within five days of each use of this proviso and submit a report to the Legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART III, SECTION 131

FEDERAL FUNDS, EXPENDITURE OF FUNDS IN EXCESS OF LEVELS AUTHORIZED BY THE LEGISLATURE. Authorizes the Governor to approve the expenditure of federal funds which are in excess of levels authorized by the Legislature only in the event that the expenditure is made for the benefit of the public.

Requires the Governor to submit a report to the Legislature which includes the date when the program to receive the federal funds was first notified that additional federal funds may be available, the date that additional federal funds were known to be available, and the reasons why additional federal fund appropriations were not sought during the preceding legislative session, and an explanation of the public benefit.

Further provides that in the event of federal funds received as the result of a natural or manmade disaster the Governor may submit notification to the Legislature within five days after the Governor's approval to expend funds has been granted and require the Governor to submit a summary report of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 134

APPROPRIATIONS, TRANSFER OF OPERATING FUNDS BETWEEN. Authorizes the Governor to transfer operating funds between appropriations within the same fund, within an expending agency, for operating purposes.

Requires the Governor to submit a report to the Legislature within five days of each use of this proviso and that the report include the date of the transfer, the amount of the transfer, the program ID from which funds were transferred, the program ID to which funds were transferred, a detailed explanation of the public purposes served by the transfer of resources, and the impact to the department from which the funds were originally assigned.

Further requires the Governor to submit to the Legislature a summary report containing the aforementioned information for each use of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 135

PUBLIC EMPLOYEES, TRANSFER OF. Authorizes each department to transfer positions within its respective authorized position ceiling for the purpose of maximizing the utilization of personnel resources and staff productivity with the prior approval of the Governor.

Requires the Governor to report to the Legislature within five days of each use of this proviso and that the report include the date of the transfer, the position transferred, the program from which the position was transferred, the program to which the position was transferred, responsibilities of the position prior to transfer, the responsibilities of the position after the transfer, and the manner in which the transfer maximizes the utilization of personnel resources and staff productivity.

Further requires the Governor to submit a summary report to the Legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 136

APPROPRIATIONS BASED ON POPULATION AND WORKLOAD DATA. Requires agencies having appropriations based on population and workload data to reduce expenditures below appropriations under procedures prescribed by the Department of Budget and Finance in the event actual population and workload trends are less than the figures projected.

Requires the Department to notify the Legislature within five business days of each application of this proviso and submit a report of all applications of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 139

RISK MANAGEMENT, TRANSFER OF FUNDS FOR. Requires the Department of Accounting and General Services to submit a report on the transfer of funds for risk management including the date of any transfers, the amount of all actual transfers, amount of any additional anticipated transfers, and the amount budgeted for each agency for the preceding and current fiscal year in which the report is submitted to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 140

HEALTH CARE FOR INDIGENTS, TRANSFER OF FUNDS FOR. Authorizes the Hawaii Health Systems Corporation in the Department of Health, with the approval of the governor, to transfer to the Department of Human Services funds appropriated to the Corporation for the care and treatment of patients, whenever the Department of Human Services can utilize the funds to match federal funds that may be available to help finance the cost of outpatient, acute hospital, or long-term care of indigents or medical indigents in designated critical access hospitals.

Requires the Director of Finance to notify the Legislature within five days of each use of this proviso and submit a report to the Legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 141

HEALTH CARE FOR INDIGENTS, TRANSFER OF FUNDS FOR. Authorizes the Department of Health, with the approval of the governor, to transfer to the Department of Human Services funds appropriated to the Department of Health for the care and treatment of patients, whenever the Department of Human Services can utilize the funds to match federal funds to finance the cost of outpatient, hospital, or skilled nursing home care of indigents or medical indigents.

Requires the Governor to notify the Legislature within five days of each use of this proviso and submit a report of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 142

HEALTH CARE FOR INDIGENTS, AGREEMENTS BETWEEN THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF HEALTH. Authorizes the Department of Human Services to enter into agreements with the Department of Health to furnish outpatient, hospital, and skilled nursing home care of indigents or medical indigents and to pay the Department of Health for the care.

Authorizes the Department of Health, with the approval of the Director of Finance, to deposit part of the receipts into the appropriations from which transfers were made.

Requires the Governor to notify the Legislature within five days of each use of this proviso and submit a report of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 143

PUBLIC EMPLOYEES AND FUNDS, TRANSFER BETWEEN THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF EDUCATION. Authorizes the Governor to transfer positions and funds between the Department of Health and the Department of Education to address Felix Consent Decree requirements.

Requires the Governor to notify the Legislature within five days of each use of this proviso and submit a report to the Legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 145

STATE BOND RATINGS AND SALES, ACCOUNT FOR. Authorizes the use of funds to establish a separate protocol account to be expended at the discretion of the Director of Finance for the promotion and improvement of state bond ratings and sales.

Requires the Director to submit a detailed report of all expenditures made from the protocol account that includes the date of any expenditure, the purpose of the expenditure, the name of the entity that received the funds, and an explanation of the manner in which

the expenditures promoted and improved the state bond ratings and sales no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 153

NO CHILD LEFT BEHIND ACT OF 2001, ASSESSMENT OF. Requires the Department of Budget and Finance to complete a comprehensive assessment each year analyzing the adequacy of federal funding for the Department of Education's federal mandate of meeting and maintaining compliance with the No Child Left Behind Act of 2001.

Requires the assessment to identify Department of Education needs, such as funding, positions (full time equivalents, temporary, and others), facilities and equipment, and statutory or constitutional amendments necessary to maintain compliance with the No Child Left Behind Act, and discuss the nexus between each identified Department need and the mandated requirement to justify current and additional resources.

Further requires the assessment to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 154

PUBLIC EMPLOYEES, HIRING POLICIES AND PRACTICES FOR. Requires the State Auditor to conduct a report on the hiring policies and practices of the Executive Branch of government, including the implementation of the hiring policies established by the budget execution policies and instructions and an assessment of the implementation of the policies, on a sampling of programs. Further requires that the report include estimates of savings realized as a result of the hiring policy as identified by the Department of Budget and Finance and that the report be submitted to the Legislature.

PART VII, SECTION 155

NOTIFICATION AND REPORTING REQUIREMENTS. Provides that for all notification and reporting requirements in this Act, copies of the notification or report be submitted to the Senate President's Office, the Speaker of the House of Representative's Office, the Senate Ways and Means Committee Chairperson's Office, the House of Representative's Finance Committee Chairperson's Office, and to the appropriate standing committees' chairperson's office that has oversight responsibilities over the state program affected.

Further provides that the notification and report be posted on the website of the agency responsible for submitting the notification or report.

PART VII, SECTION 159

PUBLIC EMPLOYEE POSITIONS, VACANT, REPORT ON. Requires the Department of Human Services to submit a report on all vacant positions that have been vacant for more than one year. Requires the report to include a listing of each position, program ID to which the position is assigned, position number, budgeted salary, an explanation of what the Department is using the budgeted salary for, identification of the cumulative amount of budgeted salary that has not been used to pay for the position since it became vacant, and the anticipated fill date for the position.

Provides that if the vacant position is federally funded and not filled due to inadequate federal funds, the Department shall identify when additional federal funds to fill the position are anticipated.

Further provides that the report be submitted to the Legislature on a quarterly basis and posted on the Department's website.

PART VII, SECTION 160

MEDICAID-QUALIFIED EXPENSES AT PUBLIC HOSPITALS AND NURSING HOMES. Requires the Hawaii Health Systems Corporation to submit a quarterly report to the Legislature on the certification of losses under the state plan amendment.

PART VII, SECTION 161

ATTORNEY GENERAL'S SPECIAL, TRUST, AND REVOLVING FUNDS. Requires the Attorney General to submit a comprehensive report concerning all special, trust, and revolving funds within the Department of the Attorney General, whether created by statute or otherwise including:

- (1) The source and amount of all revenue for each fund;
- (2) Detailed accounts of all expenditures from each fund;
- (3) The purpose of all expenditures from each fund; and
- (4) The source of revenue for each fund.

Further requires that each fund be treated separately and that litigation settlements be done separately by each sub-account.

Further requires that the report be submitted to the Legislature for the preceding completed fiscal year no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 162

DEPARTMENT OF HUMAN SERVICES, TRANSFER OF FUNDS. Requires the Department of Human Services to submit notification to the Legislature for each transfer of funds between program ID and for each transfer between cost elements. Requires the notification to include an explanation of each transfer, including the program ID from which the funds were transferred, the program ID to which the funds were transferred, the cost element from which the funds were transferred, the cost element to which funds were transferred, amount of the transfer, impact of not expending the funds for the program ID for which the funds were appropriated, impact of not expending the funds for the cost element for which the funds were appropriated, and the reasons for transferring the funds to another cost element.

Further requires the report to be submitted to the Legislature on a quarterly basis for the previous twelve months within two weeks after the end of the quarter.

PART VII, SECTION 163

UNIVERSITY OF HAWAII RESEARCH AND TRAINING REVOLVING FUND, REPORT ON. Requires the University of Hawaii to submit a report on the revenues, distributions, expenditures, and ending balances from the Research and Training Revolving Fund to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 164

PUBLIC EMPLOYEES, DEPLOYMENT OF POSITIONS BETWEEN PROGRAM IDS. Requires the Governor to submit a report to the Legislature by August 1, 2005 detailing all deployments of positions between program IDs and to other departments. Requires the report to include the position description, position number, the program ID to which the position was originally assigned, the program ID and department to which the position was transferred, the changes in the position description, a narrative discussion detailing why the position was moved, the anticipated duration of this deployment, the specific reasons that the deployment will result in a more efficient functioning of the department, and the impact to the program from which the position was originally assigned.

Further requires the report to be submitted to the Legislature with each deployment made subsequent to those identified in the initial report no later than five business days after the initiation of each deployment; and provided further that the governor submit a summary report of all deployments made for the preceding twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

PART VII, SECTION 166

HAWAIIAN HOME LANDS TRUST FUNDS, EXPENDITURE OF. Requires the Department of Hawaiian Home Lands to submit a report of all actual expenditure of trust funds for operating purposes for fiscal year 2005 and fiscal year 2006. Requires the report to include a breakdown of expenditures by cost element, a list of all positions funded by the trust fund (including position number, title, actual salary, and job description), and a listing of all contracts entered into (including the name of the contractor, amount of the contract, and purpose of the contract) to the Legislature no later than August 15, 2005 and an updated report no later than twenty days prior to the convening of the Regular Session of 2006.

PART VII, SECTION 167

PUBLIC EMPLOYEE POSITIONS NOT AUTHORIZED BY THE LEGISLATURE, IDENTIFICATION OF. Requires the Department of Budget and Finance to prepare a report identifying all positions not authorized by the Legislature (both filled and vacant) in the Executive Branch. Requires the report to include the authority used to establish each position, the date the position was established, whether the position is filled or vacant, if the position is vacant the date the position became vacant, if the position is filled the date the position was filled, the amount expended for the position for fiscal year 2004-2005, the amount projected to be expended in fiscal year 2005-2006, the amount projected to be expended for fiscal year 2006-2007, the source of funds used to pay for the position, and the impact of eliminating the position and funds projected to be expended for the position.

Further requires the report to be submitted to the Legislature no later than October 1, 2005.

PART VII, SECTION 168

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES' AND DEPARTMENT OF EDUCATION'S POSITIONS AND FUNDS FOR CAPITAL IMPROVEMENT AND REPAIR AND MAINTENANCE PROGRAMS, TRANSFER OF. Authorizes the Department of Accounting and General Services and the Department of Education, with the approval of the Director of Finance, to transfer positions and funds to the other, provided that the transfers are necessary for the operations of each Department's capital improvement and repair and maintenance programs, and provided further that the Departments submit a report to the Legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the Regular Sessions of 2006 and 2007.

(HSCR 816, SSCR 1486, CCR 100)

HB 109, HD1, SD2, CD1

RURAL DISTRICTS, DEFINITION OF. Requires the County planning departments to submit any proposed legislation to redefine the rural districts to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 373 - notwithstanding, SSCR 1278, 1593, CCR 135)

HB 160, HD2, SD1, CD1

COMPLIANCE RESOLUTION FUND, INSURANCE REGULATION SUB-ACCOUNT, AUDIT OF. Requires the Office of the Auditor to conduct a financial and management audit of the Insurance Regulation Sub-account of the Compliance Resolution Fund and report its findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2008.

(HSCR 605, 864, SSCR 1249, 1623, CCR 171)

HB 283, HD1, SD1, CD1

SENATOR HIRAM L. FONG, RECOGNITION OF. Establishes a temporary commission to be known as the Senator Hiram L. Fong Commission which shall be in charge of all arrangements for recognizing and honoring Senator Hiram L. Fong. Requires the commission to be placed within the Office of the Governor and to consist of members appointed as follows:

- (1) Three by the Speaker of the House of Representatives;
- (2) Three by the President of the Senate;
- (3) Three by the Governor;
- (4) One by the Mayor of the City and County of Honolulu; and

(5) One by the Honolulu City Council.

Further requires the commission members to include a member from the family of Senator Hiram L. Fong, the Chinese-American community, the business community, the labor unions, and the University of Hawaii.

Requires the commission to research and recommend how the State can honor Senator Hiram L. Fong and submit a written report to the Legislature no later than sixty days prior to the convening of the Regular Session of 2006, which includes:

- (1) Developing a detailed plan on how to execute its recommendations;
- (2) Identifying a nonprofit organization that will be responsible for any moneys received or expended for honoring Senator Hiram L. Fong;
- (3) Identifying and recommending procedures for the appropriate disbursement of any public funds received by the nonprofit organization; and
- (4) Developing, planning, and coordinating the various program activities that are to be scheduled to honor Senator Hiram L. Fong.

(HSCR 99, 913, SSCR 1101, 1564, CCR 87)

HB 450, HD2, SD2

OFFICE OF HAWAIIAN AFFAIRS FUNDS, TRANSFER OF OPERATING FUNDS. Authorizes the Office of Hawaiian Affairs to transfer sufficient funds and positions between programs for operating purposes and report these transfer of funds to the Legislature no later than thirty days prior to the convening of the Regular Sessions of 2006 and 2007.

(HSCR 335, 1006, SSCR 1269, 1487)

HB 844, HD1, SD2, CD1

TEACHER LICENSING STANDARDS AND DEVELOPMENT OF POLICIES, REPORT ON. Requires the Hawaii Teacher Standards Board to submit a report of its progress and recommendations regarding its licensing standards and development of policies to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 677, SSCR 1236, 1503, CCR 166)

HB 1146, HD1, SD2

SOCIAL WORKERS IN STATE GOVERNMENT, TRANSITION PLAN FOR SOCIAL WORKERS WITHOUT A SOCIAL WORK DEGREE. Requires the Department of Human Resources Development in consultation and coordination with:

- (1) The Hawaii Chapter of the National Association of Social Workers;
- (2) The University of Hawaii School of Social Work;
- (3) Hawaii Pacific University School of Social Work;

- (4) Brigham Young University School of Social Work;
- (5) The Hawaii Government Employees Association;
- (6) The Department of Education;
- (7) The Department of Health;
- (8) The Department of Human Services;
- (9) The Department of Public Safety; and
- (10) Any other affected department or agency

to develop a transition plan covering employees within the social worker series who do not possess a social work degree.

Provides that the plan may examine the intent of the Legislature to require licensure for social workers employed by the Executive Branch and appropriate compensation for those who are licensed and requires the plan to demonstrate the intent of the Legislature to establish a preference for social workers in the provision of services to the public.

Requires the Department to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 230, 614, 906, SSCR 1259, 1597)

HB 1224, SD1, CD1

SALES AND USE TAX, STREAMLINING OF. Requires the Department of Taxation to submit proposed legislation for any more amendments requested by the Streamlined Sales Tax Project to address issues such as sourcing and rounding and to enhance the operation of a streamlined sales and use tax and conforming amendments to the general excise tax law.

Further requires the submittal to be no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 778, SSCR 1477, CCR 149)

HB 1300, HD2, SD2, CD1

PART II, SECTION 2

EARLY CHILDHOOD EDUCATION, ACCESS TO. Establishes a temporary early childhood education task force in the University of Hawaii and requires the Hawaii Educational Policy Center to be responsible for administering the work of the temporary task force, providing a facilitator, and submitting a report to the Legislature.

Further requires the task force to consist of:

- (1) The Speaker of the House of Representatives or the Speaker's designee;
- (2) The President of the Senate or the President's designee;
- (3) The Superintendent of Education or the Superintendent's designee;
- (4) The Director of Human Services or the Director's designee;

- (5) The Director of Health or the Director's designee;
- (6) The Executive Director of the Good Beginnings Alliance or the Executive Director's designee;
- (7) The Dean of the College of Education at the University of Hawaii or the Dean's designee;
- (8) A representative from each of the early childhood education communities in the counties of Kauai, Maui, and Hawaii, to be appointed by the respective Mayors;
- (9) The Chief Executive Officer of Kamehameha Schools or the Chief Executive Officer's designee;
- (10) The President of the Hawaii Head Start Association or the President's designee;
- (11) The Executive Director of the Hawaii Association for the Education of Young Children or the Executive Director's designee;
- (12) The Executive Director of the Hawaii Association of Independent Schools or the Executive Director's designee;
- (13) One member from the resource and referral community to be selected by People Attentive To Children;
- (14) One member to be selected by the Hawaii Business Roundtable;
- (15) The liaison of the Childcare Business Coalition or the liaison's designee;
- (16) The President of Chaminade University or the President's designee;
- (17) The coordinator of early childhood programs of the University of Hawaii Community Colleges or the coordinator's designee; and
- (18) A communications professional as recommended by a majority vote of the task force.

Provides that the goals of the task force shall be to:

- (1) Propose an overall plan to increase access to early childhood education opportunities for families, which may include incentives, resource development, the need for and availability of infrastructure, and possible funding sources through:
 - (A) The identification of criteria, procedures, and methods for issuing subsidies to parents and legal guardians of children to facilitate their attendance at preschools and early learning programs; and
 - (B) The development of processes designed to:
 - (i) Promote public-private partnerships;
 - (ii) Create new and expand existing early childhood learning programs; and
 - (iii) Provide needs assessment and planning, including a coordinated data system;
- (2) Develop plans and identify resources needed to improve the quality and services of early childhood learning programs by:
 - (A) Determining performance indicators of quality programs;
 - (B) Identifying and recommending quality assessment instruments and accreditation alternatives to facilitate planning for program improvement;
 - (C) Proposing incentives and rewards programs designed to increase overall school program quality;
 - (D) Using the Hawaii Preschool Content Standards as guidelines for program improvement; and
 - (E) Identifying and promoting multi-sector coordination;
- (3) Design proposals to support the professional development of early childhood education staff, which may include:

- (A) Identifying appropriate and desired education levels of staff;
 - (B) Recommending a compensation plan related to educational levels and experience that recognizes the value of early childhood education;
 - (C) Promoting mentor relationships in quality programs for educators and aspiring educators who seek to enter or improve the field as an early childhood education teacher;
 - (D) Identifying incentives and rewards to encourage ongoing professional development; and
 - (E) Expanding access to and the creation of innovative strategies for professional development opportunities;
- (4) Create an implementation plan to motivate and promote the value of and participation in early childhood learning opportunities for parents and the general public, including the business community; and
 - (5) Recommend to the Legislature a conceptual framework, along with proposals for policies and legislation necessary to facilitate and monitor the implementation of such a framework.

Requires the task force to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

PART III, SECTION 4

EARLY CHILDHOOD EDUCATION, FACILITIES FOR. Requires the Department of Education to transmit to the Legislature, Department of Human Services, and the early childhood education task force the inventory of suitable empty classrooms for potential use in early childhood education programs no later than October 1, 2005.

(HSCR 383, 939, SSCR 1255, 1508, CCR 167)

HB 1304, HD1, SD2, CD1

HEALTH CARE FOR ALL RESIDENTS OF HAWAII, IMPLEMENTATION PLAN. Establishes a temporary health care task force within the Insurance Division of the Department of Commerce and Consumer Affairs to develop a plan to implement health care for all Hawaii residents.

Requires the task force to consist of thirteen members appointed by the Governor from recommendations submitted by the Senate President, the Speaker of the House of Representatives, and the Insurance Commissioner. A majority of the members in attendance shall make any action of the task force valid.

Requires the task force to:

- (1) Develop a plan for implementing health care for all residents of Hawaii; and
- (2) Contract with the Hawaii Uninsured Project to serve as facilitator. As facilitator, the Hawaii Uninsured Project's role will be to:
 - (A) Facilitate convening meetings;
 - (B) Provide minutes for meetings and other staff support;

- (C) Facilitate contracting for expert testimony or studies, or both, including but not limited to a cost analysis comparing the costs under the status quo with various options under consideration, including but not limited to a possible single-payer system and the recommendations to decrease the uninsured population made by the Hawaii Uninsured Project.

Further requires the task force to report its findings and recommendations, including recommended legislation, to the Legislature no later than twenty days prior to the Regular Session of 2006.

(HSCR 151, 408, 974, SSCR 1192, 1520, CCR 168)

HB 1317, HD1, SD1, CD1

PHARMACEUTICAL BENEFITS MANAGEMENT, REMOVAL FROM MANAGED CARE PLANS. Requires the Department of Human Services to report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006, on the impact of carving out pharmaceutical benefits management from managed care plans including:

- (1) An analysis of the cost elements of pharmaceutical benefits management by the Department versus pharmaceutical benefits management under the QUEST-managed care plans, including generic utilization, and using available rebate information and reasonable estimates to calculate net pharmacy costs and comparative cost savings;
- (2) A comparison of the quality and efficacy of the different classes of drugs on the Departments' preferred drug list and those of the QUEST-managed care plans; and
- (3) Comparisons of the effects on management of care, patient care, including access and quality, and the impact on physicians, pharmacists, and other health care providers.

Requires the report to exclude pharmacy utilization, costs, and rebate information relating to the medicaid population that will receive pharmacy coverage under medicare part D beginning January 1, 2006, from its analysis.

(HSCR 71, 409, 908, SSCR 1275, 1524, CCR 97)

HB 1640, HD3, SD2, CD1

PART II, SECTION 7

AGRICULTURAL LANDS, MAPPING OF. Requires the Land Use Commission to submit annual reports on the progress of the counties in identifying and mapping important agricultural lands to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2006 through 2009.

PART III, SECTION 9

AGRICULTURE, INCENTIVES FOR AND PROTECTION OF. Requires the Department of Agriculture to report stakeholder findings and recommendations, including proposed legislation and a recommended minimum criteria for determining when the "enactment of legislation establishing incentives and protection" has occurred for the purposes of this Act, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007.

Further requires the report to include an analysis of the impacts and benefits of its recommendations, a record of the stakeholder group's process and deliberations, and to provide the supporting rationale for the incentives being proposed.

(HSCR 71, 409, 908, SSCR 1275, 1524, CCR 97)

HB 1749, HD2, SD2

CRIMINAL PENALTIES DESCRIBED AS MISDEMEANORS OR PETTY MISDEMEANORS, DECRIMINALIZATION OF. Requires the Legislative Reference Bureau to recommend changes to the penalties imposed by the state statutes and rules that would make the penalties more consistent with the penalties imposed for decriminalized traffic infractions and submit a report of its findings and recommendations, including suggested legislation, no later than twenty days prior to the convening of the next Regular Session of the Legislature.

(HSCR 149, 549, 731, SSCR 1185, 1415)

HB 1763, HD2, SD2, CD1

PENAL CODE, REVIEW OF. Requires the Judicial Council through a committee on penal code review to conduct a comprehensive review of the Hawaii Penal Code and recommend to the Legislature amendments to the Code it concludes are necessary so that:

- (1) The amendments to the Penal Code are consistent with and conform to the principles and philosophy of the Code;
- (2) The Code is in harmony with the entire criminal justice system; and
- (3) The continued force and effectiveness of the Code is ensured.

Requires the study to be concluded and a final report submitted to the Legislature, together with any proposed implementing legislation, no later than twenty days prior to the convening of the Regular Session of 2006.

Further requires the Council to appoint a committee to assist it with the study in an advisory capacity and requires the committee to include at least one member from each county.

(HSCR 672, 957, SSCR 1159, 1620, CCR 164)

SCR 7, HD1

CHILDHOOD OBESITY, PREVENTION AND TREATMENT OF. Requests the Department of Health to propose and develop a comprehensive statewide strategic plan to address prevention and treatment of childhood obesity and promote healthy lifestyles in Hawaii.

Further requests the Department of Education, Department of Human Services, University of Hawaii Department of Kinesiology and Leisure Science, University of Hawaii Department of Sports Medicine, University of Hawaii School of Medicine Department of Pediatrics, Hawaii Medical Service Association, Kaiser Permanente, Kapiolani Medical Center for Women and Children, Keiki Injury Prevention Coalition, Hawaii Primary Care Association, Coalition for a Tobacco Free Hawaii, and Coalition for a Drug Free Hawaii to assist the Department of Health in the development of the statewide strategic plan.

Further requests the Department of Health to report findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 684, HSCR 1729, 1755)

SCR 17, SD2

STATEWIDE BUILDING CODE, ESTABLISHMENT OF. Requests the Department of Accounting and General Services to convene a Uniform Statewide Building Code Task Force to consider the establishment of a uniform statewide building code in Hawaii, to include elements of indigenous architecture.

Further requests the Task Force to explore the establishment of a statewide building code, including elements of indigenous architecture, applicable to one and two family dwellings, all other residential uses, and commercial and industrial buildings, and make recommendations pertaining to the adoption of a uniform building code for the State of Hawaii.

Further requests the Task Force membership to include:

- (1) The building department directors of the counties of Kauai, Maui, and Hawaii, and the City and County of Honolulu, or their designees;
- (2) One person appointed by the State Fire Council; and
- (3) One person appointed by each of the following organizations:
 - (A) Building Industry Association of Hawaii;
 - (B) General Contractors Association of Hawaii;
 - (C) Hawaii Association of Realtors;
 - (D) Hawaii Independent Insurance Agents Association;
 - (E) American Institute of Architects Hawaii State Council; and
 - (F) Structural Engineers Association of Hawaii;
- (4) One person appointed by the Insurance Commissioner representing an insurer that writes at least twenty per cent of the Hawaii homeowners insurance market;
- (5) One person appointed by the Insurance Commissioner representing an insurer that writes less than twenty per cent of the Hawaii homeowners insurance market; and
- (6) One person appointed by the Governor who is a licensed architect with expertise in indigenous architecture.

Further requests the Task Force members to serve on a voluntary basis and to assume responsibility for any costs associated with their participation on the Task Force.

Further requests the Department to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006, outlining the positive and negative implications of the establishment of a statewide building code.

(SSCR 1471, 1674, HSCR 1738, 1791)

SCR 21

HOUSING, AVAILABILITY OF. Requests the Congress of the United States to continue to review the issue of affordable and adequate intergenerational housing, including housing for grandparent-headed and relative-headed households, and to consider further legislation increasing the availability thereof.

(SSCR 1013, 1659, HSCR 1775)

SCR 27, SD2

TRAFFIC CONDITIONS IN SOUTH KONA, HAWAII, STUDY OF. Requests the Department of Transportation to study and evaluate existing traffic conditions in the South Kona area of Hawaii and prepare a traffic solution plan to minimize existing and future traffic problems.

Further requests the Department to:

- (1) Include in the study the issues of land or easement acquisition or condemnation, liability, plan implementation, signage, and the costs of necessary road improvements; and
- (2) Report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007 on its study, evaluation, and plan.

(SSCR 1045, 1676, HSCR 1779)

SCR 44 SR 22

MEDICAID COVERAGES AND BENEFITS, PRESERVING. Urges the President of the United States, the United States Congress and Centers for Medicare and Medicaid Services to preserve the amount of Medicaid coverages and the amount of benefits.

(SSCR 1633, HSCR 1746)

**SCR 48
SR 23**

TRAFFIC PROBLEMS IN MILILANI MAUKA, OAHU, STUDY OF. Requests the Oahu Metropolitan Planning Organization to identify in their current comprehensive study possible solutions to the traffic problems in Mililani Mauka, taking into account the growth and other changes that have occurred since it opened.

Further requests the Organization to include in this study a determination of the feasibility of each possible solution and specifically address several issues, including: an alternate route of ingress to and egress from Mililani Mauka, especially for use in times of emergency; speeding and unsafe driving; pedestrian safety; and increasing traffic flow due to a growing population.

Further requests the Organization to submit the findings and recommendations of the study to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007.

(SSCR 1046, HSCR 1725, 1756)

**SCR 49, SD1
SR 24, SD1**

ELECTRICAL AND PLUMBING LICENSING LAWS, ENFORCEMENT OF. Requests the Department of Commerce and Consumer Affairs to actively and aggressively enforce Hawaii's electrical and plumbing licensing laws.

Further requests the Department to convene a task force comprised of one representative of each of the following entities: International Brotherhood of Electrical Workers Local 1186, Plumbers-Fitters Local 675, Electrical Contractors Association of Hawaii, Plumbers and Mechanical Contractors Association of Hawaii, Board of Electricians and Plumbers, and Regulated Industries Complaints Office.

Further requests the task force to review the Department's current efforts and practices in the enforcement of the State's electrical and plumbing licensing laws and develop strategies to improve and strengthen these efforts and practices.

Further requests the Department to report to the Legislature regarding the task force's findings and recommendations no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1635, HSCR 1797)

**SCR 51, SD1
SR 27, SD1**

SHORELINE CERTIFICATION PROCESS, REVIEW OF. Requests the Department of Land and Natural Resources to conduct a review of the issues surrounding the shoreline certification process for the purpose of shoreline setbacks.

Further requests the Department to form and chair a Working Group that includes the Department of Business, Economic Development, and Tourism Office of Planning and Coastal Zone Management Program, the Department of Accounting and General Services Land Survey Division, a representative from the Office of Hawaiian Affairs, the University of Hawaii, county planning departments, a representative from the Marine and Coastal Zone Advocacy Council, private land surveyors and landowners, environmental and cultural organizations, and individuals with expertise or interest in the area of shoreline certification.

Further requests the Working Group to review current laws and administrative rules governing shoreline certifications by identifying specific problems and issues regarding the implementation of the laws and rules, exploring alternatives, and making recommendations to address the problems and issues.

Further requests the Department to submit findings and recommendations of the working group to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1644, HSCR 1737, 1792)

SCR 63

MENTAL HEALTH AWARENESS MONTH, DECLARATION OF. Requests the Governor to designate the month of May as Mental Health Awareness Month.

(SSCR 1143, HSCR 1752)

SCR 66 SR 30

SUBSTANCE ABUSE IN SCHOOLS, PREVENTION AND TREATMENT OF. Urges the Department of Education to encourage the Area Complexes to use programs that include prevention, treatment, education, and support as an alternative to mandatory suspension in response to student substance abuse in schools.

Further urges the Board of Education and the Department to adopt programs and plans that promote school connectedness and address behavioral changes.

Further urges the Department to support in-school suspension, after school interventions, positive behavior mentoring, student assistance, and other programs that offer counseling and education as preventive disciplinary response to first time drug abuse offenders and students who voluntarily seek help to deal with drug abuse.

(SSCR 1628, HSCR 1747)

SCR 68, SD1, HD1

MAUNA KEA SCIENCE RESERVE, HAWAII, AUDIT OF. Requests the Auditor to conduct a follow-up audit of the Mauna Kea Science Reserve to determine:

- (1) Whether the existing approval and decision-making procedures for the Mauna Kea science reserve, as set forth under the rules of the Department of Land and Natural Resources and the University's 2000 master plan, sufficiently address the concerns of local groups with a strong interest in the historical and natural preservation of the mountain, including traditional culture practitioners, environmentalists, and recreational users;
- (2) Whether a new project approval process is necessary or desirable to adequately address the concerns of those local groups with a strong interest in the historical and natural preservation of the mountain, as well as the projected impact of implementing a new approval process on the management structure for the Mauna Kea science reserve;
- (3) The impact of a new project approval process on the economic viability and projected goals of the science reserve;
- (4) Whether other approval procedures, such as those for geothermal resource subzones in chapter 205, Hawaii Revised Statutes, or for the Kaho`olawe island reserve in chapter 6K, Hawaii Revised Statutes, are suitable models for use in the management of the Mauna Kea science reserve; and
- (5) Any other matters deemed appropriate to the project approval and decision making process for the management of the Mauna Kea science reserve.

Further requests the Auditor to determine the feasibility and necessity of creating a new management authority with responsibility to maintain, operate, and manage the Mauna Kea science reserve and facilities attached thereto.

Resolves that the Auditor address the following matters regarding the adequacy of the maintenance, operation, and management of the Mauna Kea science reserve:

- (1) Collection of rents, fees, and charges for the use or enjoyment of the reserve;
- (2) Contracting procedures and recommendation as to the proper contracting authority;
- (3) Rulemaking authority pursuant to chapter 91, Hawaii Revised Statutes;
- (4) Authority to hire and terminate employees;
- (5) Adequacy of promotion of the preservation and protection of the natural, cultural, and historical resources of the reserve, as well as the planning, promoting, and marketing of the reserve;
- (6) Identification of potential funding sources to support the operations of the authority; and
- (7) Any other matters deemed appropriate or pertinent to the management of the Mauna Kea science reserve.

Further requests the Auditor to report findings and recommendations to the Legislature, including recommended legislation, no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1713, HSCR 1745)

**SCR 70, SD1
SR 33, SD1**

HOMESCHOOLERS, MILITARY ENLISTMENT REQUIREMENTS FOR. Requests Hawaii's Congressional Delegation to petition the Department of Defense to facilitate the enlistment of homeschool graduates by permanently placing all homeschoolers who score fifty and above on the Armed Forces Qualifications Test in tier one and the rest of the homeschoolers in tier two.

Further requests the Delegation to support allowing each military service to petition the Department to move education credentials to a different tier and to monitor the attrition levels of all groups periodically for possible historical changes that warrant a tier change.

(SSCR 1693, HSCR 1782)

SCR 76, SD1

SOCIAL SECURITY, PRIVATIZATION OF. Resolves that the Hawaii State Legislature opposes the privatization of Social Security and urges Hawaii's Congressional Delegation to reject such proposed changes to the Social Security System.

(SSCR 1452, 1665, HSCR 1798)

SCR 79, SD1, HD1

AGED, HOUSING AND ISSUES RELATING TO. Requests the Executive Office on Aging (EOA), in collaboration with the Real Estate Commission, to convene a task force to develop a program and reference guide to assist in the dissemination of information regarding the issues, needs, and concerns related to aging-in-place, particularly in condominiums, housing cooperatives, and other high density living environments.

Further requests the task force to identify issues and problems that inhibit the establishment of naturally occurring retirement communities and provide potential solutions on how condominium and housing associations and other real property organizations may be able to expedite and pursue the most cost-effective avenue in order to resolve these issues and problems.

Further requests the task force to:

- (1) Facilitate the establishment of viable naturally occurring retirement communities;
- (2) Publish information regarding elderly care services and resources, including a guide to educational materials about aging issues;
- (3) Submit a report to the Legislature detailing proposed costs for publication and distribution of an educational guide relating to aging issues; and
- (4) Survey the general conditions and the number of elderly living in condominiums and apartments, the types of problems the elderly are encountering, and how the elderly groups can positively contribute their skills and time to the community.

Further requests that, in addition to representatives of EOA and the Real Estate Commission, the task force membership include representatives from:

- (1) The Elderly Affairs Division of the City and County of Honolulu;
- (2) The Assisted Living Options Hawaii;
- (3) The Catholic Charities Elderly Services;
- (4) The Hawaii Council of Associations of Resident Managers;
- (5) The Community Association Institute - Hawaii Chapter;
- (6) The Hawaii Council of Association of Apartment Owners;
- (7) The Hawaii Long Term Care Association;
- (8) The Healthcare Association of Hawaii;
- (9) The Hawaii Independent Condominium and Cooperative Owners;
- (10) The Association of American Retired Persons; and
- (11) The Hawaii Association of Realtors.

Further requests the task force to submit a report on its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1438, HSCR 1734, 1757)

SCR 93, SD2

CRISIS STABILIZATION SERVICES AT MAUI MEMORIAL MEDICAL CENTER, DEVELOPMENT OF. Requests the Department of Health and Hawaii Health Systems Corporation to facilitate a stakeholder group to develop and implement crisis stabilization services at the Maui Memorial Medical Center.

Further requests that the development process of the crisis stabilization services include the following integral elements:

- (1) That the stakeholder group assists the Maui Memorial Medical Center in assuring that the crisis stabilization services are reimbursable services from third party payors;
- (2) That Hawaii Health Systems Corporation develops a timeline for initiating urgent crisis stabilization services for children;
- (3) That the stakeholder group addresses the possibility of implementing tele-psychiatry services to assist the Maui Memorial Medical Center in assuring adequate child psychiatry services;
- (4) That the stakeholder group explores a partnership with Tripler Army Medical Center's Psychiatry Department; and
- (5) That the stakeholder group explores collaborative arrangements between psychologists, pediatricians, primary care providers, and psychiatrists to ensure that coverage is available twenty-four hours a day, seven days a week.

Further requests the Department and Corporation to submit a report of the stakeholder group's activities and include any findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1384, 1666, HSCR 1741, 1793)

SCR 95

MODEL LEGISLATURE 2005, CONVENING OF. Urges the Kokua Council to convene the 2005 Model Legislature and its pre-event activities.

(SSCR 1338, HSCR 1730, 1770)

SCR 96

AGED, TRANSPORTATION OPTIONS FOR. Requests the City and County of Honolulu, County of Maui, County of Kauai, and County of Hawaii to develop a strategic plan in their respective county for senior transportation options.

Further requests the counties to report respectively on their progress in developing a strategic plan for senior transportation options to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1353, HSCR 1726, 1758)

SCR 100 HR 77, HD1

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, RESTORATION OF. Urges Hawaii's Congressional Delegation to oppose the elimination of the Community Development Block Grant program and to support its restoration into the Housing and Urban Development budget at its current funding level of \$4.7 billion.

(SSCR 1654, HSCR 1759)

SCR 106, SD2, HD1

HAWAII PUBLIC PROCUREMENT CODE, REVIEW OF. Requests the President of the Senate and the Speaker of the House of Representatives to convene a joint task force, exempt from chapter 92, Hawaii Revised Statutes, with no more than six members from each house, during the 2005-2006 interim, whose members are familiar with the state procurement code.

Resolves that the Senate President name one of the Senate members as co-chair of the task force and the Speaker of the House of Representatives name one of the House of Representatives members as co-chair.

Further requests the task force to review the concerns raised by the University of Hawaii, Natural Energy Laboratory of Hawaii Authority, High Technology Development Corporation, Hawaii Strategic Development Corporation, Hawaii Health Systems Corporation, and the counties.

Further requests the task force to review the statutory exemptions to chapter 103D, Hawaii Revised Statutes, as well as administrative exemptions, for possible repeal, and

recommend amendments to provisions of chapter 103D, Hawaii Revised Statutes, as appropriate, to minimize the cumbersome and time-consuming procurement requirements and allow for more purchasing flexibility while maintaining the integrity and intent of the procurement code to protect the public's interest.

Further requests the Comptroller, State Procurement Administrator, and the Director of the Hawaii Procurement Institute and persons currently active in federal and county procurement to assist the task force.

Further requests the task force to report its findings and recommendations, including any necessary legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1394, 1680, HSCR 1736, 1771)

SCR 109, SD1

HEPATITIS C, INFORMATION ON. Requests the Department of Health to make educational materials available, in written and electronic forms, on the prevention, diagnosis, and treatment of hepatitis C to all physicians, other health care providers, veterans, and other persons at high risk for hepatitis C.

Resolves that the materials include information and recommendations of the Department of Health and Human Services, Centers for Disease Control and Prevention, and other entities having expertise in hepatitis C, including the American Liver Foundation and the Department of Veteran Affairs.

Further requests the Department to coordinate a Hepatitis C Education Work Group charged with implementation of the educational goals and objectives of the Hawaii Hepatitis C Strategic Plan to raise the awareness and knowledge of health care providers, those at risk, and the general population regarding hepatitis C.

Further resolves that the Work Group include:

- (1) Representatives of organizations that represent physicians, nurses, and other health care providers;
- (2) Representatives from the Department of Veterans Affairs;
- (3) Participants from the media;
- (4) Representatives from the Alcohol and Drug Abuse Division, Adult Mental Health Division, Family Health Services Division, Communicable Disease Division and Disease Outbreak, and Control Division of the Department of Health; and
- (5) Community stakeholders including people living with hepatitis C and the American Liver Foundation.

Further requests the Department to submit a report on the status of the implementation of this measure to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1630, HSCR 1742, 1794)

SCR 128, SD1

CHILDREN OF INCARCERATED PARENTS, SUPPORT FOR. Requests the Department of Public Safety and the Department of Human Services to establish a task force to identify and develop appropriate programs and services for children of incarcerated parents and to provide support for incarcerated parents, where appropriate.

Resolves that the task force be comprised of the Director of Public Safety or a designee; the Deputy Director of the Corrections Division of Public Safety; the Administrator of Intake Service Centers of the Department of Public Safety; the Institutions Division Administrator of the Community Correctional Centers; the Director of Health or a designee; the Director of Human Services or a designee; the Executive Director of the Office of Youth Services or a designee; a representative of the Family Court of the First Circuit Court; the Director of the Children's Justice Center of Oahu; the Superintendent of Education or a designee; the Attorney General or a designee; a representative of Child Protective Services; a representative of the law enforcement community; a public member representative of incarcerated parents; a public member with experience in working with children of incarcerated parents; and public members with advocacy experience in working with children of incarcerated parents including Blueprint for Change, Child and Family Services, Community Alliance on Prisons, Good Beginnings Alliance, Hawaii Juvenile Justice Project, Keiki O Ka Aina Family Learning Centers, Neighborhood Place of Puna, and Neighborhood Place of Wailuku.

Further requests the Director of Human Services and the Director of Public Safety to report findings and recommendations to the Legislature twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1669, HSCR 1783)

SCR 135, SD1 SR 73, SD1

VOG EMISSIONS ON THE BIG ISLAND, MONITORING OF. Requests the Department of Health to share its findings and a report on the plan with the Big Island community and the Legislature.

Resolves that the report should include the status of the Department's current efforts and any future plans to:

- (1) Quantify the number of monitoring stations adequate for the entire island of Hawaii;
- (2) Identify the locations for each monitoring station on the island of Hawaii;
- (3) Determine the type, location, and frequency of testing, if any, that should be performed;
- (4) Determine the system for monitoring at each station; and
- (5) Develop a uniform emissions scale to alert residents of vog emissions levels.

Further requests the Department to report its findings and the status of its activities, together with any recommendations for legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1387, HSCR 1749)

**SCR 137, HD1
SR 75**

COASTAL ZONE MANAGEMENT PROGRAM, REPORT ON. Resolves that all state and county agencies engaged in ocean and coastal resources management report to, consult, and coordinate with the Coastal Zone Management Program, as lead agency, in accordance with the objectives and policies of chapter 205A, Hawaii Revised Statutes, to:

- (1) Update the Plan;
- (2) Coordinate the implementation of the Plan; and
- (3) Eliminate unnecessary duplicative efforts with the advice of the Marine and Coastal Zone Advisory Council, and coordinate with all stakeholders to efficiently utilize existing state funding.

Requests the Program to consider the following policies to:

- (1) Observe conservation principles and practices in using Hawaii's ocean resources;
- (2) Encourage ocean resources development that is environmentally sound and economically beneficial;
- (3) Provide efficient and effective ocean resources and activities management;
- (4) Promote Hawaii as a partner with federal agencies in the sound management of ocean resources within the United States' exclusive economic zone;
- (5) Promote the research, study, and understanding of ocean processes, marine life, and other ocean resources to acquire the scientific inventory information necessary to understand the impacts and relationship of ocean development activities to ocean and coastal resources; and
- (6) Encourage research and development of new, innovative marine technologies for exploration and utilization of ocean resources.

Further requests the Program to hold an informational briefing and provide a status report on its efforts to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

*SR 75 Refers to the Marine and Coastal Zone "Advocacy" Council instead of the "Advisory" Council.

(SSCR 1694, HSCR 1766)

SCR 140, HD1

ENVIRONMENTAL IMPACT STATEMENTS, GUIDANCE DOCUMENT ON. Requests the Environmental Council, with the assistance of the Office of Environmental Quality Control and the University of Hawaii Environmental Center, to develop and promulgate a guidance document on including principles of environmental justice in all phases of environmental review undertaken pursuant to chapter 343, Hawaii Revised Statutes; provided that in developing the guidance document, input should be sought from a wide segment of interested parties, including high school students who are concerned about this issue.

Resolves that the Legislature finds that the need for continued evaluation and improvement of the State's environmental impact statement process may justify the commitment of state funds for a renewed study of the environmental impact statement process through a legislative appropriation in the Regular Session of 2006.

Further requests the Council to submit its comments, findings, and recommendations on any need to update the State's environmental impact statement process that may be discovered while conducting its review of chapter 343, Hawaii Revised Statutes, for guidance document purposes, regardless of whether these comments, findings, and recommendations may relate to the guidance document itself.

Further requests the Council to submit the requested guidance document and recommendations for legislation, if any, that may be required, including updates to chapter 343, Hawaii Revised Statutes, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1673, HSCR 1751)

SCR 141, SD1

ASSAULT AND TERRORISTIC THREATENING BASED ON THE OCCUPATION OF THE VICTIM, NEED FOR CATEGORIES FOR. Requests the Governor to establish a task force to study and determine whether classification of the offenses of assault and terroristic threatening based on the occupation of the victim is still necessary and, if so, to clarify or establish criteria for an occupation's inclusion as a specially protected class.

Further requests the Governor to appoint the following individuals and representatives to the task force:

- (1) The Attorney General;
- (2) The Public Defender;
- (3) One Chief of Police to be selected by all county Chiefs of Police;
- (4) One Prosecuting Attorney to be selected by all county Prosecuting Attorneys;
- (5) Two members from the Criminal Defense Bar;
- (6) A member of the American Civil Liberties Union of Hawaii; and
- (7) A member of the public.

Further requests the Governor to appoint the Dean of the University of Hawaii, William S. Richardson School of Law, to serve as the Chairperson of the task force and facilitator for organizational purposes.

Further requests that the task force's mission be to:

- (1) Determine whether a need still exists to perpetuate the existing special categories of victims of the offenses of assault and terroristic threatening; and
- (2) Determine whether there is a need to include additional vocations or individuals within the special categories of victims of the offenses of assault and terroristic threatening.

Further requests that, if the task force determines that the special categories should be maintained, then the task force to:

- (1) Recommend the additional categories of victims that should be similarly protected; and
- (2) Establish or clarify criteria for inclusion as a specially protected class.

Further requests that, if the task force determines that the special categories should not be maintained, then the task force to provide a justification for this determination.

Further requests the task force to prepare any proposed legislation that may be necessary to effectuate its recommendation.

Further requests the task force to report findings, recommendations, and any proposed legislation to the Legislature twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1683, HSCR 1754)

**SCR 143
SR 81**

FEDERAL SHIPS FOR USE FOR ARTIFICIAL REEFS, UTILIZATION OF. Requests the Department of Land and Natural Resources to actively participate in the federal program to utilize scrapped federal ships for artificial reefs.

Further requests the Department to designate the Waianae coast on the island of Oahu as its initial location for sinking any acquired scrapped federal ship for the purpose of establishing an artificial reef.

Further requests the Department to report to the Legislature on its actions to comply with the purpose of this Concurrent Resolution no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1698, HSCR 1764)

**SCR 155, SD1
SR 87, SD1**

INTERNATIONAL PACIFIC ASIAN YOUTH BASEBALL LEAGUE CHAMPIONSHIP TOURNAMENT, HOSTING OF. Requests the Department of Business, Economic Development, and Tourism and the Hawaii Tourism Authority to convene a work group to examine the feasibility of hosting an International Pacific Asian Youth Baseball League Championship Tournament in Hawaii.

Further requests that the work group include:

- (1) Representatives from the Department of Business, Economic Development, and Tourism;

- (2) Representatives from the Hawaii Tourism Authority Sports Investigating Committee; and
- (3) The Hawaii Tourism Authority Sports Coordinator.

Further requests the work group to convene no later than August 1, 2005, and the Director of Business, Economic Development, and Tourism or the Director's designee is requested to serve as chair of the work group.

Further requests the Department, in consultation with the Authority to report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006, with its findings and recommendations, and any necessary implementing legislation.

(SSCR 1474, HSCR 1773)

SCR 173

UNIVERSITY OF HAWAII BUILDINGS, ENERGY PERFORMANCE STANDARDS FOR. Requests the Center for Smart Building and Community Design, a program of the University of Hawaii Sea Grant College Program, to develop energy performance standards for new construction, renovation, and retrofitting of all University of Hawaii buildings.

Further requests the Center to report its progress on the creation of energy efficient performance standards to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1660, HSCR 1795)

SCR 174

LYON ARBORETUM, PROGRESS REPORT ON. Requests the University of Hawaii Interim President to work with university members and the Lyon Arboretum Community Steering Committee to submit a progress report on its efforts to improve the Arboretum's education and research programs, facilities and grounds; planned and actual use of funds from all sources and accurate record of total Lyon Arboretum income and expenditures; plans to increase non-general fund revenues; progress in hiring a permanent Director; actions to clarify or establish University organizational structure, reporting lines, and partnerships with groups external to the University; progress on developing a physical facilities master plan; and progress in meeting requirements of external agencies, as well as the status of health, safety, and disability access compliance issues.

Resolves that the University of Hawaii submit a progress report to the Legislature no later than August 1, 2005, with a final report to follow at least twenty days prior to the Regular Session of 2006.

(SSCR 1648, HSCR 1744)

SCR 177, SD1

KAWAI NUI MARSH, OAHU, LAND-OWNERSHIP ISSUES. Urges the City and County of Honolulu, the State of Hawaii, and the United States Army Corps of Engineers to meet to resolve the land-ownership issues involving the Kawai Nui Marsh to protect and preserve the natural resources of the marsh.

(SSCR 1700, HSCR 1765)

SCR 178, SD1, HD1

WAIAHOLE VALLEY, OAHU, TRANSFER TO THE DEPARTMENT OF HAWAIIAN HOME LANDS. Requests the Housing and Community Development Corporation of Hawaii to rescind its agreement with the Department of Hawaiian Home Lands that was executed on December 30, 2004, to transfer its fee interest in Waiahole Valley.

(SSCR 1495, HSCR 1778)

SCR 183, SD1

UNIVERSITY OF HAWAII QUALITY OF EDUCATION AND A DIVERSE ECONOMY. Requests the University of Hawaii to form and lead a task force on economic development, workforce development, and the role of the University of Hawaii in the economic future.

Resolves that the task force be comprised of representatives of the business community, the University of Hawaii and the community colleges, the executive and legislative branches of government, and community based organizations, including those involved in economic development.

Further resolves that the task force develop a plan to strengthen the ability of the University to deliver the high quality education, training, and research necessary to create and sustain a more vibrant and diverse economy.

Further requests the task force to report its findings, conclusions, and recommendations at least twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1639, HSCR 1760)

SCR 186, SD1, HD1

HOMELESS, TEMPORARY FACILITIES FOR. Requests federal, state, county governments, and community partners, to:

- (1) Designate, with input from the community, areas within large public facilities such as public parks, unused government facilities, and abandoned military facilities as places where the homeless can stay under existing health and safety rules and regulations;

- (2) Emphasize to the homeless that such areas are not permanent sites, but a temporary housing area as part of resolving the homeless issue and that these sites are only temporary and not permanent, and that they will be provided assistance in locating to permanent housing during a transitional period; and
- (3) Develop a policy that may limit the hours of utilization by the homeless on these designated sites and to adopt a policy that will also address the issue of separating individuals, couples, and families within the designated sites.

(SSCR 1690, HSCR 1776)

**SCR 191, HD1
HR 180**

EDUCATION SERVICE PROVIDER, ACCOUNTABILITY OF. Requests the Department of Education to require a master contract agreement for individual schools that specifies that the education service provider will be compensated for services rendered to the extent that specific performance goals, as related to the annual yearly progress goals under the Act, are attained by the contracting school.

Further requests the Department to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006 that details the status of the restructuring of each of the 24 schools, including:

- (1) A description of the terms of the contract between each school and its education service provider, including the reform model employed, the cost of the contract, and an explanation of how compensation to the education service provider will be performance based; and
- (2) An explanation by the Department, in the absence of performance based compensation provisions in the contract, of how the Department intends to hold the education service provider accountable for its performance in assisting the contracting school with attaining adequate yearly progress goals under the Act, and why the Department believes the State will be getting its money's worth under the contract.

(SSCR 1424, HSCR 1748)

**SCR 192
SR 104**

MILITARY RESERVES, TRICARE HEALTH BENEFITS FOR. Urges Congress of the United States to authorize and appropriate funds to allow all members of the reserve component to access TRICARE health benefit coverage on a cost-share basis, without restrictions.

(SSCR 1425, HSCR 1784)

SCR 195, SD1, HD1

SPECIALTY HEALTH CARE, ACCESS TO. Requests the State Health Planning and Development Agency to identify and evaluate the barriers to community-based access to specialty care and make recommendations to improve access to specialty care on the neighbor islands and in rural Oahu.

Further requests that the Agency consult with:

- (1) The Department of Health;
- (2) The Department of Human Services;
- (3) The State Council on Developmental Disabilities;
- (4) The Insurance Commissioner;
- (5) The Hawaii Health Systems Corporation;
- (6) Representatives of health care plans including but not limited to Aloha Care, Hawaii Medical Service Association, and Kaiser Permanente;
- (7) The University of Hawaii, John A. Burns School of Medicine;
- (8) The Office of Rural Health;
- (9) Hawaii Primary Care Association;
- (10) Healthcare Association of Hawaii;
- (11) Hawaii Psychological Association;
- (12) Hawaii Psychiatric Medical Association;
- (13) Hawaii Disability Rights Center; and
- (14) Other associations and stakeholder groups that may be able to assist in this task.

Further requests that the Agency solicit input from rural and neighbor island communities and health care providers.

Further requests that the Agency submit an interim report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006 and a final report no later than twenty days prior to the convening of the Regular Session of 2007.

(SSCR 1368, HSCR 1732, 1761)

SCR 196 SR 106 HR 162

SMOKE-FREE STATE, STEPS TO MAKE THE STATE OF HAWAII. Urges the Governor, the Legislature, and the Mayors and Councils of the respective counties to take the necessary steps to make Hawaii a smoke-free state by the year 2010.

(SSCR 1370, HSCR 1735)

SCR 197, SD1

MEDICAL MARIJUANA PROGRAM, IMPROVEMENT OF. Requests the Director of Health to convene a medical marijuana working group to make recommendations to improve Hawaii's Medical Marijuana Program.

Further requests the Director to chair the working group and to include in the working group the following members:

- (1) One representative from the Department of Public Safety;
- (2) One representative from the Department of Health;
- (3) One representative of the Drug Policy Forum of Hawaii; and
- (4) One registered qualifying patient currently in the Medical Marijuana Program.

Further requests the working group to:

- (1) Make recommendations to and assist the Department of Public Safety to improve the effectiveness of the Department's internet website by providing all relevant information to current and potential qualifying patients, primary caregivers, and physicians regarding the Medical Marijuana program, including:
 - (A) A detailed description of the required procedures for participation in the program by qualifying patients, primary caregivers, and physicians; and
 - (B) Specific instructions for these individuals to comply with these procedures;
- (2) Seek permission and approval of the Department of Public Safety to modify the Department's internet website accordingly;
- (3) Review the operation of the Medical Marijuana program and recommend ways to better and more effectively focus on the medical mission of the program; and
- (4) Recommend in which state department the Medical Marijuana would most effectively be placed.

Further requests the Department of Health and, if necessary, the Information and Communication Services Division of the Department of Accounting and General Services to assist the Department of Public Safety in implementing improvements to the Department's internet website no later than the convening of the Regular Session of 2006.

Further requests the Director to submit a report of the findings and recommendations of the Medical Marijuana working group, including any necessary proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1393, HSCR 1781, 1796)

SCR 200, SD1, HD1 HR 75, HD1*

STEM CELL RESEARCH, STUDY OF ISSUES RELATING TO. Requests the University of Hawaii to establish and head a task group to:

- (1) Conduct a study on the feasibility of encouraging stem cell research in the state;
- (2) Identify and examine the following areas relating to stem cell research in Hawaii:
 - (a) Ethical factors and guidelines;

- (b) Technical and scientific-based components;
 - (c) Policy and research recommendations; and
 - (d) Financial resources, including providing an estimate of the cost of stem cell research; and
- (3) Host a series of public forums relating to stem cell research.

Requests the task group to consult with representatives of various disciplines, including but not limited to the appropriate medical and scientific professions, as well as the fields of law, ethics, and religion.

Further requests the task group to submit a report to the Legislature, no later than twenty days prior to the convening of the Regular Session of 2006, its findings and recommendations, including any proposed legislation, relating to public policy for stem cell research in the state.

*HR 75 Resolves that the task group include a member who represents the perspective of the Hawaii Family Forum, the Hawaii Catholic Conference, or a similar organization. Does not request any consultation.

(SSCR 1469, HSCR 1753)

**SCR 208, SD1, HD1
SR 115, SD1
HR 194***

AGRICULTURAL DIVERSIFICATION, SUCCESSFUL COEXISTENCE OF. Requests the Department of Agriculture and the various and diverse agricultural interests, parties, producers, and agricultural stakeholders in Hawaii to establish a dialogue and process to develop a framework of successful coexistence, with the goal of mutual success and prosperity for agricultural producers including organic, conventional, and biotechnology.

Resolves that this dialogue be founded in fact and demonstrable science and that it result in a report to the Legislature and appropriate agencies about best practices and management plans to ensure success and coexistence among Hawaii's diverse agricultural interests.

Further requests the Department of Agriculture and Department of Business, Economic Development, and Tourism and the College of Tropical Agriculture and Human Resources of the University of Hawaii, whenever possible, to assist and facilitate this process.

Further requests the Hawaii Farm Bureau Federation to bring the stakeholders together in a meaningful process toward coexistence and report its findings and recommendations, based on its meetings with stakeholders, to the Department of Agriculture.

Further requests that, after the Hawaii Farm Bureau Federation reports its findings and recommendations, the Department of Agriculture holds a public meeting to allow the public an opportunity to comment on the findings and recommendations.

Further requests the Department of Agriculture to report to the Legislature about best practices and management plans to ensure success and coexistence among Hawaii's diverse agricultural interests.

Further requests the Department of Agriculture to report its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

*HR 194 Does not request the Hawaii Farm Bureau Federation to report to the Department of Agriculture and does not request the Department to hold a public meeting.

(SSCR 1642, HSCR 1777)

**SCR 221, SD1, HD1
SR 127, SD1***

HARBORS, SCHEDULING SYSTEM, HAWAII COMMERCIAL HARBORS 2020 MASTER PLAN, AND HARBORS ON OAHU. Requests the Department of Transportation to establish a centralized statewide cargo and passenger ship arrival and departure scheduling system to coordinate and improve the efficiency of ship movements among the harbors of the State.

Further requests the Department to:

- (1) Update the Hawaii Commercial Harbors 2020 Master Plan and to include coverage of all relevant issues, including the proposed Superferry, Norwegian Cruise Lines, Pasha Hawaii Transport Lines, use of harbors by local canoe clubs, Maui Trailer Boat Club, various proposed commuter ferries, and other interested parties; and
- (2) Make recommendations for improving harbor efficiency and effectiveness including new container shipping technologies that reduce land-based cargo space requirements, cargo fees, and tariff rates.

Further requests the Department to submit a progress report to the Legislature on its efforts to update the Hawaii Commercial Harbors 2020 Master Plan no later than twenty days prior to the convening of the Regular Session of 2006.

Further requests the Department to conduct a comprehensive study of current and anticipated harbor uses on Oahu by developing recommendations for improving harbor efficiency and effectiveness, including the optimum use of Piers 1 and 2, while maintaining options for non-cargo uses in urban Oahu.

Resolves that the comprehensive study evaluate:

- (1) Potential cargo space shortages at Honolulu Harbor;
- (2) Increased demand for cargo space;
- (3) New container shipping technologies that reduce cargo space requirements;
- (4) Cargo fees and tariffs rates as an incentive for efficient cargo handling;
- (5) Possible relocation of appropriate harbor uses to other harbors, such as Barbers Point Deep Draft Harbor and Pearl Harbor;

- (6) Possible ferry service implications;
- (7) Cruise ship terminal and berthing requirements; and
- (8) Existing and future neighbor island harbor needs.

Further requests the Department to report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

*SR 127 Requests the Office of Planning to conduct the comprehensive study on harbor uses on Oahu and to report findings and recommendations to the Legislature instead of the Department of Transportation.

(SSCR 1626, HSCR 1780)

**SCR 227, SD1, HD1
SR 130, SD1***

HEALTHY START PROGRAM, RESTRUCTURING OF. Requests the Department of Health to convene a task force to work with the Health Start programs (sic) in restructuring the program for greater effectiveness.

Requests the Advisory Board to convene a task force to work with the Healthy Start Program in restructuring the program for greater effectiveness.

Resolves that the Department serve as the facilitator of the task force.

Further resolves that the task force include at least one representative from the following:

- (1) The Department of Health, including one representative each from Family Health Services, the Maternal Child Health Branch, and Early Intervention Services;
- (2) The Department of Human Services Child Welfare Branch;
- (3) The Healthy Start provider agencies, including representatives from family assessment and home visiting units, as well as the training unit;
- (4) The University of Hawaii John A. Burns School of Psychiatric Medicine;
- (5) The Department of Education;
- (6) The Hawaii Chapter, American Academy of Pediatrics; and
- (7) The Hawaii Family Support Institute.

Further resolves that goals and areas of focus for the planning and restructuring sessions include, but are not limited to:

- (1) Strengthening the program focus on and effectiveness of interventions in prevention of child abuse and neglect based on strategies of nurturing, promoting capacity through parallel process, addressing family risk factors, and strengthening protective factors;
- (2) Reducing program complexity, streamlining requirements related to IDEA and OSEP to enable staff to achieve goal (1) above;
- (3) Considering restructuring intensity of services, such as a two-tier system based upon severity of risk;

- (4) Considering restructuring contract goals in terms of outcomes required by funders and establishing output monitoring within quality assurance at program and state-wide levels;
- (5) Considering piloting curriculum to structure home visits and ensure inclusion of basic activities to promote positive child development;
- (6) Reviewing and considering evidence based best practices to enhance overall program effectiveness, particularly related to engagement and retention and outcome indicators, with a view to incremental piloting and state-wide adoption; and
- (7) Considering reallocating more resources to training and TA mentoring to enhance staff effectiveness and to program outcome data evaluation for regular reports to funders.

Further resolves that the Department prepare an annual report to be submitted with findings and recommendations to the Legislature no later than twenty days prior to the Regular Sessions of 2006 and 2007.

Further resolves that the task force cease on April 30, 2008.

*SR 130 Does not request the Department of Health to convene a task force but designates the Hawaii Family Support Institute as an official Advisory Board to the Healthy Start Program to provide consultation, technical assistance, and resources, with the goal of strengthening and streamlining the program to improve outcomes.

Also does not request the University of Hawaii John A. Burns School of Psychiatric Medicine, the Department of Education, or the Hawaii Chapter of the American Academy of Pediatrics to be on the task force but includes the University of Hawaii evaluators.

Also resolves that the Advisory Board cease to exist on April 30, 2008.

(SSCR 1382, HSCR 1733, 1762)

**SR 7, SD1
HR 21, HD1**

SCHOOL GARDENS, EDIBLE, IMPLEMENTATION OF. Requests the Department of Education to submit a report on the number of schools that have established edible school gardens and the progress towards implementing the gardens into school curricula to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007.

*HR 21 Resolves that the Department requests the cooperation and support of the Department of Agriculture and University of Hawaii College of Tropical Agriculture and Human Resources. Does not request for the number of schools that have established edible school gardens.

(SSCR 1344)

SR 15, SD1

TOURISTS, CARRYING CAPACITY STUDY. Requests the Department of Business, Economic Development, and Tourism with the support of the Hawaii Tourism Authority, to fulfill its past legislative obligations and conduct a carrying capacity study in order to determine the maximum capacity for tourists in the State by taking into consideration the most recent sustainability study conducted by the Department and any other information necessary to complete a carrying capacity study that results in concrete numbers for the State's carrying capacity.

Resolves that this carrying capacity study is to be conducted in separate studies to be divided among East Oahu including Waikiki, West Oahu, North Shore, Windward Oahu including Kaneohe and Kailua, and each of the neighbor islands.

Further resolves that the purpose of this carrying capacity study is to determine the maximum number of visitors that each of the areas listed above is able to sustain with regard to visitor lodging and accommodations, and infrastructure items such as water, roads, and sanitation capacity, and also provide the Legislature important information and data that will help guide it in making policy decisions with regard to tourism-related legislation.

Encourages the Authority to use the findings to better direct its funds relating to the promotion and marketing of tourism, and assist the State Legislature in determining the proper funding and appropriation levels for the numerous tourism-related legislation introduced every session.

Further requests the Department, with the support of the Authority, to report its findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1009)

SR 20

MOANALUA GARDENS AND KAMANANUI VALLEY, OAHU, DEDICATION TO A NONPROFIT ORGANIZATION. Requests the Damon Estate trustees and beneficiaries to consider the possibility of dedicating Moanalua Gardens and Kamananui Valley to a nonprofit organization because the dedication may result in a possible tax benefit to the beneficiaries, but more importantly a continued social benefit for the people of Hawaii and a lasting symbolic legacy to Samuel Mills Damon.

(SSCR 1433)

SR 22

MEDICAID COVERAGES AND BENEFITS, PRESERVING. See SCR 44.

(SSCR 1634)

SR 23

TRAFFIC PROBLEMS IN MILILANI MAUKA, OAHU, STUDY OF. See SCR 48.

(SSCR 1146)

SR 24, SD1

ELECTRICAL AND PLUMBING LICENSING LAWS, ENFORCEMENT OF. See SCR 49.

(SSCR 1636)

SR 26, SD1

NON-NATIVE GAME ANIMALS, CONTROL OF. Requests the Department of Land and Natural Resources to collaborate with land conservation, hunting, and animal care organizations to review various methodologies for controlling non-native game animals in Hawaii's forest areas.

Further requests the Department to form a working group that includes the University of Hawaii's Botany Department, the Departments of Water Supply for the Counties of Hawaii and Maui, the Department of Water for the County of Kauai, the Board of Water Supply for the City and County of Honolulu, conservation, hunting, and animal care organizations, and companies and other individuals with expertise or interests in watershed areas.

Further requests the working group to review current and alternative methodologies for controlling non-native game animals in Hawaii's forest areas by assessing their effectiveness, humaneness, practicality, and expense and make recommendations for appropriate changes.

Further requests the Department to submit its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007.

(SSCR 1399)

SR 27, SD1

SHORELINE CERTIFICATION PROCESS, REVIEW OF. See SCR 51.

(SSCR 1645)

SR 30

SUBSTANCE ABUSE IN SCHOOLS, PREVENTION AND TREATMENT OF. See SCR 66.

(SSCR 1629)

SR 33, SD1

HOMESCHOOLERS, MILITARY ENLISTMENT REQUIREMENTS FOR. See SCR 70.

(SSCR 1766)

SR 41, SD1

HEALTH RECORDS, ACCESSIBILITY THROUGH ELECTRONIC MEANS. Requests the Department of Health, the University of Hawaii, the Department of Business, Economic Development, and Tourism, the Hawaii Business Health Council, Hawaii Health Management Group, and the Hawaii Life Sciences Council to convene a consortium to develop or encourage the use of basic standards to facilitate the proliferation of health record accessibility through electronic means.

Resolves that the standards include a method to certify that the records can be opened and read by doctors and specialists, as authorized by the patient and that protect privacy, even when different users of the records system may have different computer operating systems.

Further resolves that when developing or encouraging the use of these standards, the consortium should base the standards and applications on the most commonly used hardware and software technology available.

Further resolves that if national interoperability standards for electric health records are developed, the consortium should adopt the national standards if the national standards are congruous with this State's needs and circumstances.

Further resolves that the consortium also identify the appropriate mixture of incentives to encourage physicians to embrace the use of electronic health and medical records.

Further requests the members of the consortium to be drawn from:

- (1) The University of Hawaii John A. Burns School of Medicine;
- (2) The University of Hawaii School of Information and Computer Science;
- (3) The Tripler Army Hospital;
- (4) Large medical centers;
- (5) Technology companies;
- (6) Insurers;
- (7) Physicians;
- (8) Nonprofit groups and consultants; and
- (9) Any other groups that the departments deem appropriate.

Further requests the consortium to submit a report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1652)

**SR 46, SD1
HCR 111, HD2*
HR 85, HD2***

STATE CULTURAL PUBLIC MARKET ON OAHU, ESTABLISHMENT OF. Urges the Department of Business, Economic Development, and Tourism to establish a permanent state cultural public market within the Hawaii Community Development Authority. Requests the Hawaii Community Development Authority to designate and develop the state-owned land for the state cultural public market.

Resolves that the public market be located on state lands within the Kakaako makai area of the island of Oahu, and include adequate public parking.

Further requests the Authority to accept and consider input regarding the establishment of the public market from the following departments and agencies: the Department of Agriculture; the Department of Business, Economic Development, and Tourism; the Department of Land and Natural Resources; the Department of Labor and Industrial Relations; and the Hawaii Tourism Authority.

Further requests the Authority to consider and determine the propriety of utilizing public-private partnerships in the development and operation of a permanent public market.

Further resolves that the public market include, but not be limited to the inclusion of, outlets for ethnically diverse products and local produce and products; venues for businesses with ethnic themes, including restaurants and other service related businesses, theaters, stages, and arenas designed to showcase cultural performing artists, as well as community performing arts; exhibition space or museums to showcase artwork created by international and local artists; and museums or other educational facilities that focus on the history and cultures of the various ethnic groups within Hawaii, including Hawaiian history.

Further requests the Authority to ensure that the Hawaiian culture is the featured culture in the public market.

*HCR 111, HD2 and HR 85, HD2 Designates that the state cultural public market be located on at least ten acres of State land on the east side within the Kakaako makai area of the island of Oahu, Diamond Head of Ahui Street and include a state-run public parking lot.

Also requests the Authority to develop, distribute and accept requests for proposals from private entities for the public market.

(SSCR 1638)

SR 47, SD1

PEER EDUCATION PROGRAMS, SUPPORT OF. Requests the Department of Education to encourage all public secondary schools to implement peer education programs.

Further requests the Department to provide support and technical assistance to secondary schools that are beginning peer education programs.

(SSCR 1426)

SR 51, SD1

KAWAINUI AND HAMAKUA MARSH COMPLEX, OAHU, NATIONAL PARK PROTECTION OF. Requests the State of Hawaii's elected Representatives and Senators in the United States Congress to support, work to pass, and vote for National Park protection for the one thousand-acre Kawainui and Hamakua Marsh Complex located on the northeast coast of the island of Oahu, Hawaii.

(SSCR 1697)

**SR 55
HCR 156**

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS REGULATORY PROGRAMS, EVALUATION OF. Requests the Auditor to conduct a comparative analysis of the professional and vocational regulations in other states and Hawaii in such areas as educational, testing, experience, or other requirements, and based on that analysis, to recommend whether these requirements are necessary to protect the health, safety, or welfare of consumers.

Further requests the Auditor to report the findings and recommendations relating to the aforementioned comparative analysis of the regulatory programs implemented by the 25 regulatory boards and commissions administratively attached to the Department of Commerce and Consumer Affairs to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

Further requests the Auditor to report the findings and recommendations relating to the aforementioned comparative analysis of the regulatory programs implemented by the 21 licensing programs under the Department of Commerce and Consumer Affairs' jurisdiction to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007.

(SSCR 1494)

SR 58, SD1

TRAFFIC CONDITIONS IN HAWAII COUNTY, STUDY OF. Requests the Department of Transportation to:

- (1) Study and evaluate existing traffic conditions in Hawaii County and prepare a traffic solution plan for Hawaii County, in consultation with the Hawaii County Department of Public Works, and prepare a traffic solution plan for Hawaii County to minimize existing and future traffic problems; and
- (2) Review and make recommendations on the current County of Hawaii transportation plan to ensure its conformity to the state planning policies and objectives.

Resolves that the Office of Planning and the County of Hawaii assist the Department in the study and evaluation.

Further requests the Department to report on interim findings and recommendations, including an estimate of projected costs to complete the study for inclusion in an appropriations measure for the Regular Session of 2006, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006, and a final report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007.

(SSCR 1355)

SR 60, SD1

INFLUENZA PANDEMIC, GLOBAL, PREPARATION FOR. Urges the Governor, the Director of Health, and the Director of Civil Defense to take immediate measures on the state, federal, and global levels to prepare to respond effectively to the possible global influenza pandemic.

Requests the Governor and the Director of Health to seek all possible assistance from other state and federal sources to help meet this challenge.

Further requests the Governor and the Director of Health to formulate and submit to the Legislature, no later than twenty days prior to the convening of the Regular Session of 2006, a detailed plan to address the possibility of an influenza pandemic spreading to Hawaii from Asia in the near future, including any necessary proposed legislation.

(SSCR 1632)

SR 73, SD1

VOG EMISSIONS ON THE BIG ISLAND, MONITORING OF. See SCR 135.

(SSCR 1388)

SR 75

COASTAL ZONE MANAGEMENT PROGRAM, REPORT ON. See SCR 137.

(SSCR 1695)

SR 76, SD1

SMALL BOAT HARBORS, AUDIT OF. Requests the Auditor to conduct a follow-up audit to the 2001 Audit of the Management of State Boating Facilities by the Department of Land and Natural Resources (Report No. 01-09), particularly as it applies to the Ala Wai Harbor.

Resolves that the Auditor evaluate and make recommendations on the feasibility of forming an advisory committee for each small boat harbor to advise the State on the proper management and maintenance of the harbors, including the make-up of the advisory committee.

Further resolves that the Auditor report findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1401)

SR 78

ENVIRONMENTAL IMPACT STATEMENTS, GUIDANCE DOCUMENT ON. Requests the Department of Health to develop, adopt, and issue a guidance document on environmental justice policy that will apply to environmental review at all levels under chapter 343, Hawaii Revised Statutes.

Further requests that the guidance document set forth procedures that systematically ensure inclusion of the following in the environmental review:

- (1) Identification and analysis of disproportionately high and adverse effects, including effects on the natural and physical environment and interrelated health, social, cultural, ecological, and economic effects, on minority communities, low income communities, and native Hawaiians, that:
 - (A) Are highly sensitive to the circumstances of the particular community or population, the particular type of environmental or human health impact, and the nature of the proposed action itself;
 - (B) Recognize the importance of research, data collection, and analysis, particularly on multiple and cumulative exposures to environmental hazards; and
 - (C) Consider the interrelated cultural, social, occupational, historical, or economic factors that may amplify the effects of the proposed agency action, including the physical sensitivity of the community or population to particular impacts, the effect of any disruption on the community structure due to the proposed action, and the nature and degree of impact on the physical and social structure of the community; and
- (2) The provision of opportunities to ensure effective and timely public participation and access to information, including access to meetings, crucial documents, and notices; provided that:
 - (A) Agencies and applicants are aware of the diverse constituencies in the particular community and strive for complete representation of the community as a whole; and
 - (B) Adaptive or innovative approaches to overcome linguistic, institutional, cultural, economic, historical, or other potential barriers may be required; and
- (3) Upon the identification of disproportionately high and adverse effects:
 - (A) Heightened agency and applicant consideration of alternatives, mitigation strategies, monitoring needs, and preferences expressed by the affected community or population; and
 - (B) Inclusion of the effects among the factors explicitly discussed in determining significance and in considering whether all practicable means to avoid or minimize environmental and other interrelated effects were adopted.

Further requests the Department to submit the guidance document and other recommendations, if any, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1672)

SR 81

FEDERAL SHIPS FOR USE FOR ARTIFICIAL REEFS, UTILIZATION OF. See SCR 143.

(SSCR 1699)

SR 83, SD1

COMMERCIAL HARBORS, RULES REGARDING THE SAFE USE OF. Urges the Department of Transportation to review and update its administrative rules regarding the safe use of commercial harbors by large vessels, and to require as appropriate to the individual harbor, the use of at least one assist tug for all ships six hundred feet in length or more.

Further urges that all harbor users comply with the Hawaii Ocean Safety Team minimum tug recommendations, and that local tug service providers ensure that modern tugs with adequate power are stationed in the neighbor island ports.

(SSCR 1731)

SR 87, SD1

INTERNATIONAL PACIFIC ASIAN YOUTH BASEBALL LEAGUE CHAMPIONSHIP TOURNAMENT, HOSTING OF. See SCR 155.

(SSCR 1475)

SR 102

DEPARTMENT OF EDUCATION CIVIC-EDUCATION ACTIVITIES, INVENTORY OF. Requests the Department of Education to form a working group that would include students, parents, teachers, administrators, and members of the community to generate a working definition of civic responsibility, with indicators of civic-learning activities.

Resolves that the Department conduct a school-by-school inventory of civic-education activities and provide this inventory to the working group.

Further resolves that the Department submit a report of its inventory results to the respective education committees of the Senate and House of Representatives at least twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1427)

SR 103
HCR 273, HD1
HR 201, HD1

VOLUNTEERS IN THE SCHOOLS, RECOGNITION OF. Requests the Department of Education and the Board of Education to develop and establish a volunteer recognition program that will:

- (1) Promote the value and appreciation of volunteer involvement in the public schools through activities that recognize volunteers and their contributions; and
- (2) Be implemented in each school district across the State.

(SSCR 1428)

SR 104

MILITARY RESERVES, TRICARE HEALTH BENEFITS FOR. See SCR 192.

(SSCR 1429)

SR 106

SMOKE-FREE STATE, STEPS TO MAKE THE STATE OF HAWAII. See SCR 196.

(SSCR 1371)

SR 112

DARFUR ACCOUNTABILITY ACT OF 2005, SUPPORT FOR. Urges Hawaii's Congressional Delegation to sponsor, actively support, and vote for the Darfur Accountability Act of 2005.

(SSCR 1641)

SR 114

MOLOKAI IRRIGATION SYSTEM, MANAGEMENT OF. Resolves that the Department of Agriculture Resource Management Division work with the Legislature to create a proposal to improve the management of the Molokai Irrigation System.

Further resolves that a working group consisting of one senator designated by the President of the Senate, one representative designated by the Speaker of the House of Representatives, and two representatives from the Department of Agriculture, meet to study the management of the Molokai Irrigation System and submit a written report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1656)

SR 115, SD1

AGRICULTURAL DIVERSIFICATION, SUCCESSFUL COEXISTENCE OF. See SCR 208.

(SSCR 1643)

SR 127, SD1

HARBORS, SCHEDULING SYSTEM, HAWAII COMMERCIAL HARBORS 2020 MASTER PLAN, AND HARBORS ON OAHU. See SCR 221.

(SSCR 1627)

SR 129, SD1

BIOTECHNOLOGY, USE IN CROPS AND ON KAUAI, DISCUSSION ON. Resolves that the Legislature supports the efforts of the Hawaii Biotech Policy Forum to convene key stakeholders to discuss the use of biotechnology in crops for food production and use on the island of Kauai.

Resolves that key stakeholders of the Forum sponsored process include, but are not limited to, farmers, environmentalists, policy makers, regulators, land owners, biotechnology companies, and others who are impacted by and are concerned with the complex and competing scientific, regulatory, environmental, and safety concerns of genetically engineered organisms.

Requests the Forum to submit a report of the results of the stakeholder meetings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(SSCR 1647)

SR 130, SD1

HEALTHY START PROGRAM, RESTRUCTURING OF. See SCR 227.

(SSCR 1383)

**HCR 3, HD1, SD1
HR 14, HD1**

HOMELESSNESS, FEDERAL POLICIES TO END. Urges the President and the United States Congress to support federal policies aimed at ending homelessness in the United States.

(HSCR 1016, SSCR 1661)

HCR 4, HD1

PROPERTY AND CASUALTY INSURANCE, INTERSTATE COMPACTS FOR. Requests the Insurance Commissioner to investigate the advisability of entering into interstate compacts with other states concerning perils affecting the cost of property and casualty insurance.

Further requests the Commissioner to submit its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1395, SSCR 1747)

HCR 5, HD1, SD1

SOUTH KONA AND KAU, HAWAII, CONSERVATION OF. Requests the Department of Land and Natural Resources Division of State Parks to establish a South Kona-Ka'u Coastal Conservation Task Force to review and analyze the impact being made on the fragile and historically essential coastal lands and near shore marine areas of South Kona and Ka'u.

Resolves that in identifying issues and solutions, the Task Force:

- (1) Identify those coastal lands and near shore marine areas that should be targeted for protection because of their ecological, cultural, recreational, or agricultural importance;
- (2) Identify mechanisms and funding sources to protect and manage the identified areas;
- (3) Propose future uses and limitations in the identified areas that permit minimal man-made structures, manage activities that may degrade or deplete resources, and avoid the hazards from potential volcanic activities and lava flows;
- (4) Propose measures for the protection of marine animals, including but not limited to monk seals, green sea turtles, and hawksbill sea turtles, and their nesting and habitation areas; and
- (5) Seek funding from the private sector, through grants and contributions, to support the activities of the Partnership.

Further resolves that the Task Force elect a chair from among its members by a majority vote.

Further resolves that the Division establish the Task Force's membership from representatives from, but not limited to, the following agencies, organizations, and community members:

- (1) Landowners in south Kona and Ka'u with ten or more acres;
- (2) Small landowners in South Kona and Ka'u with acreage under ten acres;
- (3) Farmers in South Kona and Ka'u;
- (4) Community members with no affiliation to landowners with ten or more acres;
- (5) Department of Land and Natural Resources;
- (6) National Park Service;
- (7) University of Hawaii Environmental Center;
- (8) Department of Agriculture;
- (9) United States Fish and Wildlife Service;
- (10) County of Hawaii;
- (11) Private sector conservation organizations; and
- (12) Individuals or entities experienced in cultural resource protection.

Further resolves that state departments and agencies and federal and county government agencies assist the task force.

Further requests the task force to consider engaging the services of a disinterested third-party, facilitator to assist the task force with its activities.

Further requests the task force to submit a report, including proposed legislation, to the Legislature no later than twenty days prior to the Regular Session of 2006 on task force activities and progress, including areas identified for protection and strategies to achieve protection.

Further resolves that the task force cease to exist on the last day of the Regular Session of 2007.

(HSCR 1354, SSCR 1805)

HCR 8

CERVICAL CANCER AWARENESS MONTH, DESIGNATION OF. Requests the Governor to designate the month of January as Cervical Cancer Awareness Month.

(HSCR 1326, SSCR 1902)

HCR 10, HD1, SD1

EMERGENCY CONTRACEPTION, INFORMATION ON THE AVAILABILITY OF. Requests the Director of Health to provide any necessary administrative support to the Emergency Contraception Interagency Work Group.

Further requests that representatives from the following agencies to participate in the Work Group:

- (1) Department of Education;
- (2) Department of Human Services;
- (3) University of Hawaii;
- (4) Board of Medical Examiners;
- (5) Board of Pharmacy;
- (6) Board of Nursing;
- (7) Each county administration; and
- (8) Community and private family planning groups such as Planned Parenthood and Healthy Mothers/Healthy Babies.

Further requests the Work Group to develop a mechanism to effectively disseminate information on the availability of over-the-counter emergency contraception in the State and to make use of any available resource, including physicians, nurses, clinics, pharmacies, drug manufacturers, distributors, or agents, and interested members of the public to develop the information dissemination mechanism.

Further requests the Director to convene the Work Group no later than thirty days after the adoption of this Concurrent Resolution and to submit a final report to the Governor and the Legislature on the information dissemination mechanism no later than December 31, 2005.

(HSCR 1339, 1670, SSCR 1782)

HCR 40, HD1

DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH, CHOICE OF RESIDENTIAL SETTINGS. Requests the Hawaii State Council on Developmental Disabilities to continue to convene the task force to complete its work in addressing Senate Concurrent Resolution No. 79, S.D. 1, H.D. 1.

Further requests the task force to submit a follow-up report, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1090, 1673, SSCR 1820)

HCR 56, SD1

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2005, PASSAGE OF. Urges the United States Congress and the President of the United States to support the passage of S. 147, the Native Hawaiian Government Reorganization Act of 2005, otherwise known as the Akaka Bill.

Further urges that upon passage of the Native Hawaiian Government Reorganization Act of 2005, Congress and the President expeditiously facilitate Native Hawaiians formal federal recognition as indigenous people, self-governance, and redress.

(HSCR 1401, SSCR 1808)

HCR 58

TEMPORARY ASSISTANCE FOR NEEDY FAMILY FUNDS USE BY THE DEPARTMENT OF HUMAN SERVICES, AUDIT OF. Requests the Auditor to conduct a fiscal and management audit of the Department of Human Services and its use of federal Temporary Assistance to Needy Families funds.

Further requests the Offices of the Governor and the Lieutenant Governor and the Department of Human Services to fully cooperate with the Auditor in the conduct of the audit.

Further requests the Auditor to report findings and recommendations, including any necessary proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1391, 1676, SSCR 1828)

HCR 67, SD1 HR 56*

ATHLETIC HEALTH CARE TRAINERS, SUNRISE REVIEW REGARDING THE REGULATION OF. Requests the Auditor to perform a sunrise review regarding the regulation of athletic health care trainers.

Further requests the Auditor to submit findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

*HR 56 Uses the term "certified athletic trainers".

(HSCR 1321, 1675, SSCR 1783)

HCR 77, HD1

FEDERALLY QUALIFIED HEALTH CENTERS, SUPPORT OF. Urges the State to support existing Federally Qualified Health Centers and to identify statewide sites that would benefit from the development of more Centers.

Requests the Centers for Medicare and Medicaid Services and Health Resources and Services Administration to support the efforts of the State.

(HSCR 1121, SSCR 1369)

HCR 83

PROPERTY CASUALTY INSURANCE MODERNIZATION ACT, REVIEW OF. Requests the Department of Commerce and Consumer Affairs Insurance Division to conduct a

review of the National Conference of Insurance Legislators Property Casualty Insurance Modernization Act as amended on November 21, 2003.

Resolves that the Insurance Commissioner convene a working group comprised of the Directors of the Department of Commerce and Consumer Affairs and the Department of Business, Economic Development, and Tourism, representatives of the Hawaii Insurers Council, State Farm Insurance Companies, and the Consumer Lawyers of Hawaii for this purpose.

Further requests the Commissioner to submit a report to the Legislature of the working group's findings no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1278, SSCR 1662)

HCR 88, SD1

AHIHI-KINAU NATURAL AREA RESERVE, MAUI, ACCESS TO. Urges the Department of Land and Natural Resources to immediately undertake an expedited review of the Ahihi-Kinau natural area reserve, including consideration of the following:

- (1) Rerouting some of the existing trails away from the anchialine ponds; however, ancient Hawaiian trails leading toward the ponds should remain;
- (2) Limiting or prohibiting access to the anchialine ponds and allowing access only by permitted persons through the possible use of signs or other means but without the use of fencing;
- (3) Expanding parking areas at the north and south ends of the reserve area and prohibiting parking on the road between the parking areas;
- (4) Charging a parking fee or reserve area entry fee, while at the same time providing comfort stations, containing portable toilets and informational signs or kiosks, near the parking areas;
- (5) Setting a maximum carrying capacity for the number of persons at the Aquarium site and the Fishbowl site at any one time;
- (6) Establishing entry areas for persons entering the water at the Aquarium and the Fishbowl to protect the nearshore submerged rocks and coral at those sites;
- (7) Prohibiting public access at night;
- (8) Banning or strictly limiting any type of commercial activities in the reserve; and
- (9) Prohibiting the use of kayaks or canoes, commercial or private, within the reserve; however, traditional canoe usage should not be restricted.

Further requests the Department's Advisory Council to submit a report of the review, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1356, SSCR 1780)

**HCR 96
HR 71**

FAMILY CAREGIVERS, ASSISTANCE FOR. Urges the Department of Health and the Department of Human Services to explore methods of providing assistance to family caregivers who give free and continuing day-to-day care in the home to relatives needing long-term care.

Resolves that in developing methods of providing assistance to family caregivers that the Departments also account for the caregiver's ability to support the costs of providing care.

Further resolves that the Departments develop proposed legislation for this purpose and submit it to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1484, SSCR 1822)

**HCR 99
HR 74**

AIRPORTS, DESIGNATION AS SMOKE-FREE. Requests the Governor and the Director of Transportation to designate Hawaii's airports as completely smoke-free from "airplane cabin to airport curb" with appropriate "No Smoking" signs and public service announcements in the State's airports.

Further requests the Governor and the Director to enforce this policy prohibiting smoking in all of Hawaii's airports.

(HSCR 1445, 1679, SSCR 1823)

**HCR 101
HR 76**

TRANSPORTATION FOR STUDENTS TO ATTEND SUMMER SCHOOL AND EXTRA CURRICULAR ACTIVITIES, COST ANALYSIS OF. Requests the Department of Education to provide a cost analysis on providing transportation for public school students to enable them to attend summer school and extra curricular activities.

Further requests the Department to include in the study a breakdown of costs and expenses as follows:

- (1) By departmental school district, by middle school, and by high school for all public schools; and
- (2) For all charter schools, including the costs for public bus transportation.

(HSCR 1640, SSCR 1882)

HCR 111, HD2

STATE CULTURAL PUBLIC MARKET ON OAHU, ESTABLISHMENT OF. See SR 46.

(HSCR 1432, 1720)

HCR 113

FIRE RATING PROGRAM, HAWAII INSURANCE BUREAU'S, EFFECTIVENESS OF. Requests the Insurance Commissioner, Hawaii Insurers Council, and the Hawaii Insurance Bureau to submit reports to the Legislature relating to the effectiveness of the Bureau's fire rating program no later than twenty days prior to the convening of the Regular Session of 2006.

Resolves that the reports include responses to the following:

- (1) How soon after a change in the fire protection status does the Bureau revise its classification;
- (2) Why are insurers not required to use the Bureau's fire classifications in establishing rates; and
- (3) What impact has the Bureau's fire classification procedures had on homeowner's insurance.

(HSCR 1353, SSCR 1772)

HCR 146, HD1 HR 108, HD1

BIOLOGICAL RESOURCES, COMMERCIAL DEVELOPMENT OF. Requests the Legislative Reference Bureau to conduct a study on the fair and equitable sharing of benefits arising from research, indigenous knowledge, intellectual property, or application of biological resources that are public natural resources held in trust by the State for the benefit of the people.

Resolves that the study focus on assisting in the formation of a public policy strategy to commercially develop the State's biological resources in a way that will be environmentally sustainable, culturally sensitive, economically feasible, and mutually beneficial to all the people of the State.

Further requests that the study include:

- (1) Identification and development of issues and policies for:
 - (A) The conservation and sustainable use of biological diversity;
 - (B) The responsible regulation of bioprospecting and biotechnology as it relates to bioprospecting;
 - (C) The rights of traditional, indigenous knowledge holders;
 - (D) The fair and equitable sharing of benefits arising from the research, indigenous knowledge, intellectual property, or application of biological resources; and

- (E) The meaningful participation in these processes by traditional, indigenous knowledge holders;
- (2) Reviews of policies, laws, litigation and outcomes, and models of other jurisdictions;
- (3) Preparation of a report addressing the issues in paragraphs (1) and (2) and appropriate legislative proposals; and
- (4) Compilation of an inventory of current bioprospecting research projects and activities in the State that are public, as provided by the Office of the Governor.

Further requests the Bureau to consult with the following individuals, organizations, and interest groups:

- (1) Office of Hawaiian Affairs;
- (2) University of Hawaii;
- (3) Department of Business, Economic Development, and Tourism;
- (4) Department of Land and Natural Resources;
- (5) Department of Agriculture;
- (6) Department of Health;
- (7) Native Hawaiians or organizations representing native Hawaiian interests;
- (8) The biotechnology industry;
- (9) Scientists with interests in Hawaiian ecological systems;
- (10) Scientists with interests in genetics; and
- (11) Any other organizations or persons that the Bureau deems appropriate.

Further requests the Attorney General to assist the Bureau in carrying out this study.

Further requests the Office of the Governor to assist the Bureau in carrying out this study by providing a compilation of an inventory of current bioprospecting research projects and activities in the State that are public.

Further requests the Bureau to submit a report of any findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1420, 1688)

**HCR 151, HD1
HR 113, HD1**

GLOBAL YOUTH CENTER IN HAWAII, ESTABLISHMENT OF. Requests the President of the United States and members of the United States Congress and the United Nations to support the planning for the establishment of the Hawaii Global Youth Center.

Further requests that the East-West Center and the University of Hawaii, including the College of Tropical Agriculture and Human Resources administration's center on the family; the Matsunaga Peace Institute, the United Nations Association in Hawaii, the Senate Committee on Energy, Environment and International Affairs, the House of Representatives Committee on International Affairs, and the co-convenors of the Keiki Caucus of the Hawaii State Legislature be included in dialogue on the planning of the Center.

Further requests that the planning of the Center include the exploration of financial resources with the United States Congress, Hawaii and eleemosynary foundations, other national and international non-governmental organizations, and small and corporate businesses that might assist in funding the Center.

Urges the World Youth Congress, which may be holding its third meeting in Glasgow, Scotland in August 2005, to endorse and support the establishment of the Global Youth Center in Hawaii.

(HSCR 1398, SSCR 1845)

HCR 156

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS REGULATORY PROGRAMS, EVALUATION OF. See SR 55.

(HSCR 1331, 1693, SSCR 1898)

HCR 166, HD1 HR 125, HD1

UNIVERSITY OF HAWAII BUILDINGS, ENERGY PERFORMANCE STANDARDS FOR. Requests the Center for Smart Building and Community Design of the University of Hawaii to develop energy efficient design and performance standards that will:

- (1) Bring about substantial quantitative and qualitative improvements to university buildings; and
- (2) Include specific energy and resource conserving design and engineering methods for new construction, renovation, and retrofitting of all buildings in the University of Hawaii system; and
- (3) Include criteria for life cycle cost analysis for building design and operations for new construction, renovation, and retrofitting of all buildings in the University of Hawaii system.

Further requests that these standards be developed in consultation with University of Hawaii system administrators, various University of Hawaii campus chancellors and vice chancellors, the University of Hawaii Office of Capital Improvements, University of Hawaii faculty, representatives from the electric and gas companies, the American Institute of Architects, the American Society of Heating, Refrigeration and Air Conditioning Engineers, and interested university and high school students.

Further requests the Center to submit a report to the Legislature on its progress in creating energy efficient design and performance standards no later than twenty days prior to the convening of the Regular Session of 2006.

Further requests the Center to conduct a cost-benefit analysis and an evaluation of the benefits of establishing the position of an Energy Conservation Manager to coordinate and

monitor an energy management program and to promote and modify university system energy consumption through efficient utilization and awareness of energy sources.

Further requests the Center to submit a final report to the Legislature that includes an analysis of establishing an Energy Conservation Manager position, established energy efficient design and performance standards, and strategies for implementation of those standards to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007.

(HSCR 1458)

HCR 172, HD1

PAYDAY LENDERS AND DEFERRED DEPOSIT CHECK CASHERS, SUNRISE REVIEW REGARDING. Requests the Auditor to perform a sunrise review regarding the regulation of payday lenders and deferred deposit check cashers proposed by S.B. No. 1413, 2005.

Further requests the Auditor to submit findings and recommendations no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1333, 1709, SSCR 1897)

HCR 175, HD1 HR 130, HD1

PRE-SCHOOLS, REGULATION OF. Requests the Department of Human Services to implement a pilot public-private partnership program between the Hawaii Association of Independent Schools (HAIS) and Hawaii Catholic Schools Department (HCSD) with the goal of eventually allowing HAIS and HCSD to self-regulate and manage their private preschools.

Further requests HAIS and HCSD to work in conjunction with the Department, the current licensing authority for all private preschools, as part of a cooperative partnership to set up health and safety standards for private preschools.

Resolves that the Department, HAIS, and HCSD provide the Legislature with the best regulatory options that will enable HAIS and HCSD to self-govern private preschools as they already do for kindergarten through the twelfth grade.

Further requests the Department, HAIS, and HCSD to submit findings and recommendations to the Legislature, including any necessary implementing legislation, no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1347, 1644, SSCR 1830)

HCR 200, HD1, SD1

DEPARTMENT OF LAND AND NATURAL RESOURCES DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT, AUDIT OF. Requests the Auditor to perform a financial and management audit of the Department of Land and Natural Resources Division of Conservation and Resources Enforcement.

Further requests the Auditor to include in the financial and management audit:

- (1) An assessment of management practices utilized by the Division to enforce conservation laws and rules and to manage its manpower and equipment;
- (2) An evaluation as to whether the Division expends the funds available to it in an efficient and cost effective manner;
- (3) An assessment of how the roles and responsibilities of the Division's officers overlap with other law enforcement officers of the State or counties;
- (4) An evaluation of funding sources to ensure that funding is shared equitably among all divisions serviced;
- (5) An assessment of the effectiveness of utilizing conservation and resource enforcement officers in cruise ship security;
- (6) An evaluation and recommendation on a method of measuring the effectiveness of conservation and resource enforcement efforts and improving cooperation between divisions within the Department;
- (7) An evaluation of the Division's internal budgeting and fiscal controls and whether those controls ensure the effective and appropriate expenditure of legislative appropriations and federal funds; and
- (8) A description of the organizational structure of the Division, including personnel practices, staffing coverage, and facilities.

Further requests the Auditor to report findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1423, 1712, SSCR 1815)

HCR 204

CONDOMINIUM ASSOCIATION MANAGERS, CERTIFICATION OF. Requests the Auditor to conduct an analysis of S.B. No. 1454, Regular Session of 2003, pursuant to and in accordance with section 26H-6, Hawaii Revised Statutes.

Further requests the Auditor to submit a report of findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1332, 1713, SSCR 1896)

**HCR 208, HD1
HR 155, HD1**

EVEN START FAMILY LITERACY PROGRAM, FUNDING FOR. Urges the President of the United States, the United States Congress, and the United States Department of Education to continue funding for the Even Start Family Literacy Program.

(HSCR 1465, SSCR 1759)

HCR 213

UNIVERSITY OF HAWAII FUNDS, AUDIT OF. Requests the Auditor to perform a systemwide financial audit of the University of Hawaii System general funds and accounts and non-general funds and accounts, including, but not limited to, the University of Hawaii tuition and fees special fund.

Further requests the Auditor to include and report on the following in the audit:

- (1) The total amount of general and tuition funds received and expended by the University to advance its mission and goals, and the purposes for which the funds were expended;
- (2) Issues relating to the University's financial records and its system of accounting and internal controls;
- (3) Issues relating to the University's strategic and financial plan, its budgeting process, and its process of forecasting future financial needs; and
- (4) Any and all other matters that the Auditor would normally undertake as necessary or appropriate in a systemwide financial audit.

Further requests the Auditor to include in the audit the actual costs per undergraduate and graduate student for one academic year at each of the ten University campuses.

Further requests the Board of Regents of the University, the President of the University, their staff, and other relevant persons or agencies to cooperate with and assist the Auditor, and to provide information requested by the Auditor in fulfilling the Legislature's request.

Further requests the Auditor to report any findings and recommendations, including any proposed legislation, as follows:

- (1) University of Hawaii at Manoa audit report to the Legislature at least twenty days prior to the convening of the Regular Session of 2006; and
- (2) University of Hawaii at Hilo, University of Hawaii-West Oahu, Hawaii Community College, University of Hawaii Center-West Hawaii, Maui Community College, University of Hawaii Center-Maui, Honolulu Community College, Kapiolani Community College, Leeward Community College, Windward Community College, Kauai Community College, University of Hawaii Center-Kauai, and University of Hawaii System audit reports to the Legislature at least twenty days prior to the convening of the Regular Session of 2007.

(HSCR 1416, 1716)

HCR 222, HD1, SD1

WATER QUALITY STANDARDS AND PRACTICES FOR UPCOUNTRY MAUI, REVIEW OF. Requests the Department of Health to review its water quality standards and practices, focusing on upcountry Maui, including standards and procedures for timely public notification by Maui water systems administrators of any violations or health concerns posed by system contaminants or additives.

Resolves that the Department work closely with the upcountry Maui community and the Maui County Department of Water Supply to address citizen concerns including plans for remediation of the system, the health impacts of any current or future additives and establishment of a system to receive and respond to citizen concerns.

Further requests the Director of Health to petition the federal Environmental Protection Agency to review adherence to EPA lead and copper rules.

Further requests the Director to report findings and recommendations to the Legislature, including any necessary proposed legislation, no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1442, 1708, SSCR 1786)

HCR 229, HD1, SD1

PHYSICIAN ON-CALL CRISIS, IMPACT OF. Requests the Legislative Reference Bureau and the Department of Health to conduct studies in coordination with each other, to evaluate the impact of the physician on-call crisis on the ability of The Queen's Medical Center Trauma Center to provide emergency medical services in the State of Hawaii and to recommend any appropriate government and private sector actions in response.

Further requests the Department, in its part of the study, to include, in particular, an analysis of the pertinent issues including:

- (1) A description of the on-call issue and its impact on the Level II Trauma Center;
- (2) Identification of the factors that have contributed to the on-call issue becoming a crisis;
- (3) The response of The Queen's Medical Center to address this crisis and keep the Trauma Center operational; and
- (4) The role of the Trauma Center in the state comprehensive emergency medical services system; and
- (5) A description of the impact, if any, of the on-call crisis on the delivery of nontrauma emergency medical services at select hospitals across the State including neighbor island hospitals; and
- (6) An analysis of how the decision to transfer patients is made, including a description of the transfer process, and recommendations to improve this process, if any, to enhance patient outcomes.

Further requests the Bureau, in its part of the study, to identify and analyze any appropriate government response to the on-call crisis including:

- (1) The experience and response of other states and cities facing a similar on-call crisis;
- (2) Options to address trauma/emergency department medical services that go uncompensated;
- (3) Options to address liability concerns faced by on-call physicians;
- (4) An analysis that looks at the pros and cons of mandating that physicians "take call" in order to:
 - (A) Obtain or maintain a license to practice medicine in the State of Hawaii; or
 - (B) Receive privileges to admit patients to a hospital located in the State of Hawaii.

Further requests the Bureau and the Department to interview and seek the input of as many stakeholders as possible for their respective parts of the study including:

- (1) The Department of Health;
- (2) The John A. Burns School of Medicine;
- (3) The Hawaii Health Systems Corporation;
- (4) The Healthcare Association of Hawaii;
- (5) The Queen's Medical Center/The Queen's Health Systems;
- (6) Kaiser Permanente;
- (7) Hawaii Pacific Health;
- (8) Emergency medical service providers at the county level;
- (9) Medical malpractice insurance providers;
- (10) The Hawaii Medical Services Association; and
- (11) The Hawaii Medical Association.

Resolves that the Bureau and the Department may contract with private contractors to facilitate the completion of this study.

Further requests both the Bureau and the Department to report their findings and recommendations, including any necessary proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1443, 1718, SSCR 1787)

**HCR 245, HD1
HR 178, HD1**

NO CHILD LEFT BEHIND ACT, AMENDMENT OF. Requests the United States Congress to amend the No Child Left Behind Act according to the recommendations of the February 2005 Final Report of the National Conference of State Legislatures' Task Force on No Child Left Behind.

Resolves that the current law and any revisions thereof recognize that under our federal system of government, education is primarily a state and local responsibility.

Further requests Congress to allow states more flexibility to continue to work toward the goal of closing the achievement gap without the threat of losing federal funds.

Further requests Congress to appropriate federal funding in amounts consistent with the levels authorized in the Act for education programs and expanded information systems needed to accurately reflect student, school, and school district performance and to pay the costs of making students proficient.

Further requests Congress to authorize appropriate assessment methods and an alternative methodology for determining adequate yearly progress targets and progress for students who are not yet proficient in English and who have certain disabilities.

Urges Congress to allow an alternative methodology for determining adequate yearly progress targets and progress of students with disabilities or who are not proficient in English.

Further requests Congress to amend the No Child Left Behind Act's current provisions relating to adequate yearly progress to apply sanctions only when the same groups or subgroups within a grade level fail to meet adequate yearly progress targets in the same subject area for two consecutive years.

Further requests Congress to amend the Act to allow flexibility in:

- (1) Determining adequate yearly progress using models that measure individual student growth or growth in the same cohort of students from year to year;
- (2) Calculating adequate yearly progress for students belonging to multiple groups and subgroups; and
- (3) Determining whether certain categories of teachers, such as special education teachers, are highly qualified.

Further requests Congress to modify the No Child Left Behind Act's provisions relating to school choice by limiting the option only to those students whose performance consistently is below the proficiency level.

(HSCR 1313, SSCR 1756)

HCR 246, SD1

USS ARIZONA MEMORIAL STAMP, ISSUANCE OF. Requests the United States Postmaster General to issue a USS Arizona Memorial Stamp.

(HSCR 1315, SSCR 1758)

HCR 249, SD1

FILIPINO WORLD WAR II VETERANS, BENEFITS FOR. Urges the United States Congress to support and pass legislation conferring veterans' benefits on Filipino World War II veterans.

(HSCR 1358, SSCR 1757)

HCR 255, HD2

MENTAL HEALTH CARE, ACCESSIBILITY TO QUALITY. Resolves that an interim Task Force on the Accessibility of Mental Health Care is established to consider solutions to provide adequate quality mental health care in medically under-served areas of Hawaii by mental health professionals which include psychiatrists and psychologists.

Further resolves that the Task Force be six members in total to include only the following:

- (1) Two designees of the Hawaii Psychiatric Medical Association;
- (2) Two designees of the Hawaii Psychological Association;
- (3) Chairperson of the House Committee on Health or the Chairperson's designee;
and
- (4) Chairperson of the Senate Committee on Health or the Chairperson's designee.

Further resolves that the Task Force submit a report of its discussions, and any findings and recommendations, to the Governor and the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1438, 1722, SSCR 1824)

HCR 262, HD1 HR 193, HD1

REAL ESTATE APPRAISERS, TRAINING TO USE INCOME CAPITALIZATION APPROACH TO SET LEASE RENT RATES FOR STATE AGRICULTURAL LEASE REOPENING. Requests the Department of Land and Natural Resources to establish a training program, in conjunction with the local real estate appraiser's national organization, and, as part of their professional educational seminars, to train real estate appraisers to use the income capitalization approach to set lease rent rates for state agricultural lease reopening.

Further requests the Department to establish a pilot program implementing the income capitalization approach using the agricultural yield of the leased land to set lease rent rates for state agricultural lease reopening.

Further requests the Department to report its findings and recommendations, including the lease rent amounts resulting from using this methodology, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007.

(HSCR 1434, 1711, SSCR 1818)

HCR 265, HD1 HR 196, HD1

SOCIAL WORKERS, CLASSIFICATION OF. Requests the Department of Human Resources Development to develop a plan, in cooperation with the key stakeholders, regarding the implementation of a separate series for social workers to include persons

who possess a social work degree from an accredited social work program and a human services professional series for persons who do not possess a social work degree.

Resolves that the Department develop its plan through consultation and coordination with the Hawaii Chapter of the National Association of Social Workers, University of Hawaii School of Social Work, Hawaii Pacific University School of Social Work, Brigham Young University School of Social Work, Hawaii Government Employees Association, Department of Education, Department of Health, Department of Human Services, and any other affected department or agency.

Further resolves that the plan call for and allow the transition of persons without social work degrees but who are in positions that were reallocated from the social worker series to the social worker/human service professional series and are still called social workers to obtain a social work degree by July 1, 2010.

Further resolves that the plan call for and allow the transition of persons without social work degrees by July 1, 2010, to be placed in the human services professional series.

Further resolves that the plan may also examine the intent of the Legislature to require licensure for social workers employed by the executive branch and appropriate compensation for those who are licensed.

Further resolves that the plan not include reclassification of social worker positions previously reclassified as part of the parole officer series and the child and adult protective services specialist series.

Further resolves that the plan not apply to the Judiciary, the Hawaii Health Systems Corporation, or the counties.

Further resolves that the Department submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006, which shall include the plan to implement separate social worker and human services professional series.

(HSCR 1668, SSCR 1835)

**HCR 270, HD1
HR 199, HD1**

CIVIL SERVICE EXEMPT POSITIONS, REPORTS ON. Requests the Department of Human Resources Development, the Judiciary, Department of Education, University of Hawaii, and the Hawaii Health Systems Corporation to report on all civil service exempt positions under their respective jurisdictions.

Further requests the report to include, but not be limited to:

- (1) When the position was established;
- (2) The purpose of the position;
- (3) The reason for the exemption from civil service;
- (4) Findings and recommendations on whether the position should remain exempt or be converted to a civil service position; and

- (5) The timetable by which the specified exempt positions will convert to civil service positions.

Further requests that with respect to positions that should remain exempt, each jurisdiction to indicate whether the position should be exempted permanently and, if so, whether from civil service recruitment procedures or the classification systems, or both.

Further requests that with respect to positions recommended for inclusion into the civil service, each jurisdiction to submit proposed legislation, if necessary, to convert exempt positions to civil service positions and address the impact of the conversion on the incumbents in these positions, if any.

Further requests that each jurisdiction to report its findings and recommendations on the information requested under this measure and any proposed legislation, as appropriate, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1472, SSCR 1834)

HCR 273, HD1

VOLUNTEERS IN THE SCHOOLS, RECOGNITION OF. See SR 103.

(HSCR 1646, SSCR 1773)

HCR 277

HEALTHY START PROGRAM, PLAN FOR COORDINATION AND EXPANSION OF SERVICES, CONTINUATION OF TASK FORCE FOR. Resolves that the statewide interagency task force be extended for one more year and it works to achieve the following:

- (1) Implement a general plan for tracking, monitoring, assessing, and reporting on progress on indicators related to achievement of the overall goal;
- (2) Complete discussion on topics identified but not addressed by the task force; and
- (3) Develop any necessary legislation for consideration in the Regular Session of 2006.

Requests the task force to submit a report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1659, SSCR 1831)

**HCR 278
HR 205**

DEPARTMENT OF HUMAN SERVICES BUDGET INFORMATION, POSTING OF. Requests the Department of Human Services to post budget information on its website for public review.

Further requests the Department to include comprehensive budget information relating to Temporary Assistance for Needy Families (TANF) as follows:

- (1) At the department level, by providing a breakdown of expenditures for each division;
- (2) At the division level, by specifying a breakdown of expenditures for each program ID;
- (3) By program ID, by specifying a breakdown of expenditures for each program; and
- (4) By individual program, by specifying a breakdown of expenditures for each contract, and including the names of the contractors.

Further requests the Department to update the website when TANF budget information is updated, at least on an annual basis.

(HSCR 1349, 1715, SSCR 1832)

**HCR 282
HR 208**

BOARD OF EDUCATION STUDENT MEMBER, SCHOOL CREDIT FOR. Urges the Board of Education to adopt policies that allow the Department of Education to grant elective school credit to the student member of the Board of Education.

Resolves that any elective school credit granted will apply toward the student's graduation requirement.

(HSCR 1535, SSCR 1754)

HCR 293, HD1

STREAMS, PROTECTION OF. Urges the Commission on Water Resource Management to fulfill its constitutional and statutory mandate to protect public trust instream uses by:

- (1) Devoting staff and resources necessary to fulfill its mandate;
- (2) Finalizing its strategic plan to protect the public interest in instream uses, which plan should include:
 - (a) Identifying and prioritizing streams that require instream flow standards (IFS);
 - (b) Determining the scope and cost of studies, and the resources and time required to establish scientifically-based IFS;

- (c) Employing the services of volunteers such as University of Hawaii students as part of their curricular credits and professional consultants;
 - (d) Securing federal funds and services (including making direct requests to Hawaii's congressional delegation for grants or other assistance);
 - (e) Establishing partnerships with federal and county governmental agencies, as well as private business and conservation organizations; and
 - (f) Considering the allocation of water for designated "important agricultural lands;"
- (3) Promptly resolving all pending petitions to restore stream flows such as those of the Na Wai Eha; and
 - (4) Ordering the operators of any stream diversions, including those from the Na Wai Eha, to discontinue any diversions that have no reasonable and beneficial purpose.

Further urges that in its efforts to accomplish the above, the Commission to meet with the following:

- (1) Parties who petitioned the Commission to restore stream flows to the Na Wai Eha, including Earthjustice, Hui o Na Wai Eha, and Maui Tomorrow;
- (2) Current operators of stream diversions of the Na Wai Eha, including the Wailuku Agribusiness Company, Inc.; and
- (3) Other interested groups, including the County of Maui and the Office of Hawaiian Affairs.

Requests the Commission to submit a report of its progress and findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1723, SSCR 1819)

HCR 294, SD1

WIRELESS TELEPHONE USE WHILE OPERATING A MOTOR VEHICLE AND ACCIDENTS, REVIEW OF. Requests the Legislative Reference Bureau to conduct a review of existing studies and statistics on the causal relationship between wireless telephone use while operating a motor vehicle and increased motor vehicle-related accidents.

Further requests the Bureau to report its findings, recommendations, and any proposed legislation to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1529, SSCR 1807)

HR 14, HD1

HOMELESSNESS, FEDERAL POLICIES TO END. See HCR 3.

(HSCR 1017)

HR 21, HD1

SCHOOL GARDENS, EDIBLE, IMPLEMENTATION OF. See SR 7.

(HSCR 1641)

HR 23

STANDARDS OF CONDUCT IN SCHOOLS, ADOPTION OF. Urges all Hawaii schools, public and private, to implement standard of conduct policies for teachers, administrators, coaches, and students that reduce intimidation and promote safe and peaceful school environments that encourage learning.

(HSCR 1532)

HR 30

HEALTH CARE, UNIVERSAL, ACHIEVEMENT OF. Urges the State to achieve universal health care by the year 2012.

(HSCR 1324)

HR 49

INDIGENOUS HAWAIIAN PEOPLE, POLITICAL STATUS OF. Requests the President and Congress to recognize the political relationship between the United States government and the indigenous Hawaiian people in a similar manner afforded to Native Americans and Alaska natives.

Further requests the federal government to designate a permanent agency to address indigenous Hawaiian reconciliation proceedings and the political status of indigenous Hawaiians.

(HSCR 1400)

HR 56

ATHLETIC HEALTH CARE TRAINERS, SUNRISE REVIEW REGARDING THE REGULATION OF. See HCR 67.

(HSCR 1320, 1674)

HR 69, HD1

KEWALO BASIN, OAHU, MANAGEMENT OF. Requests the Hawaii Community Development Authority to secure the services of the Department of Land and Natural

Resources Boating and Ocean Recreational Division to oversee all boating and related ancillary activities and services at Kewalo Basin.

Resolves that the Authority advise the Speaker of the House of Representatives and the President of the Senate on any proposed selection regarding the managing entity of the boating operations at Kewalo Basin before implementing or announcing such action.

(HSCR 1651)

HR 71

FAMILY CAREGIVERS, ASSISTANCE FOR. See HCR 96.

(HSCR 1483)

HR 74

AIRPORTS, DESIGNATION AS SMOKE-FREE. See HCR 99.

(HSCR 1444, 1678)

HR 75, HD1

STEM CELL RESEARCH, STUDY OF ISSUES RELATING TO. See SCR 200.

(HSCR 1427, 1680)

HR 76

TRANSPORTATION FOR STUDENTS TO ATTEND SUMMER SCHOOL AND EXTRA CURRICULAR ACTIVITIES, COST ANALYSIS OF. See HCR 101.

(HSCR 1639)

HR 77, HD1

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, RESTORATION OF. See SCR 100.

(HSCR 1649)

HR 78

PROPERTY TAXES, FROZEN FOR HOMEOWNERS ON FIXED INCOMES WHO ARE UNABLE TO PAY HIGHER TAXES. Resolves that each of the counties develop a fair

arrangement whereby property taxes are frozen for homeowners on fixed incomes who demonstrate, through means prescribed by the counties, an inability to pay higher property taxes.

Further resolves that if the homeowner whose property taxes were frozen sells the home for a profit within ten years of the date the taxes were frozen, the homeowner shall pay back to the county all taxes that had been frozen as of the date of the sale.

(HSCR 1682)

HR 80

STATE CAPITOL, FEASIBILITY OF INSTALLING A WIRELESS FIDELITY INTERNET NETWORK SYSTEM AT. Requests the Department of Accounting and General Services to study the feasibility of installing a wireless fidelity internet network system in the State Capitol.

Further requests that the study include but not be limited to issues such as cost, accessibility, compatibility with existing computer networks, security, and other information that the Department of Accounting and General Services deems appropriate.

Further requests the Department to consult the leadership of the Senate and House of Representatives on the wireless fidelity needs of the Legislature.

Further requests the Department to submit its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1696)

HR 82

MOLOKINI UNIT AT MAUI MEMORIAL CENTER, REOPENING OF. Urges the Department of Health to assist the Maui Memorial Medical Center in reopening the Molokini unit by compensating private child and adolescent psychiatrists who take calls at Maui Memorial Medical Center to enhance the recruitment and retention of a child and adolescent psychiatrist hospitalist.

Further urges the Department to reallocate existing funds to compensate physicians taking calls in this area so that the Molokini unit can be opened expeditiously.

(HSCR 1439, 1685)

HR 83, HD1

STATE CAPITOL PARKING FOR THE PUBLIC, STUDY OF. Requests the Legislative Reference Bureau to conduct a study of public parking at the Capitol and address issues including:

- (1) The number of people that visit the Capitol during the first six months of the calendar year;
- (2) The purpose of such Capitol visits (for example, to attend hearings, briefings, or meetings);
- (3) The number of public parking stalls available in the Capitol underground parking facility; and
- (4) How more public parking facilities could be made available to the public.

Further requests the Department of Accounting and General Services, Capitol Security, and other relevant departments and agencies to cooperate with and assist the Bureau in obtaining information necessary to address Capitol public parking issues.

Further requests the Bureau to submit a report of any findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1698)

HR 84

BROWN TREE SNAKES, FUNDING TO PREVENT IMPORTATION INTO THE UNITED STATES. Requests Hawaii's Congressional Delegation to introduce and support legislation and provide funding that will prevent brown tree snakes from being imported into the United States.

Resolves that federal funding be provided in an amount that will ensure that the ecological and economic disasters that have taken place in Guam due to the brown tree snake do not occur elsewhere in Hawaii or the other United States.

(HSCR 1660)

HR 85, HD2

STATE CULTURAL PUBLIC MARKET ON OAHU, ESTABLISHMENT OF. See SR 46.

(HSCR 1431, 1719)

HR 96

BED AND BREAKFAST HOMES AND TRANSIENT VACATION RENTALS, REGULATION OF. Requests the City and County of Honolulu, the County of Hawaii, the County of Maui, and the County of Kauai, to determine and establish appropriate regulatory requirements for bed and breakfast homes and transient vacation units in their respective counties, including the consideration of imposing a licensing fee to support the enforcement of county policy.

Further requests each county to submit a report to the Legislature, no later than twenty days prior to the convening of the Regular Session of 2006, describing its action plan to institute such regulating requirements.

(HSCR 1307)

HR 100, HD1

SOCIAL SECURITY, PRIVATIZATION OF. Urges President George W. Bush to reconsider his plans to hurriedly enter into a Social Security privatization plan.

Further urges President George W. Bush to carefully study the effects that privatization may have on the basic purpose of Social Security, and on the welfare of current and future beneficiaries, and to consider privatization within a comprehensive review of alternative methods of adjusting Social Security, such as raising the retirement age, increasing the maximum annual earnings subject to Social Security tax, and helping more individuals establish supplementary private pension and retirement savings accounts.

(HSCR 1477)

HR 104

PUBLIC EDUCATION SYSTEM FROM PRESCHOOL TO UNIVERSITY LEVEL, ESTABLISHING A FEDERALLY FUNDED. Urges the Congress of the United States to pass legislation for a federally funded, high quality public education system from the preschool to university level.

(HSCR 1469)

HR 108, HD1

BIOLOGICAL RESOURCES, COMMERCIAL DEVELOPMENT OF. See HCR 146.

(HSCR 1419, 1687)

HR 113, HD1

GLOBAL YOUTH CENTER IN HAWAII, ESTABLISHMENT OF. See HCR 151.

(HSCR 1397)

HR 115

NOISE POLLUTION, REGULATION OF. Requests the Director of Health to convene a task force to conduct a comprehensive review of existing noise regulations and to develop a comprehensive plan to address noise pollution.

Further requests the Department of Health to include in the task force representatives from the Honolulu Liquor Commission, Department of Health, Department of Land and Natural Resources, Department of Transportation, Hawaiian Humane Society, and Honolulu Police Department.

Further requests the task force to submit a report to the Legislature no later than twenty days prior to the Regular Session of 2006, on its plan, including the following:

- (1) Findings and specific recommendations;
- (2) How agencies responsible for enforcement can be better equipped to address noise complaints; and
- (3) A detailed timeline for the implementation of the plan.

(HSCR 1655)

HR 121

HUMANITARIAN VISAS, EASING THE RESTRICTION ON. Requests the Congressional Delegation of the State of Hawaii to support humanitarian visas and the easing of restrictions that precipitate the issuance of such visas for the benefit of the citizens of the United States.

(HSCR 1459)

HR 122

KAPIOLANI COMMUNITY COLLEGE ADDITIONAL PARKING FACILITY, BUILDING OF. Requests the students of Kapiolani Community College to report their findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1466)

HR 123, HD1

CERVICAL CANCER, PREVENTION OF. Requests that the members of the Women's Caucus, who are concerned about increasing information about the understanding of cervical cancer and wish to support the mission of the Department of Health, Office of Comprehensive Cancer Control, to form action groups to disseminate information focusing on the elimination of cervical cancer in Hawaii within the next ten years.

Further requests the American College of Obstetricians and Gynecologists, the Department of Health, the Office of Comprehensive Cancer Control, and the Hawaii Comprehensive Cancer Control Coalition, to provide the appropriate information to the Women's Caucus to disseminate to the community.

Further requests the Governor to establish the Hawaii Cervical Cancer Elimination Task Force to consist of 22 members.

Resolves that the Director of Health, Med-Quest Administrator, Chairperson of the Hawaii Women's Caucus, and Executive Director of the Hawaii State Commission on the Status of Women, or their respective designees, be members of the Task Force.

Further resolves that the Governor appoint additional members of the Task Force, from lists of nominees submitted by the President of the Senate, as follows:

- (1) One member of the Senate;
- (2) Two representatives from the Hawaii Women's Caucus;
- (3) A representative of a women's health organization;
- (4) A representative from the American Association of Pediatrics; and
- (5) A certified Department of Education school teacher.

Further resolves that the Governor appoint additional members of the Task Force, from lists of nominees submitted by the Speaker of the House of Representatives, as follows:

- (1) One member of the House of Representatives;
- (2) Two representatives from the Hawaii Women's Caucus;
- (3) A member of the Hawaii Cancer Research Center;
- (4) A member from the American College of Obstetricians and Gynecologists; and
- (5) A member from the health insurance industry.

Further resolves that the Governor appoint the following members of the Task Force:

- (1) A representative from the University of Hawaii;
- (2) The State Epidemiologist;
- (3) Two members at-large;
- (4) A media representative; and
- (5) A licensed registered nurse.

Further resolves that the Governor appoint the Chair of the Task Force from among its members.

Further resolves that the Task Force elect the Vice-Chair from among its members.

Further resolves that the Governor ensures, insofar as possible, that the members of the Task Force accurately reflect the diverse composition of Hawaii's population.

Further resolves that the Governor appoint all members of the Task Force no later than 30 days after the adjournment of the Regular Session of 2005.

Further resolves that the Task Force meet quarterly, or more frequently at the discretion of the Chair of the Task Force.

Further resolves that the Chair of the Task Force may establish committees to carry out special studies and may appoint persons outside of the Task Force to serve on committees as resource persons.

Further resolves that a majority of the Task Force constitutes a quorum for the transaction of its business.

Further resolves that the Task Force:

- (1) Prepare a statistical and qualitative examination of the prevalence and burden of cervical cancer;
- (2) Raise public awareness of the causes and nature of cervical cancer, personal risk factors, value of prevention and early detection, options for testing, treatment costs, new technology, medical care reimbursement, and physical education;
- (3) Identify priority strategies, new technologies, or newly introduced vaccines that are effective in preventing and controlling cervical cancer;
- (4) Identify and examine the limitations of existing laws, rules, programs, and services with regard to coverage and awareness of cervical cancer;
- (5) Educate and urge medical providers to make educational information available to patients about human papillomavirus and prevention of cervical cancer;
- (6) Develop and promote a statewide comprehensive Cervical Cancer Prevention Plan, including strategies for implementing the Plan;
- (7) Secure specific commitments from, and facilitate coordination and communication among, state and local agencies, organizations, businesses, and other entities regarding current or future involvement in implementing and promoting the Plan or achieving other objectives of the Plan; and
- (8) Receive and consider reports and testimony from individuals, county health agencies, community-based organizations, voluntary health organizations, and other public and private organizations statewide to learn about their activities and ideas for improvement with respect to cervical cancer diagnosis, prevention, and treatment.

Further resolves that the Task Force, beginning in 2006, submit an annual report to the Legislature and the Governor no later than twenty days prior to the convening of each Regular Session that addresses:

- (1) Progress made by the Task Force in developing the Plan;
- (2) The anticipated time needed to complete the Plan; and
- (3) Recommended strategies or actions to reduce the occurrence of, and burdens caused by, cervical cancer.

Further resolves that the Task Force dissolve itself on June 30, 2010.

(HSCR 1447, 1694)

HR 125, HD1

UNIVERSITY OF HAWAII BUILDINGS, ENERGY PERFORMANCE STANDARDS FOR.
See HCR 166.

(HSCR 1457)

HR 126

TAX ON THE FAIR MARKET VALUE OF IMPROVEMENTS ON A LEASEHOLD PROPERTY, FEASIBILITY OF. Requests the Department of Taxation, with the assistance of the Attorney General, to consider the legality, equity, and feasibility of the imposition of a tax on the fair market value of all improvements on a leasehold property that revert to the ownership of the lessor upon the termination of a commercial or industrial lease.

Further requests the Department to estimate the amount of additional revenue to the State that the imposition of this proposed tax may realize.

Further requests the Department to review other state laws to determine whether a similar tax is imposed in other jurisdictions.

Further requests the Department to report its findings and recommendations, including any proposed legislation, to the Legislature no less than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1690)

HR 130, HD1

PRESCHOOLS, REGULATION OF. See HCR 175.

(HSCR 1346, 1643)

HR 135, HD1

HAWAII STATE PLANNING ACT, REVIEW OF. Requests the State Office of Planning to convene a sustainable natural resource development task force to develop an action plan to:

- (1) Review and make recommendations on amending and implementing the Hawaii State Planning Act with the purpose of incorporating sustainable natural resource development at all levels of government; and
- (2) Determine how to:
 - (A) Reframe the Act establishing a new set of goals based on sustainable development of natural resources;
 - (B) Develop new principles based on sustainable natural resource development to guide the State; and
 - (C) Gather data, technical, and other assistance.

Further requests the task force to include as members the following:

- (1) One member from each house of the Legislature to be appointed by the presiding officer of each house;
- (2) The Director of the State Office of Planning, or the Director's designee;
- (3) The Chairperson of the Board of Land and Natural Resources, or the Chairperson's designee;

- (4) The Chairperson of the Board of Agriculture, or the Chairperson's designee; and
- (5) Three members from the University of Hawaii, with one appointed by the Environmental Center, one appointed by the Department of Urban and Regional Planning, and one appointed by the School of Architecture.

Encourages members of the task force to seek input from private citizens, university and high school students, business and non-profit organizations, the native Hawaiian community, the academic community, the media, and the county planning departments.

Further requests the Department of Land and Natural Resources, the Department of Agriculture, the Department of Business, Economic Development and Tourism, and the University of Hawaii to assist the Office of Planning with staffing and other resources as may be required to prepare the action plan.

Further requests the task force to submit the action plan to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1637)

HR 140, HD1

DEPARTMENT OF EDUCATION'S BUDGET, COST BREAKDOWN ANALYSIS OF. Requests the Department of Education to provide a cost breakdown analysis of the budget amount allocated to the Department, representing 28 per cent of Department funding that is not included in the weighted student formula or the non-discretionary funds.

Further requests the Department to include a cost breakdown by individual school and by budget item or service, to the degree that the funds allocated to the Department are allocated to individual schools.

Further requests the Department to report the cost breakdown and any other findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1462)

HR 141, HD1

REPUBLIC OF THE MARSHALL ISLANDS, FUNDING AID, STUDIES, AND PUBLIC HEARINGS FOR THE VICTIMS OF NUCLEAR TESTS. Urges the President of the United States and the Congress of the United States to seek proper funding for medical care and compensation of nuclear victims who are residents of the Republic of the Marshall Islands, and for the development and decontamination of the affected Marshall Islands communities.

Requests the federal government to immediately step up their efforts to screen the health of exposed Marshall Islands populations and in particular, all newborn infants, now and in the future, that may suffer the long-term effects of exposure to radioactive fallout caused by atomic and hydrogen bomb testing conducted by the United States.

Further urges the federal government to finance and commission a comprehensive independent health study to conclusively determine the impact of sustained exposure to high level and low level radiation; provided that the scope or duration of such health studies is requested to include the likelihood of chromosome damage and the likely emergence of genetic deformities in future generations.

Encourages the federal government to establish health centers in the Republic of the Marshall Islands, and to finance and provide resources necessary to sustain health care adequate to the needs of nuclear victims that are Marshall Island residents.

Further requests the Congress of the United States to hold public hearings on the Change of Circumstances Petition both in Majuro, Republic of the Marshall Islands, and in Washington D.C., and to allow representatives of the nongovernmental organizations from Enewetak, Rongelap, Utrik, and Bikini to testify.

(HSCR 1653)

HR 144

HISTORICAL MAPS, STATE'S, PRESERVATION OF. Urges the University of Hawaii to partner with the Department of Land and Natural Resources to preserve the state's historical maps through digital mapping.

Resolves that the work of the partnership should also include the digitization of maps of ceded lands and maps located in or being stored by the Map Survey Room, Commission Records, Bureau of Conveyances, Hawaii State Archives, Hawaiian Historical Society, Bishop Museum, Kamehameha Schools, and other selected private collections.

Further resolves that in their work, the University and the Department should also collaborate with other entities from within the University, including representatives from:

- (1) The Kamakakuokalani Center for Hawaiian Studies;
- (2) The Department of Geography;
- (3) Hamilton Library; and
- (4) The William S. Richardson School of Law.

(HSCR 1425, 1700)

HR 154, HD1

HOME AND COMMUNITY BASED SERVICES WAIVER PROGRAM, PROGRESS REPORT ON. Requests the Developmental Disabilities Division of the Department of Health to submit a progress report on the results of the audits and reviews with respect to the home and community based services waiver program for individuals with developmental disabilities or mental retardation.

Further requests the Department to report results of the audits and reviews, and its own findings and recommendations, including any necessary proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1453, 1702)

HR 155, HD1

EVEN START FAMILY LITERACY PROGRAM, FUNDING FOR. See HCR 208.

(HSCR 1464)

HR 159, HD1

ELECTRICITY, PHOTOVOLTAIC AND PETROLEUM BASED, EXAMINATION OF. Requests the Department of Business, Economic Development, and Tourism to prepare a report examining and discussing:

- (1) The historical price trend for photovoltaic electricity use in Hawaii and the mainland United States;
- (2) The historical price trend for utility-provided electricity in Hawaii;
- (3) The date when these two trends are likely to converge; and
- (4) A sensitivity analysis of the previous trends for both financed and non-financed photovoltaic systems, a high and low future price of petroleum, and other factors as determined by the Department.

Further requests the Department to submit its report, including findings and any recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1343, 1705)

HR 162

SMOKE-FREE STATE, STEPS TO MAKE THE STATE OF HAWAII. See SCR 196.

(HSCR 1479)

HR 166, HD1

WATER QUALITY STANDARDS AND PRACTICES FOR UPCOUNTRY MAUI, REVIEW OF. Requests the Department of Health to review and strengthen its water quality standards and practices in upcountry Maui, including standards and practices for public notification on Maui by water systems administrators.

Further requests the Director of Health to solicit the assistance of the United States Environmental Protection Agency as necessary.

Further requests the Director to report findings and recommendations to the Legislature, including any necessary proposed legislation, no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1441, 1707)

HR 168, HD1

AFFORDABLE HOUSING AND HOMELESS PROBLEM, REPORT ON. Resolves that this body establishes a temporary legislative task force in the House of Representatives to conduct fact-finding hearings and investigations to further identify near-term solutions to Hawaii's affordable housing and homeless problem.

Further resolves that the task force consist of twelve members appointed by the Speaker of the House of Representatives and chaired by the Chair of the House of Representatives Committee on Housing.

Further resolves that the task force work with appropriate state and county agencies, private developers, private nonprofit organizations serving the homeless and low-income population, members of the real estate and financial institutions industries, and other appropriate business and community groups to determine:

- (1) The inventory of all state lands used for low-income and public housing, the condition of public housing units on the lands, and whether other state lands and properties are available and suitable for the development of transitional shelters for the homeless or low-income rental housing;
- (2) The inventory and condition of all public and private low-income rental housing units;
- (3) The number of decommissioned units still in existence and if those units could possibly be used for low-income rental housing or homeless shelters if they are repaired or renovated;
- (4) Strategies for public partnerships with private and nonprofit entities to renovate housing units and develop low-income rental housing and homeless facilities, and to maintain adequate levels of affordable rental housing units in perpetuity;
- (5) Strategies and incentives for public partnerships with private and nonprofit entities to develop moderate income affordable ownership homes and lower income rental units;
- (6) Strategies to streamline the permitting and approval process and address infrastructure barriers to development of new housing projects;
- (7) The role the Land Use Commission should play in the approval process for affordable housing projects; and
- (8) Other matters relating to housing and the homeless that the task force deems appropriate.

Further requests the task force to submit a report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1648)

HR 178, HD1

NO CHILD LEFT BEHIND ACT, AMENDMENT OF. See HCR 245.

(HSCR 1312)

HR 179

NO CHILD LEFT BEHIND ACT, INCREASING FEDERAL FUNDING AND STATE FLEXIBILITY. Requests the President and the Congress of the United States to:

- (1) Substantially increase federal funding for the No Child Left Behind Act of 2001 in amounts consistent with the level of programs and systems needed to accurately reflect student, school, and school district performance and to pay the costs of making students proficient;
- (2) Allow the states greater flexibility in meeting adequate yearly progress provisions;
- (3) Allow the states flexibility in determining the percentage of special education students who can be tested according to their ability, not their grade level;
- (4) Allow the states to determine the appropriate time to use native language tests and English only tests;
- (5) Allow the states greater flexibility in determining whether certain teacher categories, such as special education teachers, are highly qualified;
- (6) Allow the states to decide the order of interventions when a school is identified as being in need of improvement;
- (7) Recognize that, under our federal system of government, education is primarily a state and local responsibility and that Hawaii should control its public education budget and allocate education dollars according to its priorities and needs, driven by decision making of Hawaii's Board of Education;
- (8) Develop a transparent and uniform process for considering waiver applications;
- (9) Reexamine the financial consequences for states that would choose not to participate; and
- (10) Conduct an implementation study, including Congressional hearings to be completed by July 1, 2006, regarding federal and state funding, adequate yearly progress provisions, and other significant provisions of the Act.

(HSCR 1314)

HR 180

EDUCATION SERVICE PROVIDER, ACCOUNTABILITY OF. See SCR 191.

(HSCR 1316)

HR 193, HD1

REAL ESTATE APPRAISERS, TRAINING TO USE INCOME CAPITALIZATION APPROACH TO SET LEASE RENT RATES FOR STATE AGRICULTURAL LEASE REOPENING. See HCR 262.

(HSCR 1433, 1710)

HR 194

AGRICULTURAL DIVERSIFICATION, SUCCESSFUL COEXISTENCE OF. See SCR 208.

(HSCR 1664)

HR 196, HD1

SOCIAL WORKERS, CLASSIFICATION OF. See HCR 265.

(HSCR 1667)

HR 197, HD1

MARINE RESOURCES, DISCUSSIONS ON THE DEPLETION OF. Authorizes the House Committee on Water, Land, and Ocean Resources, together with Department of Land and Natural Resources to meet with marine resource stakeholders on all islands to discuss the problem of Hawaii's depleting marine resources and the need to adopt measures that would ensure the viability of Hawaii's ocean marine resources for present and future generations.

Resolves that the discussion include, but not be limited to, a review of the various types and levels of marine managed areas employed throughout the world as well as their level of effectiveness.

(HSCR 1530)

HR 198, HD1

PUBLIC EMPLOYEES NOT RECEIVING HEALTH BENEFITS, REPORT ON. Requests the Department of Human Resources Development (DHRD), the Judiciary, Department of Education, University of Hawaii, and the Hawaii Health Systems Corporation to report on the number of employees under their respective jurisdictions who:

- (1) Are considered part-time employees;
- (2) Are considered "eighty-nine-day emergency" hires;
- (3) Occupy a position that is at least half of a full-time equivalent position and who work less than 20 hours a week; and
- (4) Are not receiving health or pension benefits.

Resolves that each of the above referenced jurisdictional entities provide the following additional information to DHRD:

- (1) The length of time eighty-nine-day emergency hires are retained on average;
- (2) Whether these employees are receiving benefits from another source; and
- (3) If benefits are being received, what the source is (whether it is through a pension plan, Quest (Medicaid), or through a spouse's employment or pension system).

Further requests each jurisdiction to transmit the information requested under this measure to DHRD and requests DHRD to compile the information into a single report.

Further requests DHRD to report the combined findings and any recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 1475)

HR 199, HD1

CIVIL SERVICE EXEMPT POSITIONS, REPORTS ON. See HCR 270.

(HSCR 1471)

HR 201, HD1

VOLUNTEERS IN THE SCHOOLS, RECOGNITION OF. See SR 103.

(HSCR 1645)

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DEPARTMENT OF HUMAN SERVICES BUDGET INFORMATION, POSTING OF. See HCR 278.

(HSCR 1405, 1714)

HR 208

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(HSCR 1534)

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