

BILLS PASSED

BY THE

HAWAII STATE LEGISLATURE

REGULAR SESSION OF 2006

SHOWING ACTIONS TAKEN AS OF

May 4, 2006

Prepared by the:



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

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

FOREWORD

This publication contains brief descriptions of all bills passed by the Hawaii State Legislature during the Regular Session of 2006. We have included such data as the bill number, title, introducer, description, committee reports, current status, and sections of the Hawaii Revised Statutes affected by the bill. This publication reflects data recorded up to and including May 4, 2006, which is the date that the Legislature adjourned sine die. For your information, under Article III, Section 16 of the Hawaii State Constitution, the Governor has 45 days after adjournment sine die (not counting Saturdays, Sundays, and holidays), to consider bills for approval.

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

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

Ken H. Takayama
Acting Director
Legislative Reference Bureau

May 2006

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

SOURCE	CONTACT	HOURS	COST
All public libraries. See www.librarieshawaii.org or listing in white pages: State Government, Dept. of Education	Reference Desk	Different for each library. Call to inquire.	Electronic access via the internet only. Optional 10¢/page donation for printout.
Hawaii State Archives Iolani Palace Grounds Honolulu 96813 Phone: 586-0329	Reference Archivist	Monday - Friday 9:00 am - 4:00 pm	Copies of 2005 - 2006 bills, committee reports, resolutions, and concurrent resolutions will be available after December 2006. No charge for local govt. agencies. For private individuals – 25¢/page. Postage charge for any mailings.
Senate Printshop State Capitol Room 012A Honolulu 96813 Phone: 586-6755	Tia Lobendahn or Senate Clerk's office	Monday - Friday 8:00 am - 4:30 pm	Free for reasonable quantities. Will fax 10 pages or less and mail reasonable quantities.
House Clerk's Office State Capitol Room 027 Honolulu 96813 Phone: 586-6400	Anyone	Monday - Friday 8:00 am - 5:00 pm	General public – free. Pick up in House Clerk's office. Mail and fax requests received for reasonable quantities.
Lieutenant Governor State Capitol 5 th Floor Honolulu 96813 Phone: 586-0255	Dawn	Monday - Friday 7:45 am - 4:30 pm	10¢/page
Supreme Court Law Library 417 S. King Street, Rm. 115 Honolulu 96813 Phone: 539-4964	Front Desk	Monday - Friday 7:45 am - 4:15 pm	15¢/page (self-service). Will mail to attorneys on neighbor islands if unavailable at county circuit court libraries for 15¢/page plus \$2 handling charge plus postage (prepayment with cashier's check or money order required).
William S. Richardson School of Law Library 2525 Dole Street Honolulu 96822 Phone: 956-7583	Circulation Desk	Different hours depending on time of year. Call to inquire.	7¢/page (with UH debit card — \$1 fee for card) Acts only.

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

SOURCE	CONTACT	HOURS	COST
<i>Hawaii</i>			
All public libraries. See www.librarieshawaii.org or listing in white pages: State Government, Dept. of Education	Reference Desk	Different for each library. Call to inquire.	Electronic access via the internet only. Optional 10¢/page donation for printout.
Third Circuit Court Law Library - Hilo State Office Building, Room 206 75 Aupuni Street Hilo 96720 Phone: 961-7438	Debbie	Monday - Friday 7:45 am - 4:30 pm	10¢/page (self service) 15¢/page via usage of the internet
Third Circuit Court Law Library - Kona Keakealani Building (Old Kona Hospital) 79-1020 Haukapila Street Kealahou 96750 Phone: 322-8729	Carol	Monday - Friday 7:45 am - 4:15 pm	10¢/page (self service) 15¢/page via usage of the internet
<i>Kauai</i>			
All public libraries. See www.librarieshawaii.org or listing in white pages: State Government, Dept. of Education	Reference Desk	Different for each library. Call to inquire.	Electronic access via the internet only. Optional 10¢/page donation for printout.
Fifth Circuit Court Law Library - Kauai 3970 Kaana Street, Suite 100 Lihue 96766-1281 Phone: 482-2327	Rhonda	Monday - Friday 7:45 am - 4:15 pm Closed 12:00 - 1:00 pm	15¢/page (self service) or via usage of the internet
<i>Maui</i>			
All public libraries. See www.librarieshawaii.org or listing in white pages: State Government, Dept. of Education	Reference Desk	Different for each library. Call to inquire.	Electronic access via the internet only. Optional 10¢/page donation for printout.
Second Circuit Court Law Library - Maui Judiciary Complex, Room 207 2145 Main Street Wailuku 96793 Phone: 244-2959	Service Center Rm. 141	Monday - Friday 7:45 am - 4:30 pm	15¢/page (self service) or via usage of the internet

SENATE BILLS THAT PASSED THE LEGISLATURE

- SB0218 SD4 HD1 CD2 (SENATE FLOOR AMENDMENT 13 OR HOUSE FLOOR AMENDMENT 5) RELATING TO HEALTH.
Introduced by: Hanabusa C
Appropriation to the department of health to establish the emergency medical technician training stipend program to remedy the shortage of mobile intensive care technicians / paramedics in Hawaii and to assist, through a state qualified mobile intensive care technicians program, 10 students per year who are public or private paramedics and currently do not have access to a training stipend program. -- Appropriation to the department of health to provide funding for helicopter medical transport services for the island of Oahu. Provides that the priority for the department to procure the medical transport services shall be working with the department of defense; working with the city and county of Honolulu; or purchase of service. (\$\$) -- SB0218 CD2
Committee Reports: SSCR 2004 (HTH) SSCR 2383 (HTH) SSCR 2741 (WAM) - filed FLOOR AMENDMENT 4 HSCR 996-06 (HLT) HSCR 1662-06 (FIN) CCR 211-06 - filed SENATE FLOOR AMENDMENT 13 HOUSE FLOOR AMENDMENT 5
Current Status: May-04 06 Passed Legislature
- SB0427 SD1 HD1 CD1 (CCR 12-06) RELATING TO CHILD PASSENGER SAFETY.
Introduced by: Inouye L
Amends provisions relating to child passenger restraints (car seat). Provides that a child 4 years of age or older but less than 8 years of age must be restrained in a child safety seat or booster seat. Provides exemptions for a child who is over 4 feet 9 inches in height or is over 40 pounds and traveling in a motor vehicle equipped only with lap belts in the rear seat, without shoulder straps if the child is restrained by a state belt assembly. -- SB0427 CD1
Committee Reports: SSCR 92 (TGO) SSCR 706 (JHW) HSCR 1167 (TRN) HSCR 1483-06 (JUD) CCR 12-06
Current Status: May=02 06 Passed Legislature
Section Affected: 291-11.5, 291-11.6
- SB0439 HD2 CD1 (CCR 123-06) RELATING TO ADMINISTRATIVE FINES UNDER THE STATE ETHICS CODE.
Introduced by: Bunda R (BR)
Establishes provisions relating to administrative fines. Provides that where an administrative fine has not been established for the violation of the standards of conduct law, a legislator, employee, or person in violation, shall be subject to an administrative fine imposed by the ethics commission that shall not exceed 500 dollars for each violation. -- SB0439 CD1
Committee Reports: SSCR 624 (JHW) HSCR 1162 (JUD) HSCR 1622-06 (FIN) CCR 123-06
Current Status: May-02 06 Passed Legislature
Section Affected: 84- (1 SECTION), 84-17
- SB0467 SD2 HD2 CD1 (CCR 124-06) RELATING TO CORRECTIONS.
Introduced by: Chun Oakland S, Fukunaga C, Kim D
Establishes parity for female offenders law. Provides that adult females convicted of crimes and juvenile females adjudicated for offenses that would be crimes if committed by an adult shall be provided a range and quality of programming equivalent to programming offered to male persons similarly situated. Further provides that within the limits of money specifically appropriated, the director of public safety shall provide model gender responsive programs for female offenders that respond to statewide needs and geographical areas and award grants for the programs. Provides that programs shall respond in a rehabilitative way to the type of offenses female offenders generally commit; respond to the problems of female offenders with dependent children; respond to the importance of developing independent living and marketable job skills; assist female offenders to overcome their own extreme degree of dependency; respond appropriately to the specific health care needs of girls and women including mental health and substance abuse services; and offer technical assistance and training toward the implementation of other similar programs. Requires the director of public safety to make grants in aid to private agencies electing to participate in the grant program to encourage cooperation and assist agencies that have existing programs for female offenders and to encourage agencies to develop and implement new programs. Requires the director of the office of youth services to foster a gender responsive environment by providing model gender responsive programs for juvenile females under its jurisdiction that respond to statewide needs and geographical areas and shall award grants for the programs. Requires the department of public safety and the office of youth services to annually report to the legislature. -- Establishes provisions relating to

SENATE BILLS THAT PASSED THE LEGISLATURE

gender responsive community based programs for female adjudicated youths and women. Provides that within the limits of money specifically appropriated, the office of youth services and the department of public safety shall make available programs for female adjudicated youths and women offenders by providing the appropriate range of opportunities to ensure that their needs are met. Provides that the programming shall include program models designed to address women's needs; appropriate treatment; individualized case management to help women offenders set and achieve goals; life skills development workshops; family focused programming; peer support and the development of peer networks; highly skilled staff experienced in working with women and their concerns; formal recognition of participant achievement; ongoing attention to building community based support; assistance for those offenders needing to develop a marketable job skill; geographical proximity to children and family; preparation of female adjudicated youths for the resumption of their education; and the goal of providing a gender responsive continuum of care. Appropriation to the department of public safety and the office of youth services for gender responsive community based programs for women and female adjudicated youths. (\$\$) -- SB0467 CD1

Committee Reports: SSCR 454 (JHW) SSCR 965 (WAM) HSCR 1265 (JUD) HSCR 1580 (FIN) CCR 124-06

Current Status: May-02 06 Passed Legislature

Section Affected: (8 SECTIONS) PARITY FOR FEMALE OFFENDERS, 352- (1 SECTION), 353- (1 SECTION)

SB0475 SD2 HD1 CD1 (CCR 176-06) RELATING TO PUBLIC ASSISTANCE.

Introduced by: Chun Oakland S, Baker R

Amends provisions relating to public assistance determination of amount of assistance. Provides that these provisions shall apply to general assistance to households with minor dependents and the standard of need shall equal the poverty level established by the federal government in 2006, prorated over a 12 month period, based on family size. Provides that for exempt households and households in which all caretaker relatives are minors, living independently with minor dependents and attending school, the assistance allowance shall be set no higher than 62 1/2 per cent and no lower than 44 per cent of the standard of need. For all other households, the assistance level shall be set no lower than 34 per cent of the standard of need. Requires that the standard of need shall be determined by dividing the 2006 federal poverty level by 12 and rounding down the quotient. Report to legislature. -- SB0475 CD1

Committee Reports: SSCR 148 (HMS) SSCR 822 (WAM) HSCR 1246 (HUS) HSCR 1654-06 (FIN) CCR 176-06

Current Status: May-02 06 Passed Legislature

Section Affected: 346-53

SB0486 SD2 HD1 CD1 (CCR 133-06) RELATING TO CHILDREN AND YOUTH.

Introduced by: Chun Oakland S, Kanno B

Appropriation to the department of education for non school hour programs (A+, A-plus, A plus) for kindergarten through 12th grades; to the department of human services for the office of youth services for nonschool hour programs for children and youth enrolled in school; and to the department of parks and recreation of each county for nonschool hour programs for children and youth enrolled in school. Requires the counties to provide matching funds. Provides that moneys allocated shall not reduce existing funding for nonschool hour programs, and shall be awarded by the expending agencies only to nonschool hour programs that demonstrate a commitment to partnering with the public and private sectors and involve youth as active participants in all phases of program planning, implementation, and evaluation. Requires all programs that receive such moneys to meet each quarter with their community partners for program evaluation and improvement. Requires the office of youth services, the department of education, and the counties' parks and recreation departments to convene annually to share information on the best practices and outcomes. Annual report to the legislature by the office of youth services. (\$\$) -- SB0486 CD1

Committee Reports: SSCR 255 (HMS/ IGA/) SSCR 823 (WAM) HSCR 1247 (HUS) HSCR 1627 (FIN) CCR 133-06

Current Status: May-02 06 Passed Legislature

SB0695 HD1 CD1 (CCR 9-06) RELATING TO THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT.

Introduced by: Bunda R (BR)

Establishes the national crime prevention and privacy compact law. Provides that in order to facilitate the interstate exchange of criminal history information for noncriminal justice purposes, including but not limited to, background checks for the licensing and

SENATE BILLS THAT PASSED THE LEGISLATURE

screening of employees and volunteers, the National Crime Prevention and Privacy Compact is ratified and incorporated by reference as law of this State. Provides that the Hawaii criminal justice data center is the central repository of criminal history records for purposes of the compact and shall do all things necessary or incidental to carrying out the compact. -- SB0695 CD1

Committee Reports: SSCR 628 (JHW) HSCR 1459-06 (JUD/ LAB/) CCR 9-06

Current Status: Apr-28 06 Received by the Governor

Section Affected: NATIONAL CRIME PREVENTION AND PRIVACY COMPACT,
846- (1 SECTION)

SB0696 SD1 HD2 CD1 (CCR 108-06) RELATING TO CRIMINAL HISTORY RECORD INFORMATION.

Introduced by: Bunda R (BR)

Amends provisions relating to the Hawaii criminal justice data center; civil identification. Defines criminal history record check as a search by name using the state computerized criminal history record information system and by fingerprints using the state automated fingerprint identification system. Defines criminal history record name inquiry as a search by name, and other identifying information, using the state computerized criminal history record information system. Provides an exemption from fees for criminal history record checks conducted on adult volunteers of nonprofit charitable organizations having direct contact with the elderly or the disabled. Increases the fee for each criminal history record check to 20 dollars and adds a 20 dollar fee for criminal history record name inquiry. -- SB0696 CD1

Committee Reports: SSCR 133 (JHW) SSCR 980 (WAM) HSCR 1111-06 (JUD)
HSCR 1607-06 (FIN) CCR 108-06

Current Status: May-02 06 Passed Legislature

Section Affected: 846-1, 846-10.5

SB0706 SD2 HD2 CD1 (CCR 13-06) RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS.

Introduced by: Bunda R (BR)

Amends provisions relating to prohibitions involving minors. Provides that any adult who provides or purchases liquor for consumption or use by a person under 21 years of age shall be guilty of the offense of promoting intoxicating liquor to a minor. Requires the court to order that any person under 21 years of age who violates liquor provisions shall have the person's license to operate a motor vehicle or the person's ability to obtain a license to operate a motor vehicle suspended as follows, for licensed drivers, the driver's license shall be suspended for not less than 180 days; for persons not licensed to drive, eligibility to obtain a driver's license shall be suspended until the age of 18 or for 180 days, whichever period is longer. -- Amends provisions relating to promoting intoxicating liquor to a minor to a person under the age of 21. Provides that a person, including any licensee, commits the offense of promoting intoxicating liquor to a person under the age of 21 if the person knowingly sells or offers for sale, influences the sale, serves, delivers, or gives to a person intoxicating liquor, and the person receiving the intoxicating liquor is a person under the age of 21; or permits a person to possess intoxicating liquor while on property under his control, and the person possessing the intoxicating liquor is a person under the age of 21. -- SB0706 CD1

Committee Reports: SSCR 405 (TGO) SSCR 708 (JHW) HSCR 1168 (TRN) HSCR
1127-06 (JUD) CCR 13-06

Current Status: May=02 06 Passed Legislature

Section Affected: 281-101.5, 712-1250.5

SB0743 SD2 HD2 CD1 (CCR 31-06) RELATING TO THE UNIFORM SECURITIES ACT.

Introduced by: Bunda R (BR)

Repeals and replaces the uniform securities act. -- SB0743 CD1

Committee Reports: SSCR 610 (CPH) SSCR 694 (JHW) HSCR 1091 (CPC/ JUD/)
HSCR 1657-06 (FIN) CCR 31-06

Current Status: May=02 06 Passed Legislature

Section Affected: (48 SECTIONS) UNIFORM SECURITIES ACT, 26-9, 26-14.6,
92-28, 303-2, 412:3-210, 412:5-205.7, 412:10-502, 417E-1,
417E-5, 417E-6, 417E-11, 421C-36, 431:4-113, 514E-19,
806-83, 485-1, 485-2, 485-3, 485-4, 485-4.5, 485-5, 485-6,
485-7, 485-8, 485-9, 485-10, 485-11.5, 485-12, 485-13, 485-14,
485-14.2, 485-14.3, 485-14.5, 485-15, 485-15.5, 485-16, 485-17,
485-18, 485-18.7, 485-19, 485-20, 485-20.5, 485-21, 485-22,
485-23, 485-24, 485-24.5, 485-24.6, 485-25

SB0744 SD2 HD1 (HSCR 1561-06) RELATING TO BUSINESS REGISTRATION.

SENATE BILLS THAT PASSED THE LEGISLATURE

Introduced by: Bunda R (BR)

Establishes provisions relating to personal liability and penalty under the uniform limited partnership act. Provides that every general partner who neglects or fails to comply with any provision shall severally forfeit to the State 25 dollars for each month the neglect or failure continues. Authorizes the director of the department of commerce and consumer affairs with good cause shown to reduce or waive same. Provides for penalties of a class C felony for any person who knowingly signs or certifies as correct any statement or certificate filed that is false in any material. Further provides that any person who negligently but without intent to defraud any statement that is false will be punished by a fine not exceeding 500 dollars. -- Amends provisions relating to the Hawaii revised business corporation act, non profit corporation act, agricultural corporation act, partnerships, and uniform limited liability company act. -- SB0744 HD1

Committee Reports: SSCR 23 (CPH) SSCR 727 (JHW) HSCR 1039 (EDB) HSCR 1561-06 (JUD)

Current Status: May=02 06 Passed Legislature

Section Affected: 425E- (1 SECTION), 414-3, 414-64, 414-314, 414-315, 414-318, 414-402, 414-436, 414D-14, 414D-74, 414D-203, 414D-249, 414D-250, 421-1, 421-21.6, 425-12, 425-21, 425-101, 425-158, 425E-102, 425E-201, 425E-211, 425E-801, 425E-809, 425E-810, 425E-811, 425E-901, 425E-902, 425E-905, 425E-1107, 425E-1204, 428-101, 428-110, 428-811, 428-905, 428-1005

SB0785 SD2 HD2 (HSCR 1608-06)

RELATING TO PUBLIC MEETINGS.

Introduced by: Bunda R (BR)

Amends provisions relating to meetings by videoconference. Requires a meeting held by videoconference to be terminated if, after the meeting convenes, both the audio and video communication cannot be maintained with all locations where the meeting is being held, even if a quorum of the board is physically present in 1 location. Allows for the meeting by audio communication to proceed if all visual aids required by, or brought to the meeting by, board members or member of the public have already been provided to all meeting participants at all videoconference locations or all participants are able to readily transmit visual aids to all other participants at all other locations where the meeting is being held, if copies of visual aids are not available to all locations then those specific agenda items related to the visual aids shall be deferred to the next meeting, and no more than 15 minutes elapse to implement these requirements. -- SB0785 HD2

Committee Reports: SSCR 518 (MAT) SSCR 748 (JHW) HSCR 1112-06 (JUD) HSCR 1608-06 (FIN)

Current Status: May=02 06 Passed Legislature

Section Affected: 92-3.5

SB0819 SD1 HD1 CD1 (CCR 186-06)

RELATING TO THE HAWAII HISTORIC PRESERVATION SPECIAL FUND.

Introduced by: Bunda R (BR)

Amends provisions relating to Hawaii historic preservation special fund. Requires penalties, fines and other administrative charges collected to be deposited into the fund. Provides that, subject to legislative authorization, the department of land and natural resources may expend the money from the fund for administrative and operational costs of the historic preservation program. -- SB0819 CD1

Committee Reports: SSCR 365 (MAT) SSCR 884 (WAM) HSCR 1029 (WLO) HSCR 1601 (FIN) CCR 186-06

Current Status: May=02 06 Passed Legislature

Section Affected: 6E-16

SB0826 HD2 CD1 (CCR 32-06)

RELATING TO CHILD ABUSE.

Introduced by: Bunda R (BR)

Amends provisions relating to child abuse reports. Provides that if employees or officers of the department of public safety in their professional or official capacity, have reason to believe that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future, they shall immediately report the matter orally to the department of human services or to the police. Redefines police officer to include an employee authorized by the director of public safety. -- SB0826 CD1

Committee Reports: SSCR 108 (HMS) SSCR 701 (JHW) HSCR 1239 (PSM) HSCR 1128-06 (JUD) CCR 32-06

Current Status: May=02 06 Passed Legislature

Section Affected: 350-1.1, 587-2

SENATE BILLS THAT PASSED THE LEGISLATURE

- SB0845 SD2 HD2 CD1 (CCR 141-06) RELATING TO COMMERCIAL DRIVER LICENSING.
Introduced by: Bunda R (BR)
Establishes provisions relating to hazardous materials endorsement. Prohibits the examiner of drivers to issue, renew, upgrade, or transfer a hazardous materials endorsement for a commercial driver's license to any individual unless the federal transportation security administration has determined that the individual does not pose a security risk. Defines tank vehicle to mean any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank that is either permanently or temporarily attached to the vehicle or the chassis. -- Exempts individual who operate commercial motor vehicles for military purposes from commercial driver's license. -- Establishes license disqualification for a 3rd conviction within 3 years of a serious traffic violation. Provides that it shall be unlawful for any person who has a .04 per cent or more, by weight, of alcohol in the person's blood to drive a commercial motor vehicle. -- Amends provisions relating to driving record information to be recorded and furnished. Provides that whenever a person convicted of a moving traffic violation fails to appear for a hearing, trial, or other court or administrative proceeding on the moving traffic violation, or fails to pay a fine or court cost ordered for a moving violation, the judiciary shall forward to the examiner of drivers the record of the conviction. Provides that the record of conviction shall include whether the offender was operating a commercial motor vehicle at the time of the offense. -- SB0845 CD1
Committee Reports: SSCR 62 (TGO) SSCR 991 (WAM) HSCR 1267 (JUD) HSCR 1633-06 (FIN) CCR 141-06
Current Status: May-02 06 Passed Legislature
Section Affected: 286- (1 SECTION), 286-2, 286-235.5, 286-236, 286-239, 286-240, 286-241, 286-242, 286-245, 291E-44, 286-237
- SB0895 SD1 HD2 CD1 (CCR 103-06) RELATING TO LIMU MANAGEMENT AREA.
Introduced by: Espero W
Establishes provisions relating to the limu management area. Prohibits the picking, gathering, harvesting, or otherwise taking of limu from the shoreline and extending 150 feet seaward in the Ewa Beach area. Exempts a person with a special permit to pick limu for purposes of replanting. Provides that no sooner than January 1, 2010, a person may be allowed to hand pick up to a 1 pound of limu per day from 6:00 a.m. to 6:00 p.m. during July, November, and December. -- SB0895 CD1
Committee Reports: SSCR 18 (WLA) HSCR 1206 (WLO) HSCR 1129-06 (JUD) CCR 103-06
Current Status: May-02 06 Passed Legislature
Section Affected: 188- (1 SECTION) LIMU MANAGEMENT AREA
- SB0951 SD2 HD1 CD1 (CCR 50-06) RELATING TO FIRE PROTECTION.
Introduced by: Kokubun R
Establishes provisions relating to arson in the 1st, 2nd, 3rd and 4th degree. Provides that a person commits the offense of arson if the person intentionally or knowingly sets fire to or causes to be burned property and knowingly, recklessly, or negligently places another person in danger of death or bodily injury; or knowingly or recklessly damages the property of another without the other's consent. -- Amends provisions relating to criminal property damage in the 1st, 2nd, 3rd and 4th degree. Includes criminal property damage by means other than fire. -- SB0951 CD1
Committee Reports: SSCR 338 (WLA) SSCR 750 (JHW) HSCR 1032 (WLO) HSCR 1484-06 (JUD) CCR 50-06
Current Status: May-02 06 Passed Legislature
Section Affected: 708- (4 SECTIONS) ARSON, 708-800, 708-820, 708-821, 708-822, 708-823, 708-823.5
- SB0965 SD2 HD1 CD1 (CCR 184-06) RELATING TO ELECTRONIC SURVEILLANCE.
Introduced by: Kim D, Espero W, Tsutsui S, Chun Oakland S, Sakamoto N, Hemmings F, Hogue B, Slom S
Establishes provisions relating to surveillance review unit. Establishes the unit in the department of the attorney general. Provides that the unit shall be responsible for reviewing all applications for interception of wire, oral, or electronic communications under the arrests, search warrants law prior to their submittal to a designated judge, regardless of whether submitted by county or state investigative or law enforcement officers. -- Establishes provisions relating to injunction against illegal interception. Provides that whenever it appears that any person is engaged or is about to engage in any act that constitutes or will constitute a felony violation of this part, the attorney general may initiate a civil action in a circuit court of this State to enjoin the violation. --

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Amends provisions relating to appeals by State in criminal cases. Provides that from a denial of an application for an order of approval or authorization of the interception of a wire, oral, or electronic communication pursuant to section under application for court order to intercept wire, oral, or electronic communications. -- Amends provisions relating to interception, access, and disclosure of wire, oral, or electronic communications, use of pen register, trap and trace device, and mobile tracking device prohibited. Provides that a person or entity providing an electronic communication service to the public shall not intentionally divulge the contents of any communication (other than a communication to the person or entity or an agent thereof) while in transmission on that service to any person or entity other than an addressee or intended recipient of the communication or an agent of the addressee or intended recipient. -- Amends provisions relating to authorization for disclosure and use of intercepted wire, oral, or electronic communications. Provides that no part of the contents of any wire, oral, or electronic communication and no evidence derived therefrom may be received into evidence at any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the State or a county, or be included in any information used to charge a criminal offense under criminal procedure; circuit courts. -- Amends provisions relating to procedure for interception of wire, oral, or electronic communication. Provides that an interception of a communication under an order shall not begin until the facilities from which, or the place where the communication is to be intercepted, is ascertained by the person implementing the interception order. -- Amends provisions relating to reports concerning intercepted wire, oral, or electronic communications; reports concerning pen registers and trap and trace devices. Provides that the attorney general, at least 20 days prior to the convening of each regular session, shall annually report to the legislature on the number of pen register orders and orders for trap and trace devices applied for by law enforcement agencies of the State. -- Amends provisions relating to requirements for governmental access. Provides that a provider of wire or electronic communication services or a remote computing service, upon request of a governmental entity, shall take all necessary steps to preserve records and other evidence in its possession pending the issuance of a court order or other process. -- Amends provisions relating to cost reimbursement. Provides that a fee for reimbursement or costs that are reasonably necessary and that have been directly incurred in searching for, assembling, reproducing, or otherwise providing the information. -- SB0965 CD1

Committee Reports: SSCR 506 (JHW) SSCR 987 (WAM) HSCR 1246-06 (JUD)
HSCR 1621-06 (FIN) CCR 184-06

Current Status: May=02 06 Passed Legislature

Section Affected: 28- (1 SECTION), 803-48.5, 641-13, 803-41, 803-42, 803-43, 803-44, 803-44.5, 803-44.6, 803-44.7, 803-45, 803-46, 803-47, 803-47.5, 803-47.6, 803-47.7, 803-47.8, 803-47.9, 803-48, 803-49

SB0995 SD1 HD1 CD1 (CCR 2-06)

PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION TO REMOVE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES.

Introduced by: Hee C, Hanabusa C

Proposes to amend the constitution to repeal the requirement that judges be retired upon attaining the age of 70 years. -- SB0995 CD1

Committee Reports: SSCR 505 (JHW) SSCR 841 (WAM) HSCR 1107-06 (JUD)
HSCR 1468-06 (FIN) CCR 2-06

Current Status: May=02 06 Passed Legislature

Section Affected: ART VI S3

SB1223 SD2 HD1 CD1 (CCR 17-06)

RELATING TO NEGOTIABLE INSTRUMENTS.

Introduced by: Tsutsui S, English J

Amends provisions relating to charges for dishonored checks. Increases the maximum service charge to 30 dollars. -- SB1223 CD1

Committee Reports: SSCR 551 (CPH) SSCR 775 (WAM) HSCR 280-06 (CPC) HSCR
1628-06 (FIN) CCR 17-06

Current Status: May=02 06 Passed Legislature

Section Affected: 490:3-506.5

SB1294 SD2 HD1 CD1 (CCR 125-06)

RELATING TO PUBLIC LAND TRUST REVENUES.

Introduced by: Hanabusa C, English J

Appropriation out of funds derived from the public land trust to the office of Hawaiian affairs for the repair and maintenance of the royal mausoleum at Mauna' Ala (Mauna

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- Ala). (\$\$) -- SB1294 CD1
Committee Reports: SSCR 2162 (JHW) SSCR 2722 (WAM) HSCR 1157-06 (HAW)
HSCR 1588-06 (FIN) CCR 125-06
Current Status: May-02 06 Passed Legislature
- SB1317 SD1 HD1 (HSCR 1559-06) RELATING TO COURT APPOINTED COUNSEL.
Introduced by: Hanabusa C
Amends Act 86, Session Laws of 2005. Amends provisions relating to appointment of counsel; compensation. Repeals the maximum allowable fee for court appointed counsel for appeals to the intermediate appellate court. -- SB1317 HD1
Committee Reports: SSCR 136 (JHW) SSCR 842 (WAM) HSCR 1559-06 (JUD)
Current Status: Apr-21 06 Received by the Governor
Section Affected: ACT 86 2005, 802-5
- SB1512 SD1 HD3 (HSCR 1604-06) RELATING TO DOMESTIC VIOLENCE FATALITY REVIEW.
Introduced by: Chun Oakland S, Baker R
Establishes provisions relating to domestic violence fatality review. Authorizes the department of health to conduct multidisciplinary and multiagency reviews of domestic violence fatalities in order to reduce the incidence of preventable deaths. Further authorizes the director to form domestic violence fatality review teams by appointing individuals to review domestic violence fatalities. Requires all medical examiners, physicians acting under the direction of a coroner, providers of medical care, state agencies, and county agencies to disclose to the department and the review team all information and records regarding the circumstances of a victim's death upon request by the director or review team. Provides that information held by the department as a result of the review shall not be subject to subpoena, discovery, or introduction into evidence in any civil or criminal proceeding, except that domestic violence fatality review information otherwise available from other sources shall not be immune from subpoena, discovery, or introduction into evidence through those sources because it was provided as required under these provisions. -- SB1512 HD3
Committee Reports: SSCR 173 (HTH/ HMS/) SSCR 646 (JHW) HSCR 1081 (HUS/ HLT/) HSCR 1114-06 (JUD) HSCR 1604-06 (FIN)
Current Status: Apr-21 06 Received by the Governor
Section Affected: 321- (6 SECTIONS) DOMESTIC VIOLENCE FATALITY REVIEW
- SB1648 SD1 HD2 CD1 (CCR 150-06) RELATING TO TUITION ASSISTANCE.
Introduced by: Sakamoto N
Amends provisions relating to the powers of the board of regents of the university of Hawaii. Authorizes the board to waive the nonresident tuition and fee differential for members the Hawaii national guard and the federal reserve components of the Army, Navy, Air Force, Marine Corps, and Coast Guard who attend drills with units located within the State in good standing of the military units, regardless of their actual state of residence. -- SB1648 CD1
Committee Reports: SSCR 264 (EDM/ HRE/) SSCR 792 (WAM) HSCR 1231 (HED)
HSCR 1644-06 (FIN) CCR 150-06
Current Status: May-02 06 Passed Legislature
Section Affected: 304-4
- SB1899 SD1 HD1 CD1 (CCR 142-06) RELATING TO AGRICULTURE.
Introduced by: Kokubun R
Appropriation to the department of agriculture to provide the scientific information to support the deregulation process which will allow the genetically engineered Hawaiian rainbow papaya to be introduced into the Japanese market; and initiate the development and implementation of a marketing plan to promote transgenic and non transgenic Hawaiian papaya in Japan and in future markets, including China and the European Union. (\$\$) -- SB1899 CD1
Committee Reports: SSCR 182 (WLA) SSCR 932 (WAM) HSCR 1118 (AGR) HSCR 1595-06 (FIN) CCR 142-06
Current Status: May-02 06 Passed Legislature
- SB2004 SD1 HD1 CD1 (CCR 24-06) RELATING TO HISTORIC PRESERVATION.
Introduced by: Hee C
Establishes provisions relating to the Ahu o Laka state monument. Provides that there shall be an Ahu o Laka state monument as a historical, cultural, and aesthetically valued site at Kaneohe, Oahu, to be administered by the department of land and natural resources and to consist of the approximately 3 acre sand bar in Kaneohe bay, off

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Heeia, that is above the water's surface at low tide, and the surrounding state marine waters, that the department of land and natural resources determines is necessary for the preservation of the historical, cultural, and aesthetic resources of the Ahu o Laka state monument. -- SB2004 CD1

Committee Reports: SSCR 2670 (WLA) HSCR 1023-06 (WLO/ HAW/) HSCR 1640-06 (FIN) CCR 24-06

Current Status: May=02 06 Passed Legislature

Section Affected: 6E- (1 SECTION) AHU O LAKA STATE MONUMENT

SB2006 SD3 HD2 CD2 (HOUSE
FLOOR AMENDMENT 7 OR
SENATE FLOOR AMENDMENT 15)

PROHIBITING SALES OF OPIHI.

Introduced by: Hee C

Amends provisions relating to hihiwai, hapawai, and opae kala'ole (kalaole) selling prohibited by adding opihi. Provides that it shall be presumed that the taking of more than 1/2 gallon per person per day of opihi, as measured with its shell on is for selling or offering to sell opihi. Defines opihi as all known Hawaiian opihi species, including cellana exarata (blackfoot), cellana sandwicencis (yellowfoot), and cellana talcosa (ko'ele, koele), and cellana melanostoma. Exempts opihi shells at least 1 1/4 inches in diameter, sold or offered for sale as a curio or jewelry, or as a part of curio or jewelry. -- SB2006 CD2

Committee Reports: SSCR 2127 (WLA) SSCR 2582 (JHW) - filed FLOOR AMENDMENT 2 HSCR 1088-06 (WLO) HSCR 1485-06 (JUD) CCR 25-06 - filed HOUSE FLOOR AMENDMENT 7 SENATE FLOOR AMENDMENT 15

Current Status: May-04 06 Passed Legislature

Section Affected: 188-42.5

SB2018 SD1 (SSCR 2666)

RELATING TO PUBLIC UTILITIES.

Introduced by: Hee C

Amends provisions relating to certificates of public convenience and necessity. Provides that if the applicant for a certificate of public convenience and necessity to the public utilities commission, has any known consumers or patrons at the time of the filing of the application, the applicant shall notify these consumers or patrons of the rates and charges proposed to be established by the application. -- SB2018 SD1

Committee Reports: SSCR 2666 (CPH) HSCR 1262-06 (CPC)

Current Status: Mar-31 06 Received by the Governor

Apr-19 06 Approved by Governor (Act 9 2006)

Section Affected: 269-7.5

SB2021 SD2 HD2 CD1 (CCR 16-06)

RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.

Introduced by: Tsutsui S

Establishes provisions relating to State and county contribution; reimbursement for retired employees. Provides that effective July 1, 2007, an employee beneficiary who retires and relocates outside of the State shall be reimbursed for the premiums paid by the employee beneficiary for a personal health insurance policy; provided that the board of trustees of the Hawaii employer union health benefits trust fund shall determine which employee beneficiaries and what types of personal health insurance policies shall be eligible for reimbursement and may set other conditions that shall be met to receive the reimbursements provided under this provision. -- SB2021 CD1

Committee Reports: SSCR 2420 (LBR) SSCR 2847 (WAM) HSCR 1176-06 (LAB) HSCR 1659-06 (FIN) CCR 16-06

Current Status: May=02 06 Passed Legislature

Section Affected: 87A- (1 SECTION) STATE AND COUNTY CONTRIBUTION

SB2036 SD1 HD1 CD1 (CCR 144-06)

MAKING AN APPROPRIATION FOR AN INTERNATIONAL BUSINESS AND TECHNOLOGY INCUBATOR.

Introduced by: Bunda R

Appropriation to the department of business, economic development, and tourism for the high technology development corporation to establish an international business and technology incubator in Hawaii. (\$\$) -- SB2036 CD1

Committee Reports: SSCR 2097 (MAT/ BED/) SSCR 2704 (WAM) HSCR 1026-06 (EDB/ INT/) HSCR 1642-06 (FIN) CCR 144-06

Current Status: May=02 06 Passed Legislature

SB2050

RELATING TO DEFINITION OF NEIGHBORHOOD ELECTRIC VEHICLE.

Introduced by: Bunda R (BR)

Amends provisions relating to definitions under the highway safety law. Redefines

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neighborhood electric vehicle as a self propelled electrically powered motor vehicle which has a gross vehicle weight rating of less than 2,500 pounds. -- SB2050
Committee Reports: SSCR 2618 (TGO) HSCR 1020-06 (TRN) HSCR 1507-06 (JUD)
Current Status: Apr-06 06 Received by the Governor
Apr-25 06 Approved by Governor (Act 22 2006)
Section Affected: 286-2

SB2051

RELATING TO COMMERCIAL DRIVER LICENSING.
Introduced by: Bunda R (BR)
Amends provisions relating to commercial driver's license. Provides that an initial or renewed commercial driver's license with a hazardous materials endorsement shall expire no later than 5 years from its date of issuance, except if the licensee is 72 years of age or older. Requires the expiration date of a commercial driver's license with a hazardous materials endorsement to be the same expiration date as the hazardous materials endorsement. Provides that if a licensee is 72 years of age or older the commercial driver's license with a hazardous endorsement shall not exceed 2 years. Provides that with the exception of a commercial driver's license with a hazardous materials endorsement, the commercial driver's license shall expire on the next birthday of the licensee. -- SB2051
Committee Reports: SSCR 2292 (TGO) SSCR 2688 (CPH) HSCR 1036-06 (TRN) HSCR 1508-06 (JUD)
Current Status: Apr-06 06 Received by the Governor
Apr-25 06 Approved by Governor (Act 23 2006)
Section Affected: 286-239

SB2065 SD2 HD1 CD1 (CCR 106-06)

RELATING TO MOTOR VEHICLE REGISTRATION.
Introduced by: Espero W, Inouye L
Amends provisions relating to restriction on driver's license and motor vehicle registration. Provides that if the traffic infraction involves an unpaid parking violation, it shall not prevent the issuance or renewal of the motor vehicle's certificate of registration and transfer of title to the motor vehicle to another person, in which case the clerk of the court shall issue a clearance to effectuate the registration and transfer of title. -- SB2065 CD1
Committee Reports: SSCR 2142 (TGO/ IGA) SSCR 2689 (CPH) HSCR 1037-06 (TRN) HSCR 1562-06 (JUD) CCR 106-06
Current Status: May-02 06 Passed Legislature
Section Affected: 291D-10

SB2076 SD2 HD2 CD1 (CCR 220-06)

RELATING TO LEASEHOLD CONVERSION.
Introduced by: Fukunaga C, Espero W
Provides an income tax deduction for 100 per cent of the gain realized by a fee simple owner from the sale of leased fee interest in a residential house lot to the lessee of the lot; from the sale of a leased fee interest in a multi family residential leasehold unit to the lessee of a unit; or from the sale of a leased fee interest in a multi family residential leasehold property to the association of apartment owners or the residential cooperative corporation of the property. Act to be repealed on January 1, 2009 (sunset). -- SB2076 CD1
Committee Reports: SSCR 2506 (CPH) SSCR 2903 (WAM) HSCR 987-06 (HSG) HSCR 1148-06 (CPC) HSCR 1649-06 (FIN) CCR 220-06
Current Status: May-02 06 Passed Legislature
Section Affected: 235-7

SB2090 SD2 HD1 CD1 (CCR 117-06)

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.
Introduced by: Fukunaga C, Chun Oakland S, Slom S
Establishes provisions relating to the community and public notice requirements; posting on the Hawaii community development authority's website; required. Requires the authority to adopt community and public notice procedures that shall include, at a minimum, a means to effectively engage the community in which the authority is planning a development project to ensure that community concerns are received and considered by the authority; the posting of authority's proposed plans for development of community development districts, public hearing notices, and minutes of its proceedings on the authority's website; and any other information that the public may find useful so that it may meaningfully participate in the authority's decision making processes. Requires the authority to notify the president of the senate and speaker of the house of any public hearing upon posting of the hearing notice; and with a report detailing the public's reaction at the public hearing, within 1 week after the hearing.

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Provides that the authority, when rendering a decision regarding an amendment to any of the authority's community development rules established; or the acceptance of a developer's proposal to develop lands under the authority's control; shall render its decision at a public hearing separate from the hearing in which a proposal was presented. Further provides that the authority shall issue a public notice and post the notice on its website; provided that the decision making hearing shall not occur earlier than 5 business days after the notice is posted and prior to rendering a decision, the authority shall provide the general public with the opportunity to testify at its decision making hearing. Requires the authority to notify the president of the senate and speaker of the house of any public hearing upon posting of the hearing notice; and with a report detailing the public's reaction at the public hearing, within 1 week after the hearing. -- SB2090 CD1

Committee Reports: SSCR 2133 (WLA) SSCR 2816 (WAM) HSCR 1089-06 (WLO/LMG/) HSCR 1495-06 (FIN) CCR 117-06

Current Status: May-02 06 Passed Legislature

Section Affected: 206E- (2 SECTIONS) COMMUNITY AND PUBLIC NOTICE REQUIREMENTS

SB2133 SD2 HD2 CD1 (CCR 187-06) RELATING TO HEALTH.

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

Establishes the Hawaii health commission law. Establishes an autonomous commission within the insurance division of the department of commerce and consumer affairs. Establishes provisions relating to the Hawaii health commission; duties and responsibilities. Provides that the commission shall be responsible for continuing the work of the governor's Hawaii health care task force of 2005, created by Act 223, session laws of Hawaii 2005, in the overall health planning for the State. Requires the commission to submit a comprehensive plan to the legislature. Appropriation to the department of commerce and consumer affairs for the Hawaii health commission. -- Establishes provisions relating to mercury containing vaccines. Requires that during the 2006-2007 influenza season, preference shall be given to children under 12 years of age and pregnant women to receive vaccine containing not more than a trace of mercury, defined as 1.25 micrograms per administered dose. Provides that the department of health may seek an exemption from this section only when it determines that there is a shortage of the mercury free product. Requires that anyone receiving a vaccine that is not mercury free be informed in advance in writing that the product contains a mercury based preservative. Requires that in the beginning of the 2007-2008 influenza season, no person shall be vaccinated with a vaccine or injected with any product that contains, or prior to dilution had contained as an additive, any mercury based product, whether as a preservative or at a trace amount level. Provides that the department may seek an exemption only when it determines that there is a shortage of the mercury free product. Requires that anyone receiving a vaccine that is not mercury free be informed in advance in writing that the product contains a mercury based preservative. Requires the department to notify all medical providers of these requirements. Act repealed on June 30, 2009 (sunset). (\$\$) -- SB2133 CD1

Committee Reports: SSCR 2181 (HTH) SSCR 2604 (JHW) HSCR 1247-06 (HLT) HSCR 1669-06 (FIN) CCR 187-06

Current Status: May=04 06 Passed Legislature

Section Affected: (2 SECTIONS) HAWAII HEALTH COMMISSION, 321- (1 SECTION)

SB2143 SD2 HD1 CD1 (CCR 189-06) RELATING TO MONEY TRANSMITTERS.

Introduced by: Hanabusa C (BR)

Establishes the money transmitters law. Requires a person who wants to engage in the business of money transmission services to register with the commissioner of financial institutions. Provides that every money transmitter and its authorized delegates shall transmit the monetary equivalent of all money or equivalent value received from a customer for transmission. -- SB2143 CD1

Committee Reports: SSCR 2450 (CPH) SSCR 2904 (WAM) HSCR 1241-06 (CPC/JUD/) HSCR 1496-06 (FIN) CCR 189-06

Current Status: May=02 06 Passed Legislature

Section Affected: (34 SECTIONS) MONEY TRANSMITTERS ACT

SB2145 SD2 HD2 CD1 (CCR 130-06) RELATING TO THE ENVIRONMENT.

Introduced by: Hanabusa C

Appropriation to the department of health for the environmental council to contract with a consultant to facilitate and coordinate the State's environmental justice activities and

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for related administrative and operational costs. -- Requires the office of environmental quality control to contract with the university of Hawaii environmental center to conduct a comprehensive review of the State's current environmental impact statement process. Report to the legislature. Appropriation. (\$\$) -- SB2145 CD1
Committee Reports: SSCR 2178 (EIA/ JHW/) SSCR 2807 (WAM) HSCR 988-06 (EEP) HSCR 1170-06 (JUD) HSCR 1599-06 (FIN) CCR 130-06
Current Status: May-02 06 Passed Legislature

SB2150 SD1 HD1 CD1 (CCR 181-06) RELATING TO BOATING.
Introduced by: Hanabusa C, Chun Oakland S
Prohibits small boat harbors to be transferred to any county in any manner unless provided by statute. Act to be repealed on June 30, 2007 (sunset). -- SB2150 CD1
Committee Reports: SSCR 2389 (BED/ WLA/) SSCR 2767 (WAM) HSCR 1060-06 (WLO) HSCR 1589-06 (FIN) CCR 181-06
Current Status: May=02 06 Passed Legislature

SB2159 SD2 HD1 CD1 (CCR 111-06) RELATING TO IDENTITY THEFT.
Introduced by: Fukunaga C, Menor R, Hanabusa C, Hooser G
Establishes provisions relating to unauthorized possession of confidential personal information. Provides that a person commits the offense of unauthorized possession of confidential personal information if that person intentionally or knowingly possesses, without authorization, any confidential personal information of another in any form, including but not limited to mail, physical documents, identification cards, or information stored in digital form. -- Amends provisions relating to sentencing of repeat offenders. Requires mandatory minimum period of imprisonment without the possibility of parole for identity theft offenders convicted of prior felony convictions. -- SB2159 CD1
Committee Reports: SSCR 2508 (CPH/ MAT/) SSCR 2636 (JHW) HSCR 1295-06 (CPC/ JUD/) CCR 111-06
Current Status: May-02 06 Passed Legislature
Section Affected: 708- (1 SECTION), 708-800, 706-606.5

SB2162 SD2 HD1 CD1 (CCR 33-06) RELATING TO FOSTER CHILDREN.
Introduced by: Chun Oakland S
Establishes provisions relating to motor vehicle insurance. Provides that the parents of a child under foster care who has obtained a driver's license shall pay the costs of the child's motor vehicle insurance unless the court determines the parents to be financially unable to pay the costs, in which case the child's insurance costs shall be paid by the plan. Allows the department of human services to sign and verify the driver's license application of a person under foster care; provides that the department shall not have any liability in the event that the foster child is involved in a motor vehicle accident or a lawsuit arising as a result of the foster child's driving. Allows higher education board allowances to be paid to a former foster youth. -- SB2162 CD1
Committee Reports: SSCR 2429 (HMS) SSCR 2622 (JHW) HSCR 973-06 (HUS) HSCR 1149-06 (CPC) HSCR 1637-06 (FIN) CCR 33-06
Current Status: May=02 06 Passed Legislature
Section Affected: 587- (1 SECTION), 286-112, 346-17.4, 431:10C-407, 431:10C-410

SB2166 SD2 HD3 (HSCR 1563-06) RELATING TO MINORS.
Introduced by: Chun Oakland S
Amends provisions relating to definitions under legal capacity of minor regarding medical care. Defines medical care and services to mean any care, treatment, service, or procedure, including the administration of medication, to maintain, diagnose, or otherwise affect a person's physical condition. -- Amends provisions relating to consent valid. Provides that a minor may consent to the provision of medical care and services in the treatment of sexually transmitted diseases, pregnancy, or as part of family planning services under certain circumstances. -- Amends provisions relating to providing information. Provides that public and private hospitals, public and private clinics, or licensed health care practitioners may, at the discretion of the treating licensed health care practitioner, inform the spouse, parent, custodian, or guardian of any minor patient of the provision of medical care and services to the minor or disclose any information pertaining to the medical care and services after consulting with the minor patient to whom the medical care and services have been provided. -- Amends provisions relating to financial responsibility; counseling. Provides that if a claim for medical care and services obtained is filed with a managed care plan or health insurance plan under which a minor is enrolled, and the minor does not want the plan

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to disclose information regarding the claim to the spouse, parent, custodian, or guardian of the minor or, on behalf of the minor, the licensed health care practitioner rendering the medical care and services shall notify the plan prior to the submission of the claim.

-- SB2166 HD3

Committee Reports: SSCR 2430 (HMS/ HTH/) SSCR 2612 (JHW) HSCR 963-06 (HLT) HSCR 1153-06 (CPC) HSCR 1563-06 (JUD)

Current Status: Apr-21 06 Received by the Governor

Section Affected: 577A-1, 577A-2, 577A-3, 577A-4

SB2188 SD1 HD2 CD1 (CCR 34-06)

RELATING TO A COMMISSION ON FATHERHOOD.

Introduced by: Kanno B, Chun Oakland S, Kim D

Amends Act 156, session laws of 2003, as amended by Act 148, session laws of 2005, relating to the commission on fatherhood. Changes the director of the office of children and youth to the director of public safety. -- SB2188 CD1

Committee Reports: SSCR 2213 (HMS) SSCR 2593 (JHW) HSCR 1138-06 (HUS) HSCR 1564-06 (JUD) CCR 34-06

Current Status: May=02 06 Passed Legislature

Section Affected: ACT 156 2003, ACT 148 2005

SB2190 SD1 HD2 CD1 (CCR 221-06)

RELATING TO EMPLOYMENT SECURITY.

Introduced by: Espero W, Chun Oakland S

Amends provisions relating to weekly benefit amount; computation, minimum and maximum under unemployment compensation. Establishes that for the calendar years beginning January 1, 2007, and thereafter, 80 per cent of the average weekly wage shall constitute the maximum weekly benefit amount and shall apply to all claims for benefits filed by an individual qualifying for payment at the maximum weekly benefit amount in the benefit year commencing on or after the 1st day of the calendar year immediately following the determination of the maximum weekly benefit amount. -- Amends provisions relating to weekly benefit for unemployment. Increases the amount of wages that can be earned before it is deducted from the weekly benefit amount. -- Amends provisions relating to the maximum potential benefits. Increases the maximum potential benefits of an eligible individual in a benefit year to 30 times the eligible individual's weekly benefit. -- Amends provisions relating to disqualification for benefits to include wilful or wanton misconduct. -- Amends provisions relating to payment of contributions; wages not included. Establishes that for calendar year 2007 only the term wages does not include remuneration in excess of 7,000 dollars paid with respect to employment to an individual by an employer and shall apply only to the contribution rate paid into the unemployment insurance trust fund. -- SB2190 CD1

Committee Reports: SSCR 2687 (LBR/ WAM/) HSCR 1216-06 (LAB) HSCR 1682-06 (FIN) CCR 221-06

Current Status: May-02 06 Passed Legislature

Section Affected: 383-22, 383-23, 383-24, 383-30, 383-61

SB2193 SD1 HD1 CD1 (CCR 112-06)

RELATING TO PLANNED COMMUNITY ASSOCIATIONS.

Introduced by: Espero W, Chun Oakland S

Amends provisions relating to meetings of the board of directors; committee or subcommittee. Provides that all meetings of the board of directors of planned community associations, other than executive sessions, shall be open to all members to provide input on the matters being discussed. Amends provisions relating to documents of the association. Provides that association documents, the most current financial statement of the association, and the minutes of the most recent meeting of the board of directors (other than minutes of executive sessions) shall be made available for examination by any member at no cost, on 24 hour loan or during reasonable hours. -- SB2193 CD1

Committee Reports: SSCR 2040 (CPH) HSCR 1072-06 (CPC) CCR 112-06

Current Status: May-02 06 Passed Legislature

Section Affected: 421J-5, 421J-7

SB2213 SD2 HD2 CD1 (CCR 5-06)

RELATING TO TORT ACTIONS.

Introduced by: Inouye L

Amends provisions relating to motorsports facilities; waiver of liability. Provides that a waiver and release, waiver of liability, or indemnity agreement shall not be enforceable against the rights of any minor unless executed in writing by a parent or legal guardian. Provides that no public entity or public employee shall be liable to a participant, for injury or damage sustained during the person's use of a motorsports facility, except when the injury or damage is caused by a condition resulting from the public entity's failure to

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maintain or repair the motorsports facility. Provides that this limitation of liability for public entities and employees applies only to the provision of motorsports facilities and shall not extend to other activities, including but not limited to police and security, ambulance and medical, fire, food concessions, and other non motorsports activities or functions. -- SB2213 CD1

Committee Reports: SSCR 2053 (TGO/ BED/) SSCR 2616 (JHW) HSCR 1017-06 (TAC) HSCR 1486-06 (JUD) CCR 5-06

Current Status: Apr-26 06 Received by the Governor

Section Affected: 663-10.95

SB2214 SD2 HD3 CD1 (CCR 195-06) RELATING TO DISASTER PREPAREDNESS.

Introduced by: Inouye L, Espero W, Kanno B, Baker R

Amends provisions relating to major disaster fund. Increases the amount the governor may expend to 2 million dollars. Appropriation out of the interest derived from the hurricane reserve trust fund to the department defense for an early warning system, public education on disaster preparedness, loss mitigation or reduction efforts or programs, updating tsunami inundation and evacuation maps, and establishing and maintaining an emergency supply cache to provide relief in the case of a disaster or emergency. Requires the appropriation for the loss mitigation or reduction efforts or program to be expended by the department of commerce and consumer affairs. Appropriation for around the clock alert staff for the civil defense division. Appropriation to the department of health for a grant the American Red Cross and the Queen's Medical Center for an emergency backup electrical system. (\$\$) -- SB2214 CD1

Committee Reports: SSCR 2379 (TGO/ EDM/) SSCR 2795 (WAM) HSCR 1000-06 (PSM) HSCR 1243-06 (CPC/ JUD/) HSCR 1678-06 (FIN) CCR 195-06

Current Status: May=02 06 Passed Legislature

Section Affected: 127-11

SB2224

RELATING TO CREDIT SALES.

Introduced by: Menor R

Amends provisions relating to definitions under credit sales. Redefines principal balance to include any amounts actually to be paid by the seller pursuant to an agreement with the buyer to discharge a security interest, lien, or lease interest on property traded in. -- SB2224

Committee Reports: SSCR 2655 (CPH) HSCR 1313-06 (CPC)

Current Status: Apr-04 06 Received by the Governor

Apr-21 06 Approved by Governor (Act 10 2006)

Section Affected: 476-1

SB2226

RELATING TO DENTISTS.

Introduced by: Menor R, Baker R, English J

Amends Act 166, session laws of Hawaii 2004. Amends provisions relating to community service license. Provides that a license may be renewed biennially instead of annually. Repeals the sunset date. -- SB2226

Committee Reports: SSCR 2036 (HTH) SSCR 2691 (CPH) HSCR 1130-06 (HLT) HSCR 1523-06 (CPC)

Current Status: Apr-07 06 Received by the Governor

Apr-26 06 Approved by Governor (Act 31 2006)

Section Affected: ACT 166 2004, 448-9, 448-9.5

SB2227 SD2 HD2 CD1 (CCR 23-06) RELATING TO HEALTH INSURANCE.

Introduced by: Menor R, Baker R, English J, Fukunaga C, Espero W, Chun Oakland S
Amends provisions relating to coverage for telehealth. Prohibits reimbursement for telehealth consultation between physicians unless an existing doctor patient relationship exists between the patient and 1 of the physicians involved in the consultation or a telehealth mechanism is used to establish a health care provider / patient relationship under accident and health or sickness insurance contracts, mutual benefit societies, and health maintenance organizations (HMOs). Redefines telehealth to mean the use of telecommunications services for the purpose of delivering enhanced health care services and information to parties separated by distance. Provides that standard telephone contacts, facsimile transmissions, or email text, in combination or by itself, does not constitute a telehealth service. -- SB2227 CD1

Committee Reports: SSCR 2478 (HTH/ MAT/) SSCR 2692 (CPH) HSCR 1009-06 (HLT/ HUS/) HSCR 1210-06 (CPC) HSCR 1603-06 (FIN) CCR 23-06

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Current Status: May=02 06 Passed Legislature
Section Affected: 431:10A-116.3, 432:1-601.5, 432D-23.5

- SB2237 SD1 HD1 CD1 (CCR 15-06) RELATING TO STATE RISK MANAGEMENT.
Introduced by: Bunda R (BR)
Amends provisions relating to State risk management. Provides that moneys received from the settlement of claims or losses of the State as delineated shall be deemed to be trust moneys and may be deposited into a trust account with and under the control the affected agency at the discretion of the comptroller. Further provides that these moneys and any interest earned thereon shall be used for the purpose identified in any such settlement. -- SB2237 CD1
Committee Reports: SSCR 2309 (TGO) SSCR 2796 (WAM) HSCR 1462-06 (FIN) CCR 15-06
Current Status: May=02 06 Passed Legislature
Section Affected: 41D-4
- SB2243 SD1 HD1 CD1 (CCR 8-06) RELATING TO BIOLOGICAL EVIDENCE.
Introduced by: Bunda R (BR)
Amends provisions relating to offenders subject to collection under forensic identification law. Requires testing of all persons convicted of any felony offense who are confined in a correctional facility or other detention facility. Amends provisions relating to petition for post conviction DNA (deoxyribonucleic acid) testing. Allows a person acquitted of a crime on the ground of physical or mental disease, disorder, or defect excluding responsibility to file. -- SB2243 CD1
Committee Reports: SSCR 2632 (JHW) HSCR 999-06 (PSM) HSCR 1487-06 (JUD) CCR 8-06
Current Status: Apr-28 06 Received by the Governor
Section Affected: 844D-31, 844D-62, 844D-111, 844D-121
- SB2244 SD1 HD1 CD1 (CCR 18-06) RELATING TO EXPUNGEMENTS.
Introduced by: Bunda R (BR)
Establishes provisions relating to expungement orders for violations. Provides that the attorney general, or the attorney general's duly authorized representative within the department of the attorney general, upon written application of a person convicted of a violation, may issue an expungement order annulling, canceling, or rescinding the record of violation. -- Amends provisions relating to expungement orders. Provides that expungement order includes the deletion of digitized images. -- SB2244 CD1
Committee Reports: SSCR 2547 (JHW) HSCR 1453-06 (JUD) CCR 18-06
Current Status: May=02 06 Passed Legislature
Section Affected: 831- (1 SECTION), 831-3.2
- SB2246 SD1 HD2 CD1 (CCR 3-06) PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO SEXUAL ASSAULT.
Introduced by: Bunda R (BR)
Proposes to amend the constitution. Allows the legislature to define what behavior constitutes a continuing course of conduct and what constitutes the jury unanimity that is required for conviction, in continuous sexual assault crimes against minors younger than 14 years of age. -- SB2246 CD1
Committee Reports: SSCR 2544 (JHW) HSCR 1161-06 (JUD) HSCR 1609-06 (FIN) CCR 3-06
Current Status: May=02 06 Passed Legislature
Section Affected: ART I (1 SECTION) SEXUAL ASSAULT CRIMES AGAINST MINORS
- SB2248 SD2 HD1 CD1 (CCR 37-06) RELATING TO SOLICITATION OF FUNDS FOR CHARITABLE PURPOSES.
Introduced by: Bunda R (BR)
Establishes provisions relating to professional solicitors; required disclosures. Requires a paid solicitor who makes an oral solicitation by telephone to furnish to each contributor a written confirmation of the expected contribution, the full name, address, and phone number of the solicitor, and a disclosure whether the contribution is tax deductible prior to collecting or attempting to collect any contribution. Redefines professional fund raising counsel, professional solicitor, solicit, and solicitation. Amends provisions relating to administrative enforcement and penalties. Provides that the attorney general may refuse to register, may revoke, or may suspend the registration of any charity that has failed to file financial reports as required. Provides that any person aggrieved by an action of the attorney general may request a hearing to review such action. Amends

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provisions relating to filing requirements for professional fundraising counsel and professional solicitors. -- SB2248 CD1

Committee Reports: SSCR 2488 (CPH/ JHW/) SSCR 2906 (WAM) HSCR 1244-06 (JUD/ CPC/) HSCR 1620-06 (FIN) CCR 37-06

Current Status: May=02 06 Passed Legislature

Section Affected: 467B- (1 SECTION), 467B-1, 467B-2.5, 467B-9.7, 467B-12, 467B-12.5

SB2255 SD1 HD1 (HSCR 1119-06)

RELATING TO TIME LIMITATIONS.

Introduced by: Bunda R (BR)

Amends provisions relating to time limitations. Provides that prosecution may be commenced for any offense with an element of deception even if the periods of limitation have expired. -- SB2255 HD1

Committee Reports: SSCR 2244 (JHW) HSCR 1119-06 (JUD)

Current Status: Apr-21 06 Received by the Governor

Section Affected: 701-108

SB2259 SD1 HD1 (HSCR 1558-06)

RELATING TO INFORMATION CHARGING.

Introduced by: Bunda R (BR)

Amends provisions relating to felonies for which criminal charges may be instituted by written information. -- SB2259 HD1

Committee Reports: SSCR 2548 (JHW) HSCR 1558-06 (JUD)

Current Status: Apr-28 06 Received by the Governor

Section Affected: 806-83

SB2260 SD1 HD1 CD1 (CCR 49-06)

RELATING TO SENTENCING.

Introduced by: Bunda R (BR)

Establishes provisions relating to special sentencing of habitual violent felons. Provides that a habitual violent felon shall be sentenced to both a mandatory minimum term of imprisonment of not less than 30 years and a mandatory indeterminate term of life imprisonment. Requires the Judiciary and the Department of Public Safety to submit a report to the legislature. Act to be repealed on July 1, 2011 (sunset). -- SB2260 CD1

Committee Reports: SSCR 2557 (JHW) HSCR 1519-06 (JUD) CCR 49-06

Current Status: May=02 06 Passed Legislature

Section Affected: 706- (1 SECTION) SPECIAL SENTENCING OF HABITUAL VIOLENT FELONS

SB2263 SD1 (SSCR 2410)

RELATING TO CHAPTER 134.

Introduced by: Bunda R (BR)

Amends provisions relating to permits to acquire. Requires the issuing authority to perform an inquiry on an applicant who is a citizen of the US by using the national instant criminal background check system before any determination to issue a permit or to deny an application is made. Requires the issuing authority to perform an inquiry on an applicant by using the national instant criminal background check system, to include a check of the immigration and customs enforcement databases, where the applicant is not a citizen of the US, before any determination to issue a permit or to deny an application is made. -- Amends provisions relating to ownership or possession prohibited; when; penalty. Provides that no person who is a fugitive from justice or is a person prohibited from possessing firearms or ammunition under federal law shall own, possess, or control any firearm or ammunition. -- Amends provisions related to licenses to carry. Requires the chief of police of the appropriate county, or the designated representative to perform an inquiry of an applicant by using the national instant criminal background check system, to include a check of the immigration and customs enforcement databases, where the applicant is not a citizen of the US, before any determination to grant a license is made. -- SB2263 SD1

Committee Reports: SSCR 2410 (IGA) SSCR 2571 (JHW) HSCR 1041-06 (PSM) HSCR 1509-06 (JUD)

Current Status: Apr-06 06 Received by the Governor

Apr-25 06 Approved by Governor (Act 27 2006)

Section Affected: 134-2, 134-7, 134-9

SB2265 SD1 HD1 CD1 (CCR 10-06)

RELATING TO CRIMES AGAINST MINORS.

Introduced by: Bunda R (BR)

Amends provisions relating to sentencing of repeat offenders. Requires mandatory minimum period of imprisonment without the possibility of parole for electronic enticement of a child in the 2nd degree. -- Amends provisions relating to electronic

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enticement of a child in the 1st and 2nd degree to include that if a person is sentenced to probation, the terms of probation shall include a term of 1 year imprisonment. -- Amends provisions relating to criminal procedure: deferred acceptance of guilty plea, nolo contendere plea by exempting promoting child abuse in the 2nd and 3rd degree; electronic enticement of a child in the 1st and 2nd degree. -- SB2265 CD1
Committee Reports: SSCR 2558 (JHW) HSCR 1520-06 (JUD) CCR 10-06
Current Status: Apr-28 06 Received by the Governor
Section Affected: 706-606.5, 707-756, 707-757, 853-4

SB2273 SD2 HD1 CD1 (CCR 183-06) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Bunda R (BR)
Amends provisions relating to the public employees' retirement system. Amends general provisions relating to restrictions; and minimum pension. -- Amends provisions relating to retirement for public officers and employees, board of trustees definitions; and medical board. Amends provisions relating to membership service previous membership service credit for judges; termination of membership; and return to service of a former member. -- Amends provisions relating to benefits finalizing of pensions; allowance on ordinary disability retirement; federal tax limits on annual compensation; election of retirement allowance option; ordinary death benefit; accidental death benefit; application for accidental death benefits; approval by the board of trustees; named beneficiaries by members and by former employees with vested benefit status; effect of marriage, entry into reciprocal beneficiary relationship, divorce, termination of reciprocal beneficiary relationship, or death; withholding of dues and insurance premiums; rights of members separated from service; and return to service of a retirant. -- Amends provisions relating to administration financing investments. -- Amends provisions relating to special benefits for members in military service credit; payment of contributions; ordinary death benefit; accidental death benefits; and duration of service member's status. Amends provisions relating to retirement for class C public officers and employees, applicability; definitions; election; break in service; reemployment; election of retirement allowance options; and death benefit. -- Amends provisions relating to retirement for class H public officers and employees applicability; election and membership; conversion of previous credited service; acquisition of membership service; election of retirement allowance option; ordinary death benefit; accidental service connected death benefit; and return to service of retirant. -- SB2273 CD1
Committee Reports: SSCR 2418 (LBR) SSCR 2850 (WAM) HSCR 1173-06 (LAB) HSCR 1583-06 (FIN) CCR 183-06
Current Status: May-02 06 Passed Legislature
Section Affected: 88-21, 88-1, 88-2, 88-31, 88-59.6, 88-61, 88-62, 88-74.5, 88-76, 88-81.5, 88-83, 88-84, 88-85, 88-85.5, 88-93, 88-95, 88-96, 88-98, 88-119, 88-132, 88-137, 88-138, 88-140, 88-251, 88-271, 88-273, 88-283, 88-286, 88-301, 88-321, 88-322, 88-324, 88-333, 88-338, 88-339, 88-341, 88-344, 88-261

SB2274 SD1 HD2 CD1 (CCR 200-06) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Bunda R (BR)
Amends provisions relating to membership. Requires class A to include the directors of the office of council services of the county of Maui and the city and county of Honolulu. -- SB2274 CD1
Committee Reports: SSCR 2280 (LBR) SSCR 2851 (WAM) HSCR 1180-06 (LAB) HSCR 1469-06 (FIN) CCR 200-06
Current Status: May-02 06 Passed Legislature
Section Affected: 88-47

SB2283 SD1 HD1 CD1 (CCR 107-06) RELATING TO INSURANCE.
Introduced by: Bunda R (BR)
Amends provisions relating to insurance contracts by establishing provisions relating to commercial general liability extended reporting requirements. Amends provisions relating to immunity from liability; examination expense; certificate of authority required; producer licensing place of business; reinsurance intermediary licensure; managing agents licensure; preacquisition notification. -- SB2283 CD1
Committee Reports: SSCR 2663 (CPH) HSCR 1125-06 (CPC) CCR 107-06
Current Status: May-02 06 Passed Legislature
Section Affected: 431:10- (1 SECTION), 431:2-301.8, 431:2-306, 431:3-201, 431:9A-122, 431:9B-102, 431:9C-102, 431:11-104.3

SB2290 SD2 HD1 CD1 (CCR 113-06) RELATING TO PROTECTION FROM SECURITY BREACHES.

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Introduced by: Bunda R (BR)

Establishes the notification of security breaches law. Requires any business that owns or licenses personal information of residents of Hawaii, any business that conducts business in Hawaii that owns or licenses personal information in any form, or any government agency that collects personal information for specific government purposes to provide notice to the affected person that there has been a security breach following discovery or notification of the breach. Report to the legislature after discovery of a security breach. -- SB2290 CD1

Committee Reports: SSCR 2532 (CPH/ MAT/) SSCR 2624 (JHW) HSCR 1382-06 (CPC/ JUD/) CCR 113-06

Current Status: May-02 06 Passed Legislature

Section Affected: (4 SECTIONS) NOTIFICATION OF SECURITY BREACHES

SB2292 SD2 HD1 CD1 (CCR 114-06) RELATING TO DESTRUCTION OF PERSONAL INFORMATION RECORDS.

Introduced by: Bunda R (BR)

Establishes provisions relating to the destruction of personal information records law. Requires any business or government agency that maintains or otherwise possesses personal information of a resident of Hawaii to take reasonable measures to protect against unauthorized access to or use of the information in connection with or after its disposal. Report to the legislature after discovery of unauthorized access to personal information records. -- SB2292 CD1

Committee Reports: SSCR 2513 (CPH/ MAT/) SSCR 2602 (JHW) HSCR 1383-06 (CPC/ JUD/) CCR 114-06

Current Status: May=02 06 Passed Legislature

Section Affected: (4 SECTIONS) DESTRUCTION OF PERSONAL INFORMATION RECORDS

SB2293 SD2 HD1 CD1 (CCR 115-06) RELATING TO SOCIAL SECURITY NUMBER PROTECTION.

Introduced by: Bunda R (BR)

Establishes the social security number protection law. Prohibits businesses or government agency to intentionally communicate to the general public an individual's entire social security number; intentionally print or imbed an individual's entire social security number on any card required for the individual to access products or services provided by the person or entity; require an individual to transmit the individual's entire social security number over the Internet, unless the connection is secure or the social security number is encrypted; require an individual to use the individual's entire social security number to access an Internet website, unless a password or unique personal identification number or other authentication devices is also required to access the Internet website; and print an individual's entire social security number on any materials that are mailed to the individual. Report to the legislature after discovery of social security number disclosure that is prohibited. -- SB2293 CD1

Committee Reports: SSCR 2512 (CPH/ MAT/) SSCR 2693 (CPH/ MAT/) HSCR 1296-06 (CPC/ JUD/) CCR 115-06

Current Status: May-02 06 Passed Legislature

Section Affected: (4 SECTIONS) SOCIAL SECURITY NUMBER PROTECTION

SB2295 RELATING TO PRINCIPAL PRIVATE DETECTIVES AND GUARDS.

Introduced by: Bunda R (BR)

Amends provisions relating to principal private detectives and guards. Requires that a detective agency have in its employ at least 1 principal detective who shall be fully responsible for the direct management and control of the detective agency and the agency's employees when detective services are being provided. Requires that a guard agency have in its employ at least 1 principal guard who shall be fully responsible for the direct management and control of the guard agency and the agency's employees when guard services are being provided. -- SB2295

Committee Reports: SSCR 2656 (CPH) HSCR 1040-06 (PSM) HSCR 1385-06 (CPC)

Current Status: Apr-05 06 Received by the Governor

Apr-24 06 Approved by Governor (Act 13 2006)

Section Affected: 463-5, 463-7

SB2296 SD1 (SSCR 2050) RELATING TO NURSES.

Introduced by: Bunda R (BR)

Amends provisions relating to renewal of license; denial, suspension, or revocation of license for default of student loan, student loan repayment contract, or scholarship contract by adding inactivation and reactivation of license; restoration of forfeited license. Requires that the failure to timely renew a license, the failure to pay all

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applicable fees, the dishonoring of any check upon 1st deposit, or the failure to comply with any other requirement provided by law shall cause the license to be automatically forfeited. Provides that the person's license can be restored by the state board of nursing within 2 years after the date of forfeiture upon compliance with the licensing renewal fees, penalty fees, and compliance resolution fees. Requires that any nurse who does not intend to practice nursing in the State and elects to be placed on inactive status shall do so in writing during the license renewal period or do so by indicating on the license renewal application. Requires that if the nurse wishes to resume nursing, the nurse shall notify the board in writing and pay the reactivation and renewal fees. Provides that a nurse who has been inactive for more than 5 years may submit proof of continued competence by successfully completing appropriate continuing education recognized by the board. -- SB2296 SD1

Committee Reports: SSCR 2050 (HTH) SSCR 2694 (CPH) HSCR 1131-06 (HLT)
HSCR 1524-06 (CPC)

Current Status: Apr-07 06 Received by the Governor
Apr-26 06 Approved by Governor (Act 30 2006)

Section Affected: 457-9

SB2297 SD1 (SSCR 2695)

RELATING TO MENTAL HEALTH COUNSELORS.

Introduced by: Bunda R (BR)

Amends provisions relating to mental health counselors. Redefines the practice of mental health counseling. Amends provisions relating to exemptions. Provides that these provisions do not apply to registered rehabilitation specialists from the department of labor and industrial relations. Prohibits registered rehabilitation specialists from using a title stating or implying that he is a licensed mental health counselor. Amends provisions relating to application for licensure as a mental health counselor. Requires for licensure at least 2 academic terms of supervised mental health practicum intern experience or at least 3 semester hours or 5 quarters per academic term in a mental health counseling setting completed under the clinical supervision of a person who is licensed as a mental health counselor, psychologist, clinical social worker, advanced practice registered nurse with a specialty in mental health, marriage and family therapist, or physician with a specialty on psychiatry. Requires for licensure completion of 3,000 hours of postgraduate experience in the practice of mental health counseling which shall be completed in no less than 2 years and in no more than 4 years. -- SB2297 SD1

Committee Reports: SSCR 2052 (HTH) SSCR 2695 (CPH) HSCR 1090-06 (HLT)
HSCR 1386-06 (CPC)

Current Status: Apr-05 06 Received by the Governor
Apr-24 06 Approved by Governor (Act 14 2006)

Section Affected: 453D-1, 453D-6, 453D-7

SB2298 SD1 HD1 CD1 (CCR 29-06)

RELATING TO CHAPTER 448E, HAWAII REVISED STATUTES.

Introduced by: Bunda R (BR)

Amends provisions relating to unlicensed activity. Prohibits a person from advertising or holding oneself out as an electrician or plumber without a license for such work. Defines electrician and plumber. Provides penalties. Amends provisions relating to suspension; revocation; fine; denial of issuance or renewal of license. Provides that obtaining a license by fraud, aiding or abetting an unlicensed person to violate these provisions or allowing one's license to be used by an unlicensed person, or acting as an agent or partner or associate or otherwise of an unlicensed person may result in penalties. Increase the fine for any person who violates any provision to a maximum of 5,000 dollars for each violation. -- SB2298 CD1

Committee Reports: SSCR 2672 (CPH) HSCR 1518-06 (CPC) CCR 29-06

Current Status: May-02 06 Passed Legislature

Section Affected: 448E-9, 448E-10

SB2323 SD2 HD1 CD1 (CCR 47-06)

RELATING TO FEDERAL REVENUE MAXIMIZATION IN THE JUDICIARY.

Introduced by: Bunda R (BR)

Authorizes the judiciary in collaboration with the department of human services to establish a federal revenue maximization program to identify services eligible for federal reimbursement provided through the district and family courts (either directly or indirectly through contracted providers) to children under their care and submit claims for federal reimbursement for such services through the department of human services. Report to the legislature. -- SB2323 CD1

Committee Reports: SSCR 2431 (HMS/ JHW/) SSCR 2774 (WAM) HSCR 974-06
(HUS) HSCR 1162-06 (JUD) HSCR 1638-06 (FIN) CCR 47-06

Current Status: May-02 06 Passed Legislature

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- SB2327 SD2 HD1 CD1 (CCR 35-06) RELATING TO CHILD ABUSE OR NEGLECT REPORTING.
Introduced by: Bunda R (BR)
Amends provisions relating to reports of child abuse. Requires a member of any public or private school, agency, or institution to immediately report the known or suspected child abuse or neglect directly to the department of human services or to the police and to immediately notify the person in charge or a designated delegate of such report. -- SB2327 CD1
Committee Reports: SSCR 2216 (HMS) SSCR 2613 (JHW) HSCR 1521-06 (JUD) CCR 35-06
Current Status: May=02 06 Passed Legislature
Section Affected: 350-1.1
- SB2328 SD2 HD2 CD1 (CCR 36-06) RELATING TO NOTICE TO FOSTER PARENTS FOR CHAPTER 587, HAWAII REVISED STATUTES, CHILD PROTECTIVE ACT HEARINGS.
Introduced by: Bunda R (BR)
Establishes provisions relating to notice of hearings. Provides that notice of all hearings shall be served by the department of human services to all parties, parents and foster parents no less than 48 hours before the scheduled hearing. -- SB2328 CD1
Committee Reports: SSCR 2217 (HMS) SSCR 2606 (JHW) HSCR 1183-06 (HUS) HSCR 1488-06 (JUD) CCR 36-06
Current Status: May=02 06 Passed Legislature
Section Affected: 587- (1 SECTION), 587-72
- SB2332 SD2 (SSCR 2637) RELATING TO HOUSING.
Introduced by: Bunda R (BR)
Amends provisions relating to public housing eviction. Redefines public housing project or complex to mean a low income federal assisted housing project as established by the US Housing Act of 1937. Reduces the time that a tenant has to request a grievance hearing to 10 business days. -- SB2332 SD2
Committee Reports: SSCR 2338 (CPH/ HMS/) SSCR 2637 (JHW) HSCR 1154-06 (HSG) HSCR 1510-06 (JUD)
Current Status: Apr-06 06 Received by the Governor
Apr-25 06 Approved by Governor (Act 24 2006)
Section Affected: 201G-51, 201G-52, 201G-53, 201G-55, 201G-56, 521-7
- SB2333 SD2 (SSCR 2775) MAKING AN EMERGENCY APPROPRIATION FOR GENERAL ASSISTANCE.
Introduced by: Bunda R (BR)
Appropriation to the department of human services for general assistance payments. (\$\$) -- SB2333 SD2
Committee Reports: SSCR 2219 (HMS) SSCR 2775 (WAM) HSCR 1102-06 (HUS) HSCR 1330-06 (FIN)
Current Status: Apr-04 06 Received by the Governor
Apr-13 06 Approved by Governor (Act 6 2006)
- SB2334 SD2 HD2 CD1 (CCR 177-06) MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII YOUTH CORRECTIONAL FACILITY.
Introduced by: Bunda R (BR)
Appropriation to the department of human services for the Hawaii youth correctional facility. (\$\$) -- SB2334 CD1
Committee Reports: SSCR 2432 (HMS/ JHW/) SSCR 2776 (WAM) HSCR 1139-06 (HUS/ JUD/) HSCR 1675-06 (FIN) CCR 177-06
Current Status: May-02 06 Passed Legislature
- SB2337 SD1 (SSCR 2745) MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION.
Introduced by: Bunda R (BR)
Appropriation out of the mental health and substance abuse special fund to the department of health to sustain ongoing operation, services, and activities for patients of Hawaii state hospital, to provide community based services necessary to reduce the census at the hospital, and to address expenses relating to those individuals who have already been placed in community based services. (\$\$) -- SB2337 SD1
Committee Reports: SSCR 2015 (HTH) SSCR 2745 (WAM) HSCR 1049-06 (HLT) HSCR 1615-06 (FIN)
Current Status: Apr-13 06 Received by the Governor
Apr-24 06 Approved by Governor (Act 16 2006)

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- SB2338 MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE DEVELOPMENTAL DISABILITIES DIVISION.
Introduced by: Bunda R (BR)
Appropriation to the department of health for the State's Medicaid home and community based services for the developmentally disabled or mentally retarded program, also known as the title XIX waiver program. (\$\$) -- SB2338
Committee Reports: SSCR 2008 (HTH/ HMS/) SSCR 2051 (WAM) HSCR 1053-06 (HLT/ HUS/) HSCR 1616-06 (FIN)
Current Status: Apr-13 06 Received by the Governor
Apr-24 06 Approved by Governor (Act 17 2006)
- SB2339 SD2 HD1 CD1 (CCR 46-06) MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES SYSTEM BRANCH.
Introduced by: Bunda R (BR)
Appropriation to the department of health for the city and county of Honolulu for ambulance related services; for the county of Hawaii for ambulance related services; for payment to the American Medical Response Maui and Kauai; for emergency medical system contract ambulance billing and collection costs; and for costs incurred by the Hawaii Army National Guard in providing helicopter medical transport services on Oahu. -- Appropriation out of the emergency medical services special fund to the department of health for increased costs in contract ambulance services for the counties of Maui and Kauai, and for payment of the central service agreement and department administrative expenses. (\$\$) -- SB2339 CD1
Committee Reports: SSCR 2047 (HTH) SSCR 2746 (WAM) HSCR 1050-06 (HLT) HSCR 1661-06 (FIN) CCR 46-06
Current Status: May-02 06 Passed Legislature
- SB2340 SD1 (SSCR 2747) MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES.
Introduced by: Bunda R (BR)
Appropriation to the department of health for early intervention services. (\$\$) -- SB2340 SD1
Committee Reports: SSCR 2006 (HTH/ HMS/) SSCR 2747 (WAM) HSCR 1054-06 (HLT/ HUS/) HSCR 1617-06 (FIN)
Current Status: Apr-13 06 Received by the Governor
Apr-24 06 Approved by Governor (Act 18 2006)
- SB2343 SD2 HD2 CD1 (CCR 129-06) RELATING TO CRIMINAL HISTORY RECORD CHECKS.
Introduced by: Bunda R (BR)
Establishes provisions relating to criminal history record checks within the department of health. Requires the department to develop standards to ensure the reputable and responsible character of applicants, operators, existing and prospective employees of skilled nursing facility, intermediate care facility, adult residential care homes (ARCH), expanded adult residential care homes, assisted living facility, home health agency, hospice, adult day health center, special treatment facility therapeutic living program, intermediate care facility for the mentally retarded, hospital, rural health center and rehabilitation agency, and in the case of any of above related facilities operating in a private residence, on any adult living in the facility other than the clients. Provides that the Hawaii criminal justice data center may assess a reasonable fee for each criminal history record check conducted. -- Establishes provisions relating to criminal history record checks within the department of human services. Requires the department to develop standards to ensure the reputable and responsible character of applicants, operators, existing and prospective employees of adult day care operators, adult and community care services branch, foster grandparent program, senior companion program, respite companion program, home and community based services. Provides that the Hawaii criminal justice data center may assess a reasonable fee for each criminal history record check conducted. Establishes a working committee of 5 representatives to evaluate the criminal history record checks progress. -- SB2343 CD1
Committee Reports: SSCR 2009 (HTH/ HMS/) SSCR 2578 (JHW) HSCR 1248-06 (HLT) HSCR 1679-06 (FIN) CCR 129-06
Current Status: May-02 06 Passed Legislature
Section Affected: 321- (1 SECTION), 346- (1 SECTION), 378-2.5, 846-2.7
- SB2347 SD1 (SSCR 2748) MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE FAMILY HEALTH SERVICES DIVISION.
Introduced by: Bunda R (BR)

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Appropriation out of the early intervention special fund to the department of health for healthy start purchase of service programs for home visiting services. (\$\$) -- SB2347 SD1

Committee Reports: SSCR 2037 (HTH) SSCR 2748 (WAM) HSCR 1051-06 (HLT) HSCR 1634-06 (FIN)

Current Status: Apr-13 06 Received by the Governor
Apr-24 06 Approved by Governor (Act 19 2006)

SB2348 SD1 HD1 CD1 (CCR 149-06) MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR PANDEMIC INFLUENZA PREPAREDNESS.

Introduced by: Bunda R (BR)

Appropriation out of the general fund and the emergency and budget reserve fund (rainy day fund) to the department of health to prepare for a pandemic of a novel strain of influenza. Requires declaration of determination to meet the needs of emergencies when declared by the governor or determined to be urgent by the legislature. (\$\$) -- SB2348 CD1

Committee Reports: SSCR 2038 (HTH) SSCR 2749 (WAM) HSCR 1052-06 (HLT) HSCR 1600-06 (FIN) CCR 149-06

Current Status: May=02 06 Passed Legislature

SB2357 HD1 (HSCR 1163-06) RELATING TO SECTION 13 OF ACT 380, SESSION LAWS OF HAWAII 1997.

Introduced by: Bunda R (BR)

Amends Act 380, session laws of 1997, as amended by Act 3, session laws of 2001, relating to environmental protection by changing the date that no new safe harbor agreements, habitat conservation plans, or incidental take licenses shall be approved or issued subsequent to July 1, 2012 (sunset). -- SB2357 HD1

Committee Reports: SSCR 2179 (EIA/ WLA/) SSCR 2584 (JHW) HSCR 968-06 (EEP) HSCR 1163-06 (JUD) HSCR 1655-06 (FIN)

Current Status: Apr-24 06 Received by the Governor
Section Affected: ACT 380 1997, ACT 3 2001, 195D-4, 195D-21, 195D-22

SB2358 SD2 HD2 CD1 (CCR 26-06) RELATING TO PROTECTION OF FOREST RESERVES.

Introduced by: Bunda R (BR)

Amends provisions relating to general administrative penalties. Provides that except as otherwise provided by law, the board of land and natural resources or its authorized representative may set, charge, and collect administrative fines; bring legal action to recover fines, fees, and costs, including attorney's fees and costs associated with land or habitat restoration; and collect administrative fees and costs resulting from a violation of the forest reserves, water development, zoning laws, any rule adopted, or permit issued. Establishes penalties. Provides that fines under this provision shall not be imposed on persons exercising native Hawaiian gathering rights or traditional cultural practices. Annual report to the legislature. Amends provisions relating to penalties by changing it to criminal penalties. Increases the fine and adds a fine of up to 2,000 dollars for each tree illegally destroyed or harvested. -- Amends provisions relating to income from forest reserves by changing income to revenue. Provides that any moneys accrued from the sale of any other products, services, or values derived from forest reserves not described or the imposition of fines or penalties for violations of the forest reserves, water development, zoning law, the land fire protection law, and the forest stewardship law shall be deposited into the forest stewardship fund. Allows the fund to be used to manage the forest reserve system. -- SB2358 CD1

Committee Reports: SSCR 2359 (WLA) SSCR 2574 (JHW) HSCR 965-06 (WLO) HSCR 1489-06 (JUD) CCR 26-06

Current Status: May=02 06 Passed Legislature
Section Affected: 183- (1 SECTION), 183-18, 183-16, 195F-4

SB2360 SD2 HD1 CD1 (CCR 38-06) RELATING TO GROUNDED VESSELS.

Introduced by: Bunda R (BR)

Establishes provisions relating to vessel aground on State property. Provides that any vessel running aground on submerged lands, a shoreline, or a coral reef shall be removed immediately by the owner, or operator, and at the owner's or operator's expense. Vessels grounded on a sand beach, sandbar, or mudflats and not in imminent danger of breaking up, shall be removed in a reasonable time but not to exceed 72 hours, unless otherwise agreed to by the department of land and natural resources. Damages to State or private property shall be the sole responsibility of the vessel owner or operator. Authorizes the department to assume control of any vessel that is grounded on a coral reef or in imminent danger of breaking up and cannot be immediately

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removed by the owner in a manner that is reasonably safe. Provides that if the department determines that the owner or operator cannot achieve the immediate removal of the vessel in a manner that is reasonably safe, a State official on site may assume control of the vessel, solely for the purposes of removal and with no liability to the official or the State, and shall direct the removal of the vessel to a safer location and that all costs and expenses of the removal and damages to State or private shall be the sole responsibility of the vessel's owner or operator. -- SB2360 CD1

Committee Reports: SSCR 2357 (WLA) SSCR 2819 (WAM) HSCR 957-06 (WLO)
HSCR 1490-06 (JUD) CCR 38-06

Current Status: May=02 06 Passed Legislature

Section Affected: 200-47.5

SB2424

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.

Introduced by: Bunda R (BR)

Amends provisions relating to the office of Hawaiian affairs. Changes comprehensive master to strategic plan. -- SB2424

Committee Reports: SSCR 2581 (JHW) HSCR 1056-06 (HAW)

Current Status: Mar-23 06 Received by the Governor

Apr-03 06 Approved by Governor (Act 2 2006)

Section Affected: 10-6

SB2430 SD2 HD1 CD1 (CCR 22-06)

RELATING TO ELECTION.

Introduced by: Bunda R (BR)

Establishes provisions relating to reports to county clerk. Provides that whenever the Hawaii paroling authority grants or revokes parole for any citizen of 18 years of age or over, the paroling authority, in each case, shall make and promptly transmit to the clerk of the county in which the citizen resides, a certificate showing the fact of the granting or revoking of parole within 20 days after the granting or revoking of parole. -- Amends provisions relating to court proceedings; reports to county clerk. Provides that the clerk of the court in each case shall report to the clerk of the respective county in which the person convicted of any felony by reason of insanity acquitted of any such crime, or adjudged insane or feeble minded or otherwise legally incompetent is located, a certificate showing the fact of the conviction or adjudication within 20 days after sentencing or adjudication, the citizen's name, any known aliases, date of birth, social security number, and residence address or last known residence address. -- Amends provisions relating to rights lost under uniform act on status of convicted persons. -- SB2430 CD1

Committee Reports: SSCR 2407 (IGA) SSCR 2625 (JHW) HSCR 1120-06 (JUD)
CCR 22-06

Current Status: May=02 06 Passed Legislature

Section Affected: 353- (1 SECTION), 806-76, 831-2

SB2454 SD1 HD2 (HSCR 1467-06)

RELATING TO OUT-OF-STATE SALES OF TIME SHARE INTERESTS.

Introduced by: Menor R (BR)

Establishes provisions relating to foreign time share plans; exemption. Provides that a foreign time share plan may obtain an exemption from the requirements of the time share law provided that the developer of a foreign time share plan shall pay an exemption fee of 100 dollars and file the name and address of the foreign time share plan; the name and address of the developer and seller of the foreign time share plan, if any; the name and registration number of the time share plan located in Hawaii; provided that the registration shall be active at the time of filing; and the duration of the foreign time share plan with the director of commerce and consumer affairs. -- SB2454 HD2

Committee Reports: SSCR 2682 (CPH) HSCR 1018-06 (TAC) HSCR 1467-06 (CPC)

Current Status: May=02 06 Passed Legislature

Section Affected: 514E- (1 SECTION) FOREIGN TIME SHARE PLANS

SB2461 SD1 HD1 CD2 (SENATE
FLOOR AMENDMENT 12 OR
HOUSE FLOOR AMENDMENT 4)

RELATING TO GRANTS.

Introduced by: Baker R, English J, Tsutsui S

Appropriation out of the temporary assistance for needy families funds to the department of human services for a grant to Hui Malama Learning Center for alternative education programs for at risk youths, for a grant to Maui Economic Opportunity, Inc. for transitional programs for inmates at the Maui Community Correctional Facility, for Adult Friends for Youths programs for its drug and youth gang prevention and rehabilitation program, to the Baby Hui for fee waiver subsidies for low income and teen parents participating in its positive parenting support groups, and to Maui Youth and Family

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Services, Inc. for adolescent residential behavioral health programs. Appropriation to the department of human services for a grant to Global Medilink Technology Inc. for the Oral Health Institute of the Pacific program so it can continue to operate dental clinics and provide dental services to low income and uninsured people. Appropriation to the department of health for grants to the Molokai General Hospital, Kahuku Hospital, and Hana Community Center. Appropriation to the department of health for a grant for emergency room subsidy at the Waianae District Comprehensive Health and Hospital Board, Inc., doing business as Waianae Coast Comprehensive Health Center. (\$\$) -- SB2461 CD2

Committee Reports: SSCR 2467 (HMS/ CPH/) SSCR 2777 (WAM) HSCR 1219-06 (HSG) HSCR 1577-06 (FIN) CCR 196-06 - filed SENATE FLOOR AMENDMENT 12 HOUSE FLOOR AMENDMENT 4

Current Status: May-04 06 Passed Legislature

SB2479 HD1 CD1 (CCR 1-06)

PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION.

Introduced by: Kokubun R, English J, Fukunaga C, Hooser G

Proposes to amend the constitution. Provides that special purpose revenue bonds shall be authorized or issued to finance facilities of or for, or to loan the proceeds of such bonds to assist agricultural enterprises serving important agricultural lands. -- SB2479 CD1

Committee Reports: SSCR 2491 (WLA) SSCR 2610 (JHW) HSCR 1229-06 (JUD) HSCR 1498-06 (FIN) CCR 1-06

Current Status: May=02 06 Passed Legislature

Section Affected: ART VII S12

SB2480 SD1 HD1 CD1 (CCR 191-06)

RELATING TO WASTEWATER MANAGEMENT.

Introduced by: Kokubun R

Requires the county of Hawaii's department of environmental management wastewater division to conduct a study on the feasibility of constructing a wastewater treatment facility for the Kapoho Vacationland Estates and Farmlots, and public restrooms at the Wai O Pae marine life conservation district within the Estate. Appropriation to the county of Hawaii for a grant in aid to the county of Hawaii's department of environmental management wastewater division. Report to the legislature. (\$\$) -- SB2480 CD1

Committee Reports: SSCR 2139 (WLA/ EIA/) SSCR 2823 (WAM) HSCR 1159-06 (EEP) HSCR 1601-06 (FIN) CCR 191-06

Current Status: May-02 06 Passed Legislature

SB2484 SD1 HD1 CD1 (CCR 190-06)

MAKING AN APPROPRIATION FOR VOG MONITORING STATIONS.

Introduced by: Kokubun R

Appropriation to the department of health for the installation of vog monitoring stations at Mountain View and Pahala on the island of Hawaii. (\$\$) -- SB2484 CD1

Committee Reports: SSCR 2138 (WLA/ EIA/) SSCR 2825 (WAM) HSCR 1199-06 (EEP) HSCR 1643-06 (FIN) CCR 190-06

Current Status: May-02 06 Passed Legislature

SB2485 SD2 HD2 CD1 (CCR 39-06)

RELATING TO SPECIAL PURPOSE REVENUE BONDS.

Introduced by: Kokubun R, English J, Fukunaga C

Establishes provisions relating to assisting agricultural businesses serving important agricultural lands. Defines project party to mean a person, firm, or corporation conducting or proposing to conduct an agricultural enterprise serving important agricultural lands. Authorizes the department of budget and finance to enter into and carry out a project agreement, or an amendment or supplement to an existing agreement, with a project party and to enter into and carry out any agreement where the obligation of a project party will be unconditionally guaranteed by a person other than a project party; issue special purpose revenue bonds; and lend the proceeds of the bonds for a project to the project party. -- SB2485 CD1

Committee Reports: SSCR 2493 (WLA) SSCR 2826 (WAM) HSCR 980-06 (AGR) HSCR 1227-06 (JUD) HSCR 1567-06 (FIN) CCR 39-06

Current Status: May=02 06 Passed Legislature

Section Affected: 39A- (22 SECTIONS) ASSISTING AGRICULTURAL ENTERPRISES SERVING IMPORTANT AGRICULTURAL LANDS

SB2486 SD2 HD1 CD1 (CCR 146-06)

RELATING TO INVASIVE SPECIES.

Introduced by: Kokubun R, English J, Nishihara C

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Amends Act 85, session laws of 2003, relating to invasive species. Makes the temporary invasive species council permanent and places the council under the department of land and natural resources rather than the office of the governor. -- SB2486 CD1

Committee Reports: SSCR 2124 (WLA) SSCR 2620 (TGO) HSCR 1204-06 (AGR/EEP/) HSCR 1665-06 (FIN) CCR 146-06

Current Status: May-02 06 Passed Legislature

Section Affected: ACT 85 2003, ACT 10 2004

SB2487 HD1 CD1 (CCR 40-06)

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

Introduced by: Kokubun R

Amends provisions relating to Hawaii community development authority. Increases the members of authority from 11 to 13. Requires 1 member to be appointed by the governor from a list submitted by the president of the senate, and another to be appointed by the governor from a list submitted by the speaker of the house of representatives. -- SB2487 CD1

Committee Reports: SSCR 2125 (WLA) SSCR 2621 (TGO) HSCR 1184-06 (WLO) HSCR 1471-06 (FIN) CCR 40-06

Current Status: May=02 06 Passed Legislature

Section Affected: 206E-3

SB2489

RELATING TO FORFEITURE OF PROPERTY.

Introduced by: Kokubun R, Nishihara C

Amends provisions relating to covered offenses under the forfeiture law. Provides that offenses for which property is subject to forfeiture includes unlawful methamphetamine (crystal methamphetamine, ice) trafficking, manufacturing of a controlled substance with a child present. -- SB2489

Committee Reports: SSCR 2559 (JHW) HSCR 1115-06 (JUD)

Current Status: Mar-28 06 Received by the Governor

Apr-13 06 Approved by Governor (Act 7 2006)

Section Affected: 712A-4

SB2501 SD1 HD1 CD1 (CCR 27-06)

RELATING TO FISHING.

Introduced by: Hooser G

Establishes provisions relating to Haena community based subsistence fishing area. Designates the Ha'ena (Haena) community based subsistence fishing area on the northwestern coast of Kauai. Requires the department of land and natural resources to consult with as broad a base as possible group of inhabitants of the ahupuaa of Haena and other interested parties to establish rules for the Haena community based subsistence fishing area. -- Amends Act 218, session laws of 2005, relating to restricted fishing in Kahului harbor, to be repealed upon the effective date of administrative rules adopted by the department of land and natural resources regarding user conflicts at Kahului harbor. -- SB2501 CD1

Committee Reports: SSCR 2671 (WLA) HSCR 1126-06 (WLO) CCR 27-06

Current Status: May=02 06 Passed Legislature

Section Affected: 188- (1 SECTION), ACT 218 2005, 188-34

SB2502 SD2 HD1 CD1 (CCR 188-06)

MAKING AN APPROPRIATION FOR DONATED DENTAL SERVICES.

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

Appropriation to the department of health for the donated dental services program in Hawaii. (\$\$) -- SB2502 CD1

Committee Reports: SSCR 2055 (HTH/ HMS/) SSCR 2751 (WAM) HSCR 1091-06 (HLT) HSCR 1660-06 (FIN) CCR 188-06

Current Status: May-02 06 Passed Legislature

SB2504 SD2 HD2 CD1 (CCR 192-06)

RELATING TO PARKING FOR PERSONS WITH DISABILITIES.

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

Establishes provisions relating to reimbursement to counties. Requires the State to reimburse the counties for the unit cost of issuing the removable and temporary removable windshield placards on behalf of the State. Directs the state auditor to conduct an analysis of the cost to the State of reimbursing the counties for issuing removable and temporary windshield placards. Report to the legislature. Appropriation to the department of health's disability and communication access board. (\$\$) -- SB2504 CD1

Committee Reports: SSCR 2470 (HTH/ IGA/) SSCR 2752 (WAM) HSCR 956-06 (HLT/ TRN/) HSCR 1645-06 (FIN) CCR 192-06

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Current Status: May-02 06 Passed Legislature
Section Affected: 291- (1 SECTION), 291-51.6, 291-52, 291-52.6, 291-56

- SB2505 SD2 HD1 CD1 (CCR 199-06) MAKES APPROPRIATIONS FOR SCHOOL-BASED SUBSTANCE ABUSE TREATMENT PROGRAMS FOR ADOLESCENTS.
Introduced by: Baker R, Kanno B, Inouye L, Sakamoto N
Appropriation to the department of health for adolescent school based substance abuse treatment programs in middle and intermediate schools, with priority given to establishing programs with schools with the greatest need. (\$\$) -- SB2505 CD1
Committee Reports: SSCR 2267 (HTH/ EDM) SSCR 2753 (WAM) HSCR 953-06 (HLT) HSCR 1097-06 (EDN) HSCR 1597-06 (FIN) CCR 199-06
Current Status: May-02 06 Passed Legislature
- SB2506 HD1 (HSCR 1121-06) RELATING TO THE REPRODUCTIVE RIGHTS PROTECTION COMMITTEE.
Introduced by: Baker R, Chun Oakland S, Fukunaga C, Kanno B
Establishes provisions relating to reproductive rights advisory list. Authorizes the family court to maintain a resource list of advisors in the disciplines of law, medicine, theological or philosophical ethics, social work, and psychology or psychiatry with knowledge regarding the reproductive rights of incapacitated adults with disabilities. Provides that the court may seek advice and recommendations from 1 or more of the advisors on any petition for sterilization. Repeals the reproductive rights protection committee. -- SB2506 HD1
Committee Reports: SSCR 2262 (HTH/ HMS/) SSCR 2561 (JHW) HSCR 1121-06 (JUD)
Current Status: Apr-06 06 Received by the Governor
Apr-25 06 Approved by Governor (Act 25 2006)
Section Affected: 560:5- (1 SECTION), 560:5-607, 560:5-612, 560:5-606, 560:5-610
- SB2545 SD2 HD2 CD1 (CCR 180-06) RELATING TO CONDOMINIUMS.
Introduced by: Espero W
Establishes provisions relating to hearings under the condominiums law. Provides that if a dispute is not resolved by mediation, in addition to any other legal remedies that may be available, any party that participated in the mediation may file a request for a hearing with the office of administrative hearings of the department of commerce and consumer affairs. Requires the director of commerce and consumer affairs to report to the legislature. Act to be repealed on June 30, 2009 (sunset). -- SB2545 CD1
Committee Reports: SSCR 2041 (CPH) SSCR 2909 (WAM) HSCR 1218-06 (CPC) HSCR 1666-06 (FIN) CCR 180-06
Current Status: May-02 06 Passed Legislature
Section Affected: 514B- (1 SECTION) HEARINGS
- SB2570 SD2 HD2 CD1 (CCR 138-06) RELATING TO DIGITAL MEDIA.
Introduced by: Taniguchi B, Fukunaga C
Changes the motion picture and film production income tax credits to the motion picture, digital media, and film production income tax credit. Changes the tax credits from 4 per cent to 15 per cent in any county with a population over 700,000 and to 20 per cent in any county with a population of 700,000 or less for productions costs after July 1, 2006, and before January 1, 2016 (sunset). Act to be repealed on January 1, 2016. -- SB2570 CD1
Committee Reports: SSCR 2023 (MAT) SSCR 2707 (WAM) HSCR 1019-06 (TAC) HSCR 1586-06 (FIN) CCR 138-06
Current Status: May-02 06 Passed Legislature
Section Affected: 235-17
- SB2575 SD2 HD1 CD1 (CCR 148-06) MAKING AN APPROPRIATION FOR A BASELINE ENVIRONMENTAL STUDY OF THE WAIANAE COAST OCEAN AREA.
Introduced by: Hanabusa C
Appropriation to the department of land and natural resources for the completion of a baseline environmental study of the Waianae coast ocean area. (\$\$) -- SB2575 CD1
Committee Reports: SSCR 2129 (WLA) SSCR 2829 (WAM) HSCR 1067-06 (WLO/ EEP/) HSCR 1587-06 (FIN) CCR 148-06
Current Status: May-02 06 Passed Legislature
- SB2581 SD1 (SSCR 2568) RELATING TO THE BACKLOG IN UNSERVED ARREST WARRANTS.
Introduced by: Hanabusa C

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Amends provisions relating to arrest; by warrant. Provides that arrest warrants may be served by any county police officer or public safety officer with police powers. Act to be repealed on July 1, 2011 (sunset). -- SB2581 SD1

Committee Reports: SSCR 2568 (JHW) HSCR 1042-06 (PSM) HSCR 1511-06 (JUD)

Current Status: Apr-06 06 Received by the Governor

Apr-25 06 Became Law Without Governor's Signature (Act 28 2006)

Section Affected: 803-1

SB2591

RELATING TO APPEALS.

Introduced by: Bunda R (BR)

Amends provisions relating to appeals. Repeals the provision that an order or decree entered in a proceeding based upon protection of any child under the child protective act shall be subject to appeal. -- SB2591

Committee Reports: SSCR 2245 (JHW) HSCR 1116-06 (JUD)

Current Status: Mar-28 06 Received by the Governor

Apr-13 06 Approved by Governor (Act 3 2006)

Section Affected: 571-54

SB2593

RELATING TO COURT FEES.

Introduced by: Bunda R (BR)

Amends provisions relating to court and witness fees. Provides that in proceedings for the protection of any child under the child protective act, no court fees shall be charged against, and no witness fees shall be allowed to, any party to a petition. Amends provisions relating to costs; circuit courts. Provides that the schedule shall not apply to proceedings under protection of any child under the child protection act. -- SB2593

Committee Reports: SSCR 2087 (JHW) SSCR 2725 (WAM) HSCR 1166-06 (JUD)
HSCR 1506-06 (FIN)

Current Status: Apr-06 06 Received by the Governor

Apr-25 06 Approved by Governor (Act 20 2006)

Section Affected: 571-83, 607-5

SB2597 HD1 (HSCR 1454-06)

RELATING TO APPELLATE JURISDICTION.

Introduced by: Bunda R (BR)

Amends provisions relating to jurisdiction. Provides that the intermediate appellate court shall have jurisdiction, subject to transfer or review on application for a writ of certiorari to hear and determine appeals from any court or agency when appeals are allowed by law and to make or issue any order to writ necessary or appropriate in the aid of its jurisdiction, and in such case, any judge may issue a writ or an order to show cause returnable before the court. -- SB2597 HD1

Committee Reports: SSCR 2247 (JHW) HSCR 1454-06 (JUD)

Current Status: Apr-21 06 Received by the Governor

Section Affected: 602-57

SB2598

RELATING TO FEES FOR ELECTRONIC FILING, SIGNING, SERVING, CERTIFICATION, AND VERIFICATION OF COURT DOCUMENTS.

Introduced by: Bunda R (BR)

Amends Act 230, session laws of 2004, relating to fees for electronic filing, signing, serving, certification, and verification of court documents. Extends the sunset date to December 31, 2008. -- SB2598

Committee Reports: SSCR 2088 (JHW) SSCR 2726 (WAM) HSCR 1110-06 (JUD)
HSCR 1499-06 (FIN)

Current Status: Apr-06 06 Received by the Governor

Apr-25 06 Approved by Governor (Act 21 2006)

Section Affected: ACT 230 2004, 601-3.7, 607-1, 607-2

SB2599 HD1 (HSCR 1455-06)

RELATING TO APPEALS.

Introduced by: Bunda R (BR)

Amends provisions relating to geothermal resource subzones, tax appeals, access to correctional facilities and records, and appeal from the action of the board of barbering and cosmetology. Changes supreme court to intermediate appellate court. Provides that the clerk of the court shall immediately transmit a record of the payments and deposits, along with a copy of the notice of appeal. Provides that where the appeal is from a governmental official or body other than a court, the required costs and fees for filing the appeal shall be made payable to the clerk of the court to which the appeal is taken and transmitted by the government official or body upon receipt to the clerk of the

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court to which the appeal is taken, along with a copy of the notice of the appeal. Further provides that if an appeal from a government official or body is taken directly to the intermediate appellate court, the required costs and fees for the appeal shall be payable only once, upon the initial filing of the appeal. -- SB2599 HD1

Committee Reports: SSCR 2248 (JHW) HSCR 1455-06 (JUD)

Current Status: Apr-21 06 Received by the Governor

Section Affected: 205-5.1, 235-114, 353-11, 438-6, 607-7

SB2600 SD1 HD2 CD1 (CCR 19-06)

RELATING TO ELECTRONIC COURT RECORDS, DOCUMENTS, PROCESSES, AND CERTIFICATES.

Introduced by: Bunda R (BR)

Amends provisions relating to seal of court, attestation by changing it to seal of court; physical or electronic seal; signature; or attestation on physical or electronic court records. Provides that the seal shall be in the custody or control of the clerk of the court and when impressed, embossed, stamped, or electronically imprinted upon a court document, process, or certificate, shall be accompanied by the clerk's official attestation. Requires that a court document, process, or certificate to be signed, certified, acknowledged, verified, exemplified, attested, or made under oath or seal is satisfied if the document bears an electronic seal of the court and an electronic image of the signature or electronic facsimile signature of the judge, clerk, or other person authorized to perform these acts. -- SB2600 CD1

Committee Reports: SSCR 2549 (JHW) HSCR 1230-06 (JUD) HSCR 1581-06 (FIN)
CCR 19-06

Current Status: May=02 06 Passed Legislature

Section Affected: 606-3

SB2601

RELATING TO DOCUMENTS SEALED UPON FILING.

Introduced by: Bunda R (BR)

Establishes provisions relating to documents sealed upon filing. Provides that in any action or proceeding under the uniform probate code law in the circuit court having jurisdiction in matters relating to the affairs of decedents, documents including birth certificate, marriage certificate, death certificate, tax return, kokua kanawai's report, court ordered professional evaluation, and responses and objections to a kokua kanawai's report or a professional evaluation shall be sealed upon filing. -- SB2601

Committee Reports: SSCR 2249 (JHW) HSCR 1117-06 (JUD)

Current Status: Mar-28 06 Received by the Governor

Apr-17 06 Approved by Governor (Act 8 2006)

Section Affected: 560:1- (1 SECTION) DOCUMENTS SEALED UPON FILING

SB2602 SD1 (SSCR 2250)

RELATING TO ADULT PROBATION RECORDS.

Introduced by: Bunda R (BR)

Amends provisions relating to duties and powers of probation officers; adult probation records. Provides that the residence address, work address, home telephone number, or work telephone number of a current or former defendant shall be provided only to a collection agency or licensed attorney contracted by the judiciary to collect any delinquent court ordered penalties, fines, restitution, sanctions, and court costs. Provides that access to adult probation records by a victim shall be limited to the name and contact information of the defendant's adult probation officer. Provides that upon notice to the defendant, records and information relating to the risk assessment and need for treatment services or information related to the defendant's past may be provided to a case management, assessment or treatment service provider; provided that such information shall be given only upon the acceptance or admittance of the defendant into a treatment program; correctional case manager, correctional unit manager, parole officers and persons or entities doing research. -- SB2602 SD1

Committee Reports: SSCR 2250 (JHW) HSCR 1451-06 (JUD)

Current Status: Apr-07 06 Received by the Governor

Apr-26 06 Became Law Without Governor's Signature (Act 36 2006)

Section Affected: 806-73

SB2603 SD1 HD1 (HSCR 1122-06)

RELATING TO MOTOR VEHICLE INSURANCE.

Introduced by: Bunda R (BR)

Amends provisions relating to motor vehicle insurance. Provides that driving without a valid motor vehicle insurance policy shall not be deemed to be a traffic infraction. -- SB2603 HD1

Committee Reports: SSCR 2564 (JHW) HSCR 1122-06 (JUD)

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Current Status: Apr-21 06 Received by the Governor
Section Affected: 431:10C-117

SB2604

RELATING TO INTERMEDIATE APPELLATE COURT PANELS.

Introduced by: Bunda R (BR)

Amends provisions relating to panels; substitute judge. Repeals the chief judge's discretion regarding the assignment of a panel of not less than 3 intermediate appellate judges. -- SB2604

Committee Reports: SSCR 2251 (JHW) HSCR 1118-06 (JUD)

Current Status: Mar-28 06 Received by the Governor

Apr-13 06 Approved by Governor (Act 4 2006)

Section Affected: 602-55

SB2606 HD1 (HSCR 1232-06)

RELATING TO BAIL.

Introduced by: Bunda R (BR)

Amends provisions relating to unclaimed bail money. Provides that all money deposited by way of bail or bond which has not been declared forfeited and not claimed within 2 years after the final disposition of the cause of action in which the money was deposited, shall be presumed abandoned under the unclaimed property act. -- SB2606 HD1

Committee Reports: SSCR 2163 (JHW) SSCR 2727 (WAM) HSCR 1232-06 (JUD)
HSCR 1500-06 (FIN)

Current Status: Apr-21 06 Received by the Governor

Section Affected: 804-2

SB2607 SD1 HD1 (HSCR 1456-06)

RELATING TO TRANSFER OF APPEALS.

Introduced by: Bunda R (BR)

Amends provisions relating to application for transfer to the supreme court. Authorizes the supreme court, in the manner and within the time provided by the rules of court, shall grant an application to transfer any case within the jurisdiction of the intermediate appellate court to the supreme court upon the grounds that the case involves a question of imperative or fundamental public importance; an appeal from a decision of any court or agency when appeals are allowed by law; a sentence of life imprisonment without the possibility of parole. Provides that denial of an application for transfer shall not prejudice a later application for a writ of certiorari. -- SB2607 HD1

Committee Reports: SSCR 2252 (JHW) HSCR 1456-06 (JUD)

Current Status: Apr-21 06 Received by the Governor

Section Affected: 602-58

SB2608

RELATING TO GUARDIAN AND PROTECTIVE PROCEEDINGS.

Introduced by: Bunda R (BR)

Establishes provisions relating to the effect of Act 161, session laws of 2004, relating to guardian and protective proceedings. Provides that it shall not affect any action commenced, proceeding brought, or right accrued under the probate code, prior to January 1, 2005. -- SB2608

Committee Reports: SSCR 2253 (JHW) HSCR 1452-06 (JUD)

Current Status: Apr-07 06 Received by the Governor

Apr-26 06 Approved by Governor (Act 29 2006)

Section Affected: 560:8- (1 SECTION) EFFECT OF ACT 161, SESSION LAWS OF HAWAII 2004

SB2609 SD1 HD1 CD1 (CCR 4-06)

RELATING TO WRIT OF CERTIORARI.

Introduced by: Bunda R (BR)

Amends provisions relating to review of decision of the intermediate appellate court, certiorari. Allows a party to seek a review of a dismissal order. Provides that the application for writ of certiorari shall tersely state its grounds which shall include; grave errors of law or of fact; or obvious inconsistencies in the decision of the intermediate appellate court with that of the supreme court, federal decisions, or its own decision, and the magnitude of those errors or inconsistencies dictating the need for further appeal. Increases the period that an application for writ of certiorari may be filed with the supreme court to no later than 90 days after the filing of the judgment or dismissal order of the intermediate appellate court. -- SB2609 CD1

Committee Reports: SSCR 2254 (JHW) HSCR 1457-06 (JUD) CCR 4-06

Current Status: Apr-25 06 Received by the Governor

Section Affected: 602-59

SB2630 SD2 HD1 CD1 (CCR 212-06)

MAKING AN APPROPRIATION FOR DEVELOPMENTAL DISABILITIES.

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Introduced by: Chun Oakland S, Baker R
Appropriation to the department of health to provide for continued operation of developmental disabilities domiciliary homes and apartment complexes for persons with developmental disabilities. (\$\$) -- SB2630 CD1
Committee Reports: SSCR 2059 (HTH/ HMS/) SSCR 2755 (WAM) HSCR 1250-06 (HLT/ HUS/) HSCR 1646-06 (FIN) CCR 212-06
Current Status: May-02 06 Passed Legislature

SB2667 SD2 HD1 CD1 (CCR 14-06) RELATING TO FIREWORKS.
Introduced by: Inouye L
Amends provisions relating to fireworks law by including articles pyrotechnic. Defines articles pyrotechnic to mean pyrotechnic devices for professional use similar to consumer fireworks in chemical composition and construction but not intended for consumer use which meet the weight limits for consumer fireworks and are not labeled. -- Amends provisions relating to license or permit required. Adds that it shall be unlawful to purchase consumer fireworks more than 5 days before the applicable time period and that a person shall not sell consumer fireworks after 12 a.m. on New Year's Day, 6 p.m. on Chinese New Year's Day and 8 p.m. on the 4th of July. -- SB2667 CD1
Committee Reports: SSCR 2415 (IGA) SSCR 2572 (JHW) HSCR 982-06 (TAC) HSCR 1491-06 (JUD) CCR 14-06
Current Status: May=02 06 Passed Legislature
Section Affected: 132D-2, 132D-3, 132D-4, 132D-5, 132D-7, 132D-8, 132D-8.5, 132D-8.6, 132D-9, 132D-10, 132D-11, 132D-12, 132D-13, 132D-14, 132D-16, 132D-17, 132D-21

SB2704 SD2 HD1 (HSCR 1031-06) RELATING TO EDUCATION.
Introduced by: Sakamoto N
Amends provisions relating to school level minor repairs and maintenance accounts by changing it to school level minor repair and maintenance account. Repeals the account comprised of general funds appropriated to the department of education. Repeals the requirement that the department of education allocate funds based on the number of students at the school multiplied by a factor which recognizes the age and condition of the school. Repeals the requirement that school principals, through the superintendent of education annually report to the department of accounting and general services. -- SB2704 HD1
Committee Reports: SSCR 2118 (EDM) SSCR 2876 (WAM) HSCR 1031-06 (EDN) HSCR 1502-06 (FIN)
Current Status: May=02 06 Passed Legislature
Section Affected: 302A-1504

SB2708 SD2 HD1 CD1 (CCR 222-06) RELATING TO SCHOOL FACILITIES.
Introduced by: Sakamoto N, Chun Oakland S
Amends Act 246, session laws of 2005, establishing a school impact fee working group administratively attached to the office of the auditor by extending the sunset date to July 30, 2007. Report to the legislature. Appropriation to the office of the auditor. Act to be repealed on July 30, 2007 (sunset). (\$\$) -- SB2708 CD1
Committee Reports: SSCR 2368 (EDM/ CPH/) SSCR 2879 (WAM) HSCR 1030-06 (EDN) HSCR 1571-06 (FIN) CCR 222-06
Current Status: May-02 06 Passed Legislature
Section Affected: ACT 246 2005

SB2719 SD2 HD1 CD1 (CCR 223-06) RELATING TO EDUCATION.
Introduced by: Sakamoto N
Repeals provisions relating to new century charter schools and establishes the public charter schools law. -- Authorizes the board of land and natural resources to lease public lands and buildings under the control of the department of land and natural resources to new century charter schools. -- SB2719 CD1
Committee Reports: SSCR 2443 (EDM) SSCR 2881 (WAM) HSCR 1259-06 (EDN) HSCR 1656-06 (FIN) CCR 223-06
Current Status: May-02 06 Passed Legislature
Section Affected: 302B-1, 302B-2, 302B-3, 302B-4, 302B-5, 302B-6, 302B-7, 302B-8, 302B-9, 302B-10, 302B-11, 302B-12, 302B-13, 302B-14, 302B-15, 302B-16, 302A-1181, 302A-1182, 302A-1182.5, 302A-1184, 302A-1185, 302A-1186, 302A-1187, 302A-1188, 302A-1190, 302A-1191, 302A-1192, 89- (1 SECTION), 26-35.5, 89-6, 302A-101, 302A-411, 302A-1101,

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302A-1124, 302A-1302, 302A-1303.6, 302A-1505, 302A-1507,
707-711, 302A-301, 302A-1128, 302A-1403, 302A-1404, 171- (1
SECTION)

- SB2720 SD2 HD1 CD1 (CCR 127-06) RELATING TO EDUCATION.
Introduced by: Sakamoto N
Amends Act 51, session laws of 2004, relating to education. Repeals the transfer of rights, powers, functions, duties, and resources of the department of the attorney general relating to negotiating of workers' compensation claims and labor management relations within the department of education; and the department of human services relating to employment background checks for after school plus program (A+, A-plus, A plus), private vendors, and other employees and trainees who work with public school students to the department of education. -- SB2720 CD1
Committee Reports: SSCR 2369 (EDM/ TGO/) SSCR 2882 (WAM) HSCR 1032-06 (EDN) HSCR 1503-06 (FIN) CCR 127-06
Current Status: May=02 06 Passed Legislature
Section Affected: ACT 51 2004
- SB2727 SD1 HD2 CD1 (CCR 122-06) RELATING TO NEUROTRAUMA.
Introduced by: Chun Oakland S
Amends provisions relating to the neurotrauma special fund. Requires the fund to be used for direct services that assist individuals with neurotraumatic injuries. Provides that funds shall be used to obtain federal and private grant matching funds. Requires the department of human services to apply for a traumatic brain injury waiver no later than December 31, 2007. -- SB2727 CD1
Committee Reports: SSCR 2201 (HTH/ HMS/) SSCR 2757 (WAM) HSCR 1233-06 (HLT) HSCR 1647-06 (FIN) CCR 122-06
Current Status: May-02 06 Passed Legislature
Section Affected: 321H-4
- SB2737 SD1 HD1 (HSCR 1061-06) RELATING TO MARINE INVERTEBRATES.
Introduced by: Hee C
Establishes provisions relating to female ula (spiny lobsters), Kona crabs, and Samoan crabs; taking or killing prohibited. Prohibits a person to take or kill any female ula (spiny lobster or Panulirus), Kona crab (Ranina ranina), or Samoan crab (Scylla serrata). -- SB2737 HD1
Committee Reports: SSCR 2645 (WLA) HSCR 1061-06 (WLO) HSCR 1512-06 (JUD)
Current Status: Apr-18 06 Received by the Governor
May-04 06 Approved by Governor (Act 77 2006)
Section Affected: 188- (1 SECTION) FEMALE ULA (SPINY LOBSTERS), KONA CRABS, AND SAMOAN CRABS
- SB2753 SD1 HD2 CD1 (CCR 145-06) MAKING AN APPROPRIATION FOR THE OPERATION AND MAINTENANCE OF THE EAST KAUAI IRRIGATION SYSTEM.
Introduced by: Hooser G, Trimble G
Appropriation for the agribusiness development corporation for the operation and maintenance of the east Kauai irrigation system by the east Kauai Water Users' Cooperative provided that the sums not supplant moneys appropriated to the East Kauai Water User's Cooperative for fiscal year 2006 - 2007. (\$\$) -- SB2753 CD1
Committee Reports: SSCR 2123 (WLA) SSCR 2830 (WAM) HSCR 1206-06 (AGR/ WLO/) HSCR 1473-06 (FIN) CCR 145-06
Current Status: May-02 06 Passed Legislature
- SB2774 SD2 HD1 CD1 (CCR 120-06) RELATING TO HOUSING.
Introduced by: Hanabusa C
Amends provisions relating to county zoning. Prohibits any law, county ordinance, or rule to prohibit the residential use of land for employee housing and community buildings in plantation community subdivisions; provided that no zoning ordinance shall provide for elimination, amortization, or phasing out of plantation community subdivisions as a nonconforming use. -- Amends provisions relating to permissible uses within the agricultural districts. Provides that lands with soil classified by the land study bureau's detailed land classification as overall productivity rating class A or B shall be restricted to plantation community subdivisions, which means a subdivision or cluster of employee housing, community buildings, and acreage established on land currently or formerly owned, leased, or operated by a sugar or pineapple plantation and in residential use by employees or former employees of the plantation, provided that the employees or former

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employees shall have a property interest in the land. -- SB2774 CD1
Committee Reports: SSCR 2034 (CPH) SSCR 2674 (CPH/ WLA/) HSCR 1155-06
(HSG/ WLO/) HSCR 1578-06 (FIN) CCR 120-06
Current Status: May-02 06 Passed Legislature
Section Affected: 46-4, 205-2, 205-4.5, 205-5

SB2879 SD1 HD1 CD1 (CCR 147-06) MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL.
Introduced by: Sakamoto N, Hooser G, Chun Oakland S
Appropriation to the department of defense for the operational expenses of the Hawaii
civil air patrol. (\$\$) -- SB2879 CD1
Committee Reports: SSCR 2316 (TGO) SSCR 2801 (WAM) HSCR 1254-06 (PSM)
HSCR 1585-06 (FIN) CCR 147-06
Current Status: May-02 06 Passed Legislature

SB2887 SD1 HD1 CD1 (CCR 116-06) RELATING TO EDUCATION.
Introduced by: Sakamoto N, Chun Oakland S
Amends provisions relating to teacher licensing standards. Requires the Hawaii teacher
standards board to develop criteria allowing more individuals with trade or industry
experience to teach in vocational, technical, and career pathway programs, and criteria
to allow the issuance of permits for qualified individuals to teach when recommended
by the superintendent of education. Requires the department of education to be
responsible for the review and acceptance of the industry qualifications necessary to
receive such a permit. Authorizes the department to waive the requirement of a
bachelor's degree to teach in a vocation, technical, or career pathway education
program. -- SB2887 CD1
Committee Reports: SSCR 2647 (EDM/ LBR/) HSCR 1145-06 (EDN/ LAB/) HSCR
1625-06 (FIN) CCR 116-06
Current Status: May-02 06 Passed Legislature
Section Affected: 302A-802

SB2897 SD2 HD3 CD1 (CCR 182-06) RELATING TO PROCUREMENT.
Introduced by: Inouye L, Baker R, Sakamoto N
Amends provisions relating to department of budget and finance powers as to health
care facilities; manufacturing enterprises; processing enterprises; industrial enterprises;
energy projects; early childhood education and care facilities; and private nonsectarian
and sectarian elementary schools, secondary schools, college, and universities.
Provides that it restores or adds the exemptions from the State's procurement code for
special purpose revenue bonds. -- Amends provisions relating to powers. Provides that
the high technology corporation shall be exempt from the procurement code. -- SB2897
CD1
Committee Reports: SSCR 2153 (TGO) SSCR 2803 (WAM) HSCR 1004-06 (EDB)
HSCR 1186-06 (LMG) HSCR 1667-06 (FIN) CCR 182-06
Current Status: May-02 06 Passed Legislature
Section Affected: 39A-32, 39A-72, 39A-112, 39A-152, 39A-192, 39A-222,
39A-252, 206M-42

SB2898 SD2 HD2 CD1 (CCR 126-06) RELATING TO PROCUREMENT.
Introduced by: Inouye L, Baker R
Amends provisions relating to chief procurement officers. Provides that the procurement
officer for the Hawaii health systems corporation is the chief executive officer of the
Hawaii health systems corporation. Amends provisions relating to small purchases;
prohibition against parceling. Changes the amount of procurements of less than 25,000
dollars to less than 50,000 dollars for goods, services, or construction. Provided that
small purchase procurements through an electronic system shall be required after the
policy board has adopted rules for electronic procurement and provided training to the
affected agency. -- SB2898 CD1
Committee Reports: SSCR 2324 (HTH/ TGO/) SSCR 2760 (WAM) HSCR 955-06
(HLT) HSCR 1181-06 (LAB) HSCR 1590-06 (FIN) CCR 126-06
Current Status: May-02 06 Passed Legislature
Section Affected: 103D-203, 103D-305

SB2901 HD1 CD1 (CCR 104-06) RELATING TO HIGHWAY IMPACT FEES.
Introduced by: Inouye L
Amends provisions relating to highway impact fees by deleting the definition of county
having a population in excess of 500,000. -- SB2901 CD1
Committee Reports: SSCR 2155 (TGO/ IGA/) SSCR 2804 (WAM) HSCR 1096-06

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- (TRN) HSCR 1475-06 (FIN) CCR 104-06
Current Status: May-02 06 Passed Legislature
Section Affected: 264-121
- SB2909 SD1 HD2 CD1 (CCR 41-06) RELATING TO PERMIT APPROVALS.
Introduced by: Hooser G
Amends provisions relating to maximum time period for business or development related permits licenses or approvals; automatic approval; extensions. Provides that this provision shall not apply to any county or county agency that is exempted by county ordinance from this provision. -- SB2909 CD1
Committee Reports: SSCR 2395 (IGA/ TGO/) SSCR 2573 (JHW) HSCR 991-06 (EDB) HSCR 1165-06 (JUD) HSCR 1630-06 (FIN) CCR 41-06
Current Status: May=02 06 Passed Legislature
Section Affected: 91-13.5
- SB2913 SD1 HD1 (HSCR 1554-06) RELATING TO CONTRACTORS.
Introduced by: Menor R (BR)
Amends provisions relating to licensing of craftsmen to licensing of electrical or plumbing workers. Requires that at least half of all individuals performing electrical or plumbing work employed on a construction job site by an electrical or plumbing contractor be licensed. Authorizes the contractors license board to waive this requirement in any county where there are insufficient licensed electricians or plumbers. -- SB2913 HD1
Committee Reports: SSCR 2681 (CPH) HSCR 1554-06 (CPC)
Current Status: May=02 06 Passed Legislature
Section Affected: 444-9.5
- SB2924 SD1 HD1 CD1 (CCR 6-06) RELATING TO CRUELTY TO ANIMALS.
Introduced by: Hanabusa C, Chun Oakland S, Nishihara C
Establishes provisions relating authority to enter premises; notice of impoundment of animal; damage resulting from entry. Provides that if there is probably cause to believe that a pet animal is being subjected to treatment in violation of cruelty to animals, a law enforcement officer, after obtaining a search warrant or in any other manner authorized by law, may enter the premises where the pet animal is located to provide the pet animal with food, water, and emergency medical treatment or to impound the pet animal. -- Establishes provisions relating to forfeiture of animal prior to disposition of criminal charges. Provides that any duly incorporated humane society or society for the prevention of cruelty to animals who is holding the pet animal may file a petition in the criminal action requesting that the court issue an order for forfeiture of the pet animal to the county, humane society, or society for the prevention of cruelty to animals prior to final disposition of the criminal charge. -- SB2924 CD1
Committee Reports: SSCR 2592 (JHW) HSCR 1123-06 (JUD) CCR 6-06
Current Status: Apr-28 06 Received by the Governor
Section Affected: 711- (2 SECTIONS) AUTHORITY TO ENTER PREMISES
- SB2929 HD1 CD1 (CCR 105-06) RELATING TO THE LAND USE COMMISSION.
Introduced by: Hanabusa C, Chun Oakland S, English J
Amends provisions relating to establishment of the land use commission. Provides that 1 member shall have substantial experience or expertise in traditional Hawaiian land usage and knowledge of cultural land practices. -- SB2929 CD1
Committee Reports: SSCR 2644 (WLA/ JHW/) HSCR 1329-06 (WLO) CCR 105-06
Current Status: May=02 06 Passed Legislature
Section Affected: 205-1
- SB2930 SD1 HD1 CD1 (CCR 7-06) RELATING TO CRUELTY TO ANIMALS.
Introduced by: Hanabusa C, Chun Oakland S, Nishihara C
Amends provisions relating to surrender or forfeiture of animals. Requires the court to order the defendant to reimburse the duly incorporated humane society or duly incorporated society for the prevention of cruelty to animals for reasonable costs incurred to care, feed, and house any animal that is surrendered or forfeited. -- SB2930 CD1
Committee Reports: SSCR 2579 (JHW) HSCR 1458-06 (JUD) CCR 7-06
Current Status: Apr-28 06 Received by the Governor
Section Affected: 711-1110.5
- SB2941 SD1 HD1 CD1 (CCR 48-06) RELATING TO BRUSH FIRES.

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Introduced by: Hanabusa C, Nishihara C

Establishes provisions relating to special sentencing considerations for arson; other actions not prohibited. Provides that in addition to any other penalty imposed, a person convicted of arson involving fire set to brush, grass, vegetation on the land resulting in damage to 10,000 square feet of property, may be required to pay any costs associated with extinguishing the fire; and perform community service work in the region in which the property damage occurred. Provides that with regard to any fire or monetary penalty that may be imposed on a minor convicted or adjudicated for an offense of arson, the parents or legal guardians of the minor shall be liable for the percentage of costs associated with extinguishing the fire based upon the apportionment of fire damage to real or personal property caused by the minor as a result of committing the offense of arson, regardless of whether the property is publicly or privately owned. -- SB2941 CD1
Committee Reports: SSCR 2569 (JHW) HSCR 1124-06 (JUD) CCR 48-06
Current Status: May-02 06 Passed Legislature
Section Affected: 708- (1 SECTION) SPECIAL SENTENCING CONSIDERATIONS FOR ARSON

SB2948 SD1 HD2 CD1 (CCR 101-06) RELATING TO THE PUBLIC LAND TRUST.

Introduced by: Hanabusa C

Provides that the income and proceeds from the pro rata portion of the public land trust for expenditure by the office of Hawaiian affairs for each fiscal year shall be 15.1 million dollars. Requires the department of agriculture, department of accounting and general services, department of business, economic development and tourism, department of education, department of land and natural resources, and department of transportation (for its harbors division), and any other department or agency that collects receipts from the lands within the public land trust to determine and transfer to the office of Hawaiian affairs that portion of their receipts from the use of lands within the public land trust collected during each fiscal quarter, necessary to ensure that a total of 3.775 million dollars of public land trust generated receipts is transferred to the office of Hawaiian affairs, within 30 days of the close of each fiscal quarter. Provides that for fiscal year 2005 - 2006, the departments shall transfer a total of 15.1 million dollars from their receipts to the office of Hawaiian affairs. Authorizes the governor to fix the amounts each agency shall transfer to the office of Hawaiian affairs in each quarter by executive order. Appropriation to the department of budget and finance to pay the office of Hawaiian affairs the amounts received from the use of the lands in the land trust. -- Requires the department of land and natural resources with the cooperation of the department of budget and finance and any other state department or agency that uses or manages public lands, to provide an accounting of all receipts from section 5(f) of the Admission Act. Appropriation. (\$\$) -- SB2948 CD1
Committee Reports: SSCR 2166 (JHW) SSCR 2734 (WAM) HSCR 1158-06 (HAW)
HSCR 1626-06 (FIN) CCR 101-06
Current Status: May=02 06 Passed Legislature

SB2956 SD2 HD2 CD1 (CCR 237-06) RELATING TO EDUCATION.

Introduced by: Sakamoto N, Inouye L, Hanabusa C, Kokubun R, Hooser G, Bunda R, Baker R, Nishihara C, Ige D, Espero W, Tsutsui S, Chun Oakland S, Taniguchi B, Menor R, English J, Ihara L, Fukunaga C, Kanno B, Kim D
Appropriation to the department of education for the renovation of classrooms statewide. Authorizes the issuance of general obligation bonds for appropriation to the department of education for deposit in the state educational facilities special fund for repair and maintenance of school facilities. Appropriation out of the state educational facilities special fund to the department of education for the repair and maintenance of school facilities. (\$\$) -- SB2956 CD1
Committee Reports: SSCR 2343 (EDM/ HRE/) SSCR 2890 (WAM) HSCR 1034-06 (EDN) HSCR 1573-06 (FIN) CCR 237-06
Current Status: May-04 06 Passed Legislature

SB2957 SD2 HD2 CD1 (CCR 131-06) RELATING TO ENERGY.

Introduced by: English J, Ige D, Hanabusa C, Tsutsui S, Chun Oakland S, Sakamoto N, Hooser G, Espero W, Inouye L, Menor R, Bunda R, Nishihara C, Fukunaga C, Baker R, Kokubun R, Kanno B, Ihara L, Kim D
Amends provisions relating to renewable energy technologies income tax credit. Increases the credit for solar thermal energy systems for single family residential property, for wind powered energy systems for commercial property, and for photovoltaic energy systems for single family residential property and commercial property. -- Amends Act 207, session laws of 2003, relating to the renewable energy technologies

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income tax credit for every renewable energy technology systems installed, by repealing the sunset date. -- Amends provisions relating to the Hawaii public procurement code by establishing provisions relating to biofuel preference. Provides that contracts for the purchase of diesel fuel or boiler fuel shall be awarded to the lowest responsible and responsive bidders, with preference given to bids for biofuel or blends of biofuel and petroleum fuel. -- Establishes State support for achieving alternate fuels standards. -- Establishes the Hawaii renewable hydrogen program within the department of business, economic development, and tourism to manage the State's transition to a renewable hydrogen economy. Establishes the hydrogen investment capital special fund. Provides that moneys in the fund shall be used to seed private sector and federal projects for research, development, testing, and implementation of the program. -- Appropriation to the department of business, economic development, and tourism for statewide multi fuel biofuels production assessment of potential feedstock, technologies, and economics of the various renewable fuels pathways and the potential of ethanol, biodiesel, and renewable hydrogen production to contribute to Hawaii's energy needs. -- Appropriation to the department of agriculture to provide assistance to the agricultural community interested in developing energy projects, especially for the production of biodiesel from energy crops and cellulosic ethanol from agricultural waste streams. -- Appropriation to the department of business, economic development, and tourism for the hydrogen investment capital special fund. Appropriation out of the special fund. Appropriation for the Hawaii natural energy institute to hire 1 full time hydrogen system program manager position. -- Requires the public utilities commission to implement a pilot project, solar water heating pay as you save program which allows a residential electric utility customer to purchase a solar water heater system with no upfront payments and by paying the cost of the system over time on the customer's electricity bill. (\$\$) -- SB2957 CD1

Committee Reports: SSCR 2500 (EIA/ CPH/) SSCR 2808 (WAM) HSCR 1238-06 (EEP/ CPC/) HSCR 1658-06 (FIN) CCR 131-06

Current Status: May=02 06 Passed Legislature

Section Affected: 235-12.5, ACT 207 2003, 103D- (1 SECTION), 196- (1 SECTION), 196- (1 SECTION), 211F- (1 SECTION)

SB2958 SD2 HD1 CD1 (CCR 185-06) RELATING TO HOUSING.

Introduced by: Menor R, Hooser G, Sakamoto N, Espero W, Kokubun R, Hanabusa C, Tsutsui S, English J, Chun Oakland S, Nishihara C, Ihara L, Inouye L, Bunda R, Baker R, Fukunaga C, Kanno B, Kim D

Amends provisions relating to the board of directors of the Hawaii public housing administration. Increases the membership to 10. Add 1 public member to be an advocate for low income or homeless persons and 1 with a disability or an advocate for persons with disabilities. -- Amends provisions relating to administration of state low income housing projects and programs. Requires rather than allows the administration to construct, develop, and administer property or housing for state low income public housing projects and programs. -- Establishes provisions relating to leases; self help housing. Allows the Hawaii housing finance and development administration to lease parcels it deems suitable for affordable housing at 1 dollar per year for up to 50 years to organizations or community trusts to develop the parcel with ownership units through self help development. -- Requires the department of land and natural resources to initiate the transfer of lands identified as suitable for affordable housing to the administration. -- SB2958 CD1

Committee Reports: SSCR 2295 (CPH) SSCR 2914 (WAM) HSCR 1222-06 (HSG) HSCR 1619-06 (FIN) CCR 185-06

Current Status: May-02 06 Passed Legislature

Section Affected: 201G-3, 201G-44, 201H- (1 SECTION)

SB2961 SD1 HD1 CD1 (CCR 179-06) RELATING TO HEALTH.

Introduced by: Baker R, Hanabusa C, Fukunaga C, Hee C, English J, Hooser G, Chun Oakland S, Tsutsui S

Establishes provisions relating to the Hawaii cancer research special fund. Provides that the special fund shall be administered and expended by the University of Hawaii for the cancer research center of Hawaii's research and operating expenses. -- Establishes provisions relating to the community health centers special fund. Provides that the special fund shall be administered and expended by the department of health for the operations of federally qualified health centers. -- Exempts the Hawaii cancer research special fund, the community health centers special fund, and the emergency medical services special fund from contributing to central service and administrative expenses of the government. -- Amends provisions relating to the tobacco tax. Increases the

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tobacco tax on cigarettes to 8.00 cents for each cigarette sold after September 30, 2006, 9.00 cents for each cigarette sold after September 30, 2007, 10.00 cents for each cigarette sold after September 30, 2008, 11.00 cents for each cigarette sold after September 30, 2009, 12.00 cents for each cigarette sold after September 30, 2010, and 13.00 cents for each cigarette sold after September 30, 2011. Establishes that of the moneys that result from the difference between the 7 cent tax and the increased tax amounts, shall be paid to the Hawaii cancer research special fund, trauma system special fund, community health centers special fund, and the emergency medical services special fund. Department of taxation to annually report to the legislature. Appropriation out of the cancer research special fund to the university of Hawaii for the research and operating expenses of the Cancer Research Center of Hawaii. (\$\$) -- SB2961 CD1

Committee Reports: SSCR 2206 (HTH) SSCR 2761 (WAM) HSCR 1234-06 (HLT) HSCR 1636-06 (FIN) CCR 179-06

Current Status: May-04 06 Passed Legislature

Section Affected: 304- (1 SECTION), 321- (1 SECTION), 36-27, 36-30, 321-234, 245-3, 245-15

SB2980 SD2 HD1 CD1 (CCR 215-06) RELATING TO EDUCATION.

Introduced by: Kim D, Nishihara C, Sakamoto N, Hooser G, Inouye L, Hogue B, Chun Oakland S, Trimble G

Establishes provisions relating to construction academy. Establishes a construction academy pre apprenticeship program within the community college system to meet the critical shortfalls in qualified construction labor. Requires the office of the vice president for community colleges to annually report to the legislature. -- SB2980 CD1

Committee Reports: SSCR 2344 (EDM/ HRE/) SSCR 2891 (WAM) HSCR 1193-06 (LAB/ HED/ EDN/) HSCR 1610-06 (FIN) CCR 215-06

Current Status: May-02 06 Passed Legislature

Section Affected: 305- (4 SECTIONS) CONSTRUCTION ACADEMY

SB2984 SD1 HD1 CD1 (CCR 143-06) MAKING AN APPROPRIATION TO THE KIKALA-KEOKEA HOUSING REVOLVING FUND.

Introduced by: Kokubun R

Appropriation to the Hawaii housing finance development administration for deposit into the Kikala Keokea housing revolving fund to provide low interest home construction loans for Kikala Keokea leaseholders and to fund related activities. (\$\$) -- SB2984 CD1

Committee Reports: SSCR 2194 (WLA/ JHW/) SSCR 2832 (WAM) HSCR 1220-06 (HSG) HSCR 1504-06 (FIN) CCR 143-06

Current Status: May-02 06 Passed Legislature

SB2997 SD1 HD1 CD1 (CCR 140-06) RELATING TO PROCUREMENT.

Introduced by: Inouye L

Exempts the Hawaii strategic development corporation from the procurement code. -- Amends provisions relating to Hawaii public procurement code. -- Provides that the procurement code shall not apply to services of contractors contracted by a legislative agency for the purpose of preparing a study or report for submission to the legislature. -- Amends provisions relating to powers. Provides that the high technology corporation shall be exempt from the procurement code. -- Exempts the natural energy laboratory of Hawaii authority from the procurement code. -- SB2997 CD1

Committee Reports: SSCR 2103 (TGO/ MAT/) SSCR 2806 (WAM) HSCR 1221-06 (EDB) HSCR 1683-06 (FIN) CCR 140-06

Current Status: May-02 06 Passed Legislature

Section Affected: 211G- (1 SECTION), 103D-102, 206M-3, 206M-42, 227D-7

SB3000 SD2 HD1 CD1 (CCR 119-06) RELATING TO HOUSING.

Introduced by: Menor R (BR)

Amends provisions relating to maximum time period for business or development related permits, licenses, or approvals; automatic approval; extensions. Provides that any agency that reviews and comments upon an application for a business or development related permit, license, or approval for a housing project shall respond within 45 days of receipt of the application, or the application shall be deemed approved as submitted to the agency. -- Amends provisions relating to housing development; exemption from statutes, ordinances, charter provisions, rules. Allows approval with modifications. -- SB3000 CD1

Committee Reports: SSCR 2298 (CPH/ IGA/) FLOOR AMENDMENT 1 HSCR 1191-06 (HSG/ WLO/) HSCR 1579-06 (FIN) CCR 119-06

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Current Status: May-02 06 Passed Legislature
Section Affected: 46-14.5, 91-13.5, 201G-118

SB3003 SD2 HD2 CD1 (CCR 134-06) RELATING TO THE STATE PHARMACY ASSISTANCE PROGRAM.
Introduced by: Menor R, Chun Oakland S, Baker R, Sakamoto N, English J, Kanno B, Tsutsui S
Amends provisions related to the state pharmacy assistance program. Amends provisions relating to eligibility to include those who have a household income at or below 150 per cent of the federal poverty level. Provides that residents enrolled in Medicaid or the Hawaii RX plus program are eligible for the program. Requires that for persons meeting the eligibility requirements, the state pharmacy assistance program may pay all or some of the co payments required under the federal Medicare part D pharmacy benefit program, subject to the sufficiency of funds in the state pharmacy assistance program special fund. Requires that the state pharmacy assistance program is the payor of last resort subject to the sufficiency of funds in the state pharmacy assistance program special fund. Requires that the state pharmacy assistance program be funded with state appropriations including funds derived from revenues from rebates by pharmaceutical manufacturers and with savings resulting from Medicare prescription drug coverage for the Medicaid dual eligible population. Appropriation to the department of human services for the state pharmacy assistance program. (\$\$) -- SB3003 CD1
Committee Reports: SSCR 2437 (HMS/ CPH/) SSCR 2785 (WAM) HSCR 1071-06 (HUS/ HLT/) HSCR 1476-06 (FIN) CCR 134-06
Current Status: May-02 06 Passed Legislature
Section Affected: 346-343, 346-344

SB3008 RELATING TO PUBLIC WORK PROJECTS.
Introduced by: Kanno B
Amends provisions relating to violations; penalties under wage and hours of employee on public works. Repeals 1st, 2nd, or 3rd violation refers to each investigation involving 1 or more projects and replaces it with 1st, 2nd, or 3rd violation refers to each project in which the department of labor and industrial relations finds that a contractor has failed to comply with this chapter. -- SB3008
Committee Reports: SSCR 2630 (LBR) HSCR 1263-06 (LAB)
Current Status: Apr-19 06 Vetoed
Section Affected: 104-24

SB3009 SD2 HD2 CD1 (CCR 213-06) RELATING TO CIVIL SERVICE EXEMPT EMPLOYEES.
Introduced by: Kanno B
Changes civil service exempt positions to be either civil service or exempt positions in the department of land and natural resources for employment in the historic preservation program; in the department of commerce and consumer affairs for employees employed using moneys in the compliance resolution fund except for hearing officers and attorneys; in the department of the attorney general for support staff necessary in the performance of the criminal and juvenile justice resource coordination functions, for support staff necessary in the performance or coordination of crime research, prevention, and educational programs, projects, and activities on the subject of crime except for administrator, department of land and natural resources for employment in the water resource management commission except for agents, including hearing officers, and consultants; in the department of health for the recycling coordinator position in the office of solid waste management; in the department of human services for personnel who service the medicaid home and community based waiver programs; in the department of labor and industrial relations for staff necessary to be of aid to the executive director of the office of community services, for personnel in the occupational information coordinating committee; in the department of commerce and consumer affairs for financial institution examiners and administrative support personnel using moneys in the compliance resolution fund and for professional and other staff in the cable television division; and in the department of budget and finance for employees, including investigators, in the office of the state public defender except for assistant state public defenders. -- Amends Act 88, session laws of 2001. -- Requires the department of human resources development and the Hawaii government employees association to work collaboratively to establish a logical, workable, and fair process for converting positions in various departments, which are currently exempt from civil service positions. Further requires the department and association to consider but not be limited to whether the criteria and statutory authority used to exempt positions from civil service are not longer needed; whether the position has a confidential relationship between an elected official, department head, or policy making level staff; whether the

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position directs programs defined by statute or by departmental, board, or commission policy or possess significant authority to bind the agency to a course of action; and whether the position involves substantial responsibility for formulating basic departmental or executive policy or involves directing and controlling program operations of a department or division of a department. Requires an employee who occupies an exempt position for at least 1 year at the time it is replaced by a civil service position through the process established by this Act, to have a 1 time election to remain exempt from civil service. Provides that once the position is vacated by the employee, the position shall be converted to civil service. Requires an employee who occupies an exempt position at the time it is replaced by a civil service position through the process established by this Act to be appointed to the civil service position that replaces the employee's exempt position; provided that the employee has occupied the position for at least 1 year. Further requires the employee's compensation to be determined according to the applicable collective bargaining agreement or supplemental agreement covering exempt employees without loss of seniority, prior service credit, accrued vacation, accrued sick leave, or other employee benefits. Requires the department of human resources development to report to the legislature. Appropriation to the department of human resources development for 2 personnel management specialist V positions. (\$\$) -- SB3009 CD1

Committee Reports: SSCR 2275 (LBR) SSCR 2857 (WAM) HSCR 1217-06 (LAB)
HSCR 1611-06 (FIN) CCR 213-06

Current Status: May-02 06 Passed Legislature

Section Affected: 6E-3, 26-9, 28-10.5, 28-10.6, 28-11, 174C-5, 202-3, 342G-12.5,
346D-8, 371K-3, 373C-33, 383-128, 412:2-109, 440G-12,
802-12, ACT 88 2001

SB3035 SD1 HD1 CD1 (CCR 198-06) RELATING TO CONTINUED TEMPORARY TOTAL DISABILITY BENEFITS TO INJURED EMPLOYEES.

Introduced by: Kanno B

Amends provisions relating to total disability payments under workers' compensation law. Prohibits the termination of temporary total disability benefits until the director of labor and industrial relations decides to terminate the benefits. Provides that in the case of a dispute between an employee and employer, the director shall conduct a hearing and render a decision indicating if temporary total disability benefits should have been discontinued and if so designate the date after which temporary disability benefits should have been discontinued. -- SB3035 CD1

Committee Reports: SSCR 2276 (LBR) SSCR 2864 (WAM) HSCR 1174-06 (LAB)
HSCR 1652-06 (FIN) CCR 198-06

Current Status: May=02 06 Passed Legislature

Section Affected: 386-31

SB3051 SD2 HD1 CD1 (CCR 11-06) RELATING TO COUNTY FISCAL ADMINISTRATION.

Introduced by: Taniguchi B (BR)

Amends provisions relating to budgets; financial records on fiscal year basis. Changes June 30 to the appropriate day. -- SB3051 CD1

Committee Reports: SSCR 2400 (IGA) SSCR 2720 (WAM) HSCR 1465-06 (FIN) CCR
11-06

Current Status: Apr-28 06 Received by the Governor

Section Affected: 46-41

SB3059 SD2 HD1 CD1 (CCR 217-06) RELATING TO EDUCATION.

Introduced by: Sakamoto N

Establishes provisions relating to standards based curriculum. Authorizes school complexes to choose to develop an articulated and aligned K - 12 standards based curriculum in language arts, mathematics, science, and social studies. Annual reports to the legislature by the department of education. Appropriation to develop and maintain the curriculum, purchase quarterly content area assessment tools, and develop rigorous classroom based performance assessments, to provide for software implementation and support to align school course material with Hawaii content and performance standards and federal education standards, and for the contractual services of programmers, data analysts, and clerical support to lay the foundation and generate reports for longitudinal study assessments. (\$\$) -- SB3059 CD1

Committee Reports: SSCR 2333 (EDM) SSCR 2893 (WAM) HSCR 1260-06 (EDN)
HSCR 1591-06 (FIN) CCR 217-06

Current Status: May-02 06 Passed Legislature

Section Affected: 302A- (1 SECTION) STANDARDS-BASED CURRICULUM

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- SB3065 SD1 HD1 CD1 (CCR 30-06) RELATING TO THE ONE CALL CENTER ADVISORY COMMITTEE.
Introduced by: Menor R (BR)
Amends provisions relating to the call center advisory committee. Increases the membership to 17 voting members by adding 1 from the water utility industry and 1 from the wastewater utility industry. -- SB3065 CD1
Committee Reports: SSCR 2654 (CPH) HSCR 1062-06 (CPC) HSCR 1641-06 (FIN) CCR 30-06
Current Status: May=02 06 Passed Legislature
Section Affected: 269E-4
- SB3066 SD1 HD1 (HSCR 1073-06) RELATING TO INTEREST AND USURY.
Introduced by: Menor R (BR)
Amends provisions relating to rate by written contract. Provides that with respect to a credit card agreement, it shall be lawful to stipulate by written contract any amount of interest. -- Amends provisions relating to credit cards. Provides that the initial simple interest numerical periodic rate and any fee or charge payable by the cardholder, directly or indirectly, as an incident to or a condition of the extension of credit. Provides that with respect to any credit card agreement, it shall in no case be deemed unlawful to stipulate by written contract for any amount of interest, except that the simple interest numerical periodic rate shall not exceed 18 per cent per year and prior to charging any fee or charge, the credit card issuer shall disclose the fee or charge to the credit card holder in the credit card agreement or in an amendment to the credit card agreement. -- SB3066 HD1
Committee Reports: SSCR 2684 (CPH) HSCR 1073-06 (CPC/ JUD/)
Current Status: May=02 06 Passed Legislature
Section Affected: 478-4, 478-11.5
- SB3072 SD1 HD2 CD1 (CCR 128-06) RELATING TO MOTOR VEHICLE INSURANCE.
Introduced by: Menor R (BR)
Amends provisions relating to limitation on charges under motor vehicle insurance. Provides that in the event of a dispute between the provider and the insurer over the amount of a charge or the correct fee or procedure code, after a period of 60 days, the provider, insurer, or claimant may submit the dispute to the insurance commissioner, arbitration, or court of competent jurisdiction. Provides that an insurer who disputes the amount of a charge or the correct fee or procedure code under this provision shall not be deemed to have denied a claim for benefits provided that the insurer pays what the insurer believes is the amount owed and furnishes a written explanation of any adjustments to the provider and to the claimant at no charge. -- SB3072 CD1
Committee Reports: SSCR 2629 (LBR/ CPH/) HSCR 1064-06 (CPC) HSCR 1479-06 (FIN) CCR 128-06
Current Status: May=02 06 Passed Legislature
Section Affected: 431:10C-308.5
- SB3076 SD1 HD1 CD1 (CCR 28-06) RELATING TO COQUI FROGS.
Introduced by: Kokubun R, English J, Hooser G, Tsutsui S
Amends provisions relating to designation of pests; control or eradication of pests; emergency power. Requires the department of agriculture to designate the coqui frogs as a pest. Requires the department to assist in the control or eradication of pests injurious to the environment. -- SB3076 CD1
Committee Reports: SSCR 2599 (WLA/ EIA/) HSCR 1556-06 (AGR/ EEP/) CCR 28-06
Current Status: May=02 06 Passed Legislature
Section Affected: 141-3
- SB3077 SD2 HD2 CD1 (CCR 118-06) RELATING TO CONSERVATION.
Introduced by: Kokubun R, Chun Oakland S, Hooser G, Fukunaga C, Tsutsui S
Establishes the legacy land conservation commission within the department of land and natural resources. Requires that the responsibilities of the commission shall include advising the department and the board on any proposal, public or private, for the acquisition of any interest or rights in land having value as a resource to the State; advising the department and the board on any requests for grants from the fund to a qualifying state or county agency or nonprofit land conservation organization for the preservation of lands having value as a resource to the State; recommending to the board the acquisition of interests or rights in certain lands having value as a resource to the State; and reviewing and adopting rules relating to the criteria it applies in advising the department and the board and making recommendations to the board regarding land

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acquisitions and grants. Establishes provisions relating to land acquisition priorities. Amends provisions relating to acquisition of resource value land. Requires the department and board To consult with the senate president and speaker of the house of representatives for any acquisitions of land having value as a resource to the State. Repeals requirement for approval by the governor. Appropriation out of the land conservation fund for the purchase of agriculture easements to protect farm and ranch lands throughout the State. (\$\$) -- SB3077 CD1

Committee Reports: SSCR 2458 (WLA) SSCR 2834 (WAM) HSCR 958-06 (WLO)
HSCR 1224-06 (JUD) HSCR 1612-06 (FIN) CCR 118-06

Current Status: May=02 06 Passed Legislature

Section Affected: 173A- (3 SECTIONS), 173A-3, 173A-4, 173A-5, 173A-9

SB3078 SD2 HD1 CD1 (CCR 139-06) RELATING TO AGRICULTURE.

Introduced by: Kokubun R, English J

Requires the legislative reference bureau to conduct a study to identify elements that should be included in the Hawaii agribusiness plan. Provides that the bureau shall identify the government agencies involved and the stakeholders who may directly benefit from agribusiness development corporation; including public and private organizations and individuals; consult with these agencies and stakeholders including but not be limited to individuals from the department of agriculture, the agribusiness development corporation, the university of Hawaii college of tropical agriculture and human resources, the Hawaii farm bureau federation, and county farm bureaus, as well as organizations of individual farmers and ranchers, as feasible; obtain suggestions to improve the agribusiness development corporation and identify the necessary elements for developing the Hawaii agribusiness plan; and report to the legislature. -- SB3078 CD1

Committee Reports: SSCR 2454 (WLA/ BED/) SSCR 2835 (WAM) HSCR 1084-06
(AGR) HSCR 1568-06 (FIN) CCR 139-06

Current Status: May-02 06 Passed Legislature

SB3090 SD2 HD1 CD1 (CCR 193-06) RELATING TO STANDARDIZED FORMS FOR WORKERS' COMPENSATION HEALTH CARE PROVIDERS.

Introduced by: Espero W

Amends provisions relating to medical care, services, and supplies. Requires the director of labor and industrial relations to establish standardized forms for health care providers to use when reporting on and billing for injuries compensable under workers' compensation. Provides that the forms minimize the need for a health care provider to fill out multiple forms describing the same workers' compensation case to the department of labor and industrial relations, the injured employee's employer, and the employer's insurer. -- SB3090 CD1

Committee Reports: SSCR 2378 (LBR) SSCR 2865 (WAM) HSCR 1175-06 (LAB)
HSCR 1584-06 (FIN) CCR 193-06

Current Status: May=02 06 Passed Legislature

Section Affected: 386-21

SB3101 SD2 HD2 CD1 (CCR 214-06) RELATING TO EARLY CHILDHOOD EDUCATION.

Introduced by: Sakamoto N, Chun Oakland S, Tsutsui S, Nishihara C

Establishes the early learning educational task force attached to the department of education to develop a 5 year plan with annual increments for a coherent, comprehensive, and sustainable early learning system. Provides that the task force shall be composed of working groups including an interdepartmental resource working group. Requires the interdepartmental working group to develop plans to maximize public and private resources to provide early learning opportunities for all children in the state who are 4 years old by January 1 of that school year. Requires the plan to strive to optimize resources within the department of education, department of human services, department of health, and department of labor and industrial relations. Reports to the legislature and governor. Appropriation to the department of education for the task force. -- Appropriation the department of education to enhance junior kindergarten services to ensure children are provided with learning experiences that promote the skills they need to be successful in kindergarten or 1st grade. Includes funds to create a full time equivalent (1.00 FTE) permanent specialist who focuses on early childhood education and is responsible for policies, curriculum, and assessment relating to kindergarten, junior kindergarten, and other pre kindergarten and administrators programs; for ongoing, professional development of teachers; and for classroom resources. -- Appropriation to expand to 4 new sites the department of education's Families for R.E.A.L. (resources for early access to learning), which is an early childhood program that fosters interaction between parents and their children. --

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Appropriation to the department of labor and industrial relations to increase the number of low income children and families served through the Early Head Start and Head Start programs. Act to be repealed on July 1, 2008 (sunset). (\$\$) -- SB3101 CD1
Committee Reports: SSCR 2307 (EDM/ HMS/) SSCR 2895 (WAM) HSCR 1257-06 (EDN/ LAB/) HSCR 1574-06 (FIN) CCR 214-06
Current Status: May-02 06 Passed Legislature

- SB3105 SD2 HD2 CD1 (CCR 44-06) RELATING TO DEPOSIT BEVERAGE CONTAINER PROGRAM.
Introduced by: Tsutsui S
Establishes provisions relating to reverse vending machine rebate program; standards. Requires that the department of health provide a rebate of 50 per cent of the actual cost of each reverse vending machine purchased by a person who agrees to maintain operations as a certified redemption center for a period of at least 2 years. Prohibits rebates from exceeding 3 million in the aggregate in any fiscal year. Provides that a rebate be granted for a reverse vending machine that is installed and operational by December 31, 2007, is accessible to the general public, and tenders vouchers or receipts for the returned containers that are redeemable by the person at the location. Amends Act 228, session laws of 2005, by extending the sunset date to June 30, 2009. (sunset) -- SB3105 CD1
Committee Reports: SSCR 2499 (EIA/ CPH/) SSCR 2809 (WAM) HSCR 989-06 (EEP) HSCR 1150-06 (CPC) HSCR 1602-06 (FIN) CCR 44-06
Current Status: May=02 06 Passed Legislature
Section Affected: 342G-102.5, ACT 228 2005, 342G-104
- SB3111 SD1 HD1 CD1 (CCR 121-06) ESTABLISHING A COMMISSION TO RECOGNIZE AND HONOR CONGRESSWOMAN PATSY T. MINK.
Introduced by: Tsutsui S, Baker R, English J, Hooser G
Establishes the Congresswoman Patsy T. Mink commission to have charge of all arrangements for recognizing and honoring Congresswoman Patsy T. Mink. Requires the commission to be placed in the office of the Governor. Reports to the legislature and governor. Commission shall cease to exist after December 31, 2009 (sunset). Appropriation. (\$\$) -- SB3111 CD1
Committee Reports: SSCR 2100 (MAT) SSCR 2712 (WAM) HSCR 1466-06 (FIN) CCR 121-06
Current Status: May-02 06 Passed Legislature
- SB3119 SD2 HD1 CD1 (CCR 102-06) RELATING TO HAWAIIAN HOME LANDS.
Introduced by: Hee C
Amends provisions relating to Hawaiian home lands trust fund. Provides that the Hawaiian homes commission may deposit moneys from the trust fund into depositories other than the State treasury and may manage, invest, and reinvest moneys in the trust fund and the commission may hold, purchase, sell, assign, transfer, or dispose of any securities and investments in which any of the moneys have been invested, as well as the proceeds of the investments. -- SB3119 CD1
Committee Reports: SSCR 2109 (JHW) SSCR 2737 (WAM) HSCR 1095-06 (HAW/ HSG/) HSCR 1592-06 (FIN) CCR 102-06
Current Status: May=02 06 Passed Legislature
Section Affected: HAWAIIAN HOMES COMMISSION ACT 1920 213.6
- SB3120 SD2 HD1 CD1 (CCR 197-06) RELATING TO THE UNIVERSITY OF HAWAII.
Introduced by: Hee C, Sakamoto N
Establishes provisions relating to the Hawaii state scholars program. Provides that the program shall be administered by the university of Hawaii to provide financial assistance to students who is a resident of the State; has graduated from a high school in the State as valedictorian, or has a cumulative grade point average of 4.0, or has a college admission test score that places the student among the top 10 percentile of students; enrolls at a campus within the university of Hawaii system within 18 months of graduating from high school; and maintains satisfactory progress toward degree completion and a cumulative 3.0 grade point average. -- Establishes provisions relating to the workforce development scholarship program. Provides that the program shall be administered by the university of Hawaii to provide financial assistance to qualified students enrolled at a community college campus of the university of Hawaii who qualifies for Hawaii resident tuition; earned a high school diploma or passed the general educational development test; and is eligible for need based aid according to federal financial aid guidelines. -- Amends provisions relating to the student scholarship and assistance special fund. Provides that state funds appropriated for any scholarship

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program including the B Plus program, the Hawaii state scholars program, and the workforce development scholarship program shall be kept in a separate and distinct account. -- Amends Act 178, session laws of 2005, relating to the state budget, by changing the amount that goes to the B Plus scholarship program. Changes the criteria of low income to need based on federal financial aid guidelines. Allows the scholarship to be renewed annually. Requires the university to transfer funds from the university of Hawaii tuition and fees special fund for deposit into the student scholarship and assistance special fund for the workforce development scholarship program. (\$\$) -- SB3120 CD1

Committee Reports: SSCR 2347 (HRE) SSCR 2715 (WAM) HSCR 1187-06 (HED/LAB/) HSCR 1627-06 (FIN) CCR 197-06
Current Status: May=02 06 Passed Legislature
Section Affected: 304- (1 SECTION), 305- (1 SECTION), 304-16.6, ACT 178 2005

SB3180 SD1 HD2 CD1 (CCR 20-06)

RELATING TO THE COUNTIES.

Introduced by: English J, Hooser G, Tsutsui S, Baker R, Chun Oakland S
Establishes provisions relating to indigenous Hawaiian architecture. Provides that each county shall adopt ordinances allowing the exercise of indigenous native Hawaiian architectural practices, styles, customs, techniques, and materials historically employed by native Hawaiians in their building codes, including but not limited to residential and other structures comprised of either rock wall or wood frame walls covered by thatches of different native grasses or other natural material for roofs. -- SB3180 CD1

Committee Reports: SSCR 2600 (JHW/ IGA/) HSCR 1048-06 (HAW) HSCR 1576-06 (FIN) CCR 20-06
Current Status: May=02 06 Passed Legislature
Section Affected: 46- (1 SECTION) INDIGENOUS HAWAIIAN ARCHITECTURE

SB3181 SD2 HD2 CD1 (CCR 132-06)

RELATING TO SOLID WASTE.

Introduced by: English J, Baker R
Amends provisions relating to the deposit beverage container program. Redefines deposit beverage container to include a container less than or equal to 68 fluid ounces. Amends provisions relating to deposit beverage container inventory report and payment. Changes the required documentation for deposit beverage distributors to the net number of deposit beverage containers sold, by container size and type. Prohibits containers that do not meet the definition of a deposit beverage container to indicate the Hawaii refund value. Amends provisions relating to redemption centers. Provides that consumers may request the redemption value be computed for a container count of 200 or less. Authorizes the redemption centers to refuse payment for containers that exhibit characteristics of having been previously processed and baled. -- SB3181 CD1

Committee Reports: SSCR 2461 (EIA/ CPH/) SSCR 2811 (WAM) HSCR 995-06 (EEP) HSCR 1663-06 (FIN) CCR 132-06
Current Status: May=02 06 Passed Legislature
Section Affected: 342G-101, 342G-105, 342G-111, 342G-112, 342G-114, 342G-116, 342G-117

SB3185 SD2 HD2 CD1 (CCR 45-06)

RELATING TO ENERGY.

Introduced by: English J, Chun Oakland S
Amends provisions relating to energy. Establishes provisions relating to benefits fund; authorization. Authorizes the public utilities commission to redirect all or a portion of the funds collected through the current demand side management surcharge by Hawaii's electric utilities into a public benefits fund. Provides that if the commission establishes the fund, the commission shall appoint an administrator for the fund. Establishes provisions for transitioning from utility demand side management programs to the public benefits fund. Amends provisions relating to regulation of utility rates; ratemaking procedures. Provides that the commission's determination of the just and reasonable rate shall be accomplished by establishing a methodology that removes or significantly reduces any linkage between the price of fossil fuels and the rate for the nonfossil fuel generated electricity to potentially enable utility customers to share in the benefits of fuel cost savings resulting from the use of nonfossil fuel generated electricity. Defines biofuels and renewable electrical energy. Redefines cost effective, renewable energy, and renewable portfolio standard. Amends renewable portfolio standards. Provides that the commission may establish standards for each utility that prescribe what portion of the renewable energy standards shall be met by specific types of resources; provided that at least 50 per cent of the renewable portfolio standards shall be met by electrical energy generated using renewable energy as the source; where electrical energy is generated or displaced by a combination of renewable and nonrenewable means, the

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proportion attributable to the renewable means shall be credited as renewable energy; where fossil and renewable fuels are co fired in the same generating unit, the unit shall be considered to generate renewable electrical energy in direct proportion to the percentage of the total heat value represented by the heat value of the renewable fuels. Provides penalties. Amends provisions relating to renewable portfolio standards study.

-- SB3185 CD1

Committee Reports: SSCR 2464 (EIA) SSCR 2697 (CPH) HSCR 1200-06 (EEP/CPC/) HSCR 1677-06 (FIN) CCR 45-06

Current Status: May=02 06 Passed Legislature

Section Affected: 269- (4 SECTIONS), 269-16, 269-27.2, 269-91, 269-92, 269-95

SB3192 SD1 HD2 CD1 (CCR 43-06)

RELATING TO SISTER STATE AND PROVINCE RELATIONSHIPS.

Introduced by: English J, Chun Oakland S, Hooser G, Trimble G, Tsutsui S

Establishes the sister state and province relationships law. Establishes the Hawaii sister state committee within the department of business, economic development, and tourism.

Requires the committee to evaluate and develop recommendations for the initiation of all sister state or province relationships and report to the legislature. Further requires the committee to evaluate established relationships and to make recommendations for termination if the relationship is not beneficial. Authorizes the legislature to implement the recommendations by either adopting a concurrent resolution or by enacting session law to that effect. -- SB3192 CD1

Committee Reports: SSCR 2538 (EIA) SSCR 2815 (WAM) HSCR 1141-06 (INT/EDB/) HSCR 1605-06 (FIN) CCR 43-06

Current Status: May=02 06 Passed Legislature

Section Affected: (5 SECTIONS) SISTER STATE AND PROVINCE RELATIONSHIPS

SB3195 SD2 HD2 CD1 (CCR 218-06)

MAKING AN APPROPRIATION FOR EDUCATION.

Introduced by: Sakamoto N, Hooser G, Tsutsui S, English J, Nishihara C, Chun Oakland S, Baker R, Ihara L, Hanabusa C

Appropriation to the department of education for teacher training and support. (\$\$) -- SB3195 CD1

Committee Reports: SSCR 2444 (EDM) SSCR 2899 (WAM) HSCR 1142-06 (EDN) HSCR 1575-06 (FIN) CCR 218-06

Current Status: May-02 06 Passed Legislature

SB3197 SD2 HD1 CD1 (CCR 216-06)

RELATING TO SUBSTITUTE TEACHERS.

Introduced by: Sakamoto N, Nishihara C, Fukunaga C, Tsutsui S, Chun Oakland S, English J

Amends provisions relating to the per diem rate for substitute teachers. Repeals the provision that requires the department of education to develop a classification and compensation schedule that is not restricted to the minimum compensation rates but may exceed them. Increases the compensation rates. Appropriation. (\$\$) -- SB3197 CD1

Committee Reports: SSCR 2445 (EDM) SSCR 2900 (WAM) HSCR 1146-06 (EDN/LAB/) HSCR 1481-06 (FIN) CCR 216-06

Current Status: May-02 06 Passed Legislature

Section Affected: 302A-624

SB3215 SD1 HD2 CD1 (CCR 135-06)

RELATING TO CHILDREN.

Introduced by: Chun Oakland S, Kanno B

Extends the children of incarcerated parents task force until December 31, 2007 (sunset). Provides that the task force shall be attached to the department of human services. Requires the department of public safety and the department of human services to provide support services. Report to the legislature. Appropriation to the department of human services. (\$\$) -- SB3215 CD1

Committee Reports: SSCR 2014 (HMS) SSCR 2788 (WAM) HSCR 1140-06 (HUS/PSM/) HSCR 1650-06 (FIN) CCR 135-06

Current Status: May-02 06 Passed Legislature

SB3247 SD2 HD2 CD1 (CCR 136-06)

RELATING TO CARE HOMES.

Introduced by: Chun Oakland S, Kanno B, Fukunaga C, Baker R, Espero W

Amends provisions relating to the regulation of adult family boarding home and care home. Provides that a licensed adult family boarding home or licensed care home which provides living accommodations for the operator of the home and operator's family and up to 6 other persons, not more than 3 of whom are incapable of self preservation

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because of age or physical or mental limitations shall be deemed a single family dwelling occupied by a family. Amends provisions relating to adult residential care homes (ARCH). Provides that type I homes allow 5 or fewer residents. Allows the department of health to allow up to 6 residents if the primary caregiver or home operator is a certified nurse aide who has completed a state approved training program and other training as required by the department. -- Amends provisions relating to community care foster homes. Allows the department to certify a 3rd adult who is at the nursing level of care and a medicaid recipient if the primary and substitute caregivers are certified nurse aides who have completed a state approved training program and other training as required by the department. -- SB3247 CD1

Committee Reports: SSCR 2540 (HMS) SSCR 2790 (WAM) HSCR 1025-06 (HUS/HLT/) HSCR 1580-06 (FIN) CCR 136-06

Current Status: May-02 06 Passed Legislature

Section Affected: 46-15.3, 321-15.6, 321-15.62, 346-331

SB3252 SD2 HD1 CD1 (CCR 137-06) RELATING TO CAREGIVING.

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

Requires the executive office on aging to coordinate a statewide system of caregiver support services. Appropriation to the department of health for the executive office on aging to coordinate a statewide system of family caregiver support services. Appropriation to the department of health for the executive office on aging to expand the kapuna care services. (\$\$) -- SB3252 CD1

Committee Reports: SSCR 2236 (HMS/ HTH/) SSCR 2791 (WAM) HSCR 1237-06 (HLT/ HUS/) HSCR 1618-06 (FIN) CCR 137-06

Current Status: May-02 06 Passed Legislature

SB3253 SD1 HD1 CD1 (CCR 178-06) RELATING TO CAREGIVING.

Introduced by: Chun Oakland S, Ihara L

Establishes a joint legislative committee on family caregiving. Requires that the committee be made up of 8 members, with 4 members from the house of representatives and 4 members from the senate. Requires the committee to develop comprehensive public policy to strengthen support for family caregivers who provide unpaid, informal assistance to persons age 60 and older with physical or cognitive disabilities. Requires the joint legislative committee to seek input from the department of health, department of human services, department of taxation, the University of Hawaii, the executive office on aging, and the elderly, disability, business, and faith based communities. Report to legislature. -- SB3253 CD1

Committee Reports: SSCR 2441 (HMS) SSCR 2792 (WAM) HSCR 976-06 (HUS/HLT/) HSCR 1208-06 (LMG) HSCR 1505-06 (FIN) CCR 178-06

Current Status: May-02 06 Passed Legislature

SB3254 SD2 HD2 CD1 (CCR 21-06) RELATING TO HOME AND COMMUNITY-BASED SERVICES.

Introduced by: Chun Oakland S, Hemmings F, Kanno B

Amends Act 273, session laws of 2001, as amended by Act 95 and Act 98, session laws of 2003, as amended by Act 153, session laws of 2004, relating to the home and community based case management agencies and community care foster family homes within the department of human services, by repealing the sunset date. -- SB3254 CD1

Committee Reports: SSCR 2237 (HMS) SSCR 2597 (JHW) HSCR 1024-06 (HUS/HLT/) HSCR 1482-06 (FIN) CCR 21-06

Current Status: May=02 06 Passed Legislature

Section Affected: ACT 273 2001, ACT 95 2003, ACT 98 2003, ACT 153 2004

SB3262 SD1 HD1 CD1 (CCR 42-06) RELATING TO HEALTH.

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

Repeals and replaces the smoking law. -- SB3262 CD1

Committee Reports: SSCR 2182 (HTH/ LBR/) SSCR 2567 (JHW) HSCR 1132-06 (HLT) HSCR 1566-06 (JUD) CCR 42-06

Current Status: May=02 06 Passed Legislature

Section Affected: (17 SECTIONS) SMOKING, 328K-1, 328K-2, 328K-3, 328K-4, 328K-5, 328K-6, 328K-7, 328K-11, 328K-12, 328K-13, 328K-14, 328K-15, 328K-21, 328K-22

SB3270 SD2 HD1 CD1 (CCR 194-06) RELATING TO PUBLIC HEALTH.

Introduced by: Baker R, Chun Oakland S

Establishes provisions relating to federally qualified health centers; rural health clinics; reimbursement. Provides that federally qualified health centers and rural health clinics

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shall be eligible for reimbursement in accordance with the Social Security Act, and services of federally qualified health centers and rural health clinics shall remain mandatory services of the Social Security Act. Provides that reimbursement rates paid to federally qualified health centers may be adjusted if costs exceed 1.75 per cent for changes related to the intensity, duration, or amount of service provided, facilities, regulatory requirements, or other extraordinary requirements. Provides that the State may terminate the reimbursement methodology only in the event that the Social Security act prohibits this reimbursement methodology. Requires the department of health to provide resources for direct medical care for the uninsured including primary medical, dental, behavioral health, and ancillary and pharmacy services. Appropriation to the department of health for direct medical care to the uninsured. (\$\$) -- SB3270 CD1

Committee Reports: SSCR 2204 (HTH/ HMS/) SSCR 2764 (WAM) HSCR 1251-06 (HLT/ HUS/) HSCR 1648-06 (FIN) CCR 194-06

Current Status: May-02 06 Passed Legislature

Section Affected: 346- (1 SECTION) FEDERALLY QUALIFIED HEALTH CENTERS

SB3273 SD2 HD2 CD1 (CCR 219-06) RELATING TO SUBSTANCE ABUSE.

Introduced by: Baker R, Chun Oakland S

Amends the mental health, alcohol, drug abuse treatment insurance benefits law. Defines certified substance abuse counselor. Amends provisions relating to alcohol and drug dependence benefits by providing that substance abuse assessments for alcohol or drug dependence as a covered benefit for a child facing disciplinary action shall be provided by a qualified physician, psychologist, licensed clinical social worker, advance practice registered nurse, or certified substance abuse counselor. Provides that the certified substance abuse counselor shall be employed by a hospital or nonhospital facility providing substance abuse services. Provides that the substance abuse assessment shall evaluate the suitability for substance abuse treatment and placement in an appropriate treatment setting. -- Amends Act 213, session laws of 2005. Authorizes the school to administer a screening tool approved by the department of education to determine whether there is a need for the child to be referred for a substance abuse assessment. Defines expunge to mean a process defined by rules adopted by the board of education in which records are segregated and kept confidential, but shall be destroyed upon graduation of the child. -- SB3273 CD1

Committee Reports: SSCR 2482 (EDM/ HTH/) SSCR 2588 (JHW) HSCR 1002-06 (EDN/ HLT/) HSCR 1668-06 (FIN) CCR 219-06

Current Status: May-02 06 Passed Legislature

Section Affected: 431M-1, 431M-4, ACT 213 2005, 302A-1134.6

HOUSE BILLS THAT PASSED THE LEGISLATURE

- HB0001 HD2 SD1 (SSCR 3435) RELATING TO HIGHER EDUCATION.
Introduced by: Takai K, Waters T
Establishes the university of Hawaii system law. Repeals the Hawaii research center for futures study law, university of Hawaii law, center for nursing law, community colleges law, career and technical education under federal aid law, college credit equivalency program law, state post secondary education commission law, university projects law, research corporation of the university of Hawaii law, university parking law, and western regional education compact law. -- HB0001 SD1
Committee Reports: HSCR 61 (HED) HSCR 975 (JUD) SSCR 1187 (HRE/ JHW/ SSCR 3435 (WAM))
Current Status: Apr-17 06 Received by the Governor
May-02 06 Approved by Governor (Act 75 2006)
Section Affected: (197 SECTIONS) UNIVERSITY OF HAWAII SYSTEM, 36-27, 36-30, 78-1, 92-28, 121-45, 302A-704, 302A-801, 319-1, 328L-2, 341-2, 341-3, 446E-1.5, 446E-1.6, 222-1, 222-2, 222-3, 304-1, 304-1.5, 304-2, 304-3, 304-4, 304-4.3, 304-4.4, 304-4.5, 304-4.6, 304-5, 304-6, 304-6.2, 304-6.3, 304-6.5, 304-7, 304-7.5, 304-7.6, 304-7.8, 304-7.9, 304-8, 304-8.1, 304-8.2, 304-8.3, 304-8.4, 304-8.41, 304-8.5, 304-8.6, 304-8.7, 304-8.8, 304-8.86, 304-8.9, 304-8.91, 304-8.911, 304-8.92, 304-8.93, 304-8.94, 304-8.945, 304-8.946, 304-8.95, 304-8.955, 304-8.956, 304-8.957, 304-8.96, 304-8.97, 304-8.98, 304-9, 304-10, 304-10.5, 304-11, 304-12, 304-12.5, 304-13, 304-13.5, 304-16.5, 304-16.6, 304-18.5, 304-19, 304-20, 304-20.5, 304-20.6, 304-23, 304-24, 304-25, 304-26, 304-27, 304-28, 304-30, 304-31, 304-32, 304-33, 304-34, 304-35, 304-36, 304-37, 304-39, 304-40, 304-41, 304-42, 304-43, 304-44, 304-55, 304-62, 304-62.5, 304-63, 304-63.1, 304-65, 304-66.1, 304-66.2, 304-66.3, 304-66.4, 304-66.5, 304-67, 304-67.5, 304-68, 304-68.5, 304-69, 304-70, 304-71, 304-72, 304-73, 304-74, 304-75, 304-76, 304-77, 304-91, 304-92, 304-93, 304-94, 304-95, 304-101, 304-111, 304-112, 304-116, 304-117, 304-118, 304-119, 304-120, 304-121, 304D-1, 304D-2, 304D-3, 304D-4, 304D-5, 304E-1, 304E-2, 304E-3, 304E-4, 304E-5, 305-1, 305-2, 305-4, 305-5, 305A-1, 305A-2, 305A-3, 305A-4, 305E-1, 305E-2, 305E-3, 305H-1, 305H-2, 305H-11, 305H-12, 305H-13, 305H-14, 305H-15, 305H-16, 306-1, 306-2, 306-3, 306-3.1, 306-4, 306-4.1, 306-5, 306-6, 306-7, 306-7.5, 306-8, 306-9, 306-10, 306-11, 306-12, 306-13, 306-14, 306-15, 306-16, 307-1, 307-2, 307-3, 307-3.5, 307-4, 307-5, 307-6, 307-7, 307-8, 307-9, 307-10, 308-1, 308-2, 308-3, 308-4, 310-1, 310-2, 310-3, 310-4, 310-5, 310-6, 310-7, 310-8, 341-5
- HB0173 HD1 SD1 (SSCR 3414) RELATING TO THE NATIONAL GUARD.
Introduced by: Takai K, Ito K
Amends provisions related to adjutant general; appointment. Provides that no person shall be eligible to serve as an adjutant general unless the person holds or has held a commission of at least a field grade officer in the national guard and has served as a commissioned officer in the armed forces for at least 10 years, of which at least 5 years of service shall have been served as an active commissioned officer in the Hawaii national guard. -- HB0173 SD1
Committee Reports: HSCR 598-06 (PSM) HSCR 813-06 (LAB) SSCR 3414 (EDM)
Current Status: May-02 06 Vetoed
Section Affected: 121-7
- HB0237 HD3 SD1 CD1 (CCR 86-06) RELATING TO TORTS.
Introduced by: Arakaki D, Pine K, Thielen C, Marumoto B, Evans C, Meyer C, Finnegan L
Amends provisions relating to government entity as a tortfeasor; abolition of joint and several liability. Provides that joint and several liability shall be retained for tort claims relating to the maintenance and design of highways. -- HB0237 CD1
Committee Reports: HSCR 119 (HLT) HSCR 400 (CPC) HSCR 976 (JUD) SSCR 3403 (JHW) CCR 86-06
Current Status: May-02 06 Passed Legislature
Section Affected: 663-10.5

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- HB0266 HD1 SD2 CD1 (CCR 232-06) RELATING TO LABOR.
Introduced by: Caldwell K
Amends provisions relating to scope of negotiations; consultation. Prohibits this provision to be used to invalidate provisions of collective bargaining agreements in effect on and after June 30, 2007, and to preclude negotiations over the procedures and criteria on promotions, transfers, assignments, demotions, layoffs, suspensions, terminations, discharges, or other disciplinary actions as a permissive subject of bargaining during collective bargaining negotiations or negotiations over a memorandum of agreement, memorandum of understanding, or other supplemental agreement. -- HB0266 CD1
Committee Reports: HSCR 248 (LAB) HSCR 559 (LAB) HSCR 971 (FIN) SSCR 1206 (LBR) SSCR 3458 (WAM) CCR 232-06
Current Status: May=02 06 Passed Legislature
Section Affected: 89-9
- HB0386 HD1 SD1 CD1 (CCR 59-06) RELATING TO COURTS.
Introduced by: Oshiro B, Caldwell K, Herkes R
Amends provisions relating to exemption of jurors. Repeals exemptions for an attorney at law and for a minister or a priest. Adds exemption for a person who is an elected official while the legislature is in session, who is a member of the armed forces or militia when deployed out of state, who is a member of an emergency medical services agency, who lives more than 70 miles from the court for which jury service is required, or who is 80 years of age or older. -- HB0386 CD1
Committee Reports: HSCR 651-06 (JUD) SSCR 3176 (JHW) CCR 59-06
Current Status: May=02 06 Passed Legislature
Section Affected: 612-6
- HB0439 HD1 SD2 CD1 (CCR 78-06) RELATING TO THE OFFICE OF THE OMBUDSMAN.
Introduced by: Say C (BR)
Establishes provisions relating to authority and access to records. Provides that the ombudsman shall have access to tax returns and return information in an investigation of a taxpayer's complaint about an administrative act of the department of taxation. -- HB0439 CD1
Committee Reports: HSCR 500 (LMG) HSCR 152-06 (JUD) SSCR 3029 (TGO/ JHW/) SSCR 3519 (WAM) CCR 78-06
Current Status: May=02 06 Passed Legislature
Section Affected: 231- (1 SECTION), 235-116, 237-34, 237D-13, 251-12
- HB0862 HD2 SD2 CD1 (CCR 57-06) RELATING TO TRAFFIC OFFENSES.
Introduced by: Caldwell K, Lee M, Shimabukuro M
Establishes provisions relating to excessive speeding. Prohibits a person to drive a vehicle at a speed exceeding the speed limit by 30 miles per hour or more or 80 miles per hour or more irrespective of the applicable state or county speed limit. Establishes penalties. -- Amends provisions relating to the neurotrauma special fund to include funds raised pursuant to excessive speeding penalties. -- HB0862 CD1
Committee Reports: HSCR 430 (TRN) HSCR 829 (JUD) SSCR 1094 (TGO) SSCR 1448 (JHW) CCR 57-06
Current Status: May=02 06 Passed Legislature
Section Affected: 291C- (1 SECTION), 286G-3, 291C-102, 291C-104, 291C-161, 321H-4
- HB0877 HD2 SD1 (SSCR 3177) RELATING TO CRIME.
Introduced by: Luke S
Repeals carrying or use of firearm in the commission of a separate felony, place to keep firearms and loaded firearms and replaces with provisions relating to carrying or use of firearm in the commission of a separate felony, possession of a firearm with intent to facilitate the commission of a felony drug offense, place to keep loaded firearms other than pistols and revolvers, place to keep unloaded firearms other than pistols and revolvers, place to keep pistol or revolver, carrying or possessing a loaded firearm on a public highway, and place to keep ammunition. -- HB0877 SD1
Committee Reports: HSCR 709 (JUD) HSCR 766 (JUD) SSCR 3177 (JHW)
Current Status: Apr-17 06 Received by the Governor
May-02 06 Approved by Governor (Act 66 2006)
Section Affected: 134- (7 SECTIONS), 134-5, 134-9, 134-11, 806-83, 134-6
- HB0957 HD1 SD1 CD1 (CCR 248-06) RELATING TO TAXATION.

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Introduced by: Schatz B, Luke S

Increases the standard deduction for income tax purposes as provided by section 63 (with respect to taxable income defined) of the Federal Internal Revenue Code for taxable years after December 31, 2006. Amends provisions relating to income tax rates by adding tax brackets beginning after December 31, 2006. -- Provides a 1 time refundable flood victim income tax credit equal to 10 per cent of the expenses for costs related to the damage directly caused by the heavy rain and flooding to the taxpayer's real or personal property for expenses or costs that are not reimbursable by insurance proceeds or disaster relief payments from government or non profit organizations. Further provides that the tax credit shall apply to taxpayers who suffered damage on October 30, 2004 in Manoa, Oahu or February 20 to April 9, 2006 in Kauai, Hawaii, Maui, and Honolulu counties and shall apply to taxable years beginning after December 31, 2003, and ending before January 1, 2007 (sunset). -- HB0957 CD1

Committee Reports: HSCR 758 (FIN) SSCR 1476 (WAM) CCR 248-06

Current Status: May-04 06 Passed Legislature

Section Affected: 235-2.4, 235-51

HB0970 HD1 SD1 CD1 (CCR 230-06) RELATING TO EMERGENCY RELIEF FOR NATURAL DISASTERS.

Introduced by: Ito K

Appropriation to the department of agriculture for staff expenses and to hire consultants to assess the impact existing dams and reservoirs have on agricultural operations and the impact if existing dams and reservoirs were removed and to improve and restore, which includes the planning and design of, the Kailua reservoir and dam as a flood mitigation device in Waimanalo, Oahu. Requires the department to consult with property owners in the vicinity of the reservoir prior to commencing and during work on the reservoir. -- Appropriation to the department of the attorney general for overtime, travel and other staff expenses, and to hire consultants and experts to review legal issues related to dam and reservoir failures and issues relating to the safety of existing dams and reservoirs. Allows funds to be used for expenses related to possible litigation concerning dam and reservoir failures. -- Appropriation to the department of defense to cover operational expenses associated with storm recovery efforts, including but not limited to state civil defense 24 hour emergency operations center overtime costs expended by civil defense workers, contractors that are helping to pump reservoirs to maintain safer water levels, national guard personnel on state active duty status, and Blackhawk helicopter operating expenses. -- Appropriation to the department of land and natural resources for staff expenses and to hire consultants to conduct surveys, studies and assessments of private and government owned dams and reservoirs statewide to determine their current physical integrity, provided that assessments to include recommendations for future structural needs and identification of potential effects or threats to areas around and downstream of the dams and reservoirs; for the engineering division to hire consultants to assess, respond to, and clean up storm damage, and to reimburse the US Army Corps of Engineers and US Geological Survey for work performed and equipment used in dam inspections; to the division of forestry and wildlife for staff and operating expenses and to hire consultants and contractors to assess, respond to, and clean up and repair storm damage, and to undertake storm related landslides, rockfall, and hazard tree mitigation measure on forestry land; and to the division of state parks for staff and operating expenses and to hire consultants and contractors to assess, respond to, and clean up and repair storm damage, and to undertake rockfall mitigation measure on state park lands. -- Appropriation out of the emergency budget reserve fund (rainy day fund) to the department of land and natural resources for the planning, designing, and constructing of roadways and slope stabilization measures along Round Top Drive, Oahu, and within Maunalaha Valley, Oahu; for the planning, designing, and constructing of slope stabilization measures, within and adjacent to forest reserve areas of Round Top Drive, Oahu, in the Tantalus and Manoa Valley areas; for the planning, designing, and constructing of slope stabilization measures along a portion of Round Top Drive, Oahu, above Puuhonua Street in Manoa Valley; to the division of boating and ocean recreation for staff and operating expenses and to hire contractors to respond to, clean up, and repair storm damage at small boat harbors, and to clean up the Ala Wai Canal, Oahu; for the planning, designing, constructing, and dredging of the channel and entrance leading to Wailoa small boat harbor, Hawaii; and for the planning, designing, constructing, and dredging of the canal, upstream and fronting Waieka boat ramp, Kauai. -- Appropriation to the department of transportation to the division of conservation and resource enforcement for staff and operating expenses to respond to the storm, and to replace a damaged radio repeater on the island of Kauai. -- Appropriation out of the state highway fund to the department of transportation for expenses, including but not limited

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to staff and operating expenses and maintenance expenditures resulting from storm damage on Oahu and Kauai; and for the design, land acquisition, and construction for remediation of eroded portions along various state routes on Oahu and Kauai caused by storm damage. -- Appropriation out of the emergency budget reserve fund to the city and county of Honolulu for improvements in Kuaheha Street in Palolo Valley to reconstruct a concrete roadway that buckled, repair damaged underground utilities, and stabilize slopes. -- Report to the legislature by the governor on the status of the emergency budget reserve fund. Reports to the legislature by each department or agency. (\$\$) -- HB0970 CD1

Committee Reports: HSCR 496 (PSM) HSCR 1081-06 (FIN) SSCR 3425 (WAM) CCR 230-06

Current Status: May-03 06 Received by the Governor

HB1021 HD2 SD2 CD1 (CCR 95-06)

RELATING TO PUBLIC UTILITIES.

Introduced by: Morita H, Thielen C, Lee M, Wakai G, Schatz B, Shimabukuro M, Evans C

Amends provisions relating to the public utilities commission. Provides that the chairperson of the commission may appoint or dismiss research assistants, economists, legal secretaries, utility analysts, legal assistants, and enforcement officers. Report to the legislature by the public utilities commission on a comprehensive plan to restructure and supplement the commission and its resources more effectively and efficiently. Report to the legislature by the division of consumer advocacy on a comprehensive plan to restructure and supplement the division and its resources more effectively and efficiently. -- HB1021 CD1

Committee Reports: HSCR 222-06 (EEP) HSCR 861-06 (FIN) SSCR 3143 (CPH) SSCR 3517 (WAM) CCR 95-06

Current Status: May-02 06 Passed Legislature

Section Affected: 269-3

HB1155 HD1 SD2 (SSCR 3431)

RELATING TO NATUROPATHY.

Introduced by: Souki J

Establishes provisions relating to authority to administer natural medicines by injection. Provides that the board of examiners in naturopathy shall adopt a formulary of natural medicines that naturopaths may administer by injection; establish the qualifications necessary to administer natural medicines by injection; and grant the authority to qualified naturopaths to administer natural medicines by injection. Adds that the practice of naturopathy includes the administration of natural medicines using appropriate methods, including injection as authorized by the board. Provides that the department of commerce and consumer affairs shall establish a temporary advisory committee on the administration of natural medicines by injection. -- HB1155 SD2

Committee Reports: HSCR 740 (CPC) SSCR 1147 (HTH) SSCR 3431 (CPH)

Current Status: May-02 06 Vetoed

Section Affected: 455- (1 SECTION), 455-1

HB1233 HD1 SD1 (SSCR 3178)

RELATING TO CIVIL RIGHTS.

Introduced by: Say C (BR)

Amends provisions relating to discrimination in public accommodations. Defines gender identity or expression as a person's actual or perceived gender, as well as a person's gender identity, gender related self image, gender related appearance, or gender related expression, regardless of whether that gender identity, gender related self image, gender related appearance, or gender related expression is different from that traditionally associated with the person's sex at birth. Defines sexual orientation to mean having a preference for heterosexuality, homosexuality, or bisexuality, having a history of any 1 or more of these preferences, or being identified with any 1 or more of these preferences. Prohibits discriminatory practices which deny a person full and equal enjoyment of goods, services, facilities, privileges, advantages and accommodation of a public place on the basis of gender identity or expression, or sexual orientation. -- HB1233 SD1

Committee Reports: HSCR 652-06 (JUD) SSCR 3178 (JHW)

Current Status: Apr-17 06 Received by the Governor

May-02 06 Became Law Without Governor's Signature (Act 76 2006)

Section Affected: 489-2, 489-3

HB1242 HD1 (HSCR 676-06)

RELATING TO SECTION 453-16, HAWAII REVISED STATUTES.

Introduced by: Morita H, Luke S, Berg L, Shimabukuro M, Karamatsu J, Thielen C,

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Oshiro B, Lee M, Nishimoto S, Hale H, Evans C

Amends provisions relating to intentional termination of pregnancy, penalties and refusal to perform. Permits abortions to be performed in a clinic or physician's office. Prohibits the State from denying or interfering with a female's right to choose or obtain an abortion of a nonviable fetus or an abortion that is necessary to protect the life or health of the female. -- HB1242 HD1

Committee Reports: HSCR 676-06 (JUD) SSCR 3073 (HTH) SSCR 3300 (JHW)

Current Status: Apr-12 06 Received by the Governor

Apr-26 06 Approved by Governor (Act 35 2006)

Section Affected: 453-16

HB1280 HD1 SD2 CD1 (CCR 164-06) RELATING TO FLOOD CONTROL.

Introduced by: Magaoay M

Requires the center for conservation research and training (CCRT) of the university of Hawaii to develop comprehensive watershed management plans to develop the best strategies to manage flooding caused by storm runoff in at least 2 of Hawaii's most severely flood impacted watersheds as identified by the center and to coordinate the implementation of those best watershed management measures developed. Appropriation. (\$\$) -- HB1280 CD1

Committee Reports: HSCR 370 (WLO) HSCR 720 (FIN) SSCR 1226 (WLA/ HRE/)
SSCR 1603 (WAM) CCR 164-06

Current Status: May-02 06 Passed Legislature

HB1706 HD3 SD1 CD1 (CCR 77-06) RELATING TO THE UNIFORM ENVIRONMENTAL COVENANTS ACT.

Introduced by: Morita H

Establishes the uniform environmental covenants act (modified) law. Defines environmental covenant to mean a servitude arising under an environmental response project that imposes activity and use limitations. Defines environmental response project to mean a plan or work performed for environmental remediation of real property and conducted under a federal or state program governing environmental remediation of real property; incident to closure of a solid or hazardous waste management unit; provided that the closure is conducted with approval of an agency; or under the state voluntary response program. Establishes the rights, subordination of interests, contents of covenants, validity, relationship to other land use laws, notice, recording, duration, amendment or termination of covenants, enforcement of covenants, penalties, inspection of premises, registry, and relation to electronic signatures in global and national commerce act. -- HB1706 CD1

Committee Reports: HSCR 77-06 (EEP/ WLO/) HSCR 515-06 (JUD) HSCR 862-06
(FIN) SSCR 2977 (EIA) SSCR 3392 (JHW) CCR 77-06

Current Status: May=02 06 Passed Legislature

Section Affected: (13 SECTIONS) UNIFORM ENVIRONMENTAL COVENANTS
ACT

HB1800 HD1 SD1 CD1 (CCR 153-06) RELATING TO SALE OF REAL PROPERTY.

Introduced by: Nakasone B, Say C, Yamashita K

Amends provisions relating to withholdings of income tax on the disposition of real property by nonresident persons. Increases the amount of withholdings of income tax on the disposition of Hawaii real property by the transferee. -- HB1800 CD1

Committee Reports: HSCR 824-06 (FIN) SSCR 3122 (CPH) SSCR 3504 (WAM) CCR
153-06

Current Status: May=02 06 Passed Legislature

Section Affected: 235-68

HB1809 HD2 SD2 CD1 (CCR 63-06) RELATING TO MOTOR VEHICLE DRIVER'S LICENSE.

Introduced by: Morita H, Chong P, Ito K, Takai K

Amends provisions relating to motor vehicle's driver's license renewal. Provides that any applicant who is a member of any component of the US armed forces and who is on active federal service outside of the State at the time the applicant's license should be renewed may file an application for a renewal of the driver's license, which shall be accompanied by verification of federal active service outside the state as required by the examiner of drivers, within 90 days of the applicant's return to the state or discharge from hospitalization. Allows the examiner of drivers to waive the reactivation fee. -- HB1809 CD1

Committee Reports: HSCR 17-06 (PSM/ TRN/) HSCR 719-06 (FIN) SSCR 2994
(TGO/ IGA/) SSCR 3296 (EDM) CCR 63-06

Current Status: May-02 06 Passed Legislature

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Section Affected: 286-107

HB1819 HD1 (HSCR 426-06)

RELATING TO CHAPTER 281, HAWAII REVISED STATUTES.

Introduced by: Nakasone B (BR)

Amends provisions relating to special conditions, club licenses. Repeals prohibition that no guest of a member or of a guest enjoying the privileges of membership shall purchase or be permitted to purchase liquor on the premises. Amends provisions relating to transfer of licenses; notice of change in officers, director, and stockholders of corporate licenses, partner of a partnership license, and members of a limited liability company license; penalty. Changes class 5 category 2 and 4 to class 5 category B and D. Amends provisions relating to forfeiture of fee paid. Provides that if any license is revoked or canceled by the liquor commission or control adjudication board, the fee paid for the license or any unexpended portion thereof shall be forfeited to the county. -- HB1819 HD1

Committee Reports: HSCR 426-06 (JUD) HSCR 696-06 (FIN) SSCR 2993 (IGA/TGO/) SSCR 3286 (JHW)

Current Status: Apr-12 06 Received by the Governor
Apr-27 06 Approved by Governor (Act 44 2006)

Section Affected: 281-35, 281-41, 281-94

HB1821 HD2 SD2 CD1 (CCR 175-06)

RELATING TO CARE HOMES.

Introduced by: Sonson A, Cabanilla R

Amends provisions relating to determination of amount of assistance. Requires that on July 1, 2006 and thereafter, as the department of human services determines a need, the department shall authorize a payment, as allowed by federal law, for resident clients receiving supplemental security income in adult residential care home type I and type II facilities, licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes when state funds are not expended fully. Requires that the department determine the rate of payment to ensure compliance with its maintenance of effort agreement with the Social Security Administration. Requires the director of human services to determine the rate of payment. Increases the minimum state supplemental payment for adult residential care homes (ARCH) classified as facility type I and type II. Appropriation. (\$\$) -- HB1821 CD1

Committee Reports: HSCR 352-06 (HUS/ HLT/) HSCR 709-06 (FIN) SSCR 3061 (HMS/ HTH/) SSCR 3449 (WAM) CCR 175-06

Current Status: May-02 06 Passed Legislature

Section Affected: 346-53

HB1833 HD1 SD2 (SSCR 3391)

RELATING TO FIREWORKS.

Introduced by: Chang J, Evans C, Tsuji C, Sonson A, Herkes R, Hale H

Amends provisions relating to application for permit under the fireworks law. Allows an authorized designee of the county to issue permits. -- HB1833 SD2

Committee Reports: HSCR 425-06 (JUD) HSCR 847-06 (FIN) SSCR 3084 (TGO/IGA/) SSCR 3391 (JHW)

Current Status: Apr-17 06 Received by the Governor
May-01 06 Approved by Governor (Act 54 2006)

Section Affected: 132D-9

HB1861 SD1 CD1 (CCR 56-06)

RELATING TO EDUCATION.

Introduced by: Takumi R, Berg L, Caldwell K, Chang J, Shimabukuro M, Arakaki D, Wakai G

Amends provisions relating to duties of the superintendent of education. Repeals the requirement that the superintendent report to board of education annually of principal transactions within the department. -- HB1861 CD1

Committee Reports: HSCR 10-06 (EDN) SSCR 3297 (EDM) CCR 56-06

Current Status: May=02 06 Passed Legislature

Section Affected: 302A-1111

HB1862 HD2 SD2 CD1 (CCR 151-06)

RELATING TO EDUCATION.

Introduced by: Takumi R, Berg L, Caldwell K, Arakaki D, Wakai G, Waters T, Kahikina M, Chang J, Shimabukuro M

Establishes provisions relating to rehiring of retired teachers and administrators to fill certain positions. Authorizes the department of education and charter schools to employ for positions up to 100 per cent full time equivalency (FTE) retired teachers and to teach in shortage areas identified by the department and charter schools and to serve as mentors for new classroom teachers and retired administrators to teach or administer

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in shortage areas identified by the department and charter schools and to serve as mentors for new classroom teachers with prior approval of the superintendent of education or the local school board of each charter school and pursuant to collective bargaining agreements. Requires the department to contribute 13 3/4 per cent of the rehired employee's compensation to the pension accumulation fund. Prohibits a retired teacher or administrator who is rehired to earn retirement service credit, to contribute to the retirement system, or to gain additional retirement system benefits, provided that the retired teacher continues to receive entitled normal retirement benefits without penalty. Provides that to qualify for full time rehiring the person must be retired for at least 1 calendar year prior to reemployment. Act to be repealed on July 1, 2011 (sunset). -- HB1862 CD1

Committee Reports: HSCR 357-06 (EDN/ LAB/) HSCR 884-06 (FIN) SSCR 3050 (EDM/ LBR/) SSCR 3526 (WAM) CCR 151-06

Current Status: May-02 06 Passed Legislature

Section Affected: 302A- (1 SECTION) REHIRING OF RETIRED TEACHERS AND ADMINISTRATORS TO FILL CERTAIN POSITIONS

HB1865 HD1 SD2 CD1 (CCR 203-06) RELATING TO THE DEPARTMENT OF EDUCATION.

Introduced by: Takumi R, Berg L, Caldwell K, Wakai G, Kahikina M, Chang J, Arakaki D, Waters T, Shimabukuro M

Appropriation to the department of education for the establishment of 1 full time equivalent (1.00 FTE) permanent assistant superintendent position in the office of the superintendent to perform the functions of a chief financial officer, including the preparation, management, and execution of the department's financial statements, budgets, accounting, and vendor payments; and for the establishment of 1 full time equivalent (1.00 FTE) permanent secretary position to assist the assistant superintendent performing the functions of a chief financial officer. (\$\$) -- HB1865 CD1

Committee Reports: HSCR 4-06 (EDN/ LAB/) HSCR 737-06 (FIN) SSCR 3049 (EDM/ LBR/) SSCR 3527 (WAM) CCR 203-06

Current Status: May-02 06 Passed Legislature

HB1866 HD1 SD2 CD1 (CCR 204-06) RELATING TO EDUCATION.

Introduced by: Takumi R, Caldwell K, Arakaki D, Wakai G

Amends provisions relating to comptroller to supervise accounts. Provides that the comptroller shall not have supervision of all accounts of the university of Hawaii until June 30, 2011. -- Amends Act 321, session laws of 1986, as amended by Act 283, session laws of 1987, Act 371, session laws of 1989, Act 163, session laws of 1991, Act 314, session laws of 1993, Act 8, special session laws of 1993, Act 180, session laws of 1997, Act 115, session laws of 1998, and Act 137, session laws of 2005, which excludes the accounts of the university of Hawaii and the department of education from being supervised by the comptroller of the department of accounting and general services, by repealing the sunset date of June 30, 2006. -- HB1866 CD1

Committee Reports: HSCR 7-06 (EDN/ HED/) HSCR 576-06 (EDB) HSCR 933-06 (FIN) SSCR 3148 (HRE/ EDM/ TGO/) SSCR 3535 (WAM) CCR 204-06

Current Status: May-02 06 Passed Legislature

Section Affected: 40-1, 40-2, 40-4, 40-6, 40-58, 40-81, ACT 321 1986, ACT 283 1987, ACT 371 1989, ACT 163 1991, ACT 314 1993, ACT 8 1993 1SP, ACT 180 1997, ACT 115 1998, ACT 137 2005

HB1867 HD1 SD2 CD1 (CCR 210-06) RELATING TO WORKERS' COMPENSATION.

Introduced by: Takumi R, Caldwell K, Shimabukuro M, Berg L, Lee M, Green J, Nishimoto S, Oshiro M

Amends provisions relating to medical care, services and supplies under workers' compensation law. Requires that when a dispute exists between an injured employee and the injured employer or employer's insurer regarding whether medical services should be continued, the injured employee shall continue to receive the medical services prescribed under the treatment plan last approved by the medical service provider until the director of labor and industrial relations issues a decision on whether the injured worker's medical treatment should be continued. Provides that if the director determines that medical services pursuant to the treatment plan should be or should have been discontinued, the director shall designate the date after which medical services for that treatment plan are denied. Provides that the employer or the employer's insurer may recover from the claimant's personal health care provider or other appropriate occupation or non occupational insurer all the sums paid for medical services from that treatment plan rendered after the date designated by the director. Prohibits charges to

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claimant for the disallowed services. -- HB1867 CD1
Committee Reports: HSCR 230-06 (LAB) HSCR 521-06 (CPC) HSCR 860-06 (FIN)
SSCR 2946 (LBR) SSCR 3459 (WAM) CCR 210-06
Current Status: May-02 06 Passed Legislature
Section Affected: 386-21

HB1871 HD1 SD2 CD1 (CCR 91-06) RELATING TO CONSUMER CREDIT REPORTING AGENCIES.
Introduced by: Takumi R, Takai K, Oshiro B
Establishes the consumer credit reporting agencies law. Establishes provisions relating to security freeze by consumer reporting agency. Allows consumer who has been the victim of identity theft to place a security alert in the consumer's credit report by making a request in writing or by telephone to a consumer credit reporting agency. Further allows a consumer to place a security freeze on their consumer report by making a request in writing, sent by certified mail to a consumer credit reporting agency. Establishes provisions on consumer reporting agency duties if a security freeze is in place. Provides that violations shall be subject to penalties of not more than 2,500 dollars for each violation. Allows the attorney general or the executive director of the office of consumer protection to bring an action pursuant to this section. -- HB1871 CD1
Committee Reports: HSCR 672-06 (JUD/ CPC/) SSCR 3119 (CPH/ MAT/) SSCR 3393 (JHW) CCR 91-06
Current Status: May-02 06 Passed Legislature
Section Affected: (6 SECTIONS) CONSUMER CREDIT REPORTING AGENCIES

HB1878 SD1 CD1 (CCR 80-06) RELATING TO INVESTMENT SECURITIES ACT.
Introduced by: Schatz B
Amends provisions relating to fraudulent and other prohibited practices. Provides for compensation to the investment adviser on the basis of a share of capital gains or capital appreciation of the funds of the client; provided that the conditions and requirements as defined under the Investment advisors Act of 1940 are met; and before entering into the advisory contract, and in addition to the requirements of US Securities and Exchange Commission form ADV, the investment adviser shall disclose in writing to the client or the client's independent agent all material information concerning the proposed advisory arrangement. -- HB1878 CD1
Committee Reports: HSCR 256-06 (CPC) SSCR 3282 (CPH) CCR 80-06
Current Status: May-02 06 Passed Legislature
Section Affected: 485-25

HB1879 HD1 SD1 CD1 (CCR 166-06) RELATING TO VETERANS.
Introduced by: Kawakami B, Kanoho E, Chang J, Tanaka K, Kahikina M, Cabanilla R, Ito K
Appropriation to the office of veterans' services to publish the Hawaii veterans' newsletter. (\$\$) -- HB1879 CD1
Committee Reports: HSCR 8-06 (PSM) HSCR 720-06 (FIN) SSCR 3018 (EDM) SSCR 3443 (WAM) CCR 166-06
Current Status: May=02 06 Passed Legislature

HB1880 HD2 SD2 CD1 (CCR 159-06) RELATING TO HARBORS.
Introduced by: Souki J, Lee M, Caldwell K, Yamane R, Ito K, Chong P, Moses M
Establishes provisions relating to foreign trade zone; jurisdiction. Provides that the department of business, economic development and tourism shall have jurisdiction and administrative authority over the area in the vicinity of piers 1 and 2 currently being used as a foreign trade zone. -- Establishes provisions relating to Honolulu harbors pier 1 and 2. Provides that the department of transportation shall have jurisdiction and authority over the Honolulu harbor piers 1 and 2. -- Amends provisions relating to boundaries of the Kakaako community development district. Provides that certain parcels at piers 1 and 2 be deleted from the Kakaako community development district boundaries and conveyed to the department of land and natural resources to be set aside for the department of transportation and the foreign trade zone division of the department of business, economic development, and tourism. -- HB1880 CD1
Committee Reports: HSCR 554-06 (TRN) HSCR 729-06 (FIN) SSCR 3102 (WLA/ TGO/) SSCR 3494 (WAM) CCR 159-06
Current Status: May-02 06 Passed Legislature
Section Affected: 212- (1 SECTION), 266- (1 SECTION), 206E-32

HB1889 HD1 SD2 CD1 (CCR 165-06) RELATING TO THE OFFICE OF INTERNATIONAL AFFAIRS.
Introduced by: Hale H

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SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), ACT 1 1981 1SP, ACT 264 1982, (1 SECTION), ACT 296 1991, ACT 300 1992, ACT 289 1993, ACT 252 1994, ACT 218 1995, ACT 287 1996, ACT 328 1997, ACT 116 1998, ACT 91 1999, ACT 281 2000, ACT 200 2003, ACT 41 2004, (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION)

HB1917 HD2 SD2 CD1 (CCR 51-06) PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE ESTABLISHMENT OF A SALARY COMMISSION.

Introduced by: Takai K, Say C, Takumi R, Oshiro M, Luke S, Arakaki D, Kahikina M
Proposes to amend the constitution. Establishes a salary commission to review and recommend salaries for the justices and judges of all state courts, members of the legislature, department heads or executive officers of the executive departments and the deputies or assistants to department heads of the executive departments provided by law, excluding the university of Hawaii and the department of education. Further provides that the commission shall review and make recommendations for the salary of the administrative director of the State or equivalent position, and the compensation of the governor and the lieutenant governor. Report to the legislature. Repeals the commission on legislative salary, salary commission for justices and judges, and the compensation of the governor and lieutenant governor. -- HB1917 CD1

Committee Reports: HSCR 91-06 (LMG) HSCR 614-06 (JUD) HSCR 871-06 (FIN)
SSCR 3004 (JHW) SSCR 3485 (WAM) CCR 51-06

Current Status: May=02 06 Passed Legislature

Section Affected: ART XVI (1 SECTION), ART III S9, ART VI S3, ART V S3, ART XVIII S3

HB1918 HD1 SD2 CD1 (CCR 169-06) RELATING TO COMMISSION ON SALARIES.

Introduced by: Takai K, Say C, Takumi R, Oshiro M, Luke S, Arakaki D, Kahikina M
Establishes provisions relating to commission on salaries. Establishes the commission within the department of human resources development to review and recommend and appropriate salary for the governor, lieutenant governor, members of the legislature, justices and judges of all State courts, administrative director of the State or an equivalent position, and department heads or executive officers and the deputies or assistants to the department heads of the department of accounting and general services; agriculture; attorney general; budget and finance; business, economic development, and tourism; commerce and consumer affairs; defense; Hawaiian home lands; health; human resources development; human services; labor and industrial relations; land and natural resources; public safety; taxation; and transportation. Prohibits the commission from reviewing the salary of any position in the department of education or the university of Hawaii and from recommending salaries lower than salary amounts recommended by prior commissions replaced by this Act. Report to the legislature and governor. Repeals the executive judiciary salary commission. -- HB1918 CD1

Committee Reports: HSCR 102-06 (LMG) HSCR 615-06 (JUD) HSCR 856-06 (FIN)
SSCR 3005 (JHW) SSCR 3516 (WAM) CCR 169-06

Current Status: May=02 06 Passed Legislature

Section Affected: 26- (1 SECTION), 26-51, 26-52, 26-53, 26-54, 601-3, 602-2, 602-52, 603-5, 604-2.5, 26-55, 608-1.5

HB1920 RELATING TO FINANCIAL LITERACY MONTH.

Introduced by: Takai K, Ito K, Say C, Takumi R, Berg L, Oshiro M, Luke S, Caldwell K, Arakaki D, Kahikina M

Amends provisions relating to financial literacy for youth month by changing it to financial literacy month. -- HB1920

Committee Reports: HSCR 631-06 (FIN) SSCR 3423 (WAM)

Current Status: Apr-12 06 Received by the Governor

Apr-27 06 Approved by Governor (Act 47 2006)

Section Affected: 8-14

HB1923 HD1 SD2 CD1 (CCR 154-06) RELATING TO THE HAWAII TOURISM AUTHORITY.

HOUSE BILLS THAT PASSED THE LEGISLATURE

Introduced by: Chang J, Karamatsu J, Hale H, Tsuji C, Schatz B, Oshiro B, Caldwell K, Kahikina M

Amends Act 58, session laws of 2004, as amended by Act 22, session laws of 2005, relating to Hawaii tourism authority, by extending the sunset provision which allows the authority to appoint or retain attorneys independent of the attorney general; exempting the authority from audit and accounting provisions under the department of accounting and general services; and allowing the board of directors of the authority to appoint a sports coordinator exempt from civil service, public service, and pension and retirement laws until June 30, 2010. -- HB1923 CD1

Committee Reports: HSCR 80-06 (TAC) HSCR 512-06 (JUD) HSCR 690-06 (FIN) SSCR 3088 (TSM) SSCR 3513 (WAM) CCR 154-06

Current Status: May-02 06 Passed Legislature

Section Affected: ACT 58 2004, ACT 22 2005, 40-1, 40-4, 40-6, 28-8.3, 201B-2, 201B-11

HB1935 HD1 SD1 CD1 (CCR 71-06)

RELATING TO PLANNED COMMUNITY ASSOCIATIONS.

Introduced by: Evans C

Amends provisions relating to mandatory seller disclosures in real estate transactions. Provides that if the residential real property being offered for sale is in a planned community, disclosure statement includes the planned community declaration and association documents as those terms are defined under planned community associations. -- HB1935 CD1

Committee Reports: HSCR 637-06 (CPC/ JUD/) SSCR 3420 (CPH) FLOOR AMENDMENT 11 CCR 71-06

Current Status: May-02 06 Passed Legislature

Section Affected: 508D-1

HB1947 SD1 (SSCR 3312)

RELATING TO LIABILITY.

Introduced by: Morita H, Oshiro B, Luke S

Amends provisions relating to flexibility in highway design and liability of State, counties, and public utilities. Provides that any decision by the State, the department of transportation, a county, or any officers, employees, or agents of the State, the department of transportation, or a county in applying flexibility to highway design shall not give rise to a cause of action or claim. Amends Act 185, Session Laws of Hawaii 2005 by extending the deadline for flexible highway design guidelines to December 31, 2006. -- HB1947 SD1

Committee Reports: HSCR 681-06 (JUD) SSCR 2937 (TGO) SSCR 3312 (JHW)

Current Status: Apr-17 06 Received by the Governor

May-02 06 Approved by Governor (Act 70 2006)

Section Affected: 264-20, ACT 185 2005

HB1949 SD1 (SSCR 2001)

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

Introduced by: Say C

Appropriation for session and nonsession expenses of the senate and the house of representatives up to and including June 30, 2007, including the 2006 regular session. Expenses of the senate to be approved by the president and expenses of the house of representatives to be approved by the speaker. Requires the senate and the house of representatives to have their accounts audited and report to the senate and house of representatives respectively. Expenses for legislators while traveling abroad shall be 130 dollars a day. -- Appropriation to the office of the auditor for the expenses of the office. -- Appropriation to the office of the auditor to be deposited into the audit revolving fund. Appropriation out of the fund for the comprehensive annual financial report of the State; the financial statement and single audits of the department of human services, excluding the Hawaii public housing administration, the department of health, the department of education, and the department of transportation. -- Appropriation to the office of the auditor to conduct a financial and operational audit of the Hawaii youth correctional facility. -- Appropriation to the legislative reference bureau for defraying expenses, to the office of the ombudsman for defraying expenses and to replace the case management system, for the legislative information system, and for the legislative broadcast program. -- HB1949 SD1

Committee Reports: HSCR 1-06 (FIN) SSCR 2001 (WAM)

Current Status: Feb-03 06 Received by the Governor

Feb-04 06 Approved by Governor (Act 1 2006)

HOUSE BILLS THAT PASSED THE LEGISLATURE

- HB1955 HD1 SD1 CD1 (CCR 61-06) RELATING TO LITTER CONTROL.
Introduced by: Waters T
Amends provisions relating to penalties. Increases the minimum fines for littering under the statewide traffic code and litter control law. Increases the minimum and maximum fines under criminal littering law. -- HB1955 CD1
Committee Reports: HSCR 369-06 (EEP) HSCR 756-06 (JUD) SSCR 2963 (EIA/IGA) SSCR 3289 (JHW) CCR 61-06
Current Status: May-02 06 Passed Legislature
Section Affected: 291C-132, 339-8, 708-829
- HB1968 HD1 SD1 CD1 (CCR 89-06) RELATING TO INTOXICATING LIQUOR.
Introduced by: Herkes R
Establishes provisions relating to direct shipment of wine by wineries. Allows any person holding general excise tax license and either a class 1 license to manufacture wine or any person holding a license to manufacture wine in another state to pay a fee and obtain a direct wine shipper permit from the liquor commission of the county to which the wine will be shipped. Authorizes the holder to sell and annually directly ship to any person 21 years of age or older, up to 6, 9 liter cases of wine per household for personal use and not for resale. Repeals provisions relating to reciprocal shipments of wine. -- HB1968 CD1
Committee Reports: HSCR 73-06 (EDB) HSCR 834-06 (JUD) SSCR 3210 (CPH) CCR 89-06
Current Status: May=02 06 Passed Legislature
Section Affected: 281- (1 SECTION), 281-33.1, 281-33.5
- HB1977 HD1 SD2 (SSCR 3394) RELATING TO STRUCTURED SETTLEMENTS.
Introduced by: Herkes R
Establishes the structured settlement protection act. Defines structured settlement to mean an arrangement for periodic payment of damages for personal injuries or sickness established by settlement or judgment in resolution of a tort claim. Provides that not less than 3 days prior to the date on which a payee signs a transfer agreement, the transferee shall provide a separate disclosure statement. Provides that no direct or indirect transfer of structured settlement payment rights shall be effective and no structured settlement obligor or annuity issuer shall be required to make any payment directly or indirectly to any transferee of structured settlement payment rights, unless the transfer has been approved in advance in a final court order of a responsible administrative authority. Defines annuity issuer to mean an insurer that has issued a contract to fund periodic payments under a structured settlement. Establishes provisions relating to effects of transfer of structured settlement payment rights and procedure for approval of transfers. -- HB1977 SD2
Committee Reports: HSCR 643-06 (JUD) SSCR 3129 (CPH) SSCR 3394 (JHW)
Current Status: Apr-28 06 Received by the Governor
Section Affected: (6 SECTIONS) STRUCTURED SETTLEMENT PROTECTION ACT
- HB1982 HD2 SD1 (SSCR 3041) RELATING TO THE STATE FISH.
Introduced by: Oshiro B, Berg L, Oshiro M, Takai K, Morita H, Kawakami B, Kanoho E
Establishes provisions relating to the State fish. Provides that the humuhumunukunukuapua'a (humuhumunukunukuapuaa, Rhinecanthus rectangulus), also known as the rectangular triggerfish, is established and designated as the official fish of the State. -- HB1982 SD1
Committee Reports: HSCR 16-06 (WLO) HSCR 751-06 (JUD) SSCR 3041 (MAT/TGO/)
Current Status: Apr-17 06 Received by the Governor
May-02 06 Approved by Governor (Act 67 2006)
Section Affected: 5- (1 SECTION) STATE FISH
- HB1983 HD1 SD1 (SSCR 3009) RELATING TO THE JUDICIARY.
Introduced by: Oshiro B, Luke S
Establishes provisions relating to civil defense emergency period; suspension of deadlines. Authorizes the chief justice to suspend court deadlines during a period of civil defense emergency proclaimed by the governor. Provides that the order shall be limited to an initial duration of not more than 30 days; provided that it may be modified or extended for such period of time as the chief justice deems necessary due to an ongoing civil defense emergency. -- HB1983 SD1
Committee Reports: HSCR 148-06 (JUD) SSCR 3009 (JHW)

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Current Status: Apr-17 06 Received by the Governor
May-01 06 Approved by Governor (Act 59 2006)
Section Affected: 601- (1 SECTION) CIVIL DEFENSE EMERGENCY PERIOD

- HB1984 HD1 SD1 (SSCR 3042) RELATING TO CONVICTION DATA.
Introduced by: Oshiro B, Luke S
Requires the judicial council through a review committee to investigate the current status of internet access to state criminal conviction data and recommend to the legislature action necessary to protect the offenders balanced against the public interest in access to criminal conviction data. Report to the legislature. -- HB1984 SD1
Committee Reports: HSCR 814-06 (JUD) SSCR 3042 (JHW)
Current Status: Apr-17 06 Received by the Governor
May-02 06 Approved by Governor (Act 68 2006)
- HB1995 HD1 SD2 CD1 (CCR 84-06) RELATING TO ENDANGERING THE WELFARE OF A MINOR.
Introduced by: Ito K, Chong P, Herkes R, Lee M, Yamane R, Kahikina M, Caldwell K, Morita H, Arakaki D, Shimabukuro M, Cabanilla R, Luke S, Oshiro M
Amends provisions relating to endangering the welfare of a minor in the 1st degree. Provides that the person commits the offense if the person intentionally or knowingly allows another person to inflict serious or substantial bodily injury on the minor; or intentionally or knowingly causes or permits the minor to ingest methamphetamine (crystal methamphetamine, ice). Amends provisions relating to endangering the welfare of a minor in the 2nd degree. Provides that a person commits the offense if, having care or custody of a minor, the person recklessly allows another person to inflict serious or substantial bodily injury on the minor; or recklessly causes or permits the minor to ingest methamphetamine. -- HB1995 CD1
Committee Reports: HSCR 644-06 (JUD) SSCR 3062 (HMS) SSCR 3301 (JHW) CCR 84-06
Current Status: May-02 06 Passed Legislature
Section Affected: 709-903.5, 709-904
- HB2039 HD2 SD2 CD1 (CCR 69-06) RELATING TO DECONTAMINATION OF ILLEGAL DRUG MANUFACTURING SITES.
Introduced by: Lee M, Tsuji C, Yamane R
Requires the department of health to adopt interim procedures and guidelines for emergency and long term decontamination and cleanup of illegal methamphetamine (crystal methamphetamine, ice) manufacturing sites. Provides that the interim procedures and guidelines include emergency response and inspection, decontamination, environmental cleanup, and disposal of hazardous materials and waste. Requires the department to identify and evaluate the requirements necessary to establish a statewide program for decontamination and cleanup of illegal methamphetamine sites to ensure that program procedures provide for decontamination, remediation, and safe reoccupancy and reuse that is prompt and efficient. Report to legislature. -- HB2039 CD1
Committee Reports: HSCR 135-06 (EEP) HSCR 516-06 (JUD) HSCR 894-06 (FIN) SSCR 3125 (HTH/ JHW/) SSCR 3468 (WAM) CCR 69-06
Current Status: May-02 06 Passed Legislature
- HB2045 HD2 SD1 CD1 (CCR 174-06) RELATING TO PERINATAL CARE.
Introduced by: Lee M, Arakaki D, Yamane R, Thielen C, Berg L, Ching C, Luke S, Cabanilla R, Morita H, Marumoto B, Finnegan L, Tsuji C, Kawakami B, Shimabukuro M, Carroll M, Meyer C, Green J, Caldwell K, Hale H, Chang J
Establishes within the John A. Burns school of medicine university clinical educational and research associates program at the university of Hawaii department of obstetrics, gynecology, and women's health, a pilot perinatal clinic, which in collaboration with the departments of pediatrics and psychiatry will provide prenatal, delivery, and postpartum care for women with a history of substance use on the island of Oahu; substance use counseling; pediatric care with appropriate developmental interventions; psychiatric care for patients with dual diagnoses; and case management, including social services and coordination with child welfare services to ensure that the home environment is safe and to prevent the abandonment of children, and keep families intact whenever possible, as long as the safety of the children can be assured. Requires funding to be pursued through the state medicaid program. Requires the pilot perinatal clinic to cease operations on June 30, 2009 (sunset). Appropriation. (\$\$) -- HB2045 CD1
Committee Reports: HSCR 23-06 (HLT) HSCR 508-06 (HED) HSCR 864-06 (FIN) SSCR 3415 (WAM) CCR 174-06
Current Status: May-02 06 Passed Legislature

HOUSE BILLS THAT PASSED THE LEGISLATURE

- HB2050 HD2 SD1 (SSCR 3026) RELATING TO INTERNATIONAL MATCHMAKING.
Introduced by: Lee M, Thielen C, Meyer C, Morita H, Shimabukuro M, Marumoto B, Cabanilla R, Ching C, Evans C, Caldwell K, Finnegan L, Arakaki D, Hale H, Chang J, Tsuji C, Berg L, Luke S, Kawakami B
Amends provisions relating to international matchmaking organizations. Redefines marital history information to include the number of domestic abuse orders of protection issued against the Hawaii resident. -- Amends provisions relating to dissemination of criminal record and marital history information. Requires the matchmaking organization to require a Hawaii resident requesting the services of an international matchmaking organization to submit or authorize the international matchmaking organization access to the resident's complete criminal history and marital history information upon requesting the services of the international matchmaking organization and requires the organization to submit an annual report on its business activities to the department of commerce and consumer affairs. Provides that upon receipt of a request for criminal conviction or marital history information from a recruit, an international matchmaking organization shall refrain from providing any further services to the recruit or the Hawaii resident with regard to facilitating future interaction between the recruit and the Hawaii resident until the Hawaii resident has submitted to organization the number of domestic abuse orders of protection issued against the person. -- Amends provisions relating to jurisdiction. Provides that notwithstanding any other law to the contrary, Hawaii residents using the services of an international matchmaking organization shall be subject to the laws of this State. -- HB2050 SD1
Committee Reports: HSCR 11-06 (HUS/INT) HSCR 453-06 (JUD) SSCR 3026 (EIA) SSCR 3290 (JHW)
Current Status: Apr-17 06 Received by the Governor
May-02 06 Approved by Governor (Act 74 2006)
Section Affected: 489N-1, 489N-2, 489N-3
- HB2051 HD1 SD2 CD1 (CCR 172-06) RELATING TO PROTECTION FOR VICTIMS OF HUMAN TRAFFICKING.
Introduced by: Lee M, Morita H, Oshiro B, Berg L, Chang J, Shimabukuro M, Carroll M, Ching C, Oshiro M, Takumi R, Karamatsu J, Evans C, Hale H
Establishes a state anti trafficking task force to compile and review statutes, rules, and information relating to programs adopted in other states to combat human trafficking and to provide services to its victims. Report to the legislature. Task force to cease to exist on June 30, 2008 (sunset). Appropriation. (\$\$) -- HB2051 CD1
Committee Reports: HSCR 617-06 (JUD) HSCR 926-06 (FIN) SSCR 3054 (JHW) SSCR 3486 (WAM) CCR 172-06
Current Status: May-02 06 Passed Legislature
- HB2057 HD2 (HSCR 752-06) RELATING TO HEALTH.
Introduced by: Lee M, Meyer C, Shimabukuro M, Morita H, Evans C, Yamane R, Cabanilla R, Hale H, Chang J, Berg L, Luke S, Kawakami B, Tsuji C
Establishes provisions relating to human placenta. Provides that upon negative findings of infection or hazard after appropriate testing of the mother, the human placenta may be released by the hospital to the woman from whom it originated or the woman's designee. Requires the department of health to establish a release form which that stipulate appropriate measures for the safe release of human placenta. -- HB2057 HD2
Committee Reports: HSCR 315-06 (HLT) HSCR 752-06 (JUD) SSCR 3185 (HTH)
Current Status: Apr-04 06 Received by the Governor
Apr-21 06 Approved by Governor (Act 12 2006)
Section Affected: 321- (1 SECTION) HUMAN PLACENTA
- HB2075 HD1 SD2 CD1 (CCR 158-06) RELATING TO TRANSPORTATION.
Introduced by: Arakaki D, Cabanilla R, Green J, Kahikina M, Kanoho E, Shimabukuro M, Chang J, Sonson A, Thielen C, Hale H, Meyer C, Finnegan L, Lee M, Marumoto B
Amends provisions relating to State highway fund. Requires the director of transportation to allot and expend 2 per cent of federally allocated moneys for bikeways. -- HB2075 CD1
Committee Reports: HSCR 441-06 (TRN) HSCR 731-06 (FIN) SSCR 3030 (TGO) SSCR 3474 (WAM) CCR 158-06
Current Status: May-02 06 Passed Legislature
Section Affected: 248-9
- HB2098 HD1 SD1 CD1 (CCR 52-06) RELATING TO DEVELOPMENTAL DISABILITIES.
Introduced by: Arakaki D, Green J, Kahikina M, Nishimoto S, Lee M, Marumoto B, Finnegan L, Abinsay F, Ching C, Berg L, Takai K

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Amends provisions relating to developmental disabilities system. Requires the department of health to administer supports and services to include community residential alternatives for persons with developmental disabilities or mental retardation including homes in a setting of the person's choice if the person with the help of family and friends determine that the person can be sustained with supports and the supports are attached to the person, and adequate consideration and recognition is given to the person's safety and well being. Requires the department of health, state council on developmental disabilities to report to the legislature. Act to be repealed on June 30, 2008 (sunset). -- HB2098 CD1

Committee Reports: HSCR 641-06 (HLT/HUS/) SSCR 3014 (HTH/HMS/) CCR 52-06
Current Status: Apr-28 06 Received by the Governor
Section Affected: 333F-2

HB2109 HD1 SD2 CD1 (CCR 209-06)

RELATING TO HEALTH.

Introduced by: Arakaki D, Green J, Lee M, Marumoto B, Thielen C, Cabanilla R, Ching C

Establishes within the family health services division of the department of health 1 full time equivalent (1.00 FTE) permanent professional fetal alcohol spectrum disorder coordinator position to act as a public point of contact for individuals and families affected by fetal alcohol spectrum disorder and to help to coordinate a statewide system of services for persons with fetal alcohol spectrum disorder. Appropriation. (\$\$) -- HB2109 CD1

Committee Reports: HSCR 401-06 (HLT) HSCR 909-06 (FIN) SSCR 3075 (HTH) SSCR 3469 (WAM) CCR 209-06

Current Status: May-02 06 Passed Legislature

HB2133 SD1 (SSCR 3024)

RELATING TO THE NATURAL AREA RESERVE SYSTEM.

Introduced by: Magaoay M, Say C, Ito K, Waters T, Berg L, Oshiro B, Tsuji C, Evans C, Morita H, Yamane R

Establishes provisions relating to Kaena point natural area reserve. Prohibits the use of any vehicle within or traversing the Kaena point natural area reserve. Exempts vehicles operated by personnel or agents of the department of land and natural resources necessary for the management and maintenance of the Kaena point natural area reserve and its resources; and emergency vehicles, including emergency medical ambulances, police department vehicles, and fire department vehicles. -- HB2133 SD1

Committee Reports: HSCR 94-06 (WLO) HSCR 634-06 (JUD) SSCR 3024 (WLA) SSCR 3291 (JHW)

Current Status: Apr-28 06 Received by the Governor

Section Affected: 195- (1 SECTION) KAENA POINT NATURAL AREA RESERVE

HB2145 HD2 SD1 CD1 (CCR 75-06)

RELATING TO AGRICULTURAL TOURISM.

Introduced by: Yamashita K, Tsuji C, Abinsay F, Karamatsu J, Herkes R, Magaoay M
Amends provisions relating to districting and classification of lands. Provides that agricultural districts include agricultural tourism conducted on a working farm or farming operation, for the enjoyment, education, or involvement of visitors; provided that the agricultural tourism activity is accessory and secondary to the principal agricultural use and does not interfere with farm operations. Requires the counties to adopt ordinances for the review and permitting of agricultural tourism uses and activities. -- HB2145 CD1

Committee Reports: HSCR 25-06 (WLO/ AGR/) HSCR 625-06 (JUD) HSCR 684-06 (TAC) SSCR 3424 (TSM/ WLA/ IGA/) CCR 75-06

Current Status: May=02 06 Passed Legislature

Section Affected: 205-2, 205-4.5, 205-5, 343-5

HB2146 HD1 SD1 CD1 (CCR 85-06)

RELATING TO LAND USE.

Introduced by: Yamashita K, Yamane R, Tsuji C, Herkes R, Chong P

Amends provisions relating to permissible uses within the agricultural districts. Provides that agricultural lands may be subdivided and leased for the agricultural uses or activities permitted provided that the principal use of the leased land is agriculture; no permanent or temporary dwellings or farm dwelling, including trailers and campers, are constructed on the leased area; and the lease term for a subdivided lot shall be for as long as the longer of the minimum real property tax agricultural dedication period or 5 years. Further provides that lots created and leased are considered legal lots of record for mortgage lending purposes and are exempt from county subdivision standards. -- Amends provisions relating to exemptions from the uniform land sales practices act. Exempts offers or dispositions of an interest in land where the land is a leasehold agricultural lot located within State agricultural districts on which no dwelling structures

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are constructed. -- HB2146 CD1

Committee Reports: HSCR 24-06 (WLO/ AGR/) HSCR 840-06 (JUD) SSCR 3419
(WLA/ IGA/) CCR 85-06

Current Status: May-02 06 Passed Legislature

Section Affected: 205-4.5, 484-3

HB2153 HD2 SD2 CD1 (CCR 206-06) RELATING TO HEALTH.

Introduced by: Say C (BR)

Appropriation to the department of health to contract with a private health care provider or a nonprofit health care provider to provide outpatient, urgent, and extended after hours medical care to any patient in west Maui and fund expenses related to the delivery of direct services, including staff salaries for medical and administrative personnel and operating expenses, including equipment purchases. (\$\$) -- HB2153 CD1

Committee Reports: HSCR 496-06 (HLT) HSCR 789-06 (FIN) SSCR 3090 (HTH)
SSCR 3532 (WAM) CCR 206-06

Current Status: May-02 06 Passed Legislature

HB2175 HD2 SD2 CD1 (CCR 231-06) RELATING TO ENERGY.

Introduced by: Say C, Takai K, Oshiro M, Oshiro B, Morita H, Herkes R, Abinsay F, Shimabukuro M, Hale H, Wakai G, Cabanilla R, Tanaka K, Takamine D, Karamatsu J, Yamashita K, Kahikina M, Nishimoto S, Magaoay M, Berg L, Lee M, Yamane R, Tsuji C, Green J, Chang J, Kawakami B, Ito K, Carroll M, Chong P, Takumi R, Caldwell K, Evans C, Arakaki D, Sonson A, Saiki S, Schatz B, Nakasone B, Luke S, Kanoho E, Waters T

Appropriation to the department of education to develop and implement a photovoltaic, net energy metered pilot project at 1 public school within each of the counties of Oahu, Hawaii, and Kauai and 1 in the Maui county. Reports to the legislature. -- Amends the energy resources law by establishing provisions relating to energy efficiency and environmental standards for state facilities, motor vehicles, and transportation fuel. -- Amends the energy resources law. Changes the membership of the advisory committee to include the university of Hawaii and to delete county government. Requires the committee to provide input on how to establish benchmarks and evaluate the State's progress in energy efficiency and conservation; make recommendations on how and when to conduct periodic energy audits; and make annual reports to the legislature. Provides that energy saving contracts shall include energy performance contracts; municipal lease and purchase financing; and utility energy efficiency service contracts. Appropriation to the department of business, economic development, and tourism for energy efficiency for state facilities and equipment. -- Requires the department of education and the department of accounting and general services to identify projects that need to be funded. Report to the legislature. -- Appropriation to the department of education for 1 full time energy efficiency coordinator position. -- Appropriation to the department of business, economic development, and tourism for 2 full time energy coordinator positions to address energy efficiency in the department. -- Amends provisions relating to highly energy efficient vehicles by changing it to energy efficient vehicles. Move the procurement percentage of energy efficient vehicles for agencies purchasing or leasing vehicles up to begin in the fiscal year beginning July 1, 2006, and sets new percentages to begin July 1, 2007, and subsequent years. Requires that for each subsequent fiscal year, the percentage of energy efficient vehicles newly purchased shall be 5 per cent more than the previous year until at least 75 per cent of each covered fleet's newly purchased, light duty vehicles are energy efficient vehicles. Provides that agencies may offset the purchase requirements by successfully demonstrating percentage improvements in overall light duty vehicle mileage economy, using biodiesel fuel, and acquiring vehicles from other state agencies. -- Establishes provisions relating to county building permits; incorporation of leadership in energy and environmental design building standards in project design; priority processing. (\$\$) -- HB2175 CD1

Committee Reports: HSCR 236-06 (EEP) HSCR 534-06 (CPC) HSCR 943-06 (FIN)
SSCR 3132 (EIA/ CPH/) SSCR 3531 (WAM) CCR 231-06

Current Status: May-02 06 Passed Legislature

Section Affected: 196- (1 SECTION), 196-1, 196-18, 196-21, 196-22, 196-23,
196-8, 196-12, 196-13, 196-14, 196-15, 196-16, 196-17, 196-20,
196-24, 196-25, 196-26, 196-27, 196-28, 196-29, 103D-412, 46-
(1 SECTION)

HB2176 HD2 SD2 CD1 (CCR 234-06) RELATING TO HOUSING.

Introduced by: Say C, Takai K, Oshiro M, Oshiro B, Nishimoto S, Sonson A, Berg L, Lee

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M, Chang J, Tsuji C, Hale H, Cabanilla R, Tanaka K, Morita H, Carroll M, Takamine D, Chong P, Yamashita K, Shimabukuro M, Karamatsu J, Kahikina M, Herkes R, Abinsay F, Yamane R, Kawakami B, Magaoay M, Green J, Takumi R, Caldwell K, Evans C, Arakaki D, Ito K, Waters T, Schatz B, Wakai G, Nakasone B, Luke S, Kanoho E, Saiki S

Establishes provisions relating to temporary emergency housing. Requires the Hawaii public housing administration to develop in consultation with the 4 counties a procedure for identifying locations that shall be used for temporary emergency shelters for homeless individuals and families. Requires each county to be responsible for partnering with non profit organization in locating, designating, and maintaining the areas that shall be used for temporary emergency shelters. The designated locations may include private, county, and state lands, and federal lands at Kalaeloa. -- Requires the administration to pursue and secure Barbers Point Barracks as temporary housing for homeless families and individuals. Annual report to the legislature. -- Appropriation to the department of budget and finance to assist the counties. -- Appropriation to the Hawaii public housing administration to repair and modernize existing federal and state buildings for transitional shelters and emergency shelters. Appropriation to the department of human services for a grant to Hawaii Helping the Hungry Have Hope (H5) for a pilot program to provide mobile temporary housing for the homeless; for a grant to Kauai Economic Opportunity, Inc. for a homeless emergency shelter and wastewater system for the homeless emergency shelter, transitional housing, and related buildings; and for a grant to Ohana Ola O Kahumana for the construction of a community center at the transitional housing program for homeless families with dependent children. -- Appropriation to the department of labor and industrial relations for a grant to the Ohana Family Living God for a pilot project for temporary mobile shelters. -- Appropriation to the department of public safety for a grant to the Victory Ohana Prison Fellowship to assist the mentally ill, parolees, and substance abusers who are homeless, to purchase a computer system to establish a classroom for educational and job assistance for the mentally ill, parolees, and substance abusers who are homeless, and to purchase a solar energy system for the emergency shelter. -- Appropriation to the department of human services for a grant to Catholic Charities for the Maili Land Transitional Housing program. -- Appropriation to the judiciary for a grant to Child and Family Service for the construction of emergency and transitional housing for abused families with dependent children. -- Appropriation to the department of human services for a grant to the Coalition of Christian Churches for the development of a housing project in Waianae; grant to the Street Beat, Inc. to provide outreach services to the homeless. Appropriation to the county of Hawaii for a grant to the county department of parks and recreation for transportation for the homeless and disabled. -- Appropriation to the Hawaii public housing authority to renovate homeless shelters and transitional housing and provide homeless services. -- Amends provisions relating to the housing and community development corporation of Hawaii. Redefines housing owner to include the Hawaii housing finance and development administration. Extends the period that the rental housing trust fund may used to provide grants for rental units to Jun 30, 2009 (sunset). -- Amends provisions relating to disposition of conveyance taxes. Increases the distribution of conveyance tax revenues to the rental housing reserve fund to 50 per cent. Repealed June 30, 2007 (sunset). -- Appropriation to the Hawaii housing finance and development administration for a grant in aid to the Hawaii Habitat for Humanity Association to provide loans to low income families to build self help ownership homes and for a grant to the Nanakuli Housing Corporation for project Hana Hou. -- Appropriation to the Hawaii housing finance and development corporation for a grant to the Hawaii Homeownership Center and for Lokahi Pacific for mixed use affordable rental housing and economic development project. -- Requires the Hawaii housing finance and development administration to make public financing resources available to assist a potential buyer of the Kulana Nani Property owned by Kamehameha Schools provided that 100 per cent of the housing units on the property be retained in perpetuity as affordable housing. Appropriation. (\$\$) -- HB2176 CD1

Committee Reports: HSCR 412-06 (HSG) HSCR 790-06 (FIN) SSCR 3161 (CPH) SSCR 3538 (WAM) CCR 234-06

Current Status: May-02 06 Passed Legislature

Section Affected: 201G- (1 SECTION), 201G-232, 201G-233, 201G-432, 247-7

HB2179 HD2 SD2 CD1 (CCR 233-06) RELATING TO AGRICULTURE.

Introduced by: Say C, Takai K, Nishimoto S, Hale H, Tanaka K, Sonson A, Magaoay M, Takamine D, Saiki S, Arakaki D, Karamatsu J, Cabanilla R, Waters T, Schatz B, Wakai G, Luke S, Kanoho E, Oshiro M, Oshiro B, Abinsay F, Herkes R, Kawakami B, Tsuji C, Kahikina M, Green J, Chong P, Takumi R, Caldwell K, Yamashita K, Shimabukuro M,

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Evans C, Ito K

Establishes provisions relating to irrigation repair and maintenance special fund. Provides that the fund shall be administered by the board of agriculture and shall be used to fund repair and maintenance of the following irrigation systems, east Kauai irrigation system; Kekaha ditch; Kokee ditch; Maui land pioneer mill irrigation system; Waiahole ditch; lower Hamakua irrigation system; Molokai irrigation system; upcountry Maui irrigation system; Waimanalo irrigation system; Waimea irrigation system; east Maui irrigation system; Kauai coffee irrigation system; west Maui irrigation system; Kau irrigation system; Honomalino irrigation system; Wahiawa reservoir and ditch system; and other privately owned irrigation systems on former sugarcane and pineapple plantation lands that have been converted to diversified agriculture. Provides that the board shall develop processes, policies, standards, and criteria for selecting the landowners that are to receive funding and the amount of such funding and for determining the amount of funding provided to irrigation systems owned by the State. Requires matching funds from the landowner. -- Establishes provisions relating to vocational agriculture education. Requires the department of education to establish and administer a vocational agriculture education program that includes staffing of individuals trained or experienced in the field of vocational agriculture to coordinate the program and to provide assistance to school districts for the coordination of the activities of student agricultural organizations and associations. Requires the director of the program to establish an advisory task force of agriculturists to make annual recommendations on the development of curriculum, staffing, and strategies to establish a source of trained and qualified individuals in agriculture and strategies for articulating the state program in vocational agriculture education, including youth leadership throughout the public schools. -- Appropriation to the department of budget and finance for the to the irrigation repair and maintenance special fund. Requires federal matching funds. Appropriation out of the irrigation repair and maintenance special fund to the department of agriculturfor the repair and maintenance of the irrigation systems. Appropriation to the department of agriculture for the east Kauai irrigation system, the Waimanalo irrigation system, the Molokai irrigation system, the Waimea irrigation system, and the lower Hamakua irrigation system. Appropriation to the department of education. (\$\$) -- HB2179 CD1

Committee Reports: HSCR 602-06 (AGR) HSCR 740-06 (FIN) SSCR 3107 (WLA)
SSCR 3495 (WAM) CCR 233-06

Current Status: May-02 06 Passed Legislature

Section Affected: 167- (1 SECTION), 302A- (1 SECTION)

HB2192 HD2 SD2 (SSCR 3313)

RELATING TO CONTROLLED SUBSTANCES.

Introduced by: Lee M, Takai K, Waters T, Morita H, Arakaki D, Green J

Amends provisions relating to the uniform controlled substances act. Defines central fill pharmacies as pharmacies located in the State and registered to prepare and dispense controlled substance orders pursuant to a valid prescription transmitted to it by a registered pharmacy. Provides that a central fill pharmacy shall be deemed authorized to fill prescriptions on behalf of a pharmacy only if the pharmacy and the central fill pharmacy have a contractual relationship providing for these activities, or share a common owner. -- Amends provisions relating to prescriptions. Requires that if the prescribing practitioner is not known to the pharmacist, the pharmacist shall make a reasonable effort to determine that the oral authorization came from a registered practitioner, which may include a callback to the prescribing practitioner using the phone number in the telephone directory or other good faith efforts; and within 7 days after authorizing an emergency oral prescription, the prescribing practitioner shall cause a written prescription for the emergency quantity prescribed to be delivered to the dispensing pharmacist. -- Requires that when dispensed directly by a practitioner, other than a pharmacist, to the ultimate user, the practitioner in dispensing a controlled substance in schedule II shall affix to the package a label showing the use by date for the drug. -- Prohibits a central fill pharmacy to prepare prescriptions for a controlled substance listed in Schedule II. -- Requires that a schedule II controlled substance prescription be filled within 3 days following the date the prescription was issued to the patient; and be supplied to a patient only if the prescription has been filled and held by the pharmacy for no more than 7 days. -- Provides that any pharmacy electronically accessing a prescription record shall satisfy all information requirements of a manual mode prescription transferal. -- Provides that a pharmacy and an authorized central fill pharmacy may share information for initial and refill prescriptions of schedule III, IV or V controlled substances. -- Provides that the administering or dispensing directly (but not prescribing) of narcotic drugs listed in any schedule to a narcotic drug dependent person for detoxification treatment or maintenance treatment shall be deemed to be in

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the course of a practitioner's professional practice or research so long as the practitioner is registered with the department and the federal Drug Enforcement Agency as required. -- Prohibits a pharmacist from dispensing a substance included in schedule II, III, IV, or V for the pharmacist's personal use. -- Provides requirements for prescriptions for controlled substances. -- Provides requirements for a prescription for a schedule III, IV, or V controlled substance to be transmitted by facsimile. -- Provides that it is unlawful for any person to obtain any controlled substance by the unauthorized use of a physician's oral call in number or by the alteration of a prescription by the addition of future refills. -- Authorizes the disclosure of investigative information to state governmental prescription monitoring programs. -- HB2192 SD2

Committee Reports: HSCR 415-06 (PSM) HSCR 764-06 (CPC/ JUD/) SSCR 3082 (HTH) SSCR 3313 (JHW)

Current Status: Apr-17 06 Received by the Governor
May-02 06 Approved by Governor (Act 69 2006)

Section Affected: 329-1, 329-38, 329-41, 329-42, 329-104

HB2199 HD2 SD1 CD1 (CCR 60-06)

RELATING TO INTERNATIONAL TRADE AGREEMENT.

Introduced by: Hale H

Establishes international trade agreements law. Provides that any international trade agreement entered into by the President of the US that contains provisions relating in any manner to procurement by the states shall not be valid as to those procurement provisions as it applies to this state, unless approved by the legislature. -- HB2199 CD1
Committee Reports: HSCR 171-06 (INT/ EDB/) HSCR 844-06 (JUD) SSCR 2988 (TGO/ EIA/) SSCR 3395 (JHW) CCR 60-06

Current Status: May=02 06 Passed Legislature

Section Affected: (3 SECTIONS) INTERNATIONAL TRADE AGREEMENTS

HB2207 HD1 SD1 (SSCR 3010)

RELATING TO SEXUAL ASSAULT.

Introduced by: Oshiro B, Luke S

Repeals and replaces provisions relating to the continuous sexual assault of a minor under the age of 14 years. Provides that a jury need unanimously agree only that the requisite number of acts have occurred and need not agree on which acts constitute the requisite number. Amends provisions relating to infectious and communicable diseases, repeat violent and sexual offender; enhanced sentence, and sex offender registration and notification to add provisions relating to the continuous sexual assault of a minor under the age of 14 years. -- HB2207 SD1

Committee Reports: HSCR 150-06 (JUD) SSCR 3010 (JHW)

Current Status: Apr-17 06 Received by the Governor
May-01 06 Approved by Governor (Act 60 2006)

Section Affected: 707- (1 SECTION), 325-16, 325-16.5, 706-606.6, 846E-1, 707-733.5

HB2208 HD1 (HSCR 653-06)

RELATING TO COUNTIES.

Introduced by: Oshiro B, Luke S

Amends provisions relating to liability for damages; notice of injuries. Extends statute of limitations for actions against a county for damage or injury from 6 months to 2 years. Provides that before the county shall be liable for damages to any person for injuries, the person injured, or the owner or person entitled to possession, occupation, or use of the property injured, or someone on the person's behalf shall give the individual identified in the respective county's charter notice in writing of the injuries and the specific damages resulting, starting fully in the notice when, where, and how the injuries occurred, the extent of the injuries, and the amount claimed. -- HB2208 HD1

Committee Reports: HSCR 653-06 (JUD) SSCR 2984 (IGA) SSCR 3216 (JHW)

Current Status: Apr-26 06 Vetoes

Section Affected: 46-72

HB2210 SD1 (SSCR 3416)

RELATING TO PEARLRIDGE ELEMENTARY SCHOOL.

Introduced by: Oshiro B, Takai K, Takumi R

Amends Act 200, session laws of 2003, as amended by Act 41, session laws of 2004, relating to the state budget, by adding renovation in the description for PearlrIDGE elementary school. (\$\$) -- HB2210 SD1

Committee Reports: HSCR 632-06 (FIN) SSCR 3416 (EDM/ WAM/)

Current Status: Apr-17 06 Received by the Governor
May-01 06 Approved by Governor (Act 53 2006)

Section Affected: ACT 200 2003, ACT 41 2004

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- HB2211 HD1 SD1 CD1 (CCR 96-06) RELATING TO DEFINITIONS FOR WORKERS' COMPENSATION.
Introduced by: Oshiro B, Caldwell K
Amends provisions relating to workers' compensation. Repeals the definition of day and days under workers' compensation law. -- HB2211 CD1
Committee Reports: HSCR 162-06 (LAB) HSCR 377-06 (CPC) HSCR 872-06 (FIN) SSCR 3003 (LBR/ JHW/) SSCR 3460 (WAM) CCR 96-06
Current Status: May-02 06 Passed Legislature
Section Affected: 386-1
- HB2214 HD1 SD2 CD1 (CCR 160-06) RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX.
Introduced by: Souki J
Amends provisions relating to the rental motor vehicle and tour vehicle surcharge tax. Provides that the tax shall not be levied on the lessor if the lessor is renting the vehicle to replace a vehicle of the lessee that is being repaired and a record of the repair order for the vehicle is retained either by the lessor for 2 years for verification purposes or by a motor vehicle repair dealer for 2 years. -- HB2214 CD1
Committee Reports: HSCR 202-06 (TRN) HSCR 492-06 (CPC) HSCR 732-06 (FIN) SSCR 3136 (TGO/ CPH/) SSCR 3475 (WAM) CCR 160-06
Current Status: May-02 06 Passed Legislature
Section Affected: 251-2
- HB2215 RELATING TO CONCESSIONS ON PUBLIC PROPERTY.
Introduced by: Souki J, Lee M
Amends provisions relating to bond; conditions. Changes it to security for performance; conditions. Provides that before any contract is entered into, the party with whom the contract is proposed to be made shall give security for the performance. -- HB2215
Committee Reports: HSCR 262-06 (TRN) HSCR 857-06 (FIN) SSCR 2941 (TGO) SSCR 3476 (WAM)
Current Status: Apr-12 06 Received by the Governor
Apr-27 06 Approved by Governor (Act 37 2006)
Section Affected: 102-11
- HB2239 HD1 SD2 CD1 (CCR 156-06) RELATING TO LAND ACQUISITION.
Introduced by: Kahikina M
Requires the Hawaii housing finance and development administration or any entity of the State to immediately initiate negotiations with Kukui Gardens Corporation to make public financing available to extend affordable rents at Kukui Gardens through 2016 or to acquire the property known as Kukui Gardens, and may partner with private developers for acquisition of the property, provided that 80 per cent of the housing units on the property be retained in perpetuity as affordable housing households at or below 140 per cent of the median family income as determined by the US Department of Housing and Urban Development. Report to the legislature. Provides that if an agreement is not reached within a reasonable time, the administration or any entity of the State shall exercise its power of eminent domain to acquire the property. Appropriation. (\$\$) -- HB2239 CD1
Committee Reports: HSCR 296-06 (HSG) HSCR 801-06 (FIN) SSCR 3160 (CPH) SSCR 3505 (WAM) CCR 156-06
Current Status: May=02 06 Passed Legislature
- HB2258 HD1 SD2 CD1 (CCR 240-06) RELATING TO HUMAN SERVICES.
Introduced by: Sonson A, Cabanilla R, Kahikina M, Abinsay F, Say C
Establishes provisions relating to expenditure of temporary assistance to needy families funds. Provides that any funds received by the State under the temporary assistance to needy families (TANF) program shall be subject to appropriation by the legislature to the department of human services. Provides that during the interim following the regular session of 2006 and thereafter when the legislature is not in session, the department may receive and expend funds related to TANF, subject to approval by the governor, which are supplemental or are obtained competitively. Annual report to the legislature. Appropriation to the department of human services for supporting and expanding the chore services program. Appropriation to the department of human services for the Hawaii Even Start Family Literacy Program. (\$\$) -- HB2258 CD1
Committee Reports: HSCR 469-06 (HUS) HSCR 691-06 (FIN) SSCR 3097 (HMS) SSCR 3452 (WAM) CCR 240-06
Current Status: May-04 06 Passed Legislature
Section Affected: 346- (1 SECTION) EXPENDITURE OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES FUNDS

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- HB2265 HD2 SD1 CD1 (CCR 81-06) RELATING TO CORRECTIONS.
Introduced by: Chong P
Amends provisions relating to corrections. Transfers the supervisory and counseling functions of paroled individuals along with positions, and employees from the Hawaii paroling authority to the department of public safety. -- HB2265 CD1
Committee Reports: HSCR 124-06 (PSM/ LAB/) HSCR 907-06 (FIN) SSCR 3299 (JHW) CCR 81-06
Current Status: May=02 06 Passed Legislature
Section Affected: 353-62, 353-63.5, 353-65, 353-66
- HB2271 HD1 SD2 CD1 (CCR 79-06) RELATING TO NON-AGRICULTURAL PARK LANDS.
Introduced by: Say C (BR)
Establishes provisions relating to disposition; authority to plan, develop, and manage non agricultural park lands; non agricultural park land development; lease negotiation; policy; rights of holders of security interests. Authorizes the department of agriculture by negotiation, drawing a lot, or public auction directly to dispose of public lands and related facilities set aside pursuant to non agricultural park lands law notwithstanding public lands, management and disposition laws. Provides that all land and facilities shall be disposed of for agricultural or aquacultural purposes only. -- HB2271 CD1
Committee Reports: HSCR 141-06 (WLO/ AGR/) HSCR 620-06 (JUD) HSCR 858-06 (FIN) SSCR 3111 (WLA) SSCR 3523 (WAM) CCR 79-06
Current Status: May-02 06 Passed Legislature
Section Affected: 166E- (6 SECTIONS), 166E-2, 166E-6
- HB2273 SD1 (SSCR 3477) MAKING EMERGENCY APPROPRIATIONS FOR RISK MANAGEMENT.
Introduced by: Say C (BR)
Appropriation to the department of accounting and general services for deposit into the state risk management revolving fund. Appropriation out of the state risk management revolving fund to the department of accounting and general services to provide for anticipated expenditures resulting from the May 7, 2005 fire at Kalaheo elementary school, including the repair and replacement of damaged or destroyed state facilities, and for an increase in the cost of property insurance premiums. (\$\$) -- HB2273 SD1
Committee Reports: HSCR 319-06 (FIN) SSCR 2942 (TGO) SSCR 3477 (WAM)
Current Status: Apr-17 06 Received by the Governor
Apr-28 06 Approved by Governor (Act 52 2006)
- HB2275 SD1 (SSCR 3478) MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE.
Introduced by: Say C (BR)
Appropriation to the department of accounting and general services for paying electricity bills and to the university of Hawaii for paying electricity bills for the university of Hawaii system. (\$\$) -- HB2275 SD1
Committee Reports: HSCR 320-06 (FIN) SSCR 2959 (TGO) SSCR 3478 (WAM)
Current Status: Apr-17 06 Received by the Governor
Apr-25 06 Approved by Governor (Act 26 2006)
- HB2277 HD2 SD2 CD1 (CCR 173-06) MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.
Introduced by: Say C (BR)
Appropriation to the department of the attorney general for the purpose of satisfying claims for legislative relief to persons, firms, corporations, and entities which have claims against the State due to overpayment of taxes, refunds, reimbursements, payments of judgments or settlements, or other liabilities. (\$\$) -- HB2277 CD1
Committee Reports: HSCR 427-06 (JUD) HSCR 742-06 (FIN) SSCR 3046 (JHW) SSCR 3488 (WAM) CCR 173-06
Current Status: May=02 06 Passed Legislature
- HB2278 HD1 SD2 (SSCR 3489) MAKING EMERGENCY APPROPRIATIONS FOR THE DEPARTMENT OF THE ATTORNEY GENERAL.
Introduced by: Say C (BR)
Appropriation to the department of the attorney general for deposit into the DNA (deoxyribonucleic acid) registry special fund. Appropriation out the DNA registry special fund to pay for costs associated with the implementation of Act 112, session laws of 2005 and Act 133, session laws of 2005. (\$\$) -- HB2278 SD2
Committee Reports: HSCR 582-06 (JUD) HSCR 895-06 (FIN) SSCR 3015 (JHW) SSCR 3489 (WAM)

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Current Status: May-02 06 Passed Legislature

- HB2282 HD1 SD1 CD1 (CCR 53-06) RELATING TO CHAPTER 846E.
Introduced by: Say C (BR)
Amends provisions relating to registration of sex offenders and other covered offenders and public access to registration information. Redefines repeat offender to exclude a conviction for multiple counts within a single charging document that allege offenses against the same victim and that allege the same date of offense against that single victim which shall be considered a single covered offense. Requires registration no later than 3 days after conviction for a covered offense, unless incarcerated or release on probation. Adds that in a civil proceeding to terminate public access, the State shall be represented by the attorney general with the prosecuting agency's consent, may designate the prosecuting agency that prosecuted the covered offender for the most recent covered offense within the State to represent the State. Provides that an offender who have not been convicted in the State, the attorney general shall represent the State for the county in which the offender resides. -- Amends provisions relating to requirements to register a change of registration information; verification by the attorney general. Provides that if, at any time, a covered offender is required to register is absent from the person's registered residence for 10 or more days, the covered offender shall, in addition to notifying the attorney general in writing within 3 working days that the covered offender no longer resides at the registered residence, also report to any police station in the State by the last day of every month for verification of identity by photograph and finger print impression until the covered offender establishes a new residence and notifies the attorney general in writing of the actual address of the new residence. Requires the covered offender to disclose every location where the covered offender has slept in the previous month. -- HB2282 CD1
Committee Reports: HSCR 815-06 (JUD) SSCR 3179 (JHW) CCR 53-06
Current Status: Apr-28 06 Received by the Governor
Section Affected: 846E-1, 846E-2, 846E-3, 846E-6, 846E-9
- HB2286 RELATING TO CHILD SUPPORT ENFORCEMENT.
Introduced by: Say C (BR)
Amends provisions relating to protection of records; divulging confidential information prohibited; penalties. Provides that the use or disclosure of information concerning any individual or case shall be limited to persons directly concerned with the administration and implementation of any child support enforcement plan or of a program approved by Title IV A through E. -- HB2286
Committee Reports: HSCR 142-06 (JUD) SSCR 3063 (HMS) SSCR 3304 (JHW)
Current Status: Apr-12 06 Received by the Governor
Apr-27 06 Approved by Governor (Act 42 2006)
Section Affected: 576D-12
- HB2287 HD1 (HSCR 451-06) RELATING TO CHILD SUPPORT ENFORCEMENT.
Introduced by: Say C (BR)
Amends provisions relating to definitions under child support enforcement. Redefines compliance with an order of support by repealing the provision it means an obligor is not delinquent in making periodic payment on a support arrearage pursuant to a written agreement with the child support enforcement agency. -- Amends provisions relating to suspension or denial of licenses. Requires the child support enforcement agency to certify in writing to the licensing authority that the obligor is not in compliance with an order of support or that the individual is not in compliance with a subpoena or warrant relating to a paternity or child support proceeding. Authorizes the immediate suspension, nonrenewal, nonreinstatement, nonrestoration, or denial of any license held or applied for by the obligor or individual. Requires the licensing authority to receive a written release of suspension or denial from the child support enforcement agency, the office of child support hearings, or the family court. -- HB2287 HD1
Committee Reports: HSCR 451-06 (JUD) SSCR 3142 (CPH) SSCR 3396 (JHW)
Current Status: Apr-12 06 Received by the Governor
Apr-27 06 Approved by Governor (Act 43 2006)
Section Affected: 576D-1, 576D-13
- HB2299 HD1 SD1 CD1 (CCR 93-06) RELATING TO CHAPTER 803.
Introduced by: Say C (BR)
Amends provisions relating to entering house to arrest. Requires the officer or person, in the case of an arrest with warrant, to 1st knock on the door, state in a loud voice, " Police! " or the equivalent as " Sheriff! " " We have a warrant! Open the door! " In the

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case of a lawful arrest without warrant, the officer or person shall 1st knock on the door and state in a loud voice, " Police! " or the equivalent as " Sheriff! " and " You are under arrest! Open the door! " Provides that the officer or person shall wait a reasonable amount of time before inferring constructive refusal to enter. In determining a reasonable amount of time, the following shall be taken into consideration, the size and layout of the residence; the time of day; the nature of the suspected offense; the evidence demonstrating guilt; the officer's observations that would support a forced entry; and any exigent circumstances. -- HB2299 CD1

Committee Reports: HSCR 664-06 (JUD) SSCR 3043 (JHW) CCR 93-06

Current Status: May-02 06 Passed Legislature

Section Affected: 803-11

HB2303 HD1 (HSCR 151-06)

RELATING TO CHILD SUPPORT ENFORCEMENT.

Introduced by: Say C (BR)

Amends provisions relating to automatic assignment by court or administrative order of future income for payment of child support. Requires the assignment to continue after the obligor's requirement to pay future child support has ended if the obligor owes past due support, and any amount received to said assignment to be applied to satisfy all past due support owed. -- Amends provisions relating to implementation of income withholding. Provides that the child support enforcement agency may adopt rules in accordance as may be necessary to implement and administer income withholding under implementation of income withholding; assignment by court order of future income for payments of support; automatic assignment by court or administrative order of future income for payment of child support; immediate income withholding, and income withholding. -- Amends provisions relating to income withholding. Provides that an income withholding order or a notice to withhold child support shall remain in effect after the obligor's requirement to pay future child support has ended if the obligor owes past due support and any amount received to said order or notice shall be applied to satisfy all past due support owed. -- HB2303 HD1

Committee Reports: HSCR 151-06 (JUD) SSCR 3006 (JHW) SSCR 3490 (WAM)

Current Status: Apr-12 06 Received by the Governor

Apr-26 06 Approved by Governor (Act 34 2006)

Section Affected: 571-52.2, 576D-14, 576E-16

HB2309

RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.

Introduced by: Say C (BR)

Amends provisions relating to health benefit plan supplemental to medicare under the Hawaii employer union health benefits trust fund law. Provides that the department of budget and finance and the departments of finance of the counties shall pay to the fund a contribution equal to an amount not less than the medicare part B premium, for those enrolled in the medicare part B medical insurance plan who is an employee beneficiary who is a retired employee, an employee beneficiary's spouse while the employee beneficiary is living, and an employee beneficiary's spouse, after the death of the employee beneficiary, if the spouse. Requires each employee beneficiary and employee beneficiary's spouse who becomes entitled to reimbursement from the fund for medicare part B premiums after July 1, 2006, to designate a financial institution account into which the fund shall be authorized to deposit reimbursements. -- HB2309

Committee Reports: HSCR 372-06 (LAB) HSCR 698-06 (FIN) SSCR 2947 (LBR) SSCR 3461 (WAM)

Current Status: Apr-12 06 Received by the Governor

Apr-27 06 Approved by Governor (Act 39 2006)

Section Affected: 87A-23

HB2311 HD1 (HSCR 901-06)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Say C (BR)

Amends provisions relating to the public employees' retirement system. Amends provisions relating to retirement for class C public officers and employees, membership, credited service, election by repealing class H members. Amends provisions relating to retirement for class H public officers and employees, membership, credited service, election and membership, to include any former class A member who received a refund of contributions picked up and paid by the member's employer including any class C member. -- Repeals withdrawal of contributions and transfer to noncontributory plan. -- HB2311 HD1

Committee Reports: HSCR 472-06 (LAB) HSCR 901-06 (FIN) SSCR 2948 (LBR) SSCR 3462 (WAM)

Current Status: Apr-12 06 Received by the Governor

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Apr-27 06 Approved by Governor (Act 40 2006)

Section Affected: 88-271, 88-321, 88-46.5

HB2313 SD1 (SSCR 3283)

RELATING TO BUSINESS REGISTRATION.

Introduced by: Say C (BR)

Establishes provisions relating to activities not constituting transacting business. Defines the activities of a foreign general partnership that does not constitute transacting business. -- Amends provisions relating to effect of conversion. Provides that when a conversion becomes effective, if a converted entity is a foreign corporation or other business entity organized under a law other than the law of the State, the converted entity shall file with the director of commerce and consumer affairs, an agreement that the converted entity may be served with process in this State or proceeding for the enforcement of any liability or obligation. -- Amends provisions relating to dissolution of incorporators, initial directors, and 3rd persons. -- Amends provisions relating to administration dissolution; reinstatement. Provides that if a professional corporation was dissolved due to the expiration of its period of duration, at any time within 2 years of its dissolution, the professional corporation may amend its articles of incorporation to extend its period of duration. -- Amends provisions relating to statement of foreign qualification. -- Amends provisions relating to articles of merger. -- HB2313 SD1

Committee Reports: HSCR 257-06 (CPC) SSCR 3283 (CPH)

Current Status: May-02 06 Passed Legislature

Section Affected: 425- (1 SECTION), 414-274, 414-403, 414-433, 414D-207, 414D-210, 414D-241, 414D-250, 415A-16.8, 415A-18, 425-1, 425-14, 425-158, 425-163, 425-164, 425-195, 425-204, 425E-810, 425E-902, 425E-1105, 428-811, 428-903

HB2315 SD2 (SSCR 3506)

RELATING TO THE CODE OF FINANCIAL INSTITUTIONS.

Introduced by: Say C (BR)

Establishes provisions relating to request for information by the insurance commissioner. Authorizes the commissioner to request records, documents, information, and reports from any financial institution regulated by the division of financial institutions. Redefines building and loan association. Amends provisions of the financial code law relating to names; confidentiality of information possessed by commissioner; compliance resolution fund; financial institution examiners; removal or prohibition of institution affiliated party; removal or prohibition of institution affiliated party; procedure; hearing; enforcement; order of immediate suspension; procedure; effective date; hearing; enforcement. Amends provisions relating to removal, prohibition, or suspension; effect of order. Amends provisions relating to name of financial institution. Amends provisions relating to change of name. Amends provisions relating to duty to report illegal acts. Amends provisions relating to application for preliminary approval to organize financial institution. Amends provisions relating to additional requirements for holding company. Amends provisions relating to deferral of application requirements. Amends provisions relating to publication of notice. Amends provisions relating to grant of preliminary approval to organize a financial institution. Amends provisions relating to final application for charter or license. Amends provisions relating to opening or relocating support facility. Amends provisions relating to closing support facility. Amends provisions relating to notice to credit union member. Amends provisions relating to conversion to another type of financial institution. Amends provisions of the financial code law relating to merger or consolidation of Hawaii financial institutions, effect of conversion, merger, or consolidation, merger or consolidation of financial institution holding companies, acquisition of control of financial institution holding company. Amends provisions relating to operating subsidiaries. Amends provisions relating to service corporations. Amends provisions relating to operating subsidiaries. Amends provisions relating to savings and loan institutions. Amends provisions relating to service corporations. Amends provisions relating to operating subsidiaries. Amends provisions relating to fiduciary powers. Amends provisions relating to financial institution holding companies. Amends provisions relating to use of state or federal examinations. Repeals provisions relating to organization and management of financial institutions, amendments to articles and bylaws, availability of statement of assets and liabilities, access to safety deposit box. Repeals provisions relating to organization of banks, savings banks, savings and loan associations, trust companies and depository financial services loan companies, approval of articles and bylaws, approval of capital stock solicitation. Repeals provisions relating to savings and loan associations, management of mutual savings and loan associations. -- HB2315 SD2

Committee Reports: HSCR 258-06 (CPC) SSCR 3124 (CPH) SSCR 3506 (WAM)

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Current Status: May-02 06 Passed Legislature
Section Affected: 412: - (1 SECTION), 241-1, 412:1-104, 412:1-109, 412:2-104, 412:2-109, 412:2-306, 412:2-307, 412:2-308, 412:2-310, 412:3-101, 412:3-102, 412:3-111, 412:3-114, 412:3-201, 412:3-202, 412:3-203, 412:3-204, 412:3-206, 412:3-211, 412:3-212, 412:3-506, 412:3-508, 412:3-604, 412:3-605, 412:3-608, 412:3-609, 412:3-610, 412:3-611, 412:3-612, 412:5-203, 412:5-305, 412:5-402, 412:6-203, 412:6-204, 412:6-306, 412:7-100, 412:7-203, 412:7-204, 412:7-306, 412:8-201, 412:9-403, 412:9-409, 412:11-103, 412:3-103, 412:3-113, 412:3-115, 412:3-208, 412:3-210, 412:7-400, 412:7-401, 412:7-402, 412:7-403, 412:7-404, 412:7-405, 412:7-406, 412:7-407, 412:7-408

HB2317 RELATING TO HEALTH INSURANCE.
Introduced by: Say C (BR)
Amends Act 118, session laws of 2004, relating to a bona fide trade association by repealing the sunset provision. -- HB2317
Committee Reports: HSCR 680-06 (CPC/ LAB/) SSCR 3298 (CPH)
Current Status: Apr-12 06 Received by the Governor
Apr-27 06 Approved by Governor (Act 41 2006)
Section Affected: ACT 118 2004

HB2319 HD1 SD1 (SSCR 3507) RELATING TO INSURANCE.
Introduced by: Say C (BR)
Amends provisions relating to deposits to compliance resolution fund; assessments of health insurers; administrative procedure act applies; insurers general requirements; unauthorized insurers and surplus lines; licensing or adjusted and bill reviewers; managing general agents; health insurance rate regulation; title insurance and title insurers; risk retention; benefit societies; health maintenance organizations (HMOs); service contracts; bail bonds to keep the peace; and licensing of agents, brokers, solicitors, adjusters, and bill reviewers. -- HB2319 SD1
Committee Reports: HSCR 660-06 (CPC) SSCR 3139 (CPH) SSCR 3507 (WAM)
Current Status: May-02 06 Passed Legislature
Section Affected: 431:2-215, 431:2-216, 431:2-308, 431:8-202, 431:8-205, 431:8-207, 431:8-209, 431:8-211, 431:8-310, 431:8-315, 431:8-316, 431:8-317, 431:9-101, 431:9-105, 431:9-201, 431:9-203, 431:9-222, 431:9-232, 431:9-235, 431:9-235.5, 431:9-243, 431:9A-101, 431:9A-102, 431:9A-105, 431:9A-106, 431:9A-107, 431:9A-107.5, 431:9A-108, 431:9A-110, 431:9A-112, 431:9A-124, 431:9A-142, 431:9A-151, 431:9A-152, 431:9A-153, 431:9A-154, 431:9A-158, 431:10A-603, 431:14-104, 431:14F-105, 431:20-103, 431K-8, 432:2-609, 481X-2, 481X-4, 804-10.5, 431:9-236, 431:9-241

HB2331 RELATING TO AN INACTIVE STATUS FOR PROFESSIONAL AND VOCATIONAL LICENSES.
Introduced by: Say C (BR)
Establishes provisions relating to inactive license; reactivation of inactive license for professional and vocational licenses. Provides that each licensing authority may allow a licensee to place its license on inactive status and provide conditions for the reactivation of the license. Provides general provisions that shall be applied by the licensing authority. -- HB2331
Committee Reports: HSCR 259-06 (CPC) SSCR 3421 (CPH)
Current Status: Apr-12 06 Received by the Governor
Apr-27 06 Approved by Governor (Act 49 2006)
Section Affected: 436B- (1 SECTION) INACTIVE LICENSE

HB2343 HD1 SD2 CD1 (CCR 64-06) RELATING TO THE PENAL CODE.
Introduced by: Say C (BR)
Establishes provisions relating to assault against an emergency worker as a class B felony; burglary of a dwelling during civil defense emergency or disaster relief period as class A felonies; and burglary of a building during a civil defense emergency or disaster relief period as a class B felony. Amends criminal property damage in the 1st degree to include damaging property of another during a civil defense emergency or during the period of disaster relief. Amends theft in the 1st degree to include the theft of over 300

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dollars worth of property during a civil defense emergency or during the period of disaster relief. Amends robbery in the 1st degree to include a person who uses force against the person of anyone present with the intent to overcome that person's physical resistance or physical power of resistance during the time of a civil defense emergency or during the period of disaster relief or the person threatens the imminent use of force against the person of anyone who is present with the intent to compel acquiescence to the taking of or escaping with the property during the time of a civil defense emergency or during the period of disaster relief. -- HB2343 CD1

Committee Reports: HSCR 600-06 (PSM) HSCR 757-06 (JUD) SSCR 2938 (TGO) SSCR 3302 (JHW) CCR 64-06

Current Status: May=02 06 Passed Legislature

Section Affected: 707- (1 SECTION), 708- (2 SECTIONS), 707-700, 708-820, 708-830.5, 708-840

HB2346 SD1 (SSCR 3369)

MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF EDUCATION ELECTRICITY.

Introduced by: Say C (BR)

Appropriation to the department of education to pay for electricity usage. (\$\$) -- HB2346 SD1

Committee Reports: HSCR 47-06 (EDN) HSCR 802-06 (FIN) SSCR 2981 (EDM) SSCR 3369 (WAM)

Current Status: Apr-17 06 Received by the Governor

Apr-28 06 Approved by Governor (Act 51 2006)

HB2347 SD1 (SSCR 3370)

MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF EDUCATION STUDENT TRANSPORTATION.

Introduced by: Say C (BR)

Appropriation to the department of education for the continued operation of the student transportation program. (\$\$) -- HB2347 SD1

Committee Reports: HSCR 48-06 (EDN) HSCR 699-06 (FIN) SSCR 2979 (EDM) SSCR 3370 (WAM)

Current Status: Apr-17 06 Received by the Governor

Apr-26 06 Approved by Governor (Act 33 2006)

HB2367 HD1 SD1 CD1 (CCR 62-06)

RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR SERVICE PROVIDERS OF THE OFFICE OF YOUTH SERVICES.

Introduced by: Say C (BR)

Establishes provisions relating to criminal history record check. Requires employees, prospective employees, and volunteers of contracted providers or subcontractors in positions that place them in close proximity to youth when providing services on behalf of the office of youth services to be required to agree to criminal history record checks. Provides that the criminal history checks shall be through the Hawaii criminal justice data center and child abuse records check shall be through the department of human services. Establishes criteria for refusal to employ and termination of employment. -- HB2367 CD1

Committee Reports: HSCR 530-06 (LAB/ HUS/) HSCR 835-06 (JUD) SSCR 3064 (HMS) SSCR 3292 (JHW) CCR 62-06

Current Status: May-02 06 Passed Legislature

Section Affected: 352D- (1 SECTION), 846-2.7

HB2399 HD2 SD1 CD1 (CCR 157-06)

RELATING TO INTER-ISLAND FERRY SERVICE.

Introduced by: Say C (BR)

Amends provisions relating to the purpose and use of State small boat harbors. Expands preferential consideration for ferry landings including issuance of commercial operating permit and waiver of fees for vessels engaging in interisland ferry service within Maui county. -- HB2399 CD1

Committee Reports: HSCR 443-06 (TRN/ WLO/) HSCR 882-06 (FIN) SSCR 3413 (WAM) CCR 157-06

Current Status: May-02 06 Passed Legislature

Section Affected: 200-9

HB2400

MAKING AN EMERGENCY APPROPRIATION FOR ACQUISITION OF WAIMEA VALLEY, OAHU.

Introduced by: Say C (BR)

Appropriation to the department of land and natural resources to purchase Waimea valley, Oahu. (\$\$) -- HB2400

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Committee Reports: HSCR 277-06 (WLO) HSCR 812-06 (FIN) SSCR 3114 (WLA)
SSCR 3406 (WAM)
Current Status: Apr-12 06 Received by the Governor
Apr-24 06 Approved by Governor (Act 15 2006)

- HB2410 HD1 SD2 CD1 (CCR 83-06) RELATING TO CONTROLLED SUBSTANCES.
Introduced by: Say C (BR)
Amends provisions relating to schedule IV, depressants. Includes zopiclone (lunesta) to the list of controlled substances. Amends provisions relating to exceptions from person required to keep records and file reports. Repeals the exception for drugs that contain ephedrine or phenylpropanolamine. Amends provisions relating to sales of products, mixtures, or preparations containing pseudophedrine; reporting requirement for wholesalers. Restricts a pharmacy or retailer from dispensing, selling, or distributing, without a prescription, more than 3.6 grams per day without regard to the number of transactions. Requires any person purchasing the substances to produce identification containing the photograph, printed name, and signature of the individual obtaining the controlled substance and sign a log, receipt, or other program mechanism. -- HB2410 CD1
Committee Reports: HSCR 646-06 (JUD) SSCR 3074 (HTH) SSCR 3314 (JHW) CCR 83-06
Current Status: May=02 06 Passed Legislature
Section Affected: 329-20, 329-64, 329-75
- HB2412 HD1 SD1 CD1 (CCR 98-06) RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.
Introduced by: Say C (BR)
Amends provisions conforming to the Federal Internal Revenue Code to apply for taxable years beginning after December 31, 2005. Provides that section 1400O (with respect to education tax benefits), section 1400P (with respect to housing tax benefits), section 1400R (with respect to employment relief), section 1400T (with respect to special rules for mortgage revenue bonds), section 1400N (with respect to tax benefits for Gulf Opportunity Zone), and section 1400S (with respect to additional tax relief provisions) of the Internal Revenue Code shall not be operative. -- HB2412 CD1
Committee Reports: HSCR 635-06 (FIN) HSCR 818-06 (FIN) SSCR 3404 (WAM) CCR 98-06
Current Status: May=02 06 Passed Legislature
Section Affected: 235-2.3, 235-2.45
- HB2423 HD1 SD1 (SSCR 2958) RELATING TO THE STATE HIGHWAY FUND
Introduced by: Say C (BR)
Authorizes moneys in the state highway fund to be expended by the counties for the road system of the counties. Prohibits the funds expended on a county road or program to be federal funds when such expenditure would cause a violation of federal law or federal grant agreement. -- HB2423 SD1
Committee Reports: HSCR 359-06 (TRN) HSCR 733-06 (FIN) SSCR 2958 (TGO) SSCR 3479 (WAM)
Current Status: May-02 06 Passed Legislature
Section Affected: 248-9
- HB2434 SD1 (SSCR 3211) RELATING TO INSURANCE.
Introduced by: Herkes R
Establishes provisions relating to annuity disclosure. Establishes applicability of standards for disclosure. Provides exemptions that apply to select group and individual annuity contracts and certificates. -- Establishes standards for the disclosure document and buyer's guide. Requires that where the application for an annuity contract is taken in a personal meeting, both the buyer's guide and disclosure document shall be given to the applicant at or before the time of application; by means other than in a personal meeting, both the buyer's guide and disclosure document shall be sent to the applicant no later than 5 business days after the completed application is received by the insurer; by means of a direct solicitation through the mail, both the buyer's guide and disclosure document shall have been sent to the applicant in the mailing inviting the prospective applicant to apply for the annuity contract; and by means of the insurer's Internet website, the insurer shall have taken reasonable steps to make the buyer's guide available for viewing and printing on the insurer's website; and a solicitation for an annuity contract provided in other than a personal meeting shall include a statement that the prospective applicant may contact the insurance division for a free buyer's guide. --

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Establishes report to contract owners. Requires that for annuities in the payout period with changes in non guaranteed elements, and for the accumulation period of a deferred annuity, the insurer shall at least annually provide each contract owner with a report of the status of the contract. -- Establishes penalties. -- HB2434 SD1
Committee Reports: HSCR 677-06 (CPC/ JUD/) SSCR 3211 (CPH)
Current Status: Apr-17 06 Received by the Governor
May-02 06 Approved by Governor (Act 71 2006)
Section Affected: 431:10D- (5 SECTIONS) ANNUITY DISCLOSURE

HB2443 HD1 SD1 (SSCR 3284) RELATING TO THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT.
Introduced by: Ito K, Thielen C
Establishes the emergency management assistance compact law. Provides for mutual assistance between states entering into this compact in managing any emergency or disaster that is declared by the governor of the state. -- HB2443 SD1
Committee Reports: HSCR 54-06 (PSM) HSCR 423-06 (JUD) HSCR 723-06 (FIN) SSCR 3284 (TGO/ WAM/)
Current Status: Apr-17 06 Received by the Governor
May-01 06 Approved by Governor (Act 55 2006)
Section Affected: (2 SECTIONS) EMERGENCY MANAGEMENT ASSISTANCE COMPACT

HB2454 HD1 SD2 (SSCR 3305) RELATING TO LEGISLATIVE VACANCIES.
Introduced by: Oshiro M, Luke S, Oshiro B
Amends provisions relating to US senator; State senator; and State representative. Requires the governor, in filling vacancies in the US senate, State senate and State representative, to select from a list of 3 prospective appointees submitted by the same political party of the prior incumbent. Provides that prospective appointees must and have been, for at least 6 months immediately prior to the appointment, a registered member of the same political party as the prior incumbent. In the case the prior incumbent who were not members of any political party, prospective appointees must not be and must not have been, for at least 6 months immediately prior to the appointment, a registered member of any political party. -- HB2454 SD2
Committee Reports: HSCR 658-06 (JUD/ LMG/) SSCR 2943 (TGO) SSCR 3305 (JHW)
Current Status: May-02 06 Vetoed
Section Affected: 17-1, 17-3, 17-4

HB2457 HD1 SD1 (SSCR 3417) RELATING TO THE STATE PLAN.
Introduced by: Oshiro M, Oshiro B, Thielen C, Finnegan L, Kanohe E, Tsuji C, Herkes R
Amends provisions relating to the office of planning. Recognizes the defense and security presence in the State as an area of critical state concern. Provides that to achieve the federal expenditures objective, it shall be the policy of this State to promote Hawaii's supportive role in national defense, while remaining consistent with Hawaii's social, environmental, and cultural goals. -- HB2457 SD1
Committee Reports: HSCR 642-06 (PSM) SSCR 3417 (EDM/ TGO/)
Current Status: Apr-17 06 Received by the Governor
May-02 06 Approved by Governor (Act 65 2006)
Section Affected: 225M-2, 226-9

HB2476 RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS.
Introduced by: Say C (BR)
Amends or repeals various provisions of the Hawaii revised statutes and the session laws of Hawaii for the purpose of correcting errors, clarifying language, correcting references, and deleting obsolete or unnecessary provisions. -- HB2476
Committee Reports: HSCR 447-06 (JUD) SSCR 3402 (JHW)
Current Status: Apr-12 06 Received by the Governor
Apr-27 06 Approved by Governor (Act 38 2006)
Section Affected: 6E-11, 40-82, 87D-6, 201G-441, 302A-1133.5, 302A-1186, 302A-1312, 325-9, 353-61, 501-6, 501-23, 501-41, 501-71, 501-139, 501-186, 501-217, 502-16, 502-41, 502-43, 502-85, 507-49, 514B-32, 514B-91, 514B-140, 514B-149, 514E-1,

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516-28, 523A-22, 46-16.7, ACT 33 2005, ACT 129 2005, ACT 202 2005, 89-6, ACT 236 2005

- HB2500 HD2 SD2 CD1 (CCR 162-06) RELATING TO THE JUDICIARY.
Introduced by: Say C (BR)
Judiciary Supplemental Appropriations Act of 2006. Amends Act 110, session laws of 2005, relating to the judiciary budget. (\$\$) -- HB2500 CD1
Committee Reports: HSCR 616-06 (JUD) HSCR 951-06 (FIN) SSCR 3068 (JHW) SSCR 3368 (WAM) CCR 162-06
Current Status: May=02 06 Passed Legislature
Section Affected: ACT 110 2005, (1 SECTION), (1 SECTION), (1 SECTION), ACT 1 2001 1SP, ACT 91 2002
- HB2503 HD2 SD1 CD1 (CCR 70-06) RELATING TO DERELICT VEHICLE.
Introduced by: Say C (BR)
Amends provisions relating to derelict vehicle. Provides that a vehicle shall be deemed a derelict vehicle by the executive director or a representative of the executive director of the Hawaii public housing administration in the case of a vehicle that has been abandoned on property owned, managed, or administered by the administration. Removes the requirement that the vehicle be 10 model years old or older to be considered derelict. -- HB2503 CD1
Committee Reports: HSCR 209-06 (EEP) HSCR 623-06 (JUD) HSCR 797-06 (FIN) SSCR 3001 (TGO/ IGA/) CCR 70-06
Current Status: May-02 06 Passed Legislature
Section Affected: 290-8
- HB2508 HD2 SD1 (SSCR 3163) RELATING TO WAIVER OF ABANDONED VEHICLE PUBLIC AUCTION REQUIREMENTS.
Introduced by: Say C (BR)
Amends provisions relating to waiver of public auction requirements for abandoned vehicles. Repeals the requirement that vehicles be appraised and increases the value of a vehicle for which public auction may be waived from 250 dollars to 1,000 dollars. -- HB2508 SD1
Committee Reports: HSCR 224-06 (EEP) HSCR 903-06 (FIN) SSCR 3163 (TGO/ IGA/)
Current Status: Apr-17 06 Received by the Governor
May-02 06 Approved by Governor (Act 62 2006)
Section Affected: 290-5
- HB2535 SD2 (SSCR 3306) RELATING TO OFFENSES AGAINST PROPERTY RIGHTS.
Introduced by: Say C (BR)
Amends provisions relating to use of a computer in the commission of a separate crime. Provides that a person commits the offense if the person intentionally uses a computer to obtain control over the property of the victim to commit theft in the 1st or 2nd degree. -- HB2535 SD2
Committee Reports: HSCR 679-06 (CPC/ JUD/) SSCR 3116 (MAT/ CPH/) SSCR 3306 (JHW)
Current Status: May-02 06 Passed Legislature
Section Affected: 708-893
- HB2540 HD2 SD2 CD1 (CCR 171-06) MAKING AN APPROPRIATION FOR INCREASING STIPENDS FOR VOLUNTEER PRECINCT OFFICIALS.
Introduced by: Say C (BR)
Appropriation to the office of elections through the department of accounting and general services for increasing precinct official stipends. (\$\$) -- HB2540 CD1
Committee Reports: HSCR 132-06 (JUD) HSCR 743-06 (FIN) SSCR 3016 (JHW) SSCR 3491 (WAM) CCR 171-06
Current Status: May-02 06 Passed Legislature
- HB2555 HD2 SD2 CD1 (CCR 72-06) RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.
Introduced by: Caldwell K, Waters T, Morita H, Kanoho E, Schatz B
Establishes provisions relating to prohibitions under the Hawaii community development authority law. Prohibits the authority from selling or otherwise assigning the fee simple interest in any lands in the Kakaako community development district; or approving any plan or proposal for any residential development in that portion of the Kakaako community development district makai of Ala Moana boulevard. -- HB2555 CD1

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Committee Reports: HSCR 572-06 (WLO) HSCR 946-06 (FIN) SSCR 3112 (WLA)
SSCR 3524 (WAM) CCR 72-06
Current Status: May=02 06 Passed Legislature
Section Affected: 206E- (1 SECTION) PROHIBITIONS

- HB2558 HD1 SD2 CD1 (CCR 227-06) RELATING TO VOCATIONAL REHABILITATION.
Introduced by: Caldwell K, Shimabukuro M, Oshiro M, Morita H, Sonson A,
Amends provisions relating to vocational rehabilitation under workers' compensation law. Authorizes the director of labor and industrial relations to refer employees who may have or have suffered permanent disability as a result of work injuries or who have otherwise been deemed unable to return to their regular jobs after the injury may have stabilized, where the employer has made no offer of permanent suitable work that would restore the earnings capacity as nearly as possible to that level which the employee was earning at the time of injury, and who, in the director's opinion, can be vocationally rehabilitated to the department of human services or to private providers of rehabilitation services for vocational rehabilitation services. -- HB2558 CD1
Committee Reports: HSCR 373-06 (LAB) HSCR 874-06 (FIN) SSCR 2965 (LBR/HMS/) SSCR 3463 (WAM) CCR 227-06
Current Status: May-02 06 Passed Legislature
Section Affected: 386-25
- HB2595 HD1 SD2 CD1 (CCR 202-06) RELATING TO FAMILY VISITS.
Introduced by: Tanaka K, Oshiro M, Carroll M, Sonson A
Establishes provisions for visits from family members. Requires correctional facilities to allow visits to an inmate at any correctional facility and for visits to be pre approved and pre scheduled. Prohibits cancellation of visits for which family members have incurred substantial costs due to staff absenteeism or any other non emergency situation. -- HB2595 CD1
Committee Reports: HSCR 338-06 (PSM) HSCR 727-06 (FIN) SSCR 3047 (JHW) SSCR 3492 (WAM) CCR 202-06
Current Status: May-02 06 Passed Legislature
Section Affected: 353- (1 SECTION) VISITS FROM FAMILY MEMBERS
- HB2626 SD1 CD1 (CCR 170-06) RELATING TO STATE BONDS.
Introduced by: Takamine D
Establishes debt limit on general obligation bonds. Authorizes the issuance of general obligation bonds. Authorizes the issuance of general obligation bonds to refund any general obligation bonds. (\$\$) -- HB2626 CD1
Committee Reports: HSCR 321-06 (FIN) SSCR 3405 (WAM) CCR 170-06
Current Status: May-02 06 Passed Legislature
- HB2637 HD1 SD2 CD1 (CCR 161-06) RELATING TO TRANSPORTATION.
Introduced by: Souki J
Authorizes the department of transportation, upon mutual agreement with a concession seeking to make improvements, to modify, alter or amend the terms of concession leases and permits, for concession leases or permits that did not receive rent relief after April 30, 2002, pursuant to Act 201, Session Laws of 2004. Act to be repealed on July 1, 2007 (sunset). -- HB2637 CD1
Committee Reports: HSCR 269-06 (TRN) HSCR 735-06 (FIN) SSCR 2966 (TGO) SSCR 3480 (WAM) CCR 161-06
Current Status: May-02 06 Passed Legislature
- HB2639 HD2 SD2 CD1 (CCR 55-06) RELATING TO USE OF INTOXICANTS WHILE OPERATING A MOTOR VEHICLE.
Introduced by: Souki J
Amends provisions relating to definitions under use of intoxicants while operating a vehicle. Defines highly intoxicated driver to mean a person whose measurable amount of alcohol is 0.15 or more grams of alcohol per 100 milliliters or cubic centimeters of the person's blood or 0.15 or more grams of alcohol per 210 liters of the person's breath, as measured at the time of the offense, or within 3 hours of the time of the offense. -- Amends provisions relating to effective date and period of administrative revocation; criteria. Requires a minimum of a 6 month revocation of license and privilege to operate a vehicle and of the registration of any motor vehicle registered to the highly intoxicated driver. -- Amends provisions relating to operating a vehicle under the influence of an intoxicant. Provides that for an offense committed by a highly intoxicated driver, prompt suspension of license and privilege to operate a vehicle for a period of 6 months with an absolute prohibition from operating a vehicle during the suspension

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period. -- HB2639 CD1

Committee Reports: HSCR 439-06 (TRN) HSCR 758-06 (JUD) SSCR 2956 (TGO)
SSCR 3307 (JHW) CCR 55-06

Current Status: May-02 06 Passed Legislature

Section Affected: 291E-1, 291E-31, 291E-33, 291E-38, 291E-41, 291E-44,
291E-61, 291E-64

HB2641 HD1 SD2 (SSCR 3481)

RELATING TO PUBLIC WORK PROJECTS.

Introduced by: Caldwell K, Oshiro M

Establishes provisions relating to public work requirements; private construction contracts. Provides that public work includes a construction contract between private persons if more than 50 per cent of the assignable square feet of a project is leased or assigned for use by the State, any county, or any agency of the State or any county for its use, whether or not the property is privately owned. Provides that prior to the start of construction on any direct project, the construction project owner shall sign a lease or other agreement with the State, county, or any agency of the State or county that includes provisions that require compliance with the wages and hours of employees on public works law and certification that prevailing wages shall be paid. Provides that copies of the lease or other agreement shall be filed with the department of labor and industrial relations and the department of accounting and general services. The construction project owner shall submit weekly certified payrolls to the government leasing agency or the governmental agency accepting the construction project for its use, which shall be the governmental contracting agency for the construction project.

-- HB2641 SD2

Committee Reports: HSCR 475-06 (LAB) HSCR 810-06 (FIN) SSCR 2975 (TGO/
LBR/) SSCR 3481 (WAM)

Current Status: May-02 06 Passed Legislature

Section Affected: 104- (1 SECTION) PUBLIC WORK REQUIREMENTS

HB2669 HD1 SD2 CD1 (CCR 155-06)

RELATING TO THE CONVENTION CENTER ENTERPRISE SPECIAL FUND.

Introduced by: Chang J, Karamatsu J, Herkes R, Schatz B, Green J, Nishimoto S

Amends provisions relating to the transient accommodations tax. Increases the limit on the maximum amount of revenues that may be deposited into the convention center enterprise special fund and the general fund. -- HB2669 CD1

Committee Reports: HSCR 82-06 (TAC) HSCR 883-06 (FIN) SSCR 3089 (TSM)
SSCR 3473 (WAM) CCR 155-06

Current Status: May-02 06 Passed Legislature

Section Affected: 237D-6.5

HB2678 HD2 SD2 CD1 (CCR 99-06)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Nishimoto S

Amends provisions relating to ordinary disability retirement in the employees' retirement system. Provides that if a member whose application for an ordinary disability retirement allowance is approved by the board of trustees of the employees' retirement system while the member is still in service may terminate service and retire at any time following such approval. Further provides that retirement shall become effective on the 1st day of the month following the month the applicant terminates employment or goes off the payroll. -- HB2678 CD1

Committee Reports: HSCR 560-06 (LAB) HSCR 877-06 (FIN) SSCR 2950 (LBR)
SSCR 3515 (WAM) CCR 99-06

Current Status: May-02 06 Passed Legislature

Section Affected: 88-75, 88-284

HB2691 SD2 CD1 (CCR 97-06)

RELATING TO PREVAILING WAGES.

Introduced by: Caldwell K, Oshiro M, Shimabukuro M, Morita H, Takumi R

Amends provisions relating to civil action. Provides that the following civil actions may be instituted in any court of competent jurisdiction; an action for injunctive and other relief against an employer that fails to pay the prevailing wage to its employees as required by the wages and hours of employees on public works law, by a joint labor management committee established pursuant to the federal labor management cooperation act of 1978. -- HB2691 CD1

Committee Reports: HSCR 343-06 (LAB/ EDB/) HSCR 811-06 (FIN) SSCR 2951
(LBR) SSCR 3217 (JHW) CCR 97-06

Current Status: May=02 06 Passed Legislature

Section Affected: 104-28

HOUSE BILLS THAT PASSED THE LEGISLATURE

- HB2692 HD1 SD1 CD1 (CCR 205-06) RELATING TO PUBLIC WORKS.
Introduced by: Caldwell K, Oshiro M, Shimabukuro M, Morita H, Takumi R, Ito K
Establishes provisions relating to the public work project; issuance of special purpose revenue bonds; report to department of labor and industrial relations required. Requires any issuance of special purpose revenue bonds to be promptly reported to the department of labor and industrial relations so that the department may expeditiously carry out its duties. Further provides that the report shall be in a form and contain such information as the director of labor and industrial relations may prescribe. -- Amends provisions relating to applicability; wages, hours, and other requirements. Provides that for any public work project that is subject to the wages and hours of employers on public works law but not directly caused by a governmental contracting agency, the director shall be responsible for enforcement. -- HB2692 CD1
Committee Reports: HSCR 344-06 (LAB/ EDB/) HSCR 791-06 (FIN) SSCR 2960 (LBR/ TGO/) SSCR 3464 (WAM) CCR 205-06
Current Status: May-02 06 Passed Legislature
Section Affected: 39A- (1 SECTION), 104-2
- HB2708 HD2 SD2 CD1 (CCR 88-06) RELATING TO ADVERTISING.
Introduced by: Caldwell K, Takai K, Morita H, Kanoho E, Oshiro M, Thielen C, Luke S, Lee M, Waters T
Establishes provisions relating to vehicular advertising prohibited, penalty. Prohibits any person, for consideration or economic benefit of any sort if the vehicle or trailer is used primarily to display a vehicular advertising device, to operate, cause to be operated, or park an advertising vehicle or trailer displaying an advertisement on any public street, roadway, or other public place, or upon any private place that can be seen from a public street, roadway, or other public place. Establishes penalties. -- HB2708 CD1
Committee Reports: HSCR 75-06 (EDB) HSCR 755-06 (JUD) SSCR 2996 (TGO/ IGA/) SSCR 3316 (JHW) CCR 88-06
Current Status: May=02 06 Passed Legislature
Section Affected: 445- (1 SECTION), 445-112
- HB2713 HD1 SD1 (SSCR 3445) RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR KAWAIAHAO SCHOOL.
Introduced by: Say C, Waters T
Authorizes the issuance of special purpose revenue bonds to assist Kawaihae school, a Hawaii not for profit corporation, to finance the planning, construction, and improvement of its educational facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2713 SD1
Committee Reports: HSCR 49-06 (EDN) HSCR 778-06 (FIN) SSCR 2980 (EDM) SSCR 3445 (WAM)
Current Status: May-02 06 Passed Legislature
- HB2737 HD1 SD1 (SSCR 2997) RELATING TO THE HONOPOU DISTRICT OF THE COUNTY OF MAUI.
Introduced by: Carroll M, Waters T, Luke S, Tsuji C
Requires the department of the attorney general to investigate and assist in the resolution of the ownership of the Honopou road. Report to the legislature. Requires the department of transportation to review the safety of the Honopou bridge. Report to the legislature and the mayor and city council of Maui. -- HB2737 SD1
Committee Reports: HSCR 549-06 (TRN) HSCR 686-06 (JUD) SSCR 2997 (TGO/ IGA/) SSCR 3308 (JHW)
Current Status: Apr-28 06 Received by the Governor
- HB2747 HD2 SD1 (SSCR 3081) RELATING TO DRIVER LICENSING.
Introduced by: Souki J, Lee M
Amends provisions relating to instruction permits. Allows the examiner of drivers to issue an instruction permit to an applicant with a disability who completed a medical review with the State, and as a condition to licensure, must pass a road test but has failed a road test on the applicant's 1st attempt. -- HB2747 SD1
Committee Reports: HSCR 440-06 (TRN) HSCR 837-06 (JUD) SSCR 3081 (TGO/ IGA/) SSCR 3309 (JHW)
Current Status: Apr-17 06 Received by the Governor
May-02 06 Approved by Governor (Act 61 2006)
Section Affected: 286-110
- HB2772 HD1 SD2 CD1 (CCR 74-06) RELATING TO CRIMINAL PROPERTY DAMAGE TO AGRICULTURAL AND AQUACULTURAL PROPERTY.

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Introduced by: Abinsay F, Tsuji C, Magaoay M, Yamashita K, Karamatsu J, Herkes R, Wakai G, Kanoho E, Chang J

Amends provisions relating to definitions of terms under offenses against property rights. Defines aquacultural equipment, supplies, or products to mean any equipment, supplies, products, or commodities used, raised, grown, or maintained for the production of fish, shellfish, mollusk, crustacean, algae, or other aquatic plant or animal by an aquaculture enterprise or research agency while owned by the enterprise or agency. -- Amends provisions relating to criminal property damage to include agricultural and aquacultural equipment, supplies, or products in the 1st degree, 2nd degree, and 3rd degree. Provides that the person intentionally or knowingly damages the agricultural equipment, supplies, or products or aquacultural equipment, supplies, or products of another including trees, bushes, or any other plant, and livestock of another, without the other's consent. Provides that in calculating the value of damage, the value of future crops that were damaged is included. -- HB2772 CD1

Committee Reports: HSCR 64-06 (AGR) HSCR 842-06 (JUD) SSCR 3021 (WLA)
SSCR 3310 (JHW) CCR 74-06

Current Status: May-02 06 Passed Legislature

Section Affected: 708-800, 708-820, 708-821, 708-822, 708-831

HB2778 HD2 SD2 CD1 (CCR 201-06) RELATING TO LANGUAGE ACCESS.

Introduced by: Abinsay F, Arakaki D, Magaoay M, Carroll M, Waters T, Oshiro M, Schatz B, Chang J, Chong P, Tanaka K, Tsuji C, Sonson A, Caldwell K

Establishes provisions relating to language access. Defines covered entity to mean organizations receiving state financial assistance including grants, purchase of service contracts, or any other arrangement by which the state provides or otherwise makes available assistance in the form of funds to an entity for the purpose of rendering services on behalf of the state. Requires each state agency and all covered entities to take reasonable steps to ensure meaningful access to their services, programs and activities by limited English proficient persons. Provides that the State hire qualified personnel who are bilingual to fill existing, budgeted vacant public contact positions if necessary to provide accessibility. Establishes additional obligations. Requires that each state agency and covered entity establish a plan for language access. Requires that each state agency designate a language access coordinator who will establish and implement the plan for language access in consultation with the executive director of the office of language access and the language access advisory council. Establishes provisions relating to public meetings and public hearings. Establishes executive director of the office of language access; duties. Establishes an office of language access within the department of labor and industrial relations. Requires that the executive director be appointed by the governor. Provides that the executive director shall provide oversight, central coordination, and technical assistance to state agencies in their implementation of language access requirements. Establishes language access advisory council within the department of labor and industrial relations. Annual report to the legislature and governor. Appropriation. (\$\$). -- HB2778 CD1

Committee Reports: HSCR 183-06 (LAB) HSCR 624-06 (JUD) HSCR 898-06 (FIN)
SSCR 3032 (TGO/ JHW/) SSCR 3482 (WAM) CCR 201-06

Current Status: May-02 06 Passed Legislature

Section Affected: 371- (7 SECTIONS) LANGUAGE ACCESS

HB2780 HD1 SD1 (SSCR 3212)

RELATING TO THE DISPOSITION OF CONVICTED DEFENDANTS.

Introduced by: Abinsay F, Carroll M, Oshiro M, Schatz B, Chang J, Tsuji C, Karamatsu J, Sonson A

Establishes provisions relating to 1st time drug offender prior to 2004; probation; expungement. Provides that a person sentenced prior to July 1, 2004, for a 1st time drug offense may apply to the court for expungement of the record of conviction for the drug offense. Requires the court to issue a court order to expunge the record of conviction for the drug offense provided that the person has successfully completed a substance abuse treatment program and has complied with the other terms and conditions set by the court. Provides that a person granted an expungement under this provision shall not be eligible for another expungement. -- HB2780 SD1

Committee Reports: HSCR 647-06 (JUD) SSCR 3212 (JHW)

Current Status: Apr-17 06 Received by the Governor

May-01 06 Approved by Governor (Act 58 2006)

Section Affected: 706- (1 SECTION) FIRST-TIME DRUG OFFENDER PRIOR TO 2004

HB2805 SD1 CD1 (CCR 87-06)

RELATING TO STATE PLANNING.

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Introduced by: Yamane R, Oshiro M, Berg L
Amends Act 8, special session laws of 2005, relating to the Hawaii 2050 sustainability plan. Extends the deadline for the Hawaii 2050 sustainability plan and the existence of the Hawaii 2050 task force to June 30, 2008. (sunset) -- HB2805 CD1
Committee Reports: HSCR 329-06 (EDB) HSCR 701-06 (FIN) SSCR 3103 (WLA/TGO/) SSCR 3499 (WAM) CCR 87-06
Current Status: May-02 06 Passed Legislature
Section Affected: ACT 8 2005 1SP

HB2806 HD1 SD2 CD1 (CCR 242-06) RELATING TO SUSTAINABILITY.
Introduced by: Yamane R, Oshiro M, Chong P, Berg L, Yamashita K
Appropriation to the auditor for additional funding for the Hawaii 2050 task force to conduct valuable policy analyses, gather vital research and data, conduct broad community outreach and solicit input from all sectors, and launch an effective public education and media campaign to educate, engage, and inspire community participation. Also for the task force to make an assessment of the feasibility and benefits of establishing Hawaii as a brand name with values that will support diverse products and services other than tourism in the US and foreign markets. (\$\$) -- HB2806 CD1
Committee Reports: HSCR 330-06 (EDB) HSCR 770-06 (FIN) SSCR 3020 (WLA) SSCR 3500 (WAM) CCR 242-06
Current Status: May-04 06 Passed Legislature

HB2848 HD2 SD2 CD1 (CCR 76-06) RELATING TO ENERGY.
Introduced by: Morita H, Waters T, Thielen C, Kanoho E, Berg L, Carroll M, Schatz B, Pine K
Appropriation to the department of business, economic development, and tourism to reconvene the Hawaii Energy Policy Forum. Report to the legislature. (\$\$) -- HB2848 CD1
Committee Reports: HSCR 365-06 (EEP) HSCR 782-06 (FIN) SSCR 2976 (EIA) SSCR 3439 (WAM) CCR 76-06
Current Status: May-02 06 Passed Legislature

HB2857 HD1 (HSCR 759-06) RELATING TO HISTORIC PRESERVATION.
Introduced by: Evans C, Cabanilla R, Ching C, Moses M, Hale H, Meyer C, Arakaki D
Amends provisions relating to civil and administrative violations under the historic preservation law. Provides that it shall be a violation to knowingly violate the conditions in an approved mitigation plan that includes monitoring and preservation plans. -- HB2857 HD1
Committee Reports: HSCR 454-06 (WLO) HSCR 759-06 (JUD) SSCR 3077 (MAT) SSCR 3293 (JHW)
Current Status: Apr-12 06 Received by the Governor
Apr-27 06 Approved by Governor (Act 45 2006)
Section Affected: 6E-2, 6E-11

HB2878 HD1 SD1 CD1 (CCR 241-06) RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST TRADEWINDS FOREST PRODUCTS, LLC.
Introduced by: Takamine D
Authorizes the issuance of special purpose revenue bonds to assist Tradewinds Forest Products, a limited liability corporation, for the establishment of a veneer mill and an associated cogeneration plant for the combined production of 80 million to 100 million square feet of eucalyptus 1/8th of an inch thick veneer and up to 5 megawatts of electricity from renewable resources; and / or the financing of the costs related to the planning, design, and construction of the facility, including the costs of constructing, equipping, and purchasing tangible assets, including land, for a facility site. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2878 CD1
Committee Reports: HSCR 331-06 (EDB) HSCR 889-06 (FIN) SSCR 3115 (WLA/BED/) SSCR 3501 (WAM) CCR 241-06
Current Status: May-04 06 Passed Legislature

HB2885 HD2 (HSCR 760-06) RELATING TO ADULT ENTERTAINMENT PRODUCTS.
Introduced by: Carroll M, Arakaki D, Tanaka K, Yamashita K, Luke S, Abinsay F, Waters T, Caldwell K, Chong P, Saiki S, Kahikina M, Lee M, Tsuji C
Establishes provisions relating to the sale of adult entertainment products; view. Requires that any person or business selling adult entertainment products on premises

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open to the public to obscure the products from view from off the premises. Requires that adult entertainment products sold on the premises be segregated and obscured from view from other products sold on the premises by use of a curtain, screen, or other device. -- HB2885 HD2

Committee Reports: HSCR 575-06 (EDB) HSCR 760-06 (JUD) SSCR 3037 (BED) SSCR 3218 (JHW)

Current Status: Apr-07 06 Received by the Governor
Apr-26 06 Approved by Governor (Act 32 2006)

Section Affected: (1 SECTION) SALE OF ADULT ENTERTAINMENT PRODUCTS

HB2897 HD1 SD1 CD1 (CCR 54-06) RELATING TO APPELLATE JURISDICTION.

Introduced by: Luke S, Oshiro B

Amends Act 202, session laws of 2004, relating to appellate jurisdiction. Requires the judiciary to report to the legislature a detailed assessment of the effects and consequences of the changes to the appellate court system. Provides that the Act shall be repealed on June 30, 2010 (sunset). -- HB2897 CD1

Committee Reports: HSCR 674-06 (JUD) SSCR 3180 (JHW) CCR 54-06

Current Status: Apr-28 06 Received by the Governor

Section Affected: ACT 202 2004

HB2898 SD1 (SSCR 3011)

RELATING TO ARBITRATION.

Introduced by: Luke S, Oshiro B

Amends provisions relating to definitions under the uniform arbitration act. Defines court to mean any district or circuit court of competent jurisdiction in this State, unless otherwise indicated. Provides that in cases involving arbitration subject to collective bargaining in public employment, the Hawaii employment relations act, or the National labor relations act, court means the circuit court of the appropriate judicial circuit. -- HB2898 SD1

Committee Reports: HSCR 682-06 (JUD) SSCR 3011 (JHW)

Current Status: Apr-17 06 Received by the Governor
May-02 06 Approved by Governor (Act 72 2006)

Section Affected: 658A-1

HB2899 HD1 SD1 CD1 (CCR 67-06) RELATING TO JUDGMENT LIENS.

Introduced by: Luke S, Oshiro B

Amends provisions relating to judgment, lien when by including orders and decrees. Provides that any money judgment, order, or decree of a state court or the US district court of the district of Hawaii shall be a lien upon real property when a copy, certified as correct by a clerk of the court where it is entered, is recorded in the bureau of conveyances. Prohibits lien to continue beyond the length of time the underlying judgment, order, or decree is in force. -- HB2899 CD1

Committee Reports: HSCR 649-06 (JUD) SSCR 3012 (JHW) CCR 67-06

Current Status: May-02 06 Passed Legislature

Section Affected: 636-3

HB2900

RELATING TO ELECTRONIC VOTING.

Introduced by: Luke S, Oshiro B

Establishes provisions relating to electronic voting system. Defines voter verifiable paper audit trail as the paper record that constitutes a complete record of ballot selections that is verified by the voter and the record may also be used to assess the accuracy of the voting machine's electronic record and to verify the election results. -- Amends provisions relating to election voting requirements. Prohibits an electronic voting system to be used in any election unless it generates a paper ballot or voter verifiable paper audit trail that may be inspected and corrected by the voter before the vote is cast, and unless every paper ballot or voter verifiable paper audit trail is retained as the definitive record of the vote cast. -- HB2900

Committee Reports: HSCR 449-06 (JUD) SSCR 3013 (JHW)

Current Status: Mar-28 06 Received by the Governor
Apr-13 06 Approved by Governor (Act 5 2006)

Section Affected: 16-41, 16-42

HB2901

RELATING TO GARNISHMENT.

Introduced by: Luke S, Oshiro B

Repeals provisions relating to receipts to be given by creditor on penalty of forfeiture. -- HB2901

Committee Reports: HSCR 678-06 (CPC/ JUD/) SSCR 3138 (CPH) SSCR 3397

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(JHW)
Current Status: Apr-12 06 Received by the Governor
Apr-27 06 Approved by Governor (Act 50 2006)
Section Affected: 652-14

HB2947 HD2 SD2 CD1 (CCR 228-06) RELATING TO EMPLOYMENT SECURITY.
Introduced by: Caldwell K, Shimabukuro M, Takai K, Oshiro M, Ito K, Chong P, Wakai G, Tsuji C, Nishimoto S, Kanoho E
Amends provisions relating to withdrawals; administrative uses under the Hawaii employment security law. Repeals Act 249, session laws of 2005, relating to employment security. Appropriation from the department of labor and industrial relations for the workforce investment boards of Oahu, Maui, Kauai, and Hawaii. Requires that each county workforce investment board collaborate with their respective city and county and to submit a workforce development plan prior to the release of funds. Appropriation from the unemployment insurance trust fund to the workforce development council for the funding of positions to identify additional funds and resources. (\$\$) -- HB2947 CD1
Committee Reports: HSCR 476-06 (LAB) HSCR 745-06 (FIN) SSCR 2953 (LBR) SSCR 3465 (WAM) CCR 228-06
Current Status: May-02 06 Passed Legislature
Section Affected: 383-123, ACT 249 2005

HB2961 HD1 SD1 CD1 (CCR 226-06) RELATING TO EDUCATION.
Introduced by: Takumi R
Establishes provisions relating to federal revenue maximization program revolving fund. Provides that the fund shall consist of federal revenue collected by the department of education for medicaid eligible services provided by the department and administrative costs related to the program. Appropriation out of the fund. (\$\$) -- HB2961 CD1
Committee Reports: HSCR 104-06 (EDN) HSCR 853-06 (FIN) SSCR 2983 (EDM/IGA) SSCR 3446 (WAM) CCR 226-06
Current Status: May-02 06 Passed Legislature
Section Affected: 302A- (1 SECTION), 29-24

HB2964 HD1 SD2 (SSCR 3508) RELATING TO AFFORDABLE HOUSING.
Introduced by: Say C, Kahikina M
Establishes provisions relating to land leases to nonprofit organizations providing affordable housing. Authorizes the Hawaii housing finance and development administration to lease land to any qualified nonprofit organization providing affordable housing. -- HB2964 SD2
Committee Reports: HSCR 294-06 (HSG) HSCR 792-06 (FIN) SSCR 3162 (CPH/WLA) SSCR 3508 (WAM)
Current Status: May-02 06 Passed Legislature
Section Affected: 201H- (1 SECTION) LAND LEASES TO NONPROFIT ORGANIZATIONS PROVIDING AFFORDABLE HOUSING

HB2966 HD2 SD2 CD1 (CCR 235-06) RELATING TO HOUSING.
Introduced by: Kahikina M (BR)
Establishes the Hawaii public housing authority law. Establishes the authority within the department of human services. -- Amends the Hawaii housing finance and development corporation association law. Establishes provisions relating to housing development programs, financing programs including housing loan and mortgage program, rental assistance program, taxable mortgage securities program, state mortgage guarantee program, downpayment loan program, homebuyer's club, rent to own program, dwelling unit revolving fund, rental housing trust fund, and expenditures of revolving funds under the corporation exempt from appropriation and allotment. Defines corporation to mean the Hawaii housing finance and development corporation and replaces the Hawaii housing finance development administration. -- Requires the legislative reference bureau to report to the legislature. -- Amends Act 196, session laws of 2005. Changes the Hawaii housing finance and development administration to the Hawaii housing finance and development corporation. Changes housing and community development corporation of Hawaii to the Hawaii public housing authority. Changes the term Hawaii housing finance and development administration to Hawaii housing finance and development corporation in the Hawaii housing finance and development Association law. -- Amends Act 204, session laws of 2005. Transfers all rights, powers, functions and duties of the housing and community development corporation of Hawaii relating to teacher housing, public housing, housing tenants, and homeless assistance to the Hawaii public housing authority. Appropriation to the Hawaii housing finance and

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development corporation to purchase a computer network, printers, and faxes. Appropriation out of the special funds and federal revenues to the corporation for staff. Appropriation to the authority to renovate the Hawaii public housing authority's school street office. Repeals the housing and community development corporation of Hawaii law. Repeals Act 227, session laws of 2002. (\$\$) -- HB2966 CD1

Committee Reports: HSCR 592-06 (HSG) HSCR 937-06 (FIN) SSCR 3157 (CPH) SSCR 3440 (WAM) CCR 235-06

Current Status: May-02 06 Passed Legislature

Section Affected: (107 SECTIONS) HAWAII PUBLIC HOUSING AUTHORITY, 201H- (24 SECTIONS) HOUSING DEVELOPMENT PROGRAMS, 201H- (65 SECTIONS) FINANCING PROGRAMS, 201H- (2 SECTIONS) EXPENDITURES OF REVOLVING FUNDS UNDER THE CORPORATION EXEMPT FROM APPROPRIATION AND ALLOTMENT, 201H-1, 201H-2, 201H-3, 201H-7, 201H-12, 201H-14, 53-1, 10-13.6, 26-14.6, 29-15.5, 46-1.5, 46-4, 46-15.1, 46-15.2, 53-17, 104-2, 171-18.5, 171-19.5, 201H-10, 205-4, 206-1, 237-23, 237-29, 247-7, 321-15.6, 346-152, 467-2, 480-11, 514A-14.5, 514A-108, 514B-99.5, 516-1, 516-31, 516-104, 521-7, ACT 196 2005, 27-11, 53-6, 76-16, 209-16, 290-1, 290-8, 10-2, 36-24, 53-22, 111-8, 111-9, 171-2, 171-50.2, 206E-15, 209-17, 247-3, 519-2, 519-3, 201G-432, ACT 204 2005, ACT 227 2002, 201G-1, 201G-2, 201G-3, 201G-4, 201G-4.5, 201G-4.6, 201G-5, 201G-6, 201G-7, 201G-8, 201G-9, 201G-10, 201G-11, 201G-12, 201G-13, 201G-14, 201G-15, 201G-15.5, 201G-16, 201G-17, 201G-18, 201G-19, 201G-20, 201G-21, 201G-22, 201G-31, 201G-32, 201G-33, 201G-34, 201G-35, 201G-41, 201G-42, 201G-43, 201G-44, 201G-45, 201G-46, 201G-47, 201G-48, 201G-51, 201G-52, 201G-53, 201G-55, 201G-56, 201G-57, 201G-58, 201G-59, 201G-71, 201G-72, 201G-73, 201G-74, 201G-75, 201G-76, 201G-77, 201G-78, 201G-79, 201G-80, 201G-91, 201G-92, 201G-93, 201G-94, 201G-95, 201G-96, 201G-97, 201G-98, 201G-99, 201G-100, 201G-101, 201G-111, 201G-112, 201G-113, 201G-114, 201G-114.5, 201G-115, 201G-116, 201G-117, 201G-118, 201G-119, 201G-120, 201G-121, 201G-122, 201G-123, 201G-124, 201G-125, 201G-126, 201G-127, 201G-128, 201G-129, 201G-130, 201G-131, 201G-132, 201G-133, 201G-134, 201G-141, 201G-142, 201G-143, 201G-144, 201G-145, 201G-146, 201G-152, 201G-153, 201G-154, 201G-161, 201G-162, 201G-163, 201G-164, 201G-165, 201G-166, 201G-167, 201G-168, 201G-169, 201G-170, 201G-170.5, 201G-171, 201G-172, 201G-181, 201G-182, 201G-183, 201G-184, 201G-185, 201G-186, 201G-187, 201G-188, 201G-189, 201G-190, 201G-191, 201G-192, 201G-193, 201G-194, 201G-195, 201G-196, 201G-197, 201G-198, 201G-199, 201G-200, 201G-201, 201G-221, 201G-222, 201G-223, 201G-224, 201G-225, 201G-226, 201G-227, 201G-231, 201G-232, 201G-233, 201G-234, 201G-235, 201G-236, 201G-237, 201G-241, 201G-242, 201G-243, 201G-244, 201G-245, 201G-311, 201G-312, 201G-313, 201G-321, 201G-322, 201G-323, 201G-324, 201G-326, 201G-351, 201G-352, 201G-361, 201G-362, 201G-391, 201G-392, 201G-411, 201G-412, 201G-431, 201G-435, 201G-436, 201G-437, 201G-441, 201G-442, 201G-451, 201G-452, 201G-453, 201G-454, 201G-455, 201G-456, 201G-457, 201G-458, 201G-459, 201G-460, 201G-461, 201G-462, 201G-463, 201G-464, 201G-465, 201G-471, 201G-472, 201G-473, 201G-474, 201G-475, 201G-476, 201G-477

HB2974 SD1 CD1 (CCR 66-06)

RELATING TO HISTORIC PRESERVATION.

Introduced by: Herkes R

Amends Act 59, session laws of 2003, relating to the south Kona wilderness area, Hawaii. Extends the sunset date to December 31, 2007. -- HB2974 CD1

Committee Reports: HSCR 455-06 (WLO) HSCR 798-06 (FIN) SSCR 3108 (WLA) SSCR 3502 (WAM) CCR 66-06

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Current Status: May-02 06 Passed Legislature
Section Affected: ACT 59 2003

- HB2987 HD1 SD2 (SSCR 3447) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR SAINT LOUIS SCHOOL.
Introduced by: Say C
Authorizes the issuance of special purpose revenue bonds to assist Saint Louis school, a Hawaii not for profit corporation, to finance and refinance the planning, construction, and improvements of its educational facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2987 SD2
Committee Reports: HSCR 50-06 (EDN) HSCR 772-06 (FIN) SSCR 2978 (EDM) SSCR 3447 (WAM)
Current Status: May-02 06 Passed Legislature
- HB2991 HD2 SD2 CD1 (CCR 73-06) RELATING TO SPECIAL PURPOSE REVENUE BONDS.
Introduced by: Say C, Kahikina M
Establishes provisions relating to assisting not for profit private organizations, for profit private organizations, and public instrumentalities and their qualified affiliates in the development of low and moderate income housing. Defines project party to mean an entity engaged in the development of low and moderate income housing project. Authorizes the department of budget and finance to enter into and carry out a project agreement, or an amendment or supplement to an existing agreement, with a project party and to enter into and carry out any agreement where the obligation of a project party will be unconditionally guaranteed by a person other than a project party; issue special purpose revenue bonds; and lend the proceeds of the bonds for a project to the project party. -- HB2991 CD1
Committee Reports: HSCR 220-06 (HSG) HSCR 589-06 (JUD) HSCR 925-06 (FIN) SSCR 3159 (CPH) SSCR 3509 (WAM) CCR 73-06
Current Status: May-02 06 Passed Legislature
Section Affected: 39A- (22 SECTIONS) ASSISTING NOT-FOR-PROFIT PRIVATE ORGANIZATIONS, FOR-PROFIT PRIVATE ORGANIZATIONS, AND PUBLIC INSTRUMENTALITIES AND THEIR QUALIFIED AFFILIATES IN THE DEVELOPMENT OF LOW- AND MODERATE-INCOME HOUSING
- HB3016 HD1 SD1 CD1 (CCR 92-06) RELATING TO UNSERVED ARREST WARRANTS.
Introduced by: Oshiro B, Waters T
Establishes provisions relating to suspension or revocation; arrest warrants arising from traffic violations. Requires the Hawaii paroling authority to inform the appropriate courts and arresting authorities of all outstanding traffic warrants issued against the parolee so that the warrants may be served on the parolee in a timely manner. -- Establishes provisions relating to arrest warrants arising from violations. Provides that in any criminal proceeding, due diligence shall be used in serving any outstanding traffic warrants on the defendant. -- Provides that the judicial council through a review committee shall conduct a review of the backlog of arrest warrants waiting to be served upon persons incarcerated in the state's correctional facilities and recommend to the legislature action necessary so that these warrants will be served without further delay. Report to legislature. -- HB3016 CD1
Committee Reports: HSCR 817-06 (JUD) SSCR 3187 (JHW) CCR 92-06
Current Status: May-02 06 Passed Legislature
Section Affected: 604- (1 SECTION), 353- (1 SECTION)
- HB3018 HD1 SD1 (SSCR 2964) RELATING TO GOVERNMENT EMPLOYEES.
Introduced by: Wakai G, Nishimoto S, Takai K, Hale H, Kahikina M, Luke S
Establishes provisions relating to employer contribution irrevocable. Provides that all of the monthly contributions that the State and counties make to the Hawaii employer union health benefits trust fund shall be irrevocable; provided that this shall not preclude the fund from returning contributions or payments made by the State or any county under a mistake of fact within 1 year after the payment of the contributions or payments. -- Amends provisions relating to the Hawaii employer union health benefits trust fund; establishment. Provides that any and all sums contributed or paid from any source to the fund created by this part, and all assets of the fund including any and all interest and earnings on the same, are and shall be held in trust by the EUTF (Hawaii employer union health benefits trust fund) board for the exclusive use and benefit of the employee beneficiaries and dependent beneficiaries and shall not be subject to appropriation for

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any other purpose whatsoever. -- Amends provisions relating to trust fund; purpose. Provides that all assets of the fund are and shall be dedicated to providing health and other benefits plans to the employee beneficiaries and dependent beneficiaries in accordance with the terms of those plans and to pay administrative and other expenses of the fund, and shall be used for no other purposes except for those set forth in this section. Further provides that at the discretion of the board, some or all of the fund may be used as a reserve against or to pay the fund's future costs of providing health and other benefits plans established and any other benefits plans the board establishes for retired employees and their beneficiaries. Provides that the board may create separate funds within the fund for this purpose. Requires each separate fund to be subject to all of the provisions of this law. -- HB3018 SD1

Committee Reports: HSCR 480-06 (LAB) HSCR 831-06 (JUD) SSCR 2964 (LBR)
SSCR 3400 (JHW/ WAM/)

Current Status: Apr-17 06 Received by the Governor
May-01 06 Approved by Governor (Act 57 2006)

Section Affected: 87A- (1 SECTION), 87A-30, 87A-31

HB3036 HD1 SD2 CD1 (CCR 243-06) RELATING TO CONTRACTS.

Introduced by: Herkes R, Takai K, Oshiro M, Nishimoto S, Shimabukuro M, Morita H, Evans C, Caldwell K, Say C, Karamatsu J, Takumi R, Chong P, Ito K, Oshiro B, Schatz B

Amends provisions relating to prompt payment. Provides that all sums retained or withheld from a subcontractor and otherwise due to the subcontractor for satisfactory performance shall be paid by the procurement officer to the contractor and subsequently, upon receipt from the procurement officer, by the contractor to the subcontractor within the applicable time periods specified under prompt payment. Provides that a properly documented final payment request from a subcontractor includes the following, substantiation of the amount requested; a certification by the subcontractor, to the best of the subcontractor's knowledge and belief, that the amounts requested are only for performance in accordance with the specifications, terms, and conditions of the subcontract; payments to subcontractors have been made from previous payments received under the contract, and timely payments will be made from the proceeds of the payment covered by the certification, in accordance with their subcontract agreements and requirements which does not include any amounts that the subcontractor intends to withhold or retain from a subcontractor or supplier; and submission of documentation confirming that all other terms and conditions required under the subcontract agreement have been fully satisfied. -- Amends provisions relating to contract provision for retainage; subcontractors. Permits the contractor to direct the paying agency to retain (without a cause) a specified percentage not more than the same percentage that the contractor may be subject to in the construction contract of each progress payment otherwise due to a subcontractor for satisfactory performance under the subcontract, giving such recognition as the parties deem appropriate to the ability of a subcontractor to furnish a performance bond and a payment bond. -- Amends provisions relating to contract clauses and their administration under the Hawaii public procurement code. Provides in the absence of agreement by the parties for change orders with value not exceeding 50,000 dollars by documented actual costs of the work, the adjustment in price shall allow for 20 per cent of the actual costs for overhead and profit on work done directly by the contractor and 10 per cent on any subcontractor's billing to the contractor for the contractor's overhead and profit. There shall be no cap on the total cost of the work if this method is used, a change order shall be issued within 15 days of submission by the contractor of proper documentation of completed force account work, whether periodic (conforming to the applicable billing cycle) or final. Provides that for change orders with value exceeding 50,000 dollars, a unilateral determination by a governmental agency shall be made and a change order issued within 10 days. -- HB3036 CD1

Committee Reports: HSCR 573-06 (EDB) HSCR 829-06 (CPC) SSCR 3158 (CPH)
SSCR 3537 (WAM) CCR 243-06

Current Status: May-04 06 Passed Legislature

Section Affected: 103-10.5, 103-32.1, 103D-501

HB3037 HD1 SD1 (SSCR 2998)

RELATING TO DRIVER LICENSING.

Introduced by: Souki J, Lee M

Amends provisions relating to provisional license for persons under the age of 18. Provides that the district court and family court shall notify the driver's license examiner of all persons under the age of 18 who have pending violations or proceedings that might result in the suspension or revocation of the provisional license, and by pending

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adjudication of an offense relating to the operation of a motor vehicle. -- HB3037 SD1
Committee Reports: HSCR 309-06 (TRN) HSCR 838-06 (JUD) SSCR 2998 (TGO/IGA) SSCR 3311 (JHW)
Current Status: Apr-28 06 Received by the Governor
Section Affected: 286-102.6

HB3060 HD1 SD2 CD1 (CCR 246-06) RELATING TO HIGH TECHNOLOGY.
Introduced by: Karamatsu J, Chang J, Magaoay M, Yamashita K, Wakai G, Tsuji C, Herkes R, Abinsay F, Marumoto B
Amends provisions relating to high technology research and development loans and grants. Provides that the high technology development corporation may provide grants up to 25,000 dollars to each business in Hawaii that receives a federal small business technology transfer program award or contract from any participating federal agency or up to 3,000 dollars to each business in Hawaii that applies for a small business innovation research federal grant or small business technology transfer program federal grant. -- Amends provisions relating to powers of the board. Empowers the high technology innovation corporation, under the direction of its board of directors, to establish operational bank accounts as may be necessary in the conduct of its business and its out of state offices, including accounts of foreign denomination in out of state locations, without the approval of the director of budget and finance or the comptroller of accounting and general services. -- Amends provisions relating to innovation corporation; exempted from certain state laws. Adds that the high technology innovation corporation shall be exempt from the following state laws relating to the management of state funds and deposits of public funds. Appropriation to the corporation for research and technology programs. (\$\$) -- HB3060 CD1
Committee Reports: HSCR 109-06 (EDB) HSCR 915-06 (FIN) SSCR 3039 (MAT/BED/) SSCR 3456 (WAM) CCR 246-06
Current Status: May-04 06 Passed Legislature
Section Affected: 206M-15, 206M-53, 206M-54

HB3100 HD1 SD1 (SSCR 3422) RELATING TO MORTGAGE FORECLOSURES.
Introduced by: Caldwell K, Herkes R, Oshiro M
Establishes provisions relating to public sale. Provides that the successful bidder at the public sale, as the purchaser, shall not be required to make a downpayment to the foreclosing mortgagee of more than 10 per cent of the highest successful bid price. -- Amends provisions relating to foreclosure notice. Provides that any person who forecloses on a property within a planned community association shall notify the board of directors of the planned community association of the foreclosure at the time foreclosure proceedings are begun. -- HB3100 SD1
Committee Reports: HSCR 670-06 (CPC) SSCR 3422 (CPH)
Current Status: May-02 06 Passed Legislature
Section Affected: 667- (1 SECTION), 667-5.5

HB3105 HD2 SD2 CD1 (CCR 224-06) RELATING TO PSYCHOTROPIC MEDICATION.
Introduced by: Sonson A
Amends Act 239, session laws of 2005. Amends provisions relating psychotropic medication. Requires that this section apply to all Hawaii medicaid medical plans. Repeals provisions relating to preauthorization exemption for psychotropic medication. Report to the legislature by the department of human services. Repeals the Act as it applies to Quest plans only on June 30, 2008 (sunset). -- HB3105 CD1
Committee Reports: HSCR 252-06 (HLT/ HUS/) HSCR 567-06 (CPC/ JUD/) HSCR 809-06 (FIN) SSCR 2973 (HTH/ HMS/) SSCR 3533 (WAM) CCR 224-06
Current Status: May-02 06 Passed Legislature
Section Affected: ACT 239 2005

HB3115 HD2 SD2 CD1 (CCR 236-06) RELATING TO THE PETROLEUM INDUSTRY.
Introduced by: Oshiro M, Morita H, Kanoho E, Cabanilla R, Oshiro B, Chang J, Schatz B, Takai K, Kawakami B, Lee M, Nishimoto S, Caldwell K, Wakai G, Karamatsu J, Herkes R, Luke S
Amends provisions relating to the maximum pre tax wholesale price for the sale of gasoline (gas cap law). Suspends the gas cap indefinitely. Empowers the governor to reinstate the gas cap. -- Establishes provisions relating to informational cost reports. Requires each refiner, on a semi annual basis, at such reporting dates as the public utilities commission may establish, to file with the commission on forms prescribed, prepared, and furnished by the commission, a certified statement of operating and

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overheard costs for the refiner's Hawaii operations. -- Establishes provisions relating to the petroleum industry monitoring, analysis, and reporting system. Requires the commission to develop and maintain an automated petroleum industry information reporting system that meets the requirements of government, industry, and the public while promoting sound policy making and consumer information and protection. Provides that the petroleum industry information reporting system shall facilitate the efficient analysis and reporting of information and result in greater market transparency and provide useful information to those agencies that are responsible for overseeing the petroleum industry and enforcing compliance with all relevant laws. -- Establishes provisions relating to petroleum industry monitoring, analysis, and reporting special fund to be administered by the commission to administer the reporting program. Appropriation to the public utilities commission for deposit into the special fund. Appropriation out of the special fund to establish the program. -- Requires the governor to report to the legislature if the gas cap is not reinstated within 180 days of September 1, 2006. -- Establishes the unfair practices by petroleum industry law. (\$\$) -- HB3115 CD1

Committee Reports: HSCR 490-06 (EEP/ CPC/ JUD/) HSCR 945-06 (FIN) SSCR 3156 (CPH) SSCR 3539 (WAM) CCR 236-06

Current Status: May-04 06 Passed Legislature

Section Affected: 486J- (3 SECTIONS), 486J-1, 486J-2, 486J-3, 486J-4, 486J-5, 486J-6, 486J-7, 486J-8, 486J-9, 486J-10, 486J-12, 486H-1, 486H-13, 486H-16, 486H-15, (6 SECTIONS) UNFAIR TRADE PRACTICES BY PETROLEUM INDUSTRY

HB3116 HD2 SD2 CD1 (CCR 207-06) RELATING TO THE HAWAII CHILDREN'S HEALTH CARE PROGRAM.

Introduced by: Arakaki D, Green J, Chong P, Waters T, Yamashita K, Hale H, Kanoho E, Tsuji C, Kahikina M, Kawakami B, Carroll M, Chang J, Ito K, Lee M, Yamane R, Magaoay M, Morita H, Abinsay F, Say C, Cabanilla R, Schatz B, Berg L, Oshiro M, Herkes R, Oshiro B, Nishimoto S, Takai K, Shimabukuro M, Tanaka K, Wakai G, Caldwell K, Luke S

Establishes the Hawaii children's health care program, a 3 year pilot program. Requires the department of human services to establish a pilot program to provide health care coverage to uninsured children. Provides that the program will be a public and private partnership between the department of human services and a mutual benefit society. Requires that a child qualifying for the program be between the ages of 31 days to 18 years old, have been uninsured continually for at least 6 months; provided that infants between 31 days and 6 months of age have been uninsured continually since birth, and be ineligible to qualify for any other state or federal health care coverage; provided that otherwise qualified individuals between 250 and 300 per cent of the federal poverty level may choose to receive coverage through QUEST Net and pay a prorated premium rate or to receive coverage through the Hawaii children's health plan at no charge. Provides that for each child enrolled in this children's health care program, the department of human services and the mutual benefit society shall share equally the cost of the premiums. Provides that all children currently enrolled in a mutual benefit society's children's plan shall be eligible for enrollment into the Hawaii children's health care program. Appropriation. Reports to the legislature. Act to be repealed on June 30, 2009 (sunset). (\$\$) -- HB3116 CD1

Committee Reports: HSCR 348-06 (HLT/ HUS/) HSCR 793-06 (FIN) SSCR 3065 (HMS/ HTH/) SSCR 3453 (WAM) CCR 207-06

Current Status: May-02 06 Passed Legislature

HB3118 HD1 SD1 CD1 (CCR 244-06) RELATING TO CORPORATIONS.

Introduced by: Oshiro M

Establishes the responsible corporation task force within the department of commerce and consumer affairs. Provides that the task force shall consider how best to authorize the establishment of corporations structured to recognize, as corporate interests, the interests of employees and of the public in areas such as wages, the environment, and consumer protection and provide incentives for incorporation of responsible companies that not only consider the public interest in doing business but integrate the public interest into the structure and duties of the business. Report to the legislature. -- HB3118 CD1

Committee Reports: HSCR 213-06 (EDB) HSCR 717-06 (FIN) SSCR 3130 (CPH) SSCR 3518 (WAM) CCR 244-06

Current Status: May-04 06 Passed Legislature

HB3121 HD2 SD1 CD1 (CCR 65-06) RELATING TO CIVIL DEFENSE.

HOUSE BILLS THAT PASSED THE LEGISLATURE

Introduced by: Yamane R, Oshiro M, Karamatsu J, Abinsay F, Takai K, Kawakami B, Kanoho E, Schatz B, Lee M, Herkes R, Luke S, Chang J, Arakaki D, Say C, Kahikina M, Chong P, Yamashita K, Caldwell K

Establishes provisions relating to public shelters, accommodation of pet animals. Requires the governor to prescribe rules, for the purpose of establishing the criteria, requirements, conditions, and limitations for providing suitable arrangements and accommodations for the sheltering of pet animals in public shelters. Provides that the director of civil defense shall identify, in coordination with other organizations engaged in civil defense functions relating to providing shelter, or the management or operation of a public shelter, those public shelters that are suitable for the sheltering of pet animals. Allows the director to also identify, in coordination with private owners, operators, or controllers of real property, private shelters that are suitable for the sheltering of pet animals; provided that any private shelter so identified shall not be subject to the rules prescribed by the governor for the operation of a public shelter that has been identified for the sheltering of pet animals. -- HB3121 CD1

Committee Reports: HSCR 417-06 (PSM) HSCR 879-06 (FIN) SSCR 2999 (TGO)
SSCR 3483 (WAM) CCR 65-06

Current Status: May=02 06 Passed Legislature

Section Affected: 128- (1 SECTION) PUBLIC SHELTERS

HB3126

RELATING TO RAPID IDENTIFICATION DOCUMENTS.

Introduced by: Arakaki D, Cabanilla R, Green J, Sonson A

Amends provisions relating to rapid identification documents. Repeals the requirement that an adult person who has been certified comfort care only be prescribed an identifying bracelet or necklace. Provides that the written document containing the certification be signed by the patient or the person's guardian, agent, or surrogate and by any 2 other adult persons who personally know the patient; and that the original document containing the certification and all 3 signatures shall be maintained by the patient, the patient's physician, attorney, guardian, surrogate, or any other person who may lawfully act on the patient's behalf. Requires that 2 copies of the document shall be given to the patient or the patient's guardian, agent, or surrogate. Provides that the patient, or the patient's guardian, agent, or surrogate, may verbally revoke the comfort care only document at any time, including during the emergency situation. -- HB3126

Committee Reports: HSCR 56-06 (HLT) HSCR 279-06 (CPC) HSCR 854-06 (FIN)
SSCR 2972 (HTH) SSCR 3294 (JHW)

Current Status: Apr-12 06 Received by the Governor

Apr-27 06 Approved by Governor (Act 46 2006)

Section Affected: 321-23.6

HB3142 HD2 SD2 CD1 (CCR 225-06)

RELATING TO TRAUMA CARE.

Introduced by: Arakaki D, Green J

Establishes provisions related to the trauma system fund. Establishes a non lapsing fund to be administered and expended by the department of health. Requires that the fund be used to support the continuing development and operation of a comprehensive state trauma system. Requires that the fund be used to subsidize the documented costs for the comprehensive state trauma system including under compensated and uncompensated trauma care incurred by hospitals providing care to trauma patients and costs incurred by hospitals providing care to trauma patients to maintain on call physicians for trauma care. Provides that fees, interest and investment earnings attributable to the moneys in the special fund, federal funding, legislative appropriations, and grants, donations, and contributions from private or public sources for the purposes of the fund, shall be deposited into the special fund. Exempts the fund from contributing to central service expenses and administrative expenses. Establishes positions exempt from civil service and compensation provisions. Requires the department to convene ad hoc committees to advise the department in all matters related to trauma care. Annual report to the legislature. -- HB3142 CD1

Committee Reports: HSCR 169-06 (HLT) HSCR 773-06 (FIN) SSCR 2967 (HTH/
HMS/) SSCR 3534 (WAM) CCR 225-06

Current Status: May-02 06 Passed Legislature

Section Affected: 321- (1 SECTION), 36-27, 36-30

HB3194 HD1 SD1 (SSCR 3066)

RELATING TO THE COMMISSION FOR NATIONAL AND COMMUNITY SERVICE.

Introduced by: Waters T

Amends provisions relating to the commission for national and community service membership; vacancies. Reduces the term of the members of the commission from 4 years to 3 years. -- HB3194 SD1

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Committee Reports: HSCR 639-06 (HED) SSCR 3066 (HMS) SSCR 3426 (HRE)
Current Status: Apr-17 06 Received by the Governor
May-01 06 Approved by Governor (Act 56 2006)
Section Affected: 90D-3

HB3217 HD1 SD1 CD1 (CCR 68-06)

RELATING TO KUPUNA RECOGNITION DAY.

Introduced by: Carroll M, Caldwell K, Takumi R, Berg L, Arakaki D, Oshiro M, Takai K, Luke S, Green J, Yamashita K, Evans C, Tanaka K, Chong P, Chang J, Abinsay F, Waters T, Magaoay M, Morita H, Shimabukuro M, Ito K, Kanoho E, Saiki S, Kahikina M, Lee M, Tsuji C, Say C

Establishes provisions relating to Kupuna recognition day. Provides that the 4th Saturday of July shall be known and designated as Kupuna recognition day, in recognition of the very significant role that kupuna play in Hawaii's culture, history, and traditions. Requires that this day not be a State holiday. -- HB3217 CD1

Committee Reports: HSCR 431-06 (JUD) HSCR 859-06 (FIN) SSCR 3067 (HMS)
SSCR 3514 (WAM) CCR 68-06

Current Status: May-02 06 Passed Legislature

Section Affected: 8- (1 SECTION) KUPUNA RECOGNITION DAY

HB3225 HD1 SD1 CD1 (CCR 90-06)

RELATING TO CONDOMINIUMS.

Introduced by: Karamatsu J

Amends provisions relating to exemptions from the uniform land sales practices act. Provides an exemption for offers or dispositions of an interest in land registered as a condominium property regime under the condominiums law. Amend provisions relating to condominium property regimes; applicability of chapter. Provides that this chapter shall not apply to condominiums created on or after July 1, 2006, or that are registered with the real estate commission of the state department of commerce and consumer affairs; and from and after July 1, 2006, this chapter shall apply only to condominiums created prior to July 1, 2006; and to a developer's sale of condominiums in a project for which a notice of intention was filed with the commission prior to July 1, 2006, except where the developer elects to register an existing project with the commission. Provides that an amendment to the declaration, bylaws, condominium map or other constituent documents may be adopted by the vote or written consent of a majority of the owners, provided that any amendment shall not invalidate the reserved rights of a developer. -- Amends provisions relating to common elements. Provides that each unit owner may use the common elements in accordance with the purposes permitted under the declaration, subject to the right of owners to amend the declaration to change the permitted uses of the common elements; provided that changing common element open spaces or landscaped spaces to other uses shall not require an amendment to the declaration; and minor additions to or alteration of the common elements for the benefit of individual units are permitted if the additions or alteration can be accomplished without substantial impact on the interests of other owners in the common elements, as reasonably determined by the board of commerce and consumer affairs. -- Amends provisions relating to association; powers. Provides that if the bylaws are silent, pursuant to a resolution adopted by the board that establishes a fining procedure that states the basis for the fine and allows an appeal to the board of the fine with notice and an opportunity to be heard and providing that the fine is paid, the unit owner shall have the right to initiate a dispute resolution process as provided, or by filing a request for an administrative hearing under a pilot program administered by the department of commerce and consumer affairs. -- Amends provisions relating to association; limitations on powers. Provides that the financing of insurance premiums by the association within the policy period shall not be deemed a loan if it provides that at the end of the lease the association may purchase the leased equipment for its fair market value. -- Amends provisions relating to restatement of declaration and bylaws. Provides that an association at any time may restate the declaration or bylaws of the association to amend the declaration or bylaws as may be required in order to conform with the provisions of this chapter or of any other statute, ordinance, or rule enacted by any governmental authority, or to correct the percentage of common interest for the project so it totals 100 per cent, by a resolution adopted by the board. Further provides that if the restated declaration is to correct the percentage of common interest for the project so that it totals 100 per cent, the proportion of each unit owner's percentage of common interest shall remain the same in relation to the other unit owners. -- Amends provisions relating to association fiscal matters; lease rent renegotiation. Provides that if some, but not all of the unit owners have already purchased the leased fee interest appurtenant to their units as of the earlier of any date specified in the lease or sublease for the commencement of lease rent renegotiation or 9 months prior to the commencement of

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the term for which lease rent is to be renegotiated, all costs and expenses of the renegotiation shall be assessed to the remaining lessees whose lease rent is to be renegotiated in the same proportion that the common interest appurtenant to each lessee's unit bears to the common interest appurtenant to all remaining lessees' units whose lease rent is to be renegotiated. Amends Act 164, session laws of 2004, as amended by Act 93, session laws of 2005. Amends Act 93, session laws of 2005. -- HB3225 CD1

Committee Reports: HSCR 671-06 (CPC) SSCR 3411 (CPH) CCR 90-06

Current Status: May-02 06 Passed Legislature

Section Affected: 484-3, 514A-1.5, 514B-3, 514B-10, 514B-22, 514B-23, 514B-32, 514B-33, 514B-34, 514B-38, 514B-47, 514B-58, 514B-98, 514B-104, 514B-105, 514B-106, 514B-107, 514B-108, 514B-109, 514B-123, 514B-132, 514B-137, 514B-138, 514B-141, 514B-143, 514B-144, 514B-145, 514B-151, 514B-154, 514C-6, 514C-22, ACT 164 2004, ACT 93 2005, 514A-90, 514A-1, 514A-1.6, 514A-2, 514A-3, 514A-4, 514A-5, 514A-6, 514A-7, 514A-11, 514A-12, 514A-13, 514A-13.4, 514A-13.5, 514A-13.6, 514A-14, 514A-14.5, 514A-15, 514A-15.1, 514A-15.5, 514A-16, 514A-17, 514A-18, 514A-19, 514A-20, 514A-21, 514A-22, 514A-31, 514A-32, 514A-33, 514A-34, 514A-35, 514A-36, 514A-37, 514A-38, 514A-39.5, 514A-40, 514A-41, 514A-42, 514A-43, 514A-44, 514A-45, 514A-46, 514A-47, 514A-48, 514A-49, 514A-50, 514A-61, 514A-62, 514A-63, 514A-64.5, 514A-65, 514A-67, 514A-68, 514A-69, 514A-70, 514A-81, 514A-82, 514A-82.1, 514A-82.15, 514A-82.2, 514A-82.3, 514A-82.4, 514A-82.5, 514A-82.6, 514A-83, 514A-83.1, 514A-83.2, 514A-83.3, 514A-83.4, 514A-83.5, 514A-83.6, 514A-84, 514A-84.5, 514A-85, 514A-86, 514A-87, 514A-88, 514A-89, 514A-90.5, 514A-90.6, 514A-91, 514A-92, 514A-92.1, 514A-92.2, 514A-92.5, 514A-93, 514A-93.5, 514A-94, 514A-95, 514A-95.1, 514A-96, 514A-97, 514A-98, 514A-99, 514A-101, 514A-102, 514A-103, 514A-104, 514A-104.5, 514A-104.6, 514A-105, 514A-107, 514A-107.5, 514A-107.6, 514A-108, 514A-121, 514A-121.5, 514A-122, 514A-123, 514A-124, 514A-125, 514A-126, 514A-127, 514A-131, 514A-132, 514A-133, 514A-134, 514A-135

HB3235 HD1 SD1 CD1 (CCR 168-06) RELATING TO THE STATE OF HAWAII ENDOWMENT FUND.

Introduced by: Oshiro M

Appropriation to the department of accounting and general services for deposit into the state of Hawaii endowment fund for the production of music by an Oahu based symphony orchestra to be matched dollar for dollar by private funds. (\$\$) -- HB3235 CD1

Committee Reports: HSCR 276-06 (TAC) HSCR 695-06 (FIN) SSCR 3035 (MAT) SSCR 3457 (WAM) CCR 168-06

Current Status: May-02 06 Passed Legislature

HB3242 SD1 CD1 (CCR 82-06) RELATING TO INTOXICATING LIQUOR.

Introduced by: Luke S, Oshiro B, Cabanilla R, Wakai G, Herkes R, Tsuji C, Yamashita K, Lee M, Caldwell K, Takai K, Arakaki D, Chang J, Kanoho E, Schatz B, Carroll M

Amends provisions relating to prohibitions involving minors. Prohibits a minor to consume or purchase liquor and for a minor to have liquor in the minor's possession or custody in any motor vehicle on a public highway or in any public place, public gathering, or public amusement of at any public beach or public park. -- HB3242 CD1

Committee Reports: HSCR 450-06 (JUD) SSCR 3214 (JHW) CCR 82-06

Current Status: May=02 06 Passed Legislature

Section Affected: 281-101.5

HB3244 HD1 SD2 CD1 (CCR 229-06) RELATING TO IDENTITY THEFT.

Introduced by: Luke S, Oshiro B, Herkes R, Cabanilla R, Evans C, Wakai G, Tsuji C, Lee M, Caldwell K, Takumi R, Arakaki D, Chang J, Schatz B, Carroll M, Meyer C

Amends Act 65, session laws of 2005. Changes the Hawaii anti phishing task force to the identity theft task force. Establishes that the task force safeguard and protect from identity theft all personal identifying information in public documents across the gamut of State and county agencies. Requires that the task force identify the best practices to prevent identity theft by reviewing other jurisdictions' activities, policies, and laws

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related to protecting personal identifying information collected by government agencies, and establishing a timetable for the immediate removal of personal identifying information from public records in Hawaii, including the review of current practices associated with use and disclosure for public inspection of social security numbers in any records or documents maintained by state and county agencies; the review of the current volume of these records or documents and likely future increase or decrease in the volume of these records or documents; and the practicability of any proposed mandatory redaction for certain types of records or documents, and the impact that any proposed mandatory redaction may have on human or other resources necessary to implement the redaction. Report to the legislature. Requires the office of the auditor to provide research and organization support services instead of the department of the attorney general. Task force to cease to exist on December 31, 2007 (sunset). Appropriation. -- Appropriation to the department of the attorney general for the high technology crime unit and the crime prevention and justice assistance division of the department of the attorney general to develop a uniform system of tracking identity theft crimes. (\$\$) -- HB3244 CD1

Committee Reports: HSCR 351-06 (CPC/ JUD/) HSCR 707-06 (FIN) SSCR 3019 (MAT/ CPH/) SSCR 3401 (JHW/ WAM/) CCR 229-06
Current Status: May-02 06 Passed Legislature
Section Affected: ACT 65 2005

HB3250 HD1 (HSCR 650-06)

RELATING TO SUPERSEDEAS BONDS.

Introduced by: Luke S, Oshiro B, Cabanilla R, Herkes R, Caldwell K, Takai K, Schatz B

Establishes provisions relating to limit on supersedeas bond. Provides that in any civil action brought under any legal theory, the amount of a supersedeas bond or other form of security necessary to stay execution of a judgment granting legal, equitable, or any other form of relief during the entire course of all appeals or discretionary review of that judgment by all appellate courts shall be set in accordance with applicable law, the total amount that is required of any party shall not exceed 25 million dollars, regardless of the amount of other provision of the judgment that is appealed. Provides that this section shall not apply to the limitation on bonds for tobacco master settlement agreement signatories and their successors and affiliates. -- HB3250 HD1

Committee Reports: HSCR 650-06 (JUD) SSCR 3175 (JHW)
Current Status: Apr-04 06 Received by the Governor
Apr-21 06 Approved by Governor (Act 11 2006)
Section Affected: 607- (1 SECTION) LIMIT ON SUPERSEDEAS BOND

HB3253 SD1 (SSCR 3045)

RELATING TO THE HAWAII RULES OF EVIDENCE.

Introduced by: Luke S, Oshiro B, Herkes R, Yamane R, Caldwell K, Takai K, Schatz B
Amends provisions relating to the enactment of Hawaii rules of evidence. Provides that once the court makes a definitive ruling on the record admitting or excluding evidence, either at or before trial, a party need not renew an objection or offer of proof to preserve a claim of error for appeal. -- HB3253 SD1

Committee Reports: HSCR 683-06 (JUD) SSCR 3045 (JHW)
Current Status: Apr-17 06 Received by the Governor
May-02 06 Approved by Governor (Act 73 2006)
Section Affected: 626-1 RULE 103

HB3254 HD1 (HSCR 667-06)

RELATING TO OATHS OF OFFICE.

Introduced by: Luke S, Oshiro B

Repeals loyalty oath requirement for 1st deputy attorney general, volunteers, civil defense personnel, county liquor commissions and liquor control adjudication boards, members, employees under government operation, chief deputy insurance commissioner, and registrar of conveyances. -- HB3254 HD1

Committee Reports: HSCR 667-06 (JUD) SSCR 2955 (LBR) SSCR 3295 (JHW)
Current Status: Apr-12 06 Received by the Governor
Apr-27 06 Approved by Governor (Act 48 2006)
Section Affected: 28-8, 128-16, 128-21, 281-11, 382-4, 431:2-105, 485-3, 502-2

HB3256 HD1 SD1 CD1 (CCR 94-06)

RELATING TO THE PENAL CODE.

Introduced by: Luke S, Oshiro B

Amends provisions relating to disposition of convicted defendants law by establishing provisions relating to sentencing for 1st time property offender; expungement. -- Amends provisions relating to offenses against property rights. Establishes provisions relating to burglary; intent to commit therein a crime against a person or against property rights;

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unauthorized entry into a dwelling; and unauthorized entry into a motor vehicle in the 2nd degree. -- Amends provisions relating to forfeiture. Establishes provisions relating to methamphetamine (crystal methamphetamine, ice) trafficking in the 1st and 2nd degree and methamphetamine trafficking, restitution and reimbursement. -- Amends provisions relating to penal responsibility and fitness to proceed by amending evidence of physical or mental disease, disorder, or defect admissible when relevant to state of mind; examination of defendant with respect to physical or mental disease, disorder, or defect; effect of finding of unfitness to proceed; special hearing following commitment or release on conditions; determination of irresponsibility; legal effect of acquittal on the grounds of physical or mental disease, disorder, or defect excluding responsibility; commitment; conditional release; discharge; procedure for separate post acquittal hearing; committed person; application for conditional release or discharge; by the director of health; by the person; conditional release; application for modification or discharge; termination of conditional release and commitment; procedure upon application for discharge, conditional release, or modification of conditions of release; disposition of application for discharge; conditional release, or modification of conditions of release; and supervision of person on conditional release. -- Amends provisions relating to disposition of convicted defendants by amending authorized disposition of convicted defendants; requirement of probation; exception; sentencing for 1st time drug offenders; expungement; terms probation; conditions of probation; disposition of funds; victims restitution; extended terms of imprisonment and criteria for extended terms of imprisonment (repealed on June 30, 2007, sunset); and young adult defendants. -- Amends provisions relating to offenses against the person by amending definitions; murder in the 1st degree; manslaughter; assault in the 2nd degree; reckless endangering in the 2nd degree; and terroristic threatening in the 1st degree; sexual assault in the 1st and 2nd degree. -- Amends provisions relating to offenses against property rights by amending valuation of property or services; criminal property damage in the 3rd degree; theft and theft in the 3rd degree; theft of livestock; unauthorized entry into motor vehicle; robbery in the 1st and 2nd degree; robbery in the course of committing a theft; and fraudulent use of a credit card. -- Amends provisions relating to offenses against the family and against incompetents by amending abuse of family or household members; penalty. -- Amends provisions relating to offenses against public administration to bribery. -- Amends provisions relating to offenses against public order by amending violation of privacy in the 2nd degree. -- Amends provisions relating to offenses against public health and morals by amending by repealing provisions relating to unlawful methamphetamine trafficking. -- HB3256 CD1

Committee Reports: HSCR 665-06 (JUD) SSCR 3215 (JHW) CCR 94-06

Current Status: May-02 06 Passed Legislature

Section Affected: 706- (1 SECTION), 708-(2 SECTIONS), 708-(1 SECTION), 712-(3 SECTIONS), 704-401, 704-404, 704-406, 704-407, 704-408, 704-411, 704-412, 704-413, 704-414, 704-415, 704-416.5, 706-604, 706-605, 706-622.5, 706-623, 706-624, 706-643, 706-646, 706-661, 706-662, 706-667, 707-700, 707-701, 707-702, 707-711, 707-714, 707-716, 707-730, 707-731, 708-801, 708-822, 708-823, 708-830, 708-832, 708-835.5, 708-836.5, 708-840, 708-841, 708-842, 708-8100, 709-904, 709-906, 710-1040, 711-1111, 712-1241, 712-1240.6

HB3257 HD1 SD2 (SSCR 3303)

RELATING TO USE OF INTOXICANTS.

Introduced by: Luke S, Oshiro B

Amends provisions relating to use of intoxicants while operating a vehicle. Provides that upon the law enforcement officer's determination that the person under arrest has refused to submit to a breath, blood, or urine test, the officer shall inform the person under arrest of the sanctions under the provisions relating to effective date and period of administrative revocation and criteria or refusal to submit to testing for measurable amount of alcohol, district court hearing, sanctions, appeals, and admissibility. -- HB3257 SD2

Committee Reports: HSCR 310-06 (TRN) HSCR 762-06 (JUD) SSCR 3085 (TGO/IGA) SSCR 3303 (JHW)

Current Status: Apr-17 06 Received by the Governor
May-02 06 Approved by Governor (Act 64 2006)

Section Affected: 291E-11, 291E-15, 291E-33, 291E-34, 291E-36, 291E-37, 291E-38, 291E-41, 291E-65

HB3259 HD1 SD2 CD1 (CCR 167-06)

MAKING AN APPROPRIATION FOR DENTAL HEALTH.

Introduced by: Arakaki D

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Appropriation to the department of health for a school of dentistry accredited by the American Dental Association to perform an assessment of the status of the continuum of dental care; and equipment and service delivery to establish community based dental health clinics operated by federally qualified health centers or other community based organizations to provide a continuum of dental care for QUEST eligible adults and children, the developmentally disabled, and the uninsured. (\$\$) -- HB3259 CD1

Committee Reports: HSCR 499-06 (HLT/ HUS/) HSCR 708-06 (FIN) SSCR 3017 (HTH/ HMS/) SSCR 3471 (WAM) CCR 167-06

Current Status: May-02 06 Passed Legislature

HB3261 HD1 SD2 CD1 (CCR 245-06) RELATING TO INGENUITY CORPORATION CHARTER.

Introduced by: Oshiro M

Establishes the Hawaii ingenuity corporation charter law. Establishes the corporation as a private, for profit, nonstock, membership corporation. Provides that the corporation shall hold and use intellectual and other property; create benefits for inventors nationally, labor unions nationally, and public education in Hawaii to promote the teaching of innovation and its application for the common good; create and maintain businesses operating at International Labor Organization work standards and United Nations environmental standards, providing innovation education, employment opportunities, and economic development for Hawaii; raise global labor and environmental standards and build Hawaii's role as an inventor friendly state; engage in any lawful business that operates upon International Labor Organization labor and United Nations environmental standards and sell, lease, or license goods and services only to business entities meeting International Labor Organization labor standards and United Nations environmental standards; enable inventors, labor unions, the American Ingenuity Alliance, and public educators to create a business entity that owns and licenses intellectual and other property; attract inventors to Hawaii; enable the corporation to negotiate with other corporations on behalf of all the constituency groups around issues of licensing intellectual property, labor, and environmental standards; and permit the corporation to collectively bargain and declare that exercising such power on behalf of inventors and labor organizations is an exception to all state anti trust and anti competitive practice rules. Annual report to the legislature. -- HB3261 CD1

Committee Reports: HSCR 580-06 (EDB/ HED/) HSCR 920-06 (FIN) SSCR 3038 (BED) SSCR 3433 (WAM) CCR 245-06

Current Status: May-04 06 Passed Legislature

Section Affected: (19 SECTIONS) HAWAII INGENUITY CORPORATION CHARTER