

**BILLS PASSED**

**BY THE**

**HAWAII STATE LEGISLATURE**

**REGULAR SESSION OF 2008**

SHOWING ACTIONS TAKEN AS OF

May 1, 2008

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 2008. 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 1, 2008, 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 2008

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

SOURCE	CONTACT	HOURS	COST
All public libraries. See <a href="http://www.librarieshawaii.org">www.librarieshawaii.org</a> 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 15¢/page donation for printout.
Hawaii State Archives Iolani Palace Grounds 364 S. King Street Honolulu 96813 Phone: 586-0329	Reference Archivist	Monday - Friday 9:00 am - 4:00 pm	Copies of 2007 - 2008 bills, committee reports, resolutions, and concurrent resolutions will be available after December 2008. No charge for local gov't. agencies. For private individuals – 25¢/page. Postage and handling charge for any mailings. Certified copies are \$2.25 per document.
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. Mail and fax requests received for reasonable quantities.
Lieutenant Governor State Capitol 5 <sup>th</sup> 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 <a href="http://www.librarieshawaii.org">www.librarieshawaii.org</a> 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 15¢/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 <a href="http://www.librarieshawaii.org">www.librarieshawaii.org</a> 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 15¢/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 <a href="http://www.librarieshawaii.org">www.librarieshawaii.org</a> 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 15¢/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

- SB0045 SD1 (SSCR 2717) RELATING TO GOVERNMENT OPERATIONS.  
Introduced by: Nishihara C  
Amends provisions relating to the Hawaii paroling authority; appointment; tenure; qualifications. Provides that the requirement for nomination by the panel to only apply to a nominee's nomination by the governor to an initial term on the paroling authority and not to any subsequent consecutive term of a sitting paroling authority member or chairperson whose initial appointment to office was made pursuant to a nomination by the panel. -- SB0045 SD1  
Committee Reports: SSCR 2717 (PBS) HSCR 1627-08 (JUD)  
Current Status: Apr-08 08 Received by the Governor  
Apr-11 08 Approved by Governor (Act 10 2008)  
Section Affected: 353-61
- SB0069 SD2 HD3 CD1 (CCR 157-08) RELATING TO HEALTH CARE.  
Introduced by: Baker R, Tsutsui S, Chun Oakland S, Sakamoto N  
Amends Act 236, session laws of Hawaii 2007, relating to a children's health care pilot program. Provides that a child may qualify for health care coverage, if the child is uninsured due to the loss of the parent's or legal guardian's health insurance; provided that the child's parent or legal guardian was employed by a Hawaii employer that was covered by and that, between February 29, 2008 and September 30, 2008, filed for bankruptcy and ceased doing business in Hawaii or ceased doing business in Hawaii. Act repealed on December 31, 2008 (sunset). -- SB0069 CD1  
Committee Reports: SSCR 95 (HTH) SSCR 916 (WAM) HSCR 1225 (HLT) HSCR 1404 (LAB) HSCR 1951-08 (FIN) CCR 157-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: ACT 236 2007
- SB0156 SD2 HD2 CD1 (CCR 166-08) RELATING TO VOTING.  
Introduced by: Hee C, Kokubun R, Inouye L  
Amends provisions relating to request for absentee ballot. Provides that when a registered voter requests an absentee ballot the voter may include an additional request to receive absentee ballots permanently. Prohibits any person having voted an absentee ballot to vote at the polls. Appropriation from federal funds received pursuant to the federal Help America Vote Act of 2002 for fiscal year 2008 and 2009. Appropriation to provide the 5 per cent state matching fund required to qualify for federal fund for purposes of implementing and administering the permanent absentee voter program. (\$\$) -- SB0156 CD1  
Committee Reports: SSCR 346 (JDL) SSCR 934 (WAM) HSCR 1480 (JUD) HSCR 1863 (FIN) CCR 166-08  
Current Status: May=01 08 Passed Legislature  
Section Affected: 15-4, 15-11
- SB0644 SD3 HD3 CD1 (CCR 169-08) RELATING TO ENERGY RESOURCES.  
Introduced by: Hooser G  
Establishes provisions relating to solar water heater system required for new single family residential construction. Provides that beginning January 1, 2010, no building permit shall be issued for a single family dwelling that does not include a solar water heater system that meets the standards established, unless the energy resource coordinator approves a variance. -- Establishes provisions relating to water heater standards. Provides that not later than July 1, 2009, the public utilities commission shall adopt or establish by rule, tariff, or order, standards for solar water heater systems to include, but not be limited to, specifications for the performance, materials, components, durability, longevity, proper sizing, installation, and quality to promote objectives of transitioning from utility demand side management programs to the public benefits fund. -- Amends provisions relating to renewable energy technologies; income tax credit. Provides a tax credit for solar thermal energy systems for single family residential property for which a building permit was issued prior to January 1, 2010. Prohibits a residential home developer to be entitled to claim the credit under solar thermal energy systems, wind powered energy systems, and photovoltaic energy systems for single family residential property placed in service in 2009. Defines a residential home developer as a person who holds more than 1 residential dwelling for sale as inventory. -- SB0644 CD1  
Committee Reports: SSCR 74 (ENE) SSCR 624 (EDT) SSCR 1011 (WAM) HSCR 1124-08 (HSH/ EEP/) HSCR 1328-08 (EDB) HSCR 1660-08 (FIN) CCR 169-08  
Current Status: May=01 08 Passed Legislature

## SENATE BILLS THAT PASSED THE LEGISLATURE

- Section Affected: 196- (1 SECTION), 269- (1 SECTION), 235-12.5
- SB0788 SD2 (SSCR 2780) RELATING TO DISASTER RELIEF.  
Introduced by: Inouye L, Tsutsui S, Chun Oakland S, Tokuda J  
Amends Act 118, session laws of 2006, as amended by Act 89, session laws of 2007, by changing the lapse date to June 30, 2009. (\$\$) -- SB0788 SD2  
Committee Reports: SSCR 2122 (IGM) SSCR 2780 (WAM) HSCR 1955-08 (FIN)  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: ACT 118 2006, ACT 89 2007
- SB0868 SD2 (SSCR 2795) RELATING TO BOARDS AND COMMISSIONS.  
Introduced by: Kim D, Sakamoto N, Tsutsui S, Hooser G  
Amends provisions relating to administrative supervision of boards and commissions. Allows the legislature or a legislative committee to communicate directly with a board or commission instead of with the department upon request. -- SB0868 SD2  
Committee Reports: SSCR 12 (TSG) SSCR 2795 (JDL) HSCR 1346-08 (LMG) HSCR 1615-08 (FIN)  
Current Status: Apr-22 08 Vetoed  
May-01 08 Veto Overridden - House  
May=01 08 Veto Overridden - Senate  
Section Affected: 26-35
- SB0871 SD2 HD2 CD1 (CCR 170-08) RELATING TO FOOD WASTE RECYCLING.  
Introduced by: Kim D  
Requires the department of education in partnership with the department of health to develop and implement a 3 year food waste recycling project in 1 or more schools. Requires the departments to consider using public private partnerships and allows the departments to accept and expend private monetary donations. Appropriation to the department of education. Reports to the legislature. Act to be repealed on June 30, 2011 (sunset). (\$\$) -- SB0871 CD1  
Committee Reports: SSCR 579 (ENE/ HTH/) SSCR 905 (WAM) HSCR 1511 (EDN/ EEP/) HSCR 1889 (FIN) CCR 170-08  
Current Status: May=01 08 Passed Legislature
- SB0966 PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS.  
Introduced by: Ige D (BR)  
Proposes to amend the constitution. Lowers the age qualification for the offices of governor and lieutenant governor from 30 to 25 years of age. -- SB0966  
Committee Reports: SSCR 655 (JDL) HSCR 1457 (JUD) HSCR 1778-08 (FIN)  
Current Status: Apr-23 08 Received by the Governor  
Section Affected: ART V S1
- SB0988 SD2 HD3 CD1 (CCR 153-08) RELATING TO PHOTOVOLTAIC ENERGY.  
Introduced by: Menor R, Espero W, English J, Chun Oakland S, Gabbard M, Hooser G  
Establishes provisions relating to photovoltaic rebate program; establishment. Allows the public utilities commission to establish a ratepayer funded photovoltaic rebate program upon evaluating the costs and benefits of a rebate program and determining that a rebate program is in the public interest. Requires applicants to comply with requirements and conditions established by the commission to qualify for the program. Requires the commission to establish rebate amounts and other program specifications. Authorizes the commission to delegate the administration of the photovoltaic rebate program to the public benefits fund administrator. Act to repealed on June 30, 2013 (sunset). -- SB0988 CD1  
Committee Reports: SSCR 472 (ENE/ CPH/) SSCR 1018 (WAM) HSCR 1229 (EEP) HSCR 1063-08 (CPC) HSCR 1690-08 (FIN) CCR 153-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 269- (1 SECTION) PHOTOVOLTAIC REBATE PROGRAM
- SB1035 SD1 HD1 CD1 (CCR 18-08) RELATING TO MAKAHIKI DAY COMMEMORATION.  
Introduced by: English J  
Establishes provisions relating to makahiki commemoration day. Requires November 20th to be known and designated as makahiki commemoration day, not to be construed

## SENATE BILLS THAT PASSED THE LEGISLATURE

as a State holiday. -- SB1035 CD1  
Committee Reports: SSCR 631 (WAH/ EDT/) HSCR 104-08 (TAC) HSCR 1429-08  
(WLH) CCR 18-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 8- (1 SECTION) MAKAHIKI COMMEMORATION DAY

SB1337 HD1 CD1 (CCR 21-08)

RELATING TO CONTEMPT OF COURT.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to contempt of court, enforcement of judgment or order, and criminal contempt of court. Provides that when a court issues an order compelling a parent to furnish support for the parent's child, it shall constitute prima facie evidence of a civil contempt of court upon proof that the order was made, filed, and served on the parent or proof that the parent was present in court at the time the order was pronounced, and the parent did not comply with the order. Provides that an order of civil contempt of court based on prima facie evidence shall clearly state that the failure to comply with the order of civil contempt of court may subject the parent to a penalty that may include imprisonment or, if imprisonment is immediately ordered, the conditions that must be met for release from imprisonment. A party may also prove civil contempt of court by means other than prima facie evidence. -- SB1337 CD1  
Committee Reports: SSCR 873 (JDL) HSCR 1354 (HSH) HSCR 1766-08 (JUD) CCR 21-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 571-81, 584-17, 710-1077

SB1487 SD2 HD2 CD1 (CCR 42-08)

RELATING TO CONTROLLED SUBSTANCES.  
Introduced by: Hanabusa C (BR)  
Establishes provisions relating to administrative penalties. Requires any person who violates the uniform controlled substances act to be subject to a penalty of not more than 10,000 dollars for each separate offense. Provides that all penalties are in addition to any other administrative or judicial remedy provided by the uniform controlled substances act and be deposited into the state general fund. Establishes provisions relating to injunctive relief. Amends provisions relating to schedule III by adding embutramide (tributame). Provides that in receiving an oral prescription from a practitioner, requires a pharmacist to promptly reduce the oral prescription to writing, to include the name, strength, and quantity of the drug, and directions for the drugs use; the date the oral prescription was received; the full name, DEA registration number, and oral code number of the practitioner; and the name and address of the person for whom the controlled substance was prescribed or the name of the owner of the animal for which the controlled substance was prescribed. Provides that the information communicated between the prescribing practitioner or the prescriber's authorized agent and the pharmacy of the patient's choice requires the original prescription to be maintained by the practitioner. Amends prohibited acts B penalties to include that it is unlawful for any person who is a practitioner to predate or pre sign prescriptions to facilitate the obtaining or attempted obtaining of controlled substances or to facilitate issuance or distribution of a written prescription or to issue an oral prescription for a controlled substance when not physically or to dispense a controlled substance without a bona fide physician patient relationship. Amends provisions relating to reporting of dispensation of controlled substances; electronic prescription accountability system; requirements; penalty. Requires that intentional or knowing failure to transmit any information to be a misdemeanor and shall result in the immediate suspension of that pharmacy's ability to dispense controlled substance in the state until authorized by the administrator. Amends provisions relating to central repository. Requires all prescriptions for schedule II through V and other controlled substances to conform to reporting and registration requirements. -- SB1487 CD1  
Committee Reports: SSCR 492 (HTH) SSCR 2606 (JDL) HSCR 1325-08 (HLT) HSCR 1676-08 (JUD) CCR 42-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 329- (2 SECTIONS), 329-1, 329-18, 329-38, 329-41, 329-42, 329-101, 329-102

SB1491 SD1 HD2 (HSCR 1640-08)

RELATING TO CONTROLLED SUBSTANCES.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to controlled substance registration revolving fund; established. Allows funds to be expended for investigation of violations and funding the narcotics enforcement division's forensic drug laboratory facility. Amends provisions relating to schedule I. Includes depressants to the controlled substances list to schedule

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I. Amends provisions relating to schedule II depressants including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation. Amends stimulants by adding phenmetrazine and its salts and methylphenidate. Amends immediate precursor unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following: immediate precursor to amphetamine and methamphetamine (ice, crystal methamphetamine) and immediate precursors to phencyclidine (PCP). Amends provisions relating to schedule IV. Includes depressants to the controlled substances list to schedule IV. Amends depressants including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation that has a degree of danger or probable danger. Amends provisions relating to schedule V. Adds depressants unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substance having a depressant effect on the central nervous system including its salts, isomers, and salts of isomers. Amends provisions relating to sales of products, mixtures, or preparations containing pseudoephedrine; reporting requirement for wholesalers. Repeals the sale restriction as it applies to products, mixtures, or preparation containing any detectable quantity of pseudoephedrine. -- SB1491 HD2

Committee Reports: SSCR 173 (PBS) SSCR 788 (WAM) HSCR 1266 (PSM) HSCR 1339-08 (JUD) HSCR 1640-08 (FIN)

Current Status: May=01 08 Passed Legislature

Section Affected: 329-59, 329-14, 329-16, 329-20, 329-22, 329-75

SB1526 SD2 HD3 CD1 (CCR 123-08)

RELATING TO JUDICIARY.

Introduced by: Hanabusa C (BR)

Amends provisions relating to administrative director. Repeals the authority of the judicial salary commission to determine the administrative director of the courts' salary and provides that the salary shall be an annual amount no less than 120,000 dollars and no greater than 150,000 dollars, as determined by the chief justice. -- Establishes that the salary of the deputy administrative director shall be an annual amount no less than 115,000 dollars and no greater than 140,000 dollars, as determined by the chief justice.

-- SB1526 CD1

Committee Reports: SSCR 340 (JDL) SSCR 725 (WAM) HSCR 681-08 (JUD) HSCR 1234-08 (LAB) HSCR 1631-08 (FIN) CCR 123-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 601-3

SB1720 SD1 HD2 (HSCR 1739-08)

RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST JACOBY DEVELOPMENT, INC., A PROCESSING ENTERPRISE.

Introduced by: Hanabusa C (BR)

Authorizes the issuance of special purpose revenue bonds to assist Jacoby Development, Inc. - Geoplasma LLC, with the planning, design, construction, and equipping of, and the acquisition of lands for, a plasma municipal solid waste processing system to convert solid wastes into electricity, and chemically and biologically inert slag, in the state of Hawaii. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB1720 HD2

Committee Reports: SSCR 257 (ENE) SSCR 762 (WAM) HSCR 1317 (EEP) HSCR 1739-08 (FIN)

Current Status: May=01 08 Passed Legislature

SB1793 SD1 HD1 CD1 (CCR 50-08)

RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY.

Introduced by: Kokubun R, Tokuda J

Establishes provisions relating to exemptions under the natural energy laboratory of Hawaii authority law. Exempts the authority from provisions relating to administrative supervision of boards and commissions. Requires the authority to communicate directly with the governor and the legislature, make decisions regarding employees and purchase supplies, and equipment without approval of the director of business, economic development, and tourism. Amends provisions relating to establishment of the natural energy laboratory of Hawaii authority; purpose. Increases the number of members on the board of directors from 11 to 13. Requires that of the 5 members appointed by the governor 2 members be from among the tenants holding leases on property within the natural energy laboratory of Hawaii authority research and technology park and 3 be selected from the general public. Provides that on issues



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relating to lease rents or water rates an affirmative vote of 7 members be required to decide the issue. -- SB1793 CD1

Committee Reports: SSCR 760 (ENE/ EDT/) HSCR 1211-08 (EDB) HSCR 1623-08 (FIN) CCR 50-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 227D- (1 SECTION), 227D-2

SB1802 HD1 CD1 (CCR 36-08)

RELATING TO MENTAL HEALTH.

Introduced by: Ige D

Amends provisions relating to confidentiality of records. Exempts disclosures of the person's treatment summary from a previous 5 year period from 1 health care provider to another for the purpose of continued care or treatment of the person, or for health care operations; provided that the health care provider seeking disclosure make reasonable efforts to obtain advance consent from the person. Exempts disclosures made between the person's health care provider and payor to obtain reimbursement for services rendered to the person. -- SB1802 CD1

Committee Reports: SSCR 493 (HTH) SSCR 968 (JDL) HSCR 1334 (HLT) HSCR 1527-08 (JUD) CCR 36-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 334-1, 334-5

SB1804 SD2 HD2 CD1 (CCR 172-08)

RELATING TO THE TRAUMA SYSTEM SPECIAL FUND.

Introduced by: Ige D, Chun Oakland S

Establishes provisions relating to a trauma system surcharge. Authorizes a person who violates various provisions of motor vehicle operation laws, of statewide traffic code laws, and use of intoxicants while operating a vehicle laws to be ordered to pay a trauma system surcharge. Prohibits the surcharge to be ordered when the court determines the defendant is unable to pay the surcharge. Requires the state director of finance to transmit the surcharge to the trauma system special fund. -- Amends the trauma system special fund to include surcharges, cigarette tax revenues, federal funds, and funds from the legislature. Requires disbursements from the fund to be made in accordance with a methodology established by the department of health to calculate costs incurred by a hospital providing care to trauma patients. -- SB1804 CD1

Committee Reports: SSCR 507 (HTH) SSCR 918 (WAM) HSCR 1241 (HLT/ TRN/) HSCR 1512 (JUD) HSCR 1924 (FIN) CCR 172-08

Current Status: May=01 08 Passed Legislature

Section Affected: 291- (1 SECTION), 291C- (1 SECTION), 291E- (1 SECTION), 291-11.5, 291-11.6, 291-12, 291C-12, 291C-12.5, 291C-12.6, 291C-13, 291C-14, 291C-15, 291C-16, 291C-103, 291C-104, 291C-105, 291E-61, 291E-61.5, 291C-161, 321-22.5

SB1805 SD1 (SSCR 533)

RELATING TO GENETIC COUNSELORS.

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

Establishes genetic counselors law. Defines genetic counseling practice to mean the integration and application of scientific principles of genetics, behavioral, and social sciences for the evaluation, risk determination, management, and prevention strategies for genetic disorders throughout the life cycle. -- Establishes a genetic counseling licensure program within the department of health. Establishes powers and duties of the director of health. Authorizes the director to examine and approve the qualifications of all applicants and issue a license to each successful applicant granting permission to use the title of licensed genetic counselor or genetic counselor in this State. Establishes prohibited acts; penalties. -- SB1805 SD1

Committee Reports: SSCR 533 (HTH) SSCR 855 (CPH) HSCR 1096-08 (HLT) HSCR 1525-08 (CPC)

Current Status: Apr-17 08 Vetoed

Section Affected: (15 SECTIONS) GENETIC COUNSELORS

SB1809

RELATING TO CONDOMINIUMS.

Introduced by: Espero W

Amends provisions for association meetings under condominiums law. Provides that special meeting based on a petition to the secretary or managing agent shall be set no later than 60 days from receipt of the petition. -- SB1809

Committee Reports: SSCR 2558 (CPH) HSCR 1473-08 (CPC)

Current Status: Apr-01 08 Received by the Governor

Apr-15 08 Approved by Governor (Act 13 2008)

Section Affected: 514B-121

## SENATE BILLS THAT PASSED THE LEGISLATURE

- SB1891 SD1 HD1 CD1 (CCR 25-08) RELATING TO PUBLIC LANDS.  
Introduced by: Gabbard M  
Establishes provisions relating to criminal penalties. Requires any person found guilty of a violation of the public lands, management and disposition of law or any rules adopted thereunder to be guilty of a petty misdemeanor and establishes penalties for 1st, 2nd, 3rd, and subsequent offenses. -- SB1891 CD1  
Committee Reports: SSCR 310 (WAH) SSCR 1007 (JDL) HSCR 1318-08 (WLH)  
HSCR 1697-08 (JUD) CCR 25-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 171- (1 SECTION) CRIMINAL PENALTIES
- SB1961 SD1 HD1 CD1 (CCR 22-08) RELATING TO BAIL.  
Introduced by: Hanabusa C (BR)  
Establishes provisions relating to bail bond agents; sureties. Provides that the insurance commissioner may deny, place on probation, suspend, revoke, or refuse to issue or renew a bail agent's license and may levy a civil fine or penalty. Provides that bail agents shall have the responsibilities of a trustee for all premium, return premium funds, and collateral or security received or collected under this article. Provides that a bail agent who is also an attorney shall not represent a person to whom the attorney has furnished bail for compensation in any proceeding for which the attorney has furnished bail. -- SB1961 CD1  
Committee Reports: SSCR 883 (JDL) HSCR 1700-08 (JUD) CCR 22-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 431: - (4 SECTIONS) BAIL AGENTS; SURETIES
- SB2004 SD2 HD2 CD1 (CCR 121-08) RELATING TO EDUCATION.  
Introduced by: Chun Oakland S  
Amends provisions relating to administrative hearing procedures and subpoena power relating to the education of children with disability. Extends the 90 day period to 180 days. Requires the department to annually report to the legislature on the total number of requests for a due process hearing relating to reimbursement of costs for a child's placement filed by a parent or guardian of a child with a disability. -- SB2004 CD1  
Committee Reports: SSCR 2251 (EDU/ HSP/) SSCR 2806 (WAM) HSCR 1090-08 (EDN) HSCR 1334-08 (JUD) HSCR 1719-08 (FIN) CCR 121-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 302A-443
- SB2034 HD2 (HSCR 1641-08) AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST OCEANLINX HAWAII LLC.  
Introduced by: Baker R, Tsutsui S, English J  
Authorizes the issuance of special purpose revenue bonds to assist Oceanlinx Hawaii LLC with the planning, design, and construction of the hydrokinetic power generation facility off shore of Maui. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB2034 HD2  
Committee Reports: SSCR 2309 (ENE) SSCR 2633 (WAM) HSCR 1305-08 (EEP/ WLH/) HSCR 1641-08 (FIN)  
Current Status: May=01 08 Passed Legislature
- SB2040 SD1 HD2 (HSCR 1767-08) RELATING TO CANCER SURVEILLANCE.  
Introduced by: Baker R  
Amends provisions relating to statistical activities. Allows morbidity data on cancer to be collected in cooperation with the University of Hawaii and allows all data collected by the cooperating agency to be shared with the department of health. Adds that the morbidity data be used for improving the reporting of the cause of death on death certificates. Adds that studies be approved by federally authorized human subjects protection board in order for researchers to use the names of persons when requesting information for research studies. Amends provisions relating to sources of information protected. Allows biological specimens and requires a report of any person admitted with or diagnosed as having pre cancerous condition to the Hawaii Tumor Registry. Amends provisions relating to identity of persons studied and material restrictions. Adds that studies be approved by appropriate federally authorized human subjects protection board in order for researchers to the names of persons when requesting additional information for research studies. -- SB2040 HD2  
Committee Reports: SSCR 2712 (HTH) HSCR 1326-08 (HLT/ HED/) HSCR 1767-08 (JUD)  
Current Status: May=01 08 Passed Legislature

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- Section Affected: 321-43, 324-21, 324-22
- SB2041 HD1 CD1 (CCR 122-08) RELATING TO HEALTH.  
Introduced by: Baker R, Chun Oakland S, Ige D  
Appropriation to the department of human services for the State's portion of the federal disproportionate share hospital allowance. (\$\$) -- SB2041 CD1  
Committee Reports: SSCR 2068 (HSP/ HTH/) SSCR 2628 (WAM) HSCR 1221-08 (HLT/ HSH/) HSCR 1654-08 (FIN) CCR 122-08  
Current Status: Apr-29 08 Passed Legislature
- SB2054 SD2 HD2 CD1 (CCR 15-08) RELATING TO FAMILY COURT.  
Introduced by: Chun Oakland S  
Amends provisions relating to criteria and procedure in awarding custody and visitation; best interest of the child. Provides that the court shall consider all relevant factors in determining the best interest of the child. -- SB2054 CD1  
Committee Reports: SSCR 2021 (HSP) SSCR 2868 (JDL) HSCR 1163-08 (HSH) HSCR 1601-08 (JUD) CCR 15-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 302A-481, 571-46, 571-46.1, 577-28
- SB2055 SD2 HD2 CD1 (CCR 105-08) RELATING TO FAMILY COURT.  
Introduced by: Chun Oakland S  
Amends provisions relating to criteria and procedure in awarding custody and visitation. Provides that investigators or professional personnel attached or assisting the family court concerning care, welfare, and custody of any minor child be referred to as child custody evaluators. Requires the court to define the requirements to be a court appointed child custody evaluator. -- Requires the judiciary to report to the legislature its findings, recommendations, and resource requirements to implement the appointment of child custody evaluators who meet education, experience, training, professional licensing, continuing education, and other requirements; enforcement of comprehensive standards of practice and ethics for investigations, evaluations, and reporting, as related to child custody; monitoring and administrative practice and procedures as applicable, to process complaints against child custody evaluators and to take appropriate action; and an administrative appeal process for both parties and child custody evaluators. Further requires the judiciary to convene and obtain assistance from a child custody advisory task force to review and make findings and recommendations relating to standards, education, and regulatory oversight and control. Provides that the task force shall terminate upon the submittal of the judiciary's report to the legislature (sunset). -- SB2055 CD1  
Committee Reports: SSCR 2147 (HSP) SSCR 2867 (JDL) HSCR 1107-08 (HSH) HSCR 1762-08 (FIN) CCR 105-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 571-46
- SB2080 SD2 HD2 CD1 (CCR 31-08) RELATING TO TEACHER LICENSURE.  
Introduced by: Espero W, Hemmings F  
Establishes provisions relating to conviction of teacher for sexual offense; suspension of license; procedure for license revocation. Authorizes the Hawaii teacher standards board to suspend and individual's license to teach without a hearing upon receipt of a certified copy of a judgment of conviction indicating that a teacher has been convicted of a sexual offense or under a similar law of another state, and verification of the identity of the teacher. Provides that upon suspension, the board shall initiate proceedings to permanently revoke an individual's license to teach. Act to be repealed on July 1, 2010 (sunset) or upon adoption of rules regarding the matter by the board, whichever is earlier. -- SB2080 CD1  
Committee Reports: SSCR 2145 (EDU) SSCR 2736 (JDL) HSCR 1284-08 (EDN/ LAB/) HSCR 1595-08 (JUD) CCR 31-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 302A- (1 SECTION) CONVICTION OF A TEACHER FOR SEXUAL OFFENSE
- SB2082 SD2 HD1 CD1 (CCR 171-08) RELATING TO PUBLIC SAFETY.  
Introduced by: Espero W  
Requires the department of public safety to develop a strategic plan by January 1, 2009, to provide female prisoners returning to Hawaii adequate housing, community supervision, medical care, drug treatment, reintegration programs, employment training,

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and transitional services. Appropriation to the department to develop a strategic plan to ensure successful reentry into the community of as many female prisoners as possible who are returning from incarceration on the mainland and who are residents of the State of Hawaii. (\$\$) -- SB2082 CD1

Committee Reports: SSCR 2340 (PBS) SSCR 2768 (WAM) HSCR 1217-08 (PSM)  
HSCR 1606-08 (FIN) CCR 171-08

Current Status: May=01 08 Passed Legislature

### SB2083 SD2 HD1 CD1 (CCR 173-08) RELATING TO THE SUPERVISION OF ADULT OFFENDERS.

Introduced by: Espero W

Establishes provisions relating to interstate transfer fee. Authorizes the judiciary to assess a fee not to exceed 200 dollars for each application made by a parolee or probationer for a transfer out of State; provided that the fees collected shall be deposited into the state's general fund. Increases membership of the State council for interstate adult offender supervision from 5 to 9 members. Requires the judiciary to appoint 1 full time (FTE) coordinator position for the supervision of adult offenders. -- SB2083 CD1

Committee Reports: SSCR 2502 (PBS/ JDL) SSCR 2770 (WAM) HSCR 1141-08  
(PSM) HSCR 1695-08 (FIN) CCR 173-08

Current Status: May=01 08 Passed Legislature

Section Affected: 353B- (1 SECTION), 353B-3

### SB2129 SD2 HD1 (HSCR 1735-08) RELATING TO ELDER AFFAIRS.

Introduced by: Chun Oakland S

Amends provisions relating to policy advisory board for elder affairs. Allows the board to testify before the legislature on any matter related to its duties and responsibilities. -- SB2129 HD1

Committee Reports: SSCR 2468 (HSP) SSCR 2799 (JDL) HSCR 1145-08 (HSH)  
HSCR 1735-08 (LMG)

Current Status: May-01 08 Vetoed

Section Affected: 349-4

### SB2141 HD1 (HSCR 1148-08) RELATING TO PUBLIC HOUSING.

Introduced by: Chun Oakland S

Amends provisions relating to prohibitions. Prohibits any person from consuming liquor on any public highway, public sidewalk, and common area. Redefines common area to mean roofs, halls, corridors, lobbies, stairs, stairways, fire escapes, entrances and exists (sic) of the building or buildings, basements, yards, gardens, recreational facilities, parking areas, storage spaces, and other parts of the project normally in common use or other areas designated by the Hawaii public housing authority. -- SB2141 HD1

Committee Reports: SSCR 2053 (HSP) SSCR 2621 (JDL) HSCR 1148-08 (HSH)

Current Status: Apr-11 08 Received by the Governor

Apr-24 08 Approved by Governor (Act 34 2008)

Section Affected: 281-78

### SB2146 SD2 HD1 CD1 (CCR 7-08) RELATING TO THE CENTER FOR NURSING.

Introduced by: Chun Oakland S

Amends provisions relating to the center for nursing. Changes the composition of the advisory board. -- Amends Act 198, session laws of 2003, relating to the center for nursing by extending the sunset date to July 1, 2014. -- Requires the advisory board to report to the legislature. -- SB2146 CD1

Committee Reports: SSCR 2494 (HTH/ CPH) SSCR 2578 (WAM) HSCR 1155-08  
(HED/ HLT/) HSCR 1632-08 (FIN) CCR 7-08

Current Status: Apr=29 08 Passed Legislature

Section Affected: 304A-1404, ACT 198 2003, 36-27

### SB2150 SD2 HD2 CD1 (CCR 154-08) RELATING TO ADULT PROTECTION.

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

Amends provisions relating to dependent adult protective services by changing it to adult protective services. Replaces dependent with vulnerable adult. Amends provisions relating to purpose, construction. Changing and mentally or physically impaired to or vulnerable. Defines vulnerable adult to mean a person between 18 years of age or older who, because of mental, developmental, or physical impairment is unable to communicate or make responsible decisions to manage one's own care or resources, carry out or arrange for essential activities of daily living, or protect oneself from abuse, neglect, or financial exploitation from others. -- Amends provisions relating to criminal history record checks under criminal data center by changing dependent to vulnerable

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adults. Allows criminal history record checks by the department of human services on retired and senior volunteer programs and on service providers that provide home and community based services under applicable section of the Social Security Act. Allows the department to work with interested stakeholders to develop a plan to build the capacity of community based services. -- SB2150 CD1

Committee Reports: SSCR 2366 (HSP/ JDL/) SSCR 2783 (WAM) HSCR 1084-08 (HSH) HSCR 1335-08 (JUD) HSCR 1694-08 (FIN) CCR 154-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 346-45, 346-221, 346-222, 346-223, 346-224, 346-225, 346-226, 346-227, 346-228, 346-229, 346-230, 346-231, 346-232, 346-233, 346-234, 346-236, 346-237, 346-238, 346-239, 346-240, 346-241, 346-242, 346-247, 346-249, 571-14, 626:1-505.5, 846-2.7

SB2153 SD1 HD1 (HSCR 1717-08)

RELATING TO INCOME TAX CREDIT.

Introduced by: Baker R, Fukunaga C, Chun Oakland S, Espero W, Tsutsui S, English J

Provides an income tax credit which shall be multiplied by the number of qualified exemptions and deducted from income tax liability for taxable year 2008. Provision is made pursuant to requirement of Article VII, section 6, Hawaii State Constitution. -- SB2153 HD1

Committee Reports: SSCR 2189 (EDT) SSCR 2767 (WAM) HSCR 1717-08 (FIN)  
Current Status: Apr-15 08 Received by the Governor

SB2157 SD1 HD2 CD1 (CCR 44-08)

RELATING TO HEALTH.

Introduced by: Baker R, Ige D, Nishihara C, Espero W, Fukunaga C, Chun Oakland S, Tsutsui S, English J

Amends provisions relating to bill of rights. Adds that with regard to pain patients, the medical principle that physical tolerance and dependence are normal consequences of sustained use of opiate medication, distinguishable from psychological dependency or addiction that bears no relationship to pain experienced by a patient shall be the guide. Amends provisions relating to prescriptions under uniform controlled substances act. Changes a schedule II controlled substance prescription to be filled within 7 days. -- SB2157 CD1

Committee Reports: SSCR 2570 (JDL/ HTH/) HSCR 1199-08 (HLT) HSCR 1741-08 (FIN) CCR 44-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 327H-2, 329-38

SB2159 HD1 (HSCR 1265-08)

RELATING TO PROFESSIONS.

Introduced by: Baker R, Kokubun R, Ige D, Nishihara C, Espero W, Fukunaga C, Chun Oakland S, Tsutsui S, English J

Amends provisions relating to repeal dates for newly enacted professional and vocational regulatory programs. Repeals the December 31, 2008, sunset date of mental health counselor's law. Amends provisions relating to mental health and alcohol and drug abuse treatment insurance benefits. Provides that visits to a licensed mental health counselor shall be covered. -- SB2159 HD1

Committee Reports: SSCR 2333 (HTH) SSCR 2612 (CPH) HSCR 1265-08 (HLT) HSCR 1526-08 (CPC)  
Current Status: Apr-18 08 Received by the Governor  
Section Affected: 26H-4, 431M-1, 431M-3, 431M-4

SB2163 SD1 HD1 CD1 (CCR 49-08)

RELATING TO EDUCATION.

Introduced by: Sakamoto N

Reduces the period that the department of education may employ an individual on an emergency basis for 4 years to 3 years. Requires unlicensed individuals who have been hired on an emergency basis prior to July 1, 2008, to attain licensure no later than 4 years from the date of their employment. Act to be repealed on July 1, 2011 (sunset). -- SB2163 CD1

Committee Reports: SSCR 2661 (EDU) HSCR 1285-08 (EDN/ LAB/) HSCR 1616-08 (FIN) CCR 49-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 302A-804

SB2169 SD1 HD1 (HSCR 1594-08)

RELATING TO LIQUOR LICENSES.

Introduced by: Taniguchi B

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- Amends provisions relating to licenses, classes. Adds class 16, winery license. -- SB2169 HD1  
Committee Reports: SSCR 2105 (CPH) HSCR 1206-08 (EDB) HSCR 1594-08 (CPC)  
Current Status: May=01 08 Passed Legislature  
Section Affected: 281-31, 281-33.6
- SB2170 SD1 HD1 CD1 (CCR 8-08) RELATING TO PUBLIC LAND.  
Introduced by: Hanabusa C (BR)  
Amends Act 82, session laws of 2003, as amended by Act 152 session laws of 2007. Redefines improved public lands by repealing the exclusion of beach park. -- SB2170 CD1  
Committee Reports: SSCR 2338 (IGM) SSCR 2871 (JDL) HSCR 1319-08 (WLH) HSCR 1678-08 (JUD) CCR 8-08  
Current Status: Apr=29 08 Passed Legislature  
Section Affected: ACT 82 2003, ACT 152 2007
- SB2196 SD2 HD2 CD1 (CCR 14-08) RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to ocean recreation and coastal areas programs. Adds that the board of land and natural resources shall regulate commercially permitted use of both governmental and private boating facilities and commercial activity on ocean waters, provided that no new permit shall be required for commercial activities in private marinas regulated by other laws. -- SB2196 CD1  
Committee Reports: SSCR 2478 (EDT/ WTL) SSCR 2834 (WAM) HSCR 1087-08 (WLH) HSCR 1336-08 (JUD) HSCR 1687-08 (FIN) CCR 14-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 200-3, 200-4
- SB2198 SD2 HD2 CD2 (SENATE FLOOR AMENDMENT 15 OR HOUSE FLOOR AMENDMENT 6) RELATING TO LAND CONSERVATION.  
Introduced by: Hee C, Hooser G  
Provides a land conservation incentives income tax credit for any taxpayer who donates land in perpetuity or completes a bargain sale in perpetuity to the State or public or private conservation agency that fulfills a conservation or preservation purpose or voluntarily invests in the management of land to protect or enhance a conservation or preservation purpose under a land protection agreement or other legal instrument that is consistent with a conservation or preservation purpose. -- Amends provisions relating to petition by farmer or landowner to allow the holder of an interest in agricultural lands that qualifies for the tax credit to petition the land use commission for designation of the lands as important agricultural lands. Act to be repealed on December 31, 2013 (sunset). -- SB2198 CD2  
Committee Reports: SSCR 2023 (WTL) SSCR 2537 (EDT) SSCR 2818 (WAM) HSCR 1322-08 (WLH/ AGR) HSCR 1756-08 (FIN) CCR 176-08 - filed SENATE FLOOR AMENDMENT 15 HOUSE FLOOR AMENDMENT 6  
Current Status: May=01 08 Passed Legislature  
Section Affected: 235- (1 SECTION), 205-45
- SB2212 SD1 HD2 CD1 (CCR 38-08) RELATING TO CRIME.  
Introduced by: Baker R, Inouye L, Tokuda J, Chun Oakland S  
Amends provisions relating to offenses against the other person. Amends kidnapping to include unlawfully obtaining the labor or services of a person. Amends extortion to include obtaining labor and destroying, concealing, removing, confiscating, or possessing a passport or other government identification document of another person. Amends the offense of promoting prostitution in the 1st degree to include force, threat, or intimidation and advances or profits from the prostitution of a person less than 18 years old. -- SB2212 CD1  
Committee Reports: SSCR 2713 (JDL) HSCR 1164-08 (HSH) HSCR 1679-08 (JUD) CCR 38-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 707-700, 707-720, 707-721, 707-764, 707-765, 707-766, 707-767, 712-1202, 712-1203
- SB2218 SD1 HD2 CD1 (CCR 124-08) RELATING TO ELECTRONIC MONITORING.  
Introduced by: Baker R, Inouye L, Tokuda J, Chun Oakland S  
Amends provisions relating to domestic abuse protective orders. Authorizes the court as a condition of probation, to prohibit contact with the protected party through the

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establishment of court defined geographic exclusion zones, including the areas in and around the protected party's residence, place of employment, or school, and order that the defendant wear a global positioning satellite tracking device designed to transmit and record the defendant's location data, if the court finds that the defendant has knowledge of the location of any protected party's residence, place of employment, or school, in addition to any other penalties provided in this subsection. Provides that if the defendant enters the geographic exclusion zone, the defendant's location data shall be immediately transmitted to the protected party and to the police. Requires the global positioning satellite tracking device and its tracking shall be administered by the court and allows the court to order the defendant to pay the monthly costs or portion thereof for monitoring by the global positioning satellite tracking system. Provides that entry into a geographic exclusion zone shall result in revocation of probation and the defendant shall be fined, imprisoned, or both. Requires the judiciary to establish and implement the provisions relating to global satellite tracking devices within 1 year of the effective date of this Act. Act to be repealed on July 1, 2010 (sunset). -- SB2218 CD1

Committee Reports: SSCR 2417 (JDL) SSCR 2693 (WAM) HSCR 1108-08 (HSH)  
HSCR 1752-08 (FIN) CCR 124-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 586-4, 586-11

SB2245 SD1 HD2 CD1 (CCR 6-08)

RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES.

Introduced by: Chun Oakland S, Gabbard M

Establishes provisions relating to leaving a child unattended in a motor vehicle. Provides that a person commits the offense of leaving a child unattended in a motor vehicle if the person, whether or not charged with the care or custody of a child, recklessly leaves a child unattended in a motor vehicle. Provides that any law enforcement officer, firefighter, or rescue team personnel who observes a child left unattended in a motor vehicle determines that the unattended child is in physical danger, or poses a danger to others, may use whatever means are reasonably necessary to protect the child or others and remove the child from the motor vehicle. Provides that if the person who left the unattended child in the motor vehicle cannot be located within a reasonable time, the law enforcement officer, firefighter, or rescue team personnel upon removing the child from the motor vehicle, shall immediately report the matter to a police officer who may assume protective custody without a court order and without consent of the child's family. Provides that law enforcement officers, firefighters, or rescue team personnel shall not be liable in any civil action to any party for any act performed in good faith under this provision. Defines child to mean a person under the age of 9 years old. Defines unattended to mean leaving a child alone in the vehicle or with a minor under the age of 12. -- Requires the examiner of drivers to examine every applicant for a driver's license provided that the examination shall specifically test the applicant's knowledge of the provisions of leaving a child unattended in a motor vehicle. -- Adds provisions relating to the notice and posting of motor vehicle laws. Requires rental car agencies to post a decal in every vehicle that informs a lessee of state law regarding leaving a child unattended in a motor vehicle. -- SB2245 CD1

Committee Reports: SSCR 2212 (HSP) SSCR 2735 (JDL) HSCR 1253-08 (TRN)  
HSCR 1673-08 (JUD) CCR 6-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 291C- (1 SECTION), 286-108, 437D-13

SB2258 SD1 (SSCR 2554)

RELATING TO THE WIRELESS ENHANCED 911 BOARD.

Introduced by: Kim D

Amends provisions relating to wireless enhanced 911 board. Repeals provisions that allow a member to vote by proxy. Requires 6 members to constitute a quorum, whose affirmative vote to be necessary for all actions by the board. -- SB2258 SD1

Committee Reports: SSCR 2554 (JDL) HSCR 1139-08 (PSM) HSCR 1592-08 (CPC)

Current Status: Apr-03 08 Received by the Governor

Apr-18 08 Approved by Governor (Act 22 2008)

Section Affected: 138-2

SB2262 SD1 HD2 CD2 (SENATE  
FLOOR AMENDMENT 14 OR  
HOUSE FLOOR AMENDMENT 9)

RELATING TO HEALTH.

Introduced by: Baker R, English J, Ige D, Sakamoto N, Fukunaga C, Chun Oakland S  
Amends Act 245, session laws of 2005, as amended by Act 294, session laws of 2007, relating to voluntary employees' beneficiary association (VEBA) trust pilot program. Extends the sunset date to 2010 (sunset). Requires the board of trustees of the Hawaii employer union health benefits trust fund to conduct a certified independent financial audit of the Hawaii employer union health benefits trust fund. Requires the independent

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auditor to consult with the state auditor for purposes of the audit to obtain the necessary information which shall be completed no later than July 1, 2010. Requires the state auditor, based upon the independent financial audit, to make finding and recommendations concerning the benefit cost for each benefit plan and administrative cost for the trust fund. Further requires the auditor to make separate findings and recommendation for the Hawaii state teachers association voluntary employees beneficiary association trust. Report to the legislature. -- SB2262 CD2

Committee Reports: SSCR 2441 (JDL) SSCR 2672 (WAM) HSCR 1201-08 (LAB)  
HSCR 1693-08 (FIN) CCR 125-08 - filed SENATE FLOOR  
AMENDMENT 14 HOUSE FLOOR AMENDMENT 9

Current Status: May=01 08 Passed Legislature

Section Affected: ACT 245 2005, ACT 294 2007, 89-2, 89-3, 89-6, 89-9

SB2263 SD2 HD1 (HSCR 1680-08)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Baker R, Sakamoto N

Amends provisions relating to adjustments for excluded employees exempt from civil service. Requires that for executive / managerial positions in the university of Hawaii system filled by excluded employees, proposed compensation or change in compensation be disclosed in open meeting for purposes of public comment. Requires all documents regarding expenditures and changes, made by the board of regents of the university of Hawaii to be disclosed in open meetings for the purpose of public comment.

-- SB2263 HD1

Committee Reports: SSCR 2266 (EDU) SSCR 2738 (JDL) HSCR 1158-08 (HED)  
HSCR 1680-08 (JUD)

Current Status: May=01 08 Passed Legislature

Section Affected: 89C-4, 304A-105

SB2292

RELATING TO AUTOMATED TELLER MACHINES.

Introduced by: Taniguchi B

Establishes provisions relating to authority of owners or operators of automated teller machines. Allows an owner or operator of an automated teller machine to assess a transaction fee on any person for the use of that machine that is located within or without the US. Provides that agreements to operate or share an automated teller machine may not prohibit, limit, or restrict the right of the owner or operator to charge a person a transaction fee. -- SB2292

Committee Reports: SSCR 2104 (CPH) HSCR 1127-08 (CPC)

Current Status: Mar-20 08 Received by the Governor

Mar-31 08 Approved by Governor (Act 4 2008)

Section Affected: 412: - (1 SECTION), (1 SECTION)

SB2293 SD1 HD1 CD1 (CCR 108-08)

RELATING TO AFFORDABLE HOUSING.

Introduced by: Taniguchi B, Kokubun R

Establishes provisions relating to for sale developments. Provides that new multi family for sale housing condominium developments of 75 units or more per acre on privately owned lands and privately financed without federal, state, or county financing assistance or subsidies, including tax credits, shall be exempt from the Hawaii housing finance and development corporation's shared appreciation equity program, be subject to 3 year occupancy requirements and transfer restrictions, and not be subject to the 10 year occupancy requirements and transfer restrictions. Requires the primary purpose of constructing the new multi family for sale housing condominium development of 75 units or more per acre to be to augment the existing affordable housing unit inventory in the State and not for the purpose of satisfying any affordable housing or reserved housing requirement. -- SB2293 CD1

Committee Reports: SSCR 2701 (CPH/ IGM/) HSCR 1233-08 (WLH/ HSH/) HSCR  
1666-08 (FIN) CCR 108-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 201H- (1 SECTION) FOR-SALE DEVELOPMENTS

SB2314 SD1 HD2 CD1 (CCR 158-08)

RELATING TO INSURANCE.

Introduced by: Kokubun R (BR)

Amends provisions relating to unfair methods of competition; unfair or deceptive acts or practices. Provides that provisions relating to boycott, coercion, and intimidation shall not apply to any insurer subject to the benefit societies law with a market share of less than 5 per cent, offering contracts for dental, vision, drug, and life insurance as a condition, agreement, or understanding to a health insurance policy. Requires the auditor to perform an analysis of the effects of the provisions contained in this Act.



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Report to the legislature. Act to be repealed on June 30, 2011 (sunset). -- SB2314 CD1  
Committee Reports: SSCR 2488 (HTH) SSCR 2613 (CPH) HSCR 1072-08 (CPC)  
HSCR 1633-08 (FIN) CCR 158-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 431:13-103

SB2334 SD2 HD1 CD1 (CCR 104-08) RELATING TO PUBLIC SAFETY.  
Introduced by: Espero W  
Amends provisions relating to deputy directors; sheriffs; appointment; qualifications. Requires that the deputy director for law enforcement and the sheriff to be graduates of a law enforcement academy. Repeals the exemption from civil service for the position of 1st deputy sheriff and 2nd deputy sheriff. -- SB2334 CD1  
Committee Reports: SSCR 2343 (PBS) SSCR 2873 (JDL) HSCR 1281-08 (PSM/ LAB/) HSCR 1774-08 (FIN) CCR 104-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 76-16, 353C-3

SB2341 SD1 HD1 CD1 (CCR 41-08) RELATING TO PUBLIC SAFETY.  
Introduced by: Espero W, Sakamoto N, Nishihara C, Chun Oakland S  
Establishes provisions relating to freedom of information requirement; contracts with out of state detention facilities. Requires contracts made directly between the State and a nongovernmental entity or through an interstate compact that provide for the incarceration or detention of state prisoners or detainees in a privately owned prison or other out of state detention facility to require the contractor to provide access to the same information as is required of the department of public safety under the uniform information practices law and include the same remedies for the failure of contractors to provide information as provided for against government agencies by the law. -- SB2341 CD1  
Committee Reports: SSCR 2344 (PBS) SSCR 2878 (JDL) HSCR 1121-08 (PSM) HSCR 1698-08 (JUD) CCR 41-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 353- (1 SECTION) FREEDOM OF INFORMATION REQUIREMENT

SB2345 SD1 HD1 CD1 (CCR 24-08) RELATING TO CHILDREN.  
Introduced by: Espero W, Chun Oakland S  
Establishes provisions relating to guiding principles to be used by state agencies when dealing with children of incarcerated parents. -- SB2345 CD1  
Committee Reports: SSCR 2565 (HSP/ PBS/) HSCR 1216-08 (PSM) HSCR 1626-08 (JUD) CCR 24-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 346- (1 SECTION) GUIDING PRINCIPLES TO BE USED BY STATE AGENCIES WHEN DEALING WITH CHILDREN OF INCARCERATED PARENTS

SB2365 SD1 HD1 CD1 (CCR 119-08) RELATING TO TRANSPORTATION.  
Introduced by: Gabbard M, English J, Tokuda J, Chun Oakland S  
Establishes provisions relating to the rental motor vehicle customer facility charge special fund. Authorizes the director of transportation to administer the rental motor vehicle customer facility charge special fund to be used for enhancement, renovation, operation, and maintenance of existing rental car customer facilities, and the development of new rental motor vehicle customer facilities and related services at state airports, including acquisition and maintenance of property or property rights; acquisition of equipment for the operation of a unified shuttle bus system to and from passenger terminals and the rental care facilities; consultant fees; management, operation, and maintenance fees for rental motor vehicle customer facilities; conceptual plans, plans, design, construction, operation, and maintenance of, or allocable to, the approved rental motor vehicle customer facilities and related services. Requires the director, or deputy designated by the director to consult with lessors in planning the future needs and expenditures at least once a year. Exempts the rental motor vehicle customer facility charge special fund from special fund reimbursements for departmental administrative expense and works of art special fund. Exempts the rental motor vehicle customer facility charge special fund from the special fund reimbursements for departmental administrative expenses. -- Amends provisions relating to disposition of airport revenue fund. Exempts all proceeds from the rental motor vehicle customer facility charge deposited in the rental motor vehicle customer facility charge special fund from the

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airport revenue fund. Requires the department of transportation to levy, assess, and collect a rental motor vehicle customer facility charge of 1 dollar per day, or any portion of a day that a rental motor vehicle is rented or leased, by a rental motor vehicle concession where customers pick up and return rental vehicles to a facility at a state airport as determined by the director. Appropriation out of the rental motor vehicle customer facility charge special fund to the department of transportation for the planning and design of rental motor vehicle customer facilities and for improvement, pavement, lighting, construction, and fencing to an existing ground level storage area shared by rental motor vehicle concessions at the state airport located in Kahului, Maui. Annual report to the legislature. -- Amends provisions relating to rental motor vehicle and tour vehicle surcharge tax. Extends a rental motor vehicle surcharge tax of 3 dollars a day to August 31, 2011. Requires the department to provide recommendations to the legislature for additional revenue generating initiative that will replenish the state highway fund. ( \$\$ ) -- SB2365 CD1

Committee Reports: SSCR 2102 (TIA/ ENE/) HSCR 1706-08 (FIN) CCR 119-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 261- (1 SECTION), 36-27, 36-30, 103-8.5, 261-5, 261-7, 437D-8.4, 251-2

SB2373 SD1 HD2 CD1 (CCR 30-08)

RELATING TO PSEUDOEPHEDRINE SALES.

Introduced by: Gabbard M, Espero W

Amends provisions relating to sales of products, mixtures, or preparations containing pseudoephedrine; reporting requirement for wholesalers. Requires any person purchasing or otherwise acquiring any product, mixture, or preparation to produce proper identification containing the photograph, date of birth, printed name, signature, and address of the individual obtaining the controlled substance. Repeals provisions requiring the signing of a written log, receipt, or other program or mechanism. Requires a pharmacy or retailer to record, in an electronic log on software provided by the narcotics enforcement division of the department of public safety and approved by the administrator the date of transaction, the name, address, and date of birth of the person, the type of identification provided by the person; the agency issuing the identification used; the name of the compound, mixture or preparation; and to record the information on an excel worksheet on software provided by the division and electronically mailed to the division once a month, retained for 2 years, capable of checking compliance against all state and federal laws, including interfacing with other states to ensure comprehensive compliance, and subject to random and warrantless inspection by county or state law enforcement officers. Prohibits a person to knowingly purchase, possess, receive or otherwise acquire more than 9 grams of any product mixture, or preparation containing any detectable quantity of pseudoephedrine or its salts, isomers, or salts of optical isomers within a 30 day period and is guilty of a class C felony. Provides that intentional or knowing failure to transmit any information shall be a misdemeanor and result in the immediate suspension of the retailer's ability to sell any product, mixture, or preparation containing any detectable quantity of pseudoephedrine, its salts, optical isomers, or salts of optical isomers as the only active ingredient or in combination with other active ingredients until authorized by the administrator. -- SB2373 CD1

Committee Reports: SSCR 2373 (CPH) SSCR 2669 (JDL) HSCR 1100-08 (HLT) HSCR 1596-08 (JUD) CCR 30-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 329-75

SB2395 SD2 (SSCR 2870)

RELATING TO LANGUAGE ACCESS.

Introduced by: Chun Oakland S

Amends provisions relating to department of labor and industrial relations. Redefines oral language services to mean the free provision of oral information necessary to enable limited English proficient persons to access or participate in services, programs, or activities of a state agency or covered entity. Redefines State or state agency to mean any department, office commission board, or other agency of the executive legislative or judicial branch of the State, including the office of Hawaiian affairs. Redefines vital documents means printed documents that provide important information necessary to access or participate in services, programs, and activities of a state agency or covered entity, including, but not limited to applications, outreach materials, and written notices of rights, denials, losses, or decreases in benefits or services. Increases the advisory council members from 11 to 15. -- SB2395 SD2

Committee Reports: SSCR 2292 (HSP) SSCR 2870 (JDL) HSCR 1350-08 (LAB)

Current Status: Mar-25 08 Received by the Governor

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Section Affected: Apr-08 08 Approved by Governor (Act 8 2008)  
371-32, 371-37

- SB2396 SD1 HD3 CD1 (CCR 37-08) RELATING TO MENTAL HEALTH.  
Introduced by: Hee C, Tokuda J  
Establishes provisions relating to annual report, forensic patient data. Requires the department of health to submit an annual report to the legislature summarizing yearly data on forensic patients. -- Amends provisions relating to penal responsibility and fitness to proceed law. Allows the director of health to apply to the court to conduct a hearing to assess any further need for inpatient hospitalization of a person who is acquitted on the ground of physical or mental disease, disorder, or defect excluding responsibility and transmit a copy of the application and report to the prosecuting attorney of the county from which the order was issued. Allows any person committed to apply to the court to conduct a hearing to assess any further need for inpatient hospitalization of the committed person acquitted on the ground of physical or mental disease, disorder or defect excluding responsibility and requires the application to be accompanied by a letter from or supporting affidavit of a qualified physician or licensed psychologist. and transmitted to the circuit from which the order was issued and to the prosecuting attorney of the county from which the order was issued. Allows the director of health to discharge the person committed after at least 60 days following the revocation of conditional release. Allows the director of health to apply for the discharge of the conditional release of any person, provided that the person receives community based mental health services from or contracted by the department of health, and the director is of the opinion that the person is no longer affected by a physical or mental disease, disorder, or defect in a report to the circuit from which the order was issued and transmit a copy of the application and report to the prosecuting attorney of the county from which the conditional release order was issued, to the person's treating mental health professionals, to the probation officer supervising the conditional release and to the person on conditional releases shall be given notice of the application. -- Amends provisions relating to assault in the 2nd degree under criminal assaults and related offenses law. Provides that a person commits the offense of assault in the 2nd degree if the person intentionally or knowingly causes bodily injury to a person employed at a state operated or contracted mental health facility. -- SB2396 CD1  
Committee Reports: SSCR 2331 (HTH) SSCR 2880 (JDL) HSCR 1133-08 (HLT)  
HSCR 1337-08 (JUD) HSCR 1742-08 (FIN) CCR 37-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 334- (1 SECTION), 704-411, 704-412, 704-413, 707-711
- SB2399 RELATING TO STATUTORY REVISION: AMENDING 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: Hanabusa 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. Amends Act 57, session laws of 2004, Act 22, session laws of 2005, Act 245, session laws of 2005, as amended by Act 294, session laws of 2007, Act 85, session laws of 2007, Act 197, session laws of 2007, and Act 264, session laws of 2007. -- SB2399  
Committee Reports: SSCR 2300 (JDL) HSCR 1579-08 (JUD)  
Current Status: Apr-04 08 Received by the Governor  
Apr-15 08 Approved by Governor (Act 16 2008)  
Section Affected: 10-27, 11-191, 28-8.3, 150A-5.3, 237-4, 237-13, 237-14.5, 239-2, 239-4.5, 239-5, 286-56, 302B-3, 304A-104.5, 342G-81, 346-51, 421-26, ACT 57 2004, ACT 22 2005, ACT 245 2005, ACT 294 2007, 89-2, 89-3, 89-6, 89-9, ACT 85 2007, ACT 197 2007, 445-231, 445-233, 445-235, ACT 262 2007, ACT 264 2007, 328L-2
- SB2400 SD1 HD1 CD1 (CCR 1-08) RELATING TO DECRIMINALIZATION OF MINOR OFFENSES PURSUANT TO ACT 124, SESSION LAWS OF HAWAII 2005.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to plant and non domestic animal quarantine, state parks and recreation, ocean recreation and coastal areas programs, aeronautics, highways, highway safety, traffic violations, and the statewide traffic code, to decriminalize minor

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offenses. -- Amends Act 124, session laws of 2005. -- SB2400 CD1  
Committee Reports: SSCR 2568 (JDL) HSCR 1701-08 (JUD) CCR 1-08  
Current Status: Apr-23 08 Received by the Governor  
Section Affected: 150A-14, 184-5, 200-14, 261-21, ACT 124 2005

SB2401 SD1 (SSCR 2106)

RELATING TO CONDOMINIUMS: MAKING VARIOUS TECHNICAL AMENDMENTS TO THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE.

Introduced by: Hanabusa C (BR)

Amends provisions relating to condominiums, making various technical amendments to the Hawaii revised statutes for the purpose of correcting errors and references and clarifying language. -- SB2401 SD1

Committee Reports: SSCR 2106 (CPH) HSCR 1578-08 (CPC/ JUD/)

Current Status: Apr-04 08 Received by the Governor  
Apr-22 08 Approved by Governor (Act 28 2008)

Section Affected: 26-9, 237-16.5, 237D-1, 302A-1312, 378-2.5, 414D-311, 421I-9, 467-1, 484-3, 501-106, 502C-1, 514C-22, 514E-1, 514E-29, 516D-1, 521-38, 521-71, 235-7, 281-1, 485A-202, 521-3, 237-24.3, 467-30, 501-20, 501-105, 501-241, 508D-3, 514C-1, 514C-2, 514C-5, 514C-6, 514C-6.5, 516D-11, 521-52, 667-5.5, 672E-4

SB2402 SD1 (SSCR 2107)

MAKING VARIOUS HOUSEKEEPING AMENDMENTS TO VOLUME 11 OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE.

Introduced by: Hanabusa C (BR)

Amending provisions of Volume 11 of the Hawaii revised statutes for the purpose of correcting errors and references and clarifying language. -- SB2402 SD1

Committee Reports: SSCR 2107 (CPH) HSCR 1474-08 (CPC/ JUD/)

Current Status: Apr-01 08 Received by the Governor  
Apr-17 08 Approved by Governor (Act 19 2008)

Section Affected: 476-1, 476-8, 477E-2, 477E-5, 480-14, 480-20, 480-22, 480-23, 480-23.1, 480D-2, 480F-6, 481B-1.6, 481B-4, 481B-5.5, 481B-6, 481B-11, 481B-13, 481C-1, 481D-3, 481D-5, 481G-6, 481H-8, 481I-2, 481J-2, 481J-6, 481J-7, 481K-3, 481L-4, 481M-4, 481M-7, 481M-10, 481M-12, 481M-13, 481M-14, 481M-15, 481M-17, 481P-2, 481P-3, 481P-5, 481P-6, 481R-4, 481R-9, 482-5, 482B-1, 482D-1, 482E-1, 482E-3, 483-1, 484-1, 484-2, 484-3, 484-5, 486-77, 486-79, 486-134, 486B-1, 486H-1, 486H-4, 486H-10.4, 486H-10.5, 486H-11, 486K-1, 486K-2, 486K-4, 486K-5, 486K-6, 487-13, 487J-2, 487N-1, 487N-2, 487R-1, 487R-2, 488-1, 488-2, 488-5, 488-6, 489D-4, 489E-3

SB2423 SD2 HD2 CD1 (CCR 174-08)

RELATING TO LAND ACQUISITION.

Introduced by: Bunda R

Requires the governor or the governor's designee to immediately initiate negotiations with Kuilima Resort Company, Oaktree Capital Management, LLC, any other entity or person which holds and interest in the property, and their successor in interest, to acquire properties held by Kuilima Resort Company, a Hawaii general partnership, Oaktree Capital Management, LLC, and their successors in interest, inclusive of those parcels mauka of Kamehameha highway. Requires that the land to be acquired to include the unimproved lands that are not used for the hotel and resort proper or any appurtenant uses thereto, including, but not limited to golf courses, stables, condominiums, parking areas, nurseries, and physical plant. Requires that if the governor or the governor's designee finds that it is not feasible for the State to acquire sole interest of the property, the governor or the governor's designee shall seek out and, if possible, enter into a cooperative agreement or agreements with private or other public sector entities for the purpose of cooperatively acquiring the property. Allows the governor to exercise its power of eminent domain to acquire the property if an agreement is not reached within a reasonable time. Report to the legislature. Appropriation out of the special land and development fund to the department of land and natural resources for the purchase of the property commonly known as the Turtle Bay Hotel and Resort and the surrounding unimproved property. (\$\$) -- SB2423 CD1

Committee Reports: SSCR 2430 (WTL) SSCR 2749 (WAM) HSCR 1089-08 (WLH)  
HSCR 1225-08 (TAC) HSCR 1775-08 (FIN) CCR 174-08

Current Status: May=01 08 Passed Legislature

## SENATE BILLS THAT PASSED THE LEGISLATURE

- SB2425 SD1 (SSCR 2557) RELATING TO ARSON.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to special sentencing considerations for arson, other actions not prohibited. Requires a person convicted of arson to pay any costs associated with extinguishing the fire and to include personnel salary, benefits, and overtime, the operation, maintenance, and repair of apparatus, aircraft, and equipment, supplies expended, damaged, or lost, and rehabilitation supplies during fire fighting operations.  
-- SB2425 SD1  
Committee Reports: SSCR 2557 (JDL) HSCR 1522-08 (JUD)  
Current Status: Apr-03 08 Received by the Governor  
Apr-16 08 Approved by Governor (Act 17 2008)  
Section Affected: 706-606.2
- SB2433 SD2 HD1 (HSCR 1665-08) RELATING TO IOLANI PALACE.  
Introduced by: Tsutsui S, English J  
Amends provisions relating to Iolani palace. Requires that the State of Hawaii museum of monarchy history to be licensed or accredited, in accordance with federal, state, or county statutes, rules, or ordinances, to conduct the activities or provide the services for which funds are appropriated, to comply with all applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, sexual orientation, or disability, and to agree not to use the funds for entertainment of lobbying activities. Requires the museum to be incorporated under the laws of the state; have bylaws or policies that describe the manner in which the activities or services for a grant or subsidy is awarded and conducted, be a tax exempt organization established with the Internal Revenue Service, and have a governing board with members who have no material conflict of interest and serve without compensation. -- SB2433 HD1  
Committee Reports: SSCR 2160 (EDT) SSCR 2808 (WAM) HSCR 1187-08 (TAC)  
HSCR 1665-08 (FIN)  
Current Status: May=01 08 Passed Legislature  
Section Affected: 6E-35
- SB2434 HD1 CD1 (CCR 11-08) RELATING TO THE STADIUM AUTHORITY.  
Introduced by: Tsutsui S, Kim D  
Amends provisions relating to stadium authority, appointment, terms. Increases the membership of the stadium authority to 11 members. -- SB2434 CD1  
Committee Reports: SSCR 2652 (EDT/ TSG/) HSCR 1475-08 (TAC/ EDB/) CCR  
11-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 109-1
- SB2449 SD2 HD2 CD1 (CCR 28-08) RELATING TO EDUCATION.  
Introduced by: Baker R, Sakamoto N  
Repeals provisions relating to probationary period of employment under the education laws. -- SB2449 CD1  
Committee Reports: SSCR 2265 (EDU) SSCR 2572 (JDL) HSCR 1229-08 (EDN)  
HSCR 1670-08 (LAB) CCR 28-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 302A-607
- SB2454 SD1 HD1 CD1 (CCR 3-08) RELATING TO MORTGAGE FORECLOSURES.  
Introduced by: Kokubun R (BR)  
Amends provisions relating to foreclosure under power of sale; notice; affidavit after sale. Requires the mortgagee to be represented by an attorney licensed to practice law and physically located in the State when foreclosing under the power of sale upon a breach of a condition and to have the attorney give notice of the mortgagee's intention to foreclose of the mortgaged property. Requires the attorney, the mortgagee, successor, or person represented by the attorney to disclose, upon request of a person entitled to notice, the amount to cure the default, together with the estimated amount of the foreclosing mortgagee's attorneys' fees and costs, and all other fees and costs estimated to be incurred by the foreclosing mortgagee related to the default prior to the auction within 5 business days of the request and the sale price of the mortgaged property once auctioned. Requires the mortgagee or person acting on the mortgagee's behalf to provide the date and time of a postponed auction, or if the auction is cancelled, information that the auction was cancelled. -- SB2454 CD1  
Committee Reports: SSCR 2108 (CPH) HSCR 1192-08 (CPC) CCR 3-08

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Current Status: Apr-25 08 Received by the Governor  
Section Affected: 667-5, 667-7, 667-22, 667-28

SB2456 SD2 HD1 CD1 (CCR 27-08) RELATING TO HARASSMENT.  
Introduced by: Fukunaga C, Ige D, Espero W, Menor R, Baker R  
Establishes provisions relating to harassment by impersonation. Provides that a person commits the offense of harassment by impersonation if that person poses as another person, without the express authorization of that person, and makes or causes to be made, either directly or indirectly, a transmission of any personal information of the person to another by any oral statement, any written statement, or any statement conveyed by any electronic means, with the intent to harass, annoy, or alarm any person. Provides that harassment by impersonation is a misdemeanor. -- SB2456 CD1  
Committee Reports: SSCR 2199 (EDT) SSCR 2609 (JDL) HSCR 1587-08 (JUD) CCR 27-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 711- (1 SECTION) HARASSMENT BY IMPERSONATION

SB2459 SD2 HD1 CD1 (CCR 160-08) RELATING TO REMOTE DISPENSING.  
Introduced by: Chun Oakland S  
Amends provisions relating to pharmacists and pharmacy. Establishes remote dispensing pharmacy; operations. Requires a remote dispensing pharmacy to be under the direct supervision of the registered pharmacist in charge of the responsible pharmacy. Prohibits remote dispensing pharmacies to operate within a 5 mile radius of any pharmacy. Further prohibits remote dispensing pharmacies to provide medication to patients with health insurance coverage except for patients covered by QUEST. Prohibits a health insurance provider group, hospital, or medical service plan to operate a remote dispensing pharmacy and exempts mobile medical clinics, provided that no such clinic shall operate in counties with a population less than 100,000 and exempts federally qualified health centers, provided that no remote dispensing pharmacy shall operate within a 5 mile radius of any pharmacy. -- Amends provisions relating to permits for operation of pharmacy adding notification of remote dispensing pharmacy. Prohibits any person to operate, maintain, open, change location, or establish any pharmacy or remote dispensing pharmacy within the state without having 1st obtained a permit or prior notification from the board of pharmacy. Requires the department of commerce and consumer affairs to annually report and submit information on the use of the remote dispensing machines. Act to be repealed on January 1, 2013 (sunset). -- SB2459 CD1  
Committee Reports: SSCR 2464 (HTH) SSCR 2725 (CPH) HSCR 1583-08 (HLT) CCR 160-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 461- (1 SECTION), 461-1, 461-14

SB2464 HD1 CD1 (CCR 4-08) RELATING TO THE STATE MAMMAL.  
Introduced by: Tokuda J, English J, Chun Oakland S, Gabbard M  
Establishes provisions relating to state mammal. Establishes the Hawaiian monk seal as the official mammal of the State. -- SB2464 CD1  
Committee Reports: SSCR 2650 (EDT) HSCR 1170-08 (WLH) HSCR 1478-08 (TAC) CCR 4-08  
Current Status: Apr-25 08 Received by the Governor  
Section Affected: 5- (1 SECTION) STATE MAMMAL

SB2482 SD2 (SSCR 2845) RELATING TO THE HAWAII INSTITUTE OF MARINE BIOLOGY.  
Introduced by: Hee C  
Amends Act 178, session laws of 2005, as amended by Act 160, session laws of 2006. Provides that the lapsing date shall not apply to appropriations for laboratory and office complex for the Hawaii institute of marine biology at coconut island. (\$\$) -- SB2482 SD2  
Committee Reports: SSCR 2112 (EDU) SSCR 2845 (WAM) HSCR 1088-08 (WLH) HSCR 1961-08 (FIN)  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: ACT 160 2006, ACT 178 2005

SB2499 HD1 CD2 (SENATE FLOOR AMENDMENT 10 OR HOUSE FLOOR AMENDMENT 7) RELATING TO TARO.  
Introduced by: English J, Chun Oakland S, Tsutsui S, Baker R, Tokuda J, Hooser G  
Amends Act 36, session laws of 2007, establishing kalo, the Hawaiian word for taro, as the official plant of the State. Changes the effective date to July 1, 2008. -- SB2499 CD2  
Committee Reports: SSCR 2648 (AHW) HSCR 1227-08 (TAC/WLH/) HSCR 1593-08 (JUD) CCR 34-08 - filed SENATE FLOOR AMENDMENT 10

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HOUSE FLOOR AMENDMENT 7  
Current Status: May=01 08 Passed Legislature  
Section Affected: ACT 36 2007

SB2542 SD2 HD2 CD1 (CCR 159-08) RELATING TO PUBLIC HEALTH.  
Introduced by: Ige D, Chun Oakland S  
Establishes provisions relating to centers for Medicare and Medicaid services approval. Requires the department of human services, subject to approval of the state plan by the centers for Medicare and Medicaid Services, to implement provisions of federally qualified health centers and rural health clinics; reconciliation of managed care supplemental payments, the federally qualified health centers and rural health clinics; adjustment for changes to scope of service, and the federally qualified health center or rural health clinic visit. Requires a federally qualified health center or rural health clinic to submit reports for final payment to be filed within 150 days from the date the department of human services adopts forms and issues written instruction for requesting a final payment. Further requires a federally qualified health center or rural health clinic to submit a prospective payment system rate adjustment request 150 of the beginning of the calendar year occurring after the department of human services 1st adopts forms and issues written instruction for applying for a prospective payment system rate adjustment. -- Authorizes the department of health to provide resources to nonprofit, community based health care providers for direct medical care for the uninsured. Appropriation for direct medical care to the uninsured. (\$\$) -- SB2542 CD1  
Committee Reports: SSCR 2329 (HTH/ HSP/) SSCR 2596 (WAM) HSCR 1095-08 (HLT/ HSH/) HSCR 1743-08 (FIN) CCR 159-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 346- (5 SECTIONS) CENTERS FOR MEDICARE AND MEDICAID SERVICES APPROVAL

SB2546 SD2 HD1 CD1 (CCR 163-08) RELATING TO OFFENDER REENTRY.  
Introduced by: Espero W, Sakamoto N, Hooser G  
Amends the comprehensive offender reentry system law. Requires the department of public safety, in conjunction with appropriate State agencies and private entities to develop comprehensive reentry plans and curricula for individuals exiting correctional facilities to reduce recidivism and increase a person's successful reentry into the community. Provides that subject to funding by the legislature, requires the department of public safety, Hawaii paroling authority, department of health, department of human services, and the judiciary to enhance the State's comprehensive offender reentry system by developing model programs. Amends provisions relating to children of incarcerated parents; families. Requires the director of public safety to promote research in collaboration with impacted state agencies, interested individuals, and organizations with expertise in gathering and analyzing information and data to examine the relationship of incarcerated parents with their children and the long term impact of incarceration on parents and their children. Requires the director of labor and industrial relations, the department of public safety, and the Hawaii paroling authority to work together to ensure offenders and ex offenders are included and involved in utilizing state and private resources for employment and training opportunities as well as life skills and educational opportunities. Provides that if the department of public safety lacks sufficient space in correctional facilities in the State to which to return prisoners from out of state, the department shall exchange prisoners through a quarterly rotation system, with long term inmates sent to out of state prisons and prisoners with less than a year to serve brought back from out of state prisons to the State. Provides that subject to funding by the legislature or other appropriate sources, authorizes the department of public safety to purchase of service contracts for activities that with the assistance of the department of human services, the Hawaii paroling authority, the department of education, the university of Hawaii and its community colleges, and other appropriate public and private entities, coordinate the supervision and services provided to adult offenders in state custody with the supervision and services provided to offenders who have reentered the community. Requires the director of public safety with the assistance of the department of labor and industrial relations and the department of taxation, department of education, and the university of Hawaii and its community colleges to promote, where appropriate, the employment of persons released from prison. -- Further requires the department to address barriers to employment, including obtaining a state identification card, social security card, or other standard and acceptable personal identification documents for employers who hire individuals who were formerly incarcerated. -- SB2546 CD1  
Committee Reports: SSCR 2504 (PBS) SSCR 2758 (WAM) HSCR 1144-08 (PSM)

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HSCR 1720-08 (FIN) CCR 163-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 353H-3, 353H-4, 353H-5, 353H-6, 353H-7, 353H-31

- SB2569 HD1 (HSCR 1754-08) RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE.  
Introduced by: Kim D, Hooser G, English J  
Amends Act 230, session laws of 2007, which establishes the museum of Hawaiian music and dance committee. Extends the sunset date for the committee to June 30, 2009. Provides for an interim report in 2008, and for a final report to the legislature in 2009. -- SB2569 HD1  
Committee Reports: SSCR 2653 (EDT/ TSG/) HSCR 1188-08 (TAC) HSCR 1754-08 (FIN)  
Current Status: Apr-15 08 Received by the Governor  
Apr-30 08 Approved by Governor (Act 48 2008)  
Section Affected: ACT 230 2007
- SB2584 SD2 HD1 (HSCR 1479-08) RELATING TO HONEY.  
Introduced by: Taniguchi B  
Amends provisions relating to fresh fruits and vegetables by adding nuts, honey, and coffee. Redefines agricultural commodity to include raw unprocessed honey. -- SB2584 HD1  
Committee Reports: SSCR 2448 (AHW) SSCR 2726 (CPH) HSCR 1151-08 (AGR) HSCR 1479-08 (CPC)  
Current Status: May=01 08 Passed Legislature  
Section Affected: 147-1, 147-21, 147-51
- SB2644 SD1 HD1 CD1 (CCR 23-08) RELATING TO THE STATE HISTORIC PRESERVATION OFFICER.  
Introduced by: Tokuda J, English J, Kokubun R  
Amends provisions relating to state historic preservation officer. Requires that the officer or the deputy officer be a qualified historic preservation professional in architecture, architectural history, archaeology, history, culture, or a closely related field, who meets the professional qualification standards established by the US Secretary of the Interior to serve in that position, and have professional experience with relation to historic preservation in Hawaii. Upon appointment of the officer by the governor, the president of the senate and the speaker of the house of representatives will be advised of the selected officers qualifications for the position. -- SB2644 CD1  
Committee Reports: SSCR 2586 (EDT/ AHW/) HSCR 1172-08 (WLH) HSCR 1688-08 (FIN) CCR 23-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 6E-5
- SB2646 SD2 HD2 CD1 (CCR 177-08) RELATING TO IMPORTANT AGRICULTURAL LANDS.  
Introduced by: Tokuda J, Gabbard M  
Establishes provisions relating to important agricultural land; farm dwellings and employee housing. Authorizes a landowner whose lands are designated as important agricultural lands to develop, construct, and maintain farm dwellings and employee housing for farmers, employees, and their immediate family members on these lands. -- Provides an important agricultural land qualified agricultural cost income tax credit of 25 per cent of the lesser of the qualified agricultural costs or 625,000 dollars reduced to 10 per cent or 125,000 dollars by the 3rd year. Requires the department of taxation in consultation with the department of agriculture to annually submit a report to the legislature on the effectiveness of the tax credit. Appropriation to the department of agriculture to administer the tax credit. -- Establishes provisions relating to loan guaranty; important agricultural lands; agricultural and aquacultural loans. Authorizes the chairperson of the board of agriculture to guaranty loans made by commercial lenders authorized to do business in the state, to agricultural producers for the purpose of developing and implementing agricultural projects. Requires the department taxation in consultation with the department of agriculture to annually report to the legislature. -- Amends provisions relating to state water code. Requires each water use and development plan to identify sources of water used by agricultural operations and particularly those on important agricultural lands and identify current and future water needs for agricultural operations on important agricultural lands. -- Establishes provisions relating to agricultural processing facilities; permits; priority. Requires priority processing of permit applications and renewals at no additional cost for agricultural processing facilities that process crops and livestock from an agribusiness which uses important agricultural lands. -- Establishes provisions relating to agricultural processing



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facilities; permits; priority under the department of health. Requires priority processing of permit applications and renewals at no additional cost for agricultural processing facilities that process crops and livestock from an agribusiness which uses important agricultural lands. -- Establishes provisions relating to important agricultural lands; public lands. Requires the department of agriculture and department of land and natural resources to jointly identify the public lands that should be designated as important agricultural lands. Provides that the designation of important agricultural lands not be subject to the district boundary amendment, and requires the land use commission to designate the public lands as important agricultural lands and adopt the maps of those public lands. -- Amends provisions relating to duties in general. Requires the department of agriculture to prevent the introduction of pests and diseases not yet here and manage, administer, and exercise control over any public lands, as defined and designated important agricultural lands to establish priorities for the leasing of these public lands within the department's jurisdiction. -- Amends provisions relating to department of land and natural resources. Transfers the authority to manage, administer, and exercise control over any public lands designated important agricultural lands to the department of agriculture. -- Amends provisions relating to the land use commission. Provides that petition for a declaratory order to designate lands as important agricultural lands and that seeks reclassification of land in an agricultural district to rural, urban, or conservation district may be submitted to the land use commission. Requires authorization by the legislature for the commission to remove the designation of important agricultural lands. (\$\$) -- SB2646 CD1

Committee Reports: SSCR 2449 (AHW/ WTL/) SSCR 2789 (EDT/ WAM/) HSCR 1323-08 (WLH/ AGR/) HSCR 1759-08 (FIN) CCR 177-08

Current Status: May=01 08 Passed Legislature

Section Affected: 205- (1 SECTION), 235- (1 SECTION), 155- (1 SECTION), 174C-31, 205- (1 SECTION), 321- (1 SECTION), 205- (1 SECTION), 141-1, 171-3, 205-44, 205-45, 205-50, 205-52

### SB2652 SD2 HD2 CD1 (CCR 110-08) RELATING TO EDUCATION.

Introduced by: Sakamoto N, Chun Oakland S, Hooser G

Amends provisions relating to teachers' salary schedule. Requires the board of education to provide wage adjustments for substitute teachers which shall be comparable to the across the board wage adjustments that are negotiated with bargaining unit 5 subject to legislative approval. Allows the board to adjust hours, benefits, and other terms and conditions of employment for substitute teachers. -- SB2652 CD1

Committee Reports: SSCR 2142 (EDU/ JDL/) SSCR 2588 (WAM) HSCR 1286-08 (EDN/ LAB/) HSCR 1652-08 (FIN) CCR 110-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 302A-624

### SB2663 SD2 HD2 CD1 (CCR 120-08) RELATING TO THE HAWAII TEACHER STANDARDS BOARD.

Introduced by: Sakamoto N

Amends provisions relating to the Hawaii teacher standards board. Increases the membership of the board. -- Authorizes the board to coordinate an effort to create a network incorporating the teacher education institutions and the department of education to support the free interchange of information valuable to all of the participating organizations. -- Changes the annual report to the legislature to include income and expenditures with summary report data from the previous 5 years. -- SB2663 CD1

Committee Reports: SSCR 2283 (EDU) SSCR 2600 (WAM) HSCR 1287-08 (EDN/ LAB/) HSCR 1653-08 (FIN) CCR 120-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 302A-801, 302A-803

### SB2668 SD2 HD1 CD1 (CCR 111-08) RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Sakamoto N

Amends provisions relating to the university of Hawaii board of regents. Requires members to reside in the geographic area they represent. Requires the governor to notify the regents candidate advisory council in writing within 10 days of receiving notification that a member is resigning, died, or is being removed by the governor. Changes the candidate advisory council for the board of regents to the regents candidate advisory council for the board of regents. Requires the council to give the governor a list of candidates within 60 days. Provides that all information required by the council be confidential. -- SB2668 CD1

Committee Reports: SSCR 2264 (EDU) SSCR 2756 (WAM) HSCR 1112-08 (HED)

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HSCR 1634-08 (FIN) CCR 111-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 26-11, 304A-104, 304A-104.5

- SB2730 SD2 HD2 CD1 (CCR 16-08) RELATING TO CHILD PROTECTION.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to the child protective act. Establishes provisions relating to relatives; foster placement. Requires the department of human services to provide an application within 15 days of an inquiry from a relative to be a foster placement. If an application to be a foster parent is submitted and denied, the department shall provide the applicant with the specific reasons for the denial and an explanation of the procedures for an administrative appeal. Amends provisions relating to definitions. Defines hanai relative to mean an adult other than a blood relative who performs or has performed a substantial role in the upbringing or material support of a child, as attested to by the written or oral designation of the child or of another person, including other relatives of the child, as deemed credible by the court or the department. Defines relative to mean a person related by blood or adoption, or a hanai relative who is willing and able to safely provide support to the child and the family, as determined by the court or the department. Amends provisions relating to investigation. Provides that placement preference shall be given to an appropriate relative identified by the department of human services. -- Amends provisions relating to temporary foster custody without court order. Requires the department of human services and authorized agencies to make reasonable efforts to identify all relatives within 6 months of assuming foster custody of the child. -- SB2730 CD1  
Committee Reports: SSCR 2146 (HSP) SSCR 2869 (JDL) HSCR 1190-08 (HSH)  
HSCR 1602-08 (JUD) CCR 16-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 587- (1 SECTION), 587-2, 587-1, 587-21, 587-24, 587-25, 587-53
- SB2768 SD2 HD1 CD1 (CCR 114-08) RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST THE MAUI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION.  
Introduced by: Tsutsui S, Baker R, Ige D, English J  
Authorizes the issuance of revenue bonds by the Maui health care regional system board of the Hawaii health systems corporation, to assist the Maui region of the Hawaii health systems corporation for the construction, improvement, and equipment of its health care facilities. Authorizes the issuance of refunding revenue bonds to refund the revenue bonds. (\$\$) -- SB2768 CD1  
Committee Reports: SSCR 2120 (HTH) SSCR 2820 (WAM) HSCR 1197-08 (HLT)  
HSCR 1685-08 (FIN) CCR 114-08  
Current Status: Apr-29 08 Passed Legislature
- SB2779 HD2 (HSCR 1662-08) RELATING TO LABOR.  
Introduced by: Taniguchi B  
Amends provisions relating to suspension during emergency. Adds that during a national emergency declared by the President or the Congress of the US, or a state of emergency declared by the governor, the governor may suspend the wages and hours of employees on public works law; provided that the governor may not suspend this except in the event such an emergency occurs and is so proclaimed. -- SB2779 HD2  
Committee Reports: SSCR 2293 (JDL) SSCR 2676 (WAM) HSCR 1302-08 (LAB/PSM/) HSCR 1662-08 (FIN)  
Current Status: May-01 08 Vetoed  
May-01 08 Veto Overridden - House  
May=01 08 Veto Overridden - Senate  
Section Affected: 104-32
- SB2782 SD2 HD2 (HSCR 1671-08) RELATING TO METAL.  
Introduced by: Taniguchi B  
Establishes provisions relating to theft of beer keg. Provides that a person commits the offense of theft of beer keg if the commits theft of a beer keg. Provides that is a misdemeanor. -- Amends provisions relating to statement required under scrap dealers. Includes beer keg. Amends provisions relating to theft of copper by adding stainless steel beer keg. Act to be repealed on July 1, 2009 (sunset). -- SB2782 HD2  
Committee Reports: SSCR 2230 (CPH) SSCR 2607 (JDL) HSCR 1113-08 (CPC)  
HSCR 1671-08 (JUD)  
Current Status: Apr-15 08 Received by the Governor

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- Section Affected: May-01 08 Approved by Governor (Act 53 2008)  
708- (1 SECTION), 445-231, 445-233
- SB2784 SD1 HD1 CD1 (CCR 2-08) RELATING TO THE POWER OF ARREST.  
Introduced by: Taniguchi B (BR)  
Establishes provisions relating to US marshal or deputy US marshal, arrest powers. Authorizes a US marshal or deputy US marshal without a warrant to arrest a person. -- SB2784 CD1  
Committee Reports: SSCR 2663 (JDL) HSCR 1588-08 (JUD) CCR 2-08  
Current Status: Apr-23 08 Received by the Governor  
Section Affected: 803- (1 SECTION), 803-16
- SB2785 SD1 HD1 CD1 (CCR 32-08) RELATING TO DISTRICT COURT JURISDICTION.  
Introduced by: Taniguchi B (BR)  
Amends provisions relating to civil jurisdiction. Increases the amount from 20,000 dollars to 25,000 dollars over which the district court has jurisdiction in civil actions including debt, amount, damages, or value of the property. -- SB2785 CD1  
Committee Reports: SSCR 2555 (JDL) HSCR 1169-08 (JUD) HSCR 1748-08 (FIN) CCR 32-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 604-5
- SB2803 SD1 HD1 CD1 (CCR 151-08) RELATING TO PERSONAL INFORMATION.  
Introduced by: Fukunaga C, Ige D, Espero W, Menor R, Baker R  
Establishes provisions relating to policy and oversight responsibility. Requires a government agency to designate an agency employee to have policy and oversight responsibilities for the protection of personal information. -- Establishes provisions relating to information privacy and security council. Establishes the council within the department of accounting and general services. Requires the council to submit a report to the legislature, their assessment and recommendations on initiatives to mitigate the negative impacts of identity theft incidents. Requires the council to identify best practices to assist government agencies to improve security and privacy programs. -- Amends Act 137, session laws of 2006, as amended by Act 184, session laws of 2007, by delaying the effective date to July 1, 2009. -- Establishes the identity theft task force working group within the office of the auditor to provide continuity from the work of the identity theft task force and to assist in the transition and development of recommendations and best practices related to personal information. Task force to cease to exist on June 30, 2009 (sunset). -- SB2803 CD1  
Committee Reports: SSCR 2388 (EDT/ JDL/) SSCR 2679 (WAM) HSCR 1193-08 (CPC/ JUD/) HSCR 1750-08 (FIN) CCR 151-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 487J- (1 SECTION), 487J-1, 487N- (3 SECTIONS), 487N-1, ACT 137 2006, ACT 183 2007
- SB2808 SD2 HD1 (HSCR 1699-08) RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.  
Introduced by: Inouye L  
Amends provisions relating to applicability and requirements of the environmental impact statement law. Provides that when there is a question as to which of 2 or more state or county agencies with jurisdiction has the responsibility of preparing the environmental assessment, the office of environmental quality control shall determine which agency shall prepare the assessment. -- Amends provisions relating to rules. -- SB2808 HD1  
Committee Reports: SSCR 2519 (ENE/ TIA/) SSCR 2866 (JDL) HSCR 1699-08 (EEP/ JUD/)  
Current Status: May=01 08 Passed Legislature  
Section Affected: 343-5, 343-6
- SB2816 SD1 HD2 (HSCR 1642-08) RELATING TO INTRA-COUNTY FERRY SERVICE.  
Introduced by: Baker R, English J, Tsutsui S  
Requires the department of land and natural resources to assign priority mooring space to any intra county ferry service regulated by the public utilities commission with a population of less that 500,000 and that at least 3 islands inhabited by permanent residents. -- Amends provisions relating to the applicability of the fuel tax. Provides a general excise tax exemption for the sale of liquid fuel sold or used in the State for ultimate use by an intra county ferry service. -- SB2816 HD2  
Committee Reports: SSCR 2027 (TIA) SSCR 2531 (EDT) SSCR 2886 (WAM) HSCR 1214-08 (TRN/ WLH/) HSCR 1642-08 (FIN)

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Current Status: Apr-15 08 Received by the Governor  
Section Affected: 243-7

SB2824 SD2 HD1 CD1 (CCR 116-08) RELATING TO PROCUREMENT.  
Introduced by: Kim D, Inouye L, Hooser G, Tokuda J, Hanabusa C, Kokubun R, Sakamoto N, Gabbard M, Espero W, Tsutsui S, English J, Menor R, Ige D, Baker R, Chun Oakland S, Fukunaga C, Nishihara C, Ihara L  
Amends provisions relating to creation and membership of the procurement policy board. Changes the comptroller and the county employee with significant high level procurement experience to be an ex officio nonvoting member. Amends provisions relating to authority and duties of the state procurement policy board. Requires the state procurement policy board to annually audit a minimum of 2 executive departments, divisions, or agencies, to ensure compliance. Requires the state procurement policy board to select any department, division, or agency for compliance audits, to be randomly selected or as otherwise authorized by law. Requires the state procurement office to report to the legislature the results of all compliance audits. Requires the legislative auditor to conduct a compliance, performance, and management audit of compliance with Hawaii public procurement code. Report to the legislature. -- SB2824 CD1  
Committee Reports: SSCR 2176 (TSG) SSCR 2814 (WAM) HSCR 1103-08 (EDB) HSCR 1347-08 (LMG) HSCR 1614-08 (FIN) CCR 116-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 103D-201, 103D-202

SB2825 SD1 HD2 CD1 (CCR 46-08) RELATING TO PROCUREMENT.  
Introduced by: Kim D, Inouye L, Hooser G, English J, Tokuda J, Kokubun R, Menor R, Gabbard M, Fukunaga C, Ige D, Chun Oakland S, Nishihara C, Tsutsui S, Hanabusa C, Baker R, Espero W  
Amends provisions relating to additional duties of the administrator of the procurement office. Adds determine corrective actions; provided that if a procurement officer under the jurisdiction of the administrator or a chief procurement officer fails to comply with any determination rendered by the administrator within 30 days from the date of the issuance of the determination, or longer if permitted by the administrator upon request by the procurement officer or a chief procurement officer, the procurement officer or chief procurement officer shall be subject to an administrative fine for every day of noncompliance. -- SB2825 CD1  
Committee Reports: SSCR 2303 (TSG) HSCR 1208-08 (EDB) HSCR 1605-08 (JUD) CCR 46-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 103D-206

SB2826 SD2 HD1 CD1 (CCR 115-08) RELATING TO PROCUREMENT.  
Introduced by: Kim D, Inouye L, Hooser G, Tokuda J, Sakamoto N, Gabbard M, Ihara L, Baker R, Hanabusa C, English J, Kokubun R, Menor R, Ige D, Nishihara C, Tsutsui S, Chun Oakland S, Espero W  
Amends provisions relating to education and training. Requires the state procurement office in cooperation with the department of human resources development to develop and maintain a procurement practices training and development program for procurement officers of the State and the several counties, to ensure that an agency's procurement practices are in compliance with the procurement code and that proper procurement decisions are made consistent. Requires the program to include a mandatory fundamental training and development session and follow up training and development sessions. Requires each state procurement officer of a department of the executive branch to attend a mandatory fundamental training and development session within 60 days of being appointed or named to the position of procurement officer. Provides that attendance by state procurement officers at the follow up training and development sessions and by county procurement officials at the fundamental and follow up training and development sessions is optional, though encouraged. -- SB2826 CD1  
Committee Reports: SSCR 2177 (TSG) SSCR 2747 (WAM) HSCR 1207-08 (EDB) HSCR 1718-08 (CPC) CCR 115-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 103D-110

SB2827 SD1 HD1 CD1 (CCR 48-08) RELATING TO PUBLIC CONTRACTS.  
Introduced by: Kim D, Inouye L, Hooser G, English J, Tokuda J, Kokubun R, Menor R,

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Sakamoto N, Gabbard M, Hanabusa C, Fukunaga C, Ige D, Chun Oakland S, Taniguchi B, Nishihara C, Tsutsui S, Espero W, Ihara L, Baker R

Amends provisions relating to procurement of professional services. Provides that for contracts of 5,000 dollars or more, written notification to non selected persons be sent not later than the day of the posting of the award. Adds that information to be posted shall include the ranking. -- Amends provisions relating to authority to resolve protested solicitations and awards. Increases the period for a protest to be submitted from 5 to 7 working days after the aggrieved person knows or should have known of the facts giving rise thereto; provided that a protest of an award or proposed award shall in any event be submitted in writing within 7 working days after the posting of award of the contract. Provides that the purchasing agency shall notify in writing all offerors that submitted a proposal of their non selection not later than the day of the posting of the award and include the basis on which the award is made in its posting of the award of the contract. -- SB2827 CD1

Committee Reports: SSCR 2304 (TSG) HSCR 1239-08 (EDB) CCR 48-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 103D-304, 103D-701

SB2828 SD2 HD2 (HSCR 1753-08)

RELATING TO DISASTER RELIEF.

Introduced by: Hanabusa C, Hooser G, Sakamoto N, Ihara L, Tokuda J, Kim D, Ige D, Baker R, Espero W, Fukunaga C, Chun Oakland S

Amends provisions relating to disaster relief agency. Provides that the disaster relief agency and the director of disaster relief shall be the civil defense agency and the director of civil defense. -- Amends provisions relating to disaster relief by adding for disasters not caused by enemy attacks. Provides that disaster relief shall be in effect and available to provide relief for disasters not covered under the civil defense and emergency Act, and the governor and political subdivisions may exercise their powers for these disasters. Provides that to exercise the power for disasters that are not caused by a fire, flood, tidal wave, volcanic eruption, earthquake, pandemic illness, or other natural causes and major disasters caused by acts of man, including but not limited to massive oil spills, nuclear accidents, airplane crashes, and civil disturbances, or an enemy attack or act of terrorism, the governor is to 1st find and declare through an emergency proclamation that tangible and measurable harm or damage has resulted as a consequence of the disaster and that the disaster relief could not otherwise be achieved through legislation enacted in the next occurring regular session of the legislature or a special session of the legislature called by the governor before exercising the power to provide disaster relief. Provides that any disaster beyond relief provided shall not extend beyond the next occurring regular session of the legislature unless expressly authorized by the legislature. -- SB2828 HD2

Committee Reports: SSCR 2413 (JDL/ IGM/) SSCR 2857 (WAM) HSCR 1282-08 (PSM) HSCR 1753-08 (FIN)

Current Status: May-01 08 Vetoed

May=01 08 Veto Overridden - Senate

Section Affected: 127-2, 127-10, 128-7

SB2830 SD2 HD2 CD1 (CCR 155-08)

RELATING TO CAREGIVING.

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

Amends Act 285, session laws of 2006, relating to the joint legislative committee on family caregiving by changing family caregiving to aging in place. Requires that the Hawaii aging and disability resource center provide an update to the joint legislative committee of its development and implementation of the physical site for the center in the county of Hawaii, and the virtual site planned for the city and county of Honolulu. Report to the legislature. Extends the joint legislative committee to June 30, 2009 (sunset). -- Requires the executive office on aging to design a cash and counseling project for nonmedicaid participants. Report to the legislature. Allows the kupuna care program to offer emergency, overnight, and weekend respite services, provide grants for home modifications that facilitate aging in place pursuant to a care plan as part of a cash and counseling approach, and provide grants to family caregivers pursuant to a care plan as part of a cash and counseling approach. Appropriation to the executive office on aging to address the kupuna care program waitlist and for the expansion of the kupuna care program, in general. -- Establishes a grandparents raising grandchildren task force to focus on the needs of and issues facing grandparents raising grandchildren. Interim and final reports to the legislature and the joint legislative committee on aging. Task force to cease to exist on June 30, 2009 (sunset). -- Requires

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the executive office on aging, in collaboration with the university of Hawaii school of social work, to continue to conduct an inventory of the respite services in Hawaii, propose a definition of respite care and establish more detailed descriptions of each of the various types of respite services provided in the State; and review the legislative reference bureau's 2007 report on respite policies. -- Amends provisions relating to determination of amount of assistance. Increases the state supplemental payment for adult residential care home (ARCH) classified as facility type I, licensed developmental disabilities domiciliary homes, community care foster family homes and certified adult foster homes to not exceed 651 dollars and 90 cents and for adult residential care homes classified as a facility type II not to exceed 759 dollars and 90 cents. Appropriations to the department of human services for increases in level of care payments. (\$\$) -- SB2830 CD1

Committee Reports: SSCR 2118 (HSP) SSCR 2790 (WAM) HSCR 1125-08 (HLT/HSH/) HSCR 1348-08 (LMG) HSCR 1744-08 (FIN) CCR 155-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: ACT 285 2006, ACT 204 2007, 346-53

SB2833 SD1 HD1 CD1 (CCR 35-08)

RELATING TO SUSTAINABILITY.

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

Requires the university of Hawaii college of social sciences public policy center to review the Hawaii 2050 sustainability plan. Report to the legislature. -- SB2833 CD1

Committee Reports: SSCR 2455 (CPH) SSCR 2746 (WAM) HSCR 1705-08 (FIN) CCR 35-08

Current Status: Apr-29 08 Passed Legislature

SB2838 SD2 HD1 CD1 (CCR 13-08)

RELATING TO TAXATION.

Introduced by: Chun Oakland S, Hooser G, English J, Sakamoto N, Espero W, Tokuda J, Menor R, Gabbard M, Hanabusa C, Ige D, Baker R, Kokubun R, Nishihara C, Taniguchi B, Kim D, Ihara L

Establishes provisions relating to refund splitting. Allows an individual taxpayer who files a federal and state income tax return electronically and made a similar direct deposit to the checking or savings account to designate up to 3 checking or savings accounts, for direct deposit of the taxpayer's refund. -- Requires the director of taxation to visit low income communities to assist taxpayers in the preparation of tax filings. -- SB2838 CD1

Committee Reports: SSCR 2477 (HSP/ EDT/) SSCR 2598 (WAM) HSCR 1716-08 (FIN) CCR 13-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 235- (1 SECTION), 26-10

SB2840 SD2 HD1 CD1 (CCR 102-08)

RELATING TO SELF-SUFFICIENCY.

Introduced by: Chun Oakland S, Sakamoto N, Espero W, Hooser G, Inouye L, Ihara L, Tsutsui S, Kim D, English J, Tokuda J, Kokubun R, Gabbard M, Nishihara C, Baker R, Hanabusa C, Menor R, Ige D

Amends provisions relating to specific research and promotional functions of the department. Requires the department of business, economic development and tourism to establish biannually a self sufficiency standard, which defines the minimum amount of income required in Hawaii to meet basic needs, including housing, food, childcare, transportation, healthcare, all taxes, and other expenses such as clothing, shoes, utilities, and household items. Biannual report to the legislature. -- SB2840 CD1

Committee Reports: SSCR 2476 (HSP/ EDT/) SSCR 2772 (WAM) HSCR 1703-08 (FIN) CCR 102-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 201-3

SB2843 SD2 HD3 CD1 (CCR 164-08)

RELATING TO ELECTRONIC DEVICE RECYCLING.

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

Establishes the electronic waste recycling act. Prohibits all manufacturers and retailers from selling or offering for sale any new covered electronic device for delivery in the State unless the device is labeled with a brand included in a registration that is filed with the department of health and such label is permanently affixed and readily visible effective January 1, 2010. -- Requires the department to maintain a list, posted on the department's website and available over a toll free telephone number, of each registered

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manufacturer and the brands reported in each manufacturer's registration and a list of brands for which no manufacturer has registered. -- Requires the manufacturer to pay a registration fee. Further requires each manufacturer to submit a plan to the department to establish, conduct, and manage a program for the collection, transportation, and recycling of its covered electronic devices sold in the state. Provides that by March 31, 2011, and annually thereafter, each manufacturer shall submit to the department the total weight of all covered electronic devices recycled in the previous year. Requires the department to review each manufacturer's plan for approval. Requires retailers to make available to their customers information on collection services in the state and to maintain and update a website and a toll free number with current information on where covered entities can return covered electronic devices for recycling. Requires the department and the attorney general to be empowered to enforce and take necessary action against any manufacturer or retailer for failure to comply. Establishes administrative penalties. Establishes the electronic device recycling fund. -- Requires the department to deposit all fees, payments and penalties collected into the recycling fund. Establishes a temporary working group within the department of health to develop a plan to establish, to conduct, and manage a program for the collection, transportation, and recycling of televisions sold in the State to be implemented no later than January 1, 2010. Requires the department to provide necessary administrative, professional, technical, and clerical assistance to the working group. Report to the legislature. Working group shall cease to exist on June 30, 2009 (sunset). -- SB2843 CD1

Committee Reports: SSCR 2410 (ENE) SSCR 2826 (WAM) HSCR 1120-08 (EEP)  
HSCR 1329-08 (EDB) HSCR 1645-08 (FIN) CCR 164-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: (12 SECTIONS) ELECTRONIC WASTE RECYCLING ACT

SB2849 SD1 HD1 CD1 (CCR 19-08)

RELATING TO AGRICULTURAL LANDS.

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

Amends provisions relating to the land use commission. Adds that agricultural districts include agricultural energy facilities. Amends provisions relating to permissible uses within the agricultural districts. Provides for plantation community subdivisions which means an established subdivision or cluster of employee housing, community buildings, and agricultural support buildings on land currently or formerly owned or operated by a sugar or pineapple plantation provided that the existing structures may be used or rehabilitated for use and new employee housing and agricultural support buildings may be allowed within the subdivision and the employee housing is occupied by employees or former employees, the housing units shall be rented or leased at affordable rates for agricultural workers; or the agricultural support buildings shall be rented or leased to agricultural business operators or agricultural support services. -- SB2849 CD1

Committee Reports: SSCR 2700 (AHW/ ENE/) HSCR 1309-08 (EEP) HSCR 1431-08  
(WLH/ AGR/) CCR 19-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 205-2, 205-4.5

SB2850 SD2 HD2 CD1 (CCR 165-08)

RELATING TO BIOSECURITY.

Introduced by: Tokuda J, English J, Kokubun R, Menor R, Sakamoto N, Gabbard M, Hanabusa C, Ige D, Hooser G, Nishihara C, Baker R, Taniguchi B, Espero W, Fukunaga C, Kim D, Chun Oakland S, Ihara L

Establishes provisions relating to biosecurity program; establishment. Requires the department of agriculture to establish a program for a multi dimensional system to prevent the entry into the State and movement from island to island of pests and other illegal organisms; to respond effectively to eradicate, control, reduce, and suppress incipient and established pests and other illegal organisms. Requires the program to work with government agencies and agricultural commodity exporters of other states and countries to establish pre entry inspection programs under which inbound cargo into the State are inspected at the ports of departure or other points outside the State. Requires the department to set and impose charges upon persons whose cargo to be inspected in order to generate revenues that, when combined with federal and other funds will be sufficient to pay for the operating and maintenance costs of the program and debt service on bonds issued to fund facilities constructed for the program. Annual report to the legislature. Provides for moneys in the pest inspection, quarantine, and eradication fund be expanded by the department for biosecurity. Appropriation. (\$\$) -- SB2850 CD1

Committee Reports: SSCR 2305 (AHW/ ENE/) SSCR 2889 (WAM) HSCR 1270-08

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(AGR/ EEP/) HSCR 1659-08 (FIN) CCR 165-08  
Current Status: May=01 08 Passed Legislature  
Section Affected: 150A- (7 SECTIONS) BIOSECURITY PROGRAM, 141-2, 141-5,  
150A-4.5

SB2867 SD2 HD2 CD1 (CCR 39-08) RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE.  
Introduced by: Kim D, Sakamoto N, Chun Oakland S  
Amends provisions relating to responsibility of offerors. Provides that any false information or misrepresentation knowingly placed in the bid of the bidder or subcontractor by an agency shall be a basis for nullification of the solicitation by the administrator of the state procurement office. Provides that any false information or misrepresentation knowingly placed in the bid of the bidder or subcontractor shall be the basis for not awarding the bid to that bidder or the bidder's subcontractor, application by the chief procurement officer of the provisions, and imposition by the chief procurement officer of a 1 year mandatory suspension of the bidder or subcontractor from consideration for awards. -- Amends provisions relating to authority to resolve contract and breach of contract controversies. Adds solicitation and bids. -- SB2867 CD1  
Committee Reports: SSCR 2178 (TSG) SSCR 2823 (JDL) HSCR 1209-08 (EDB)  
HSCR 1604-08 (JUD) CCR 39-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 103D-310, 103D-703, 103D-709

SB2876 HD2 CD1 (CCR 107-08) RELATING TO EMPLOYMENT SECURITY.  
Introduced by: Kokubun R, Tokuda J, English J  
Appropriation out of the unemployment insurance trust fund to the department of labor and industrial relations for the Hawaii county workforce investment board, working in collaboration with the county of Hawaii, to improve employer outreach and services, labor force pool expansion, capacity building, and for some of the shared costs for the operations of the 1 stop career center. Allows the board to use a portion of the sum allocated to compensate the department for administrative expenses and that the compensation for the administrative expenses by the department to be negotiated between the department and the board. Requires approval by the workforce development council prior to release of funds. (\$\$) -- SB2876 CD1  
Committee Reports: SSCR 2295 (JDL) SSCR 2623 (WAM) HSCR 1235-08 (LAB)  
HSCR 1663-08 (FIN) CCR 107-08  
Current Status: Apr-29 08 Passed Legislature

SB2878 SD2 HD2 CD1 (CCR 152-08) RELATING TO EARLY LEARNING.  
Introduced by: Sakamoto N, Chun Oakland S, Tokuda J, Nishihara C, Hooser G, Tsutsui S  
Establishes an early learning system law. Establishes keiki 1st steps to ensure a spectrum of quality early learning opportunities for children from birth until the time they enter kindergarten with priority given to underserved or at risk children. Requires the system to be developed and administered by the early learning council which shall be attached to the department of education. -- Establishes the keiki 1st steps grant program to be developed by the early learning council and administered by the department of human services. Authorizes the department to award grants to center based programs for 3 and 4 year old children and family child care programs, family - child interaction learning programs, and other learning programs and services regardless of the age of children served. -- Establishes the keiki 1st steps trust fund to be administered by the council to be used for early learning system. -- Repeals provisions relating to quality early education plan. -- Establishes provisions relating to early childhood education facilities; pre plus. Establishes the pre plus program within the department of human services to expand access to affordable and quality early childhood education for 3 and 4 year old children from low income families by allowing preschool programs to be set up on public school campuses through public - private partnerships. Requires the department of human services and the department of education to work collaboratively to develop suitable pre plus classrooms on department of education school campuses statewide, including conversion charter school campuses, for programs in the early learning system. Requires the department of education to annually report to the legislature the number of classrooms that would be suitable for programs and the cost of renovating these classrooms to meet the standards of the programs in the early learning system. -- SB2878 CD1  
Committee Reports: SSCR 2250 (EDU/ HSP/) SSCR 2851 (WAM) HSCR 1289-08 (EDN) HSCR 1770-08 (FIN) CCR 152-08  
Current Status: Apr-29 08 Passed Legislature



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Section Affected: (5 SECTIONS) EARLY LEARNING SYSTEM, 302A-409, 302A-410, 346- (1 SECTION), 302A-1506.5

- SB2879 SD2 HD1 CD1 (CCR 103-08) RELATING TO EDUCATION.  
Introduced by: Sakamoto N  
Establishes provisions relating to adult special education transfer of rights for students with disabilities upon reaching the age of majority. Provides that when a student with disabilities reaches the age of majority all rights are presumed to transfer to the adult student. Allows an adult student to give an individual instruction to assist in the development and implementation of the adult student's educational program. Further allows an adult student to execute a power of attorney for special education (advanced special education directive). -- SB2879 CD1  
Committee Reports: SSCR 2207 (EDU/ JDL/) SSCR 2753 (WAM) HSCR 1707-08 (FIN) CCR 103-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 302A- (8 SECTIONS) ADULT SPECIAL EDUCATION TRANSFER OF RIGHTS FOR STUDENTS WITH DISABILITIES UPON REACHING THE AGE OF MAJORITY
- SB2895 SD1 HD1 CD1 (CCR 20-08) RELATING TO OFFENSES AGAINST PUBLIC ORDER.  
Introduced by: Hee C  
Amends provisions relating to definitions and adds equine animal to mean an animal of or belonging to the family of Equidae, including horses, ponies, mules, donkeys, asses, burros, and zebras. Amends provisions relating to cruelty to animals in the 1st degree by adding equine animal. -- SB2895 CD1  
Committee Reports: SSCR 2240 (AHW) SSCR 2879 (JDL) HSCR 1589-08 (JUD) CCR 20-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 711-1100, 711-1108.5
- SB2898 SD1 (SSCR 2705) RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE.  
Introduced by: Hee C  
Establishes the agreement among the states to elect the president by a national popular vote law. -- SB2898 SD1  
Committee Reports: SSCR 2705 (JDL) HSCR 1580-08 (JUD)  
Current Status: Apr-22 08 Vetoed  
May-01 08 Veto Overridden - House  
May=01 08 Veto Overridden - Senate  
Section Affected: (5 SECTIONS) AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE
- SB2900 SD1 HD1 (HSCR 1681-08) RELATING TO PUBLIC LANDS.  
Introduced by: Hooser G  
Establishes provisions relating to traffic regulation and control over roadway of which ownership is in dispute. Allows any county and its authorized personnel to impose and enforce traffic laws on State public streets, roads or highways where ownership is in dispute between State and county. Authorizes any county and its authorized personnel to repair or maintain in whole or part, public streets, roads, or highways whose ownership is in dispute between the State and the county. Prohibits presumption of county ownership of street or highway due to enforcement or maintenance. Provides that the general public shall have unrestricted right to use streets or highways in limbo to access the shoreline and other public recreational areas. -- SB2900 HD1  
Committee Reports: SSCR 2387 (TIA/ IGM/) SSCR 2617 (JDL) HSCR 1291-08 (TRN) HSCR 1681-08 (JUD)  
Current Status: Apr-15 08 Received by the Governor  
May-01 08 Approved by Governor (Act 56 2008)  
Section Affected: 46- (1 SECTION) TRAFFIC REGULATION
- SB2915 SD2 HD1 CD1 (CCR 175-08) RELATING TO TARO.  
Introduced by: English J, Tokuda J, Gabbard M, Chun Oakland S  
Establishes the taro security and purity task force within the department of agriculture to develop guidelines, protocols, and recommendations for taro policy, non genetic modification based taro research, and the allocation of resources to ensure that taro is saved and protected in Hawaii. Reports to the legislature. Appropriation to the office of Hawaiian affairs. (\$\$) -- SB2915 CD1

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Committee Reports: SSCR 2385 (AHW) SSCR 2842 (WAM) HSCR 1709-08 (FIN)  
CCR 175-08  
Current Status: May-01 08 Passed Legislature

SB2933 SD2 HD2 CD1 (CCR 112-08) RELATING TO HOUSEHOLD ENERGY DEMAND.  
Introduced by: Ihara L, Espero W, Hooser G, English J  
Amends provisions relating to placement of solar energy devices. Adds that no person shall be prevented from erecting and using a clothesline for the purpose of drying clothes on the premises of any single family residential dwelling or townhouse that the person owns; provided that rules that facilitate the placement of clotheslines shall not be unduly or unreasonably restrictive. Redefines solar energy device to include photovoltaic cell applications and clotheslines; provided that clothesline means a rope, cord, or wire on which laundry is hung to dry. -- SB2933 CD1  
Committee Reports: SSCR 2458 (ENE) SSCR 2594 (CPH) HSCR 1306-08 (EEP/HSH/) HSCR 1692-08 (FIN) CCR 112-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 196-7, 235-12.5

SB2956 SD1 HD1 (HSCR 1758-08) RELATING TO MILK.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to the milk control act. Requires that all Hawaii produced fresh milk up to 100 per cent of the total production quotas for all milk sheds in the State be deemed to be utilized as class I unless in an excess pool, or as plant shrinkage and route returns are proven. Requires the department of agriculture to engage stake holders of the Hawaii milk production industry to establish recommendations for short and long term initiatives to help ensure the availability of fresh milk for fluid consumption in Hawaii and based on the findings, together with the university of Hawaii college of tropical agriculture and human services, prepare a written report and strategic plan setting forth recommended short and long term initiatives to help ensure the availability of fresh milk for fluid consumption in Hawaii. Report to the legislature. -- SB2956 HD1  
Committee Reports: SSCR 2239 (AHW) SSCR 2688 (WAM) HSCR 1153-08 (AGR) HSCR 1758-08 (FIN)  
Current Status: Apr-15 08 Received by the Governor  
Apr-30 08 Approved by Governor (Act 46 2008)  
Section Affected: 157-1, 157-34

SB2961 SD2 HD2 CD1 (CCR 109-08) MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.  
Introduced by: Hanabusa 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 for the overpayment of taxes, refunds, reimbursements, payments of judgments or settlements, or other liabilities. -- Appropriation to the department of transportation, highways division, for the purpose of satisfying claims for legislative relief to persons, for claims against the State or its officers or employees for payments judgments or settlements, or other liabilities. (\$\$) -- SB2961 CD1  
Committee Reports: SSCR 2439 (JDL) SSCR 2782 (WAM) HSCR 1220-08 (JUD) HSCR 1636-08 (FIN) CCR 109-08  
Current Status: Apr-29 08 Passed Legislature

SB2977 SD1 HD2 CD1 (CCR 101-08) RELATING TO CHILD SUPPORT ENFORCEMENT.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to other duties of agency, child support enforcement. Provides that the child support enforcement agency (CSEA) shall establish and utilize procedures for the notification of a custodial parent that any income tax refund shall be retained by the State in cases where medical support rights have been assigned to the State and the income tax refund setoff are applied to amounts designated in the child support order for medical purposes. Authorizes the attorney general to appoint an assistant administrator exempt from civil service laws to serve as the policy administrator and whose duties include developing and implementing comprehensive policy and planning documents to guide operations to successful outcomes, including federal performance reporting and interstate activities. Allows the agency to request a hearing after the commencement of an administrative proceeding. Transfers personnel employed by the family support division of the county of Kauai whose functions, duties, responsibilities, and activities relate to child support enforcement shall be transferred to the department of the attorney general. Establishes 2 temporary civil service positions

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in the department to carry out the purposes of this Act. -- SB2977 CD1  
Committee Reports: SSCR 2393 (JDL/ HSP/) SSCR 2881 (WAM) HSCR 1086-08  
(HSH) HSCR 1338-08 (JUD) HSCR 1619-08 (FIN) CCR 101-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 576D-6, 576D-11, 576E-6, 576E-7

SB3001 SD2 HD2 CD1 (CCR 40-08) RELATING TO ENERGY EFFICIENCY.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to public benefits by changing fund to fee. Authorizes the public utilities commission to require that all or a portion of the moneys collected by Hawaii's electric utilities from its ratepayers through a demand side management surcharge be transferred to a 3rd party administrator contracted by the commission and be known as the public benefits fee. Authorizes the State to participate in any energy efficiency or demand side management programs and services on the same basis as any other electric consumer. -- SB3001 CD1  
Committee Reports: SSCR 2306 (ENE) SSCR 2788 (CPH/ WAM/) HSCR 1123-08  
(EEP) HSCR 1312-08 (CPC) HSCR 1760-08 (FIN) CCR 40-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 269-121, 269-122, 269-123, 269-124

SB3004 SD2 HD2 (HSCR 1771-08) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.  
Introduced by: Hanabusa C (BR)  
Establishes provisions relating to information from the State and counties. Allows the employees' retirement system to require any department or agency of the State or counties to furnish information to the system in electronic format and that information with respect to payroll and personnel transactions allocate payments, including bonuses, salary adjustments, payments for compensatory time and workers compensation, to monthly or other periods as requested by the system; and specify the purpose or nature of the payment. Amends provisions relating to payments or refunds and retirement benefits. Provides that any member, former member, retirant, or beneficiary to whom accumulated contributions to a hypothetical account balance, is payable after June 30, 2008, shall, if the payment is greater than 250 dollars and the recipient does not elect to roll over the payment into an eligible retirement plan, designate a financial institution account into which the system will be authorized to deposit the payment. Amends provisions relating to benefit limitations. Requires that benefits payable to all employees who 1st become members on or after January 1, 1990, shall be subject to limitations applicable to governmental plans where the dollar limit shall be adjusted automatically, effective January 1 of each year, as published in the Internal Revenue Bulletin. Provides the adjustment to apply to members, former employees, retirants, and beneficiaries. Amends provisions relating to computation of compensation earned or earnable. Requires that the surviving spouse of reciprocal beneficiary and children under the age of 18 will be eligible for a death benefit if the member suffered an ordinary death after accumulating 10 years of credited service, and the death of the member was while the member was still in service, or while on authorized leave without pay or an accidental death. Provides that a class A member who returns to service after June 30, 2008, with vested benefit status and who does not return to service as a class B member shall return to service as a class A member and class B member who returns to service after June 30, 2008 with vested benefit status and who does not return to service as a class B member shall return to service as a class A member. -- SB3004 HD2  
Committee Reports: SSCR 2399 (JDL) SSCR 2784 (WAM) HSCR 1203-08 (LAB)  
HSCR 1771-08 (FIN)  
Current Status: Apr-15 08 Received by the Governor  
Apr-29 08 Approved by Governor (Act 41 2008)  
Section Affected: 88- (1 SECTION), 88-6, 88-21, 88-45.5, 88-83.5, 88-141, 88-286,  
88-321, 88-322

SB3005 SD2 HD2 (HSCR 1772-08) RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM.  
Introduced by: Hanabusa C (BR)  
Establishes provisions relating to membership of elective officers. Provides that an elective officer shall have a 1 time choice to be excluded from membership in the pension and retirement system. Repeals the termination of membership in the employees' retirement system of an elective officer or judge due to their reaching the 75 per cent final compensation computation, and allows the elective officer or judge to cancel from the system but still remain in office. -- SB3005 HD2

## SENATE BILLS THAT PASSED THE LEGISLATURE

Committee Reports: SSCR 2398 (JDL) SSCR 2785 (WAM) HSCR 1236-08 (LAB)  
HSCR 1772-08 (FIN)  
Current Status: Apr-15 08 Received by the Governor  
Apr-30 08 Approved by Governor (Act 47 2008)  
Section Affected: 88- (1 SECTION), 88-21, 88-42, 88-43, 88-54.5, 88-59, 88-61,  
88-73, 88-251, 88-301, 88-59.6

SB3006 SD1 HD2 (HSCR 1637-08)

RELATING TO BUSINESS REGISTRATION.

Introduced by: Hanabusa C (BR)

Establishes provisions relating to trustees or receivers for dissolved professional corporations; appointment; powers; duties. Provides that when any professional corporation organized an authorized to issue shares under the laws of the this State be dissolved or cease or ceased to exist requires the circuit court to appoint 1 or more of the directors of the corporation to be trustees or appoint 1 or more person to be receivers for the corporation to do all acts that are necessary for the final settlement of the unfinished business of the corporation. -- Amends provisions relating to procedure for than effect of administrative dissolution by adding and effect of expiration. Authorizes the director of commerce and consumer affairs to administratively dissolve the corporation by signing a decree of dissolution that recites the ground or grounds for dissolution, its effective date and filed in the directors office. Repeals parties of interest may petition a court of competent jurisdiction to appoint a trustee to settle the affairs of any corporation so dissolved. Provides that the professional corporation, at any time within 2 years of the expiration, may amend its articles of incorporation to extend its period of duration, and upon the amendment, the corporation may resume carrying on its business as if the expiration had never occurred. Allows a corporation to indemnify a former or current director made a party to a proceeding, by reason of the fact that the individual was or is a director, against liability incurred. -- Amends provisions relating to proceed. -- Amends procedure for the effect of administrative termination. Provides that if the director of commerce and consumer affairs determines that 1 or more grounds exist to administratively terminate a limited liability company, the director may declare the company terminated. Provides that a limited liability company administratively terminated may continue its existence temporarily but may carry on only business necessary to wind up and liquidate its business and affairs and notify claimants. Repeals the provision that requires the director to deliver a copy of the decree of termination for each administratively terminated limited liability company to the director of taxation and financial officer of each county. -- SB3006 HD2

Committee Reports: SSCR 2552 (CPH) HSCR 1262-08 (CPC/ JUD/) HSCR 1637-08  
(FIN)

Current Status: Apr-15 08 Received by the Governor  
May-01 08 Approved by Governor (Act 54 2008)

Section Affected: 415A- (1 SECTION), 414-402, 414-433, 414D-160, 414D-249,  
414D-273, 415A-18, 425E-811, 428-810

SB3008 SD2 HD1 CD1 (CCR 9-08)

RELATING TO THE CODE OF FINANCIAL INSTITUTIONS.

Introduced by: Hanabusa C (BR)

Establishes provisions relating to banks and financial institutions. Requires every financial services loan company to display a copy of its principle office license in a conspicuous place at its principal place of business and to display a copy of a branch office license in a conspicuous place at the branch office. Requires application to contain information necessary to conduct a criminal history record check of each of the proposed directors and executive officers of the financial institution accompanied by payment of the applicable fee for each record check to be conducted. Allows a Hawaii financial institution to temporarily close a branch or agency in the event of an emergency. Requires a written notice to be provided to the commissioner of financial institutions and notice to be provided to Hawaii financial institution customers in the form of a sign posted at the primary public entrance of the branch or agency and accommodations during temporary closure. Requires the financial institution to provide the commissioner a notice of reopening within 5 days of reopening. Allows consumers loan changes for a 1st lien mortgage loan. Amends provisions relating to examination of financial institution holdings. Allows the insurance commissioner to conduct examinations of any financial institution holding company that directly owns 25 per cent or more of any class of voting securities of a Hawaii financial institution. Prohibits an examination of any financial institution holding company that indirectly controls a Hawaii financial institution through 1 or more financial institutions holding companies unless the commissioner has good cause to believe that the financial institution holding company indirectly controlling the Hawaii financial institution is experiencing financial adversity

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that negative impact on the safety and soundness of the Hawaii financial institution. Amends provisions relating to relocation of office; written application necessary. Prohibits approval to be required if the relocation will be less than 1 mile from the foreign bank's present place of business, the foreign bank gives the commissioner written notice at least 20 days prior to the move, the type of business carried on at the new place of business will be the same as at the present place of business, and there shall be no financial involvement in the relocation by a director, executive officer, or principal shareholder, or related interest of any of these persons. -- Amends provisions relating to criminal history record checks under the Hawaii criminal justice data center; civil identification. Allows criminal history record checks to be conducted by the department of commerce and consumer affairs on proposed directors and executive officers of a bank, savings bank, savings and loan association, trust company, and depository financial service loan company or proposed directors and executive officers of a nondepository financial services loan company or the original chartering applicants and proposed executive officers of a credit union. -- SB3008 CD1

Committee Reports: SSCR 2227 (CPH) SSCR 2608 (JDL) HSCR 1194-08 (CPC/JUD/) HSCR 1683-08 (FIN) CCR 9-08

Current Status: Apr=29 08 Passed Legislature

Section Affected: 412:9- (1 SECTION), 412:2-306, 412:3-201, 412:3-301, 412:3-507, 412:8-103, 412:9-304, 412:10-103, 412:11-102, 412:13-222, 846-2.7

### SB3009 SD2 HD2 CD1 (CCR 117-08) RELATING TO MONEY TRANSMITTERS.

Introduced by: Hanabusa C (BR)

Amends provisions relating to money transmitters. Establishes provisions relating to name change, fees, limited exemption for financial institutions as authorized delegates, and grounds for denial of license. Increases application fees and license fees. Amends provisions relating to examinations. Authorizes the commissioner of financial institutions to charge on examination fees to each licensed money transmitter and authorized delegate examined or investigated by the commissioner or the commissioner's staff based upon the cost per hour per examiner. Effective July 1, 2008, the hourly fee shall be 60 dollars, and in addition to the examination fee, an additional amount for travel, per diem, mileage, and other reasonable expenses incurred in connection with the examination shall be charged. -- SB3009 CD1

Committee Reports: SSCR 2456 (CPH) SSCR 2825 (JDL/ WAM/) HSCR 1195-08 (CPC/ JUD/) HSCR 1658-08 (FIN) CCR 117-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 489D- (3 SECTIONS), 489D-4, 489D-5, 489D-9, 489D-10, 489D-11, 489D-12, 489D-14, 489D-15, 489D-17, 489D-19, 489D-22, 489D-28, 846-2.7

### SB3019 SD1 HD2 (HSCR 1638-08) RELATING TO INSURANCE.

Introduced by: Hanabusa C (BR)

Amends provisions relating to general provisions under investments law. Requires an insurer's aggregate investment in non dividend paying securities not to exceed the greater of 25 per cent of its admitted assets or 50 percent of its surplus as regards to policyholders. Adds that an insurer may invest funds filed with the SVO (Securities Valuation Office) or are considered filing exempt. Provides that investments or foreign investments shall not exceed the greater of 25 per cent of its admitted assets or the aggregate amount held by the insurer in a single foreign jurisdiction shall not exceed 10 per cent of its admitted assets that has a sovereign debt rating of SVO 2 or 3 per cent of its admitted assets as to any other foreign jurisdiction. Amends provisions relating to common trust funds; mutual funds; by adding exchanged traded funds. Requires an exchange traded fund that is registered with the federal Securities and Exchange Commission and is traded on a public exchange. Requires in aggregate, an insurer's amount of investment in common trust funds, mutual funds, and exchange traded funds, including investments shall not exceed the greater of 25 per cent of its admitted assets or 100 per cent of its surplus to policyholders. -- SB3019 HD2

Committee Reports: SSCR 2641 (CPH) HSCR 1342-08 (JUD) HSCR 1638-08 (FIN)

Current Status: May=01 08 Passed Legislature

Section Affected: 431:6-101, 431:6-103, 431:6-104, 431:6-201, 431:6-302, 431:6-303, 431:6-313, 431:6-317, 431:6-322, 431:6-601

### SB3023 SD2 HD2 CD1 (CCR 10-08) RELATING TO INSURANCE.

Introduced by: Hanabusa C (BR)

Establishes provisions relating to special purpose financial captive insurance

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companies. Provides for the exclusive purpose to facilitate access to insurance securitization and capital markets financing technology, and to further the economic development opportunities of the State of Hawaii and subject to applicable law. Requires any special purpose financial captive insurance company to apply to the insurance commissioner for certificate of authority to transact insurance or reinsurance business and approval. Further requires any change in the company's plan of operation to require the prior approval of the commissioner. Allows a special purpose financial captive insurance company to be incorporated as a stock corporation, limited liability company, mutual association, partnership, or other form of organization and not be issued a license unless it possesses and maintains unimpaired capital and surplus of not less than 250,000 dollars in the form of cash or other assets approved by the commissioner. Amends provisions relating to examination and investigation under captive insurance law. Requires all examination reports, preliminary examination reports or results, working papers, record information, documents, and copies produced by, obtained by, or disclosed to the commissioner or any person in the course of an examination made are confidential and are not subject to subpoena and may not be made public by the commissioner or an employee or agent of the commissioner without the written consent of the company. Establishes provisions relating to sponsored captive insurance companies. Establishes guidelines for formation of a sponsored captive insurance company; supplemental application material; protected cells; and qualification of sponsors. Repeals definition of leased capital, facility, participant, participant contract, protected cell, and sponsor. Amends provisions relating to classes of captive insurance by changing leased capital facility to sponsored captive insurance company. Amends provisions relating to minimum capital; letter of credit, security by decreasing class 4 from 1 million to 500,000 dollars. Repeals provisions relating to leased capital facilities. -- SB3023 CD1

Committee Reports: SSCR 2378 (CPH) SSCR 2604 (WAM) HSCR 1196-08 (CPC/JUD/) HSCR 1763-08 (FIN) CCR 10-08

Current Status: Apr=29 08 Passed Legislature

Section Affected: 431:19- (23 SECTIONS) SPECIAL PURPOSE FINANCIAL CAPTIVE INSURANCE COMPANIES, 431:19-101, 431:19-101.3, 431:19-104, 431:19-108, 431:19-106.3

SB3027 SD2 (SSCR 2591)

RELATING TO OSTEOPATHY.

Introduced by: Hanabusa C (BR)

Amends provisions relating to medicine and surgery law by including osteopathic physician and osteopathic medicine. -- SB3027 SD2

Committee Reports: SSCR 2279 (HTH) SSCR 2591 (CPH) HSCR 1131-08 (HLT) HSCR 1476-08 (CPC)

Current Status: Mar-31 08 Received by the Governor

Apr-03 08 Approved by Governor (Act 5 2008)

Section Affected: 453-1, 453-1.5, 453-2, 453-3, 453-3.2, 453-3.5, 453-4, 453-5.3, 453-6, 453-7.5, 453-8, 453-8.1, 453-8.2, 453-8.7, 453-10, 453-14, 453-15, 453-16, 453-31, 453-32.6, 460-1, 460-1.3, 460-1.35, 460-1.5, 460-1.6, 460-2, 460-3, 460-5, 460-6, 460-8, 460-9, 460-10, 460-11, 460-12, 460-14, 460-14.5, 460-15, 460-16, 460-17, 460-18, 460-19, 460-20, 460-21

SB3030 SD2 HD2 CD1 (CCR 5-08)

RELATING TO MIXED MARTIAL ARTS.

Introduced by: Hanabusa C (BR)

Amends provisions relating to permit required to hold each mixed martial arts event. Requires a license mixed martial art promoter to pay for fiscal years 2009 - 2010 to 2012 - 2013, a license fee of 4 per cent of the 1st 50,000 dollars of the total gross receipts and 3 per cent of the total gross receipts over 50,000 dollars from admission fees to an event, exclusive of federal, state; and local taxes. -- Further requires for fiscal years beginning June 30, 2013, a license fee that is 6 per cent of the total gross receipts from admission fees to an event, exclusive of federal, state, and local taxes. Requires promoters to pay an additional surcharge fee of 16,750 dollars, or any other amount determined by the department of commerce and consumer affairs to be appropriate, which shall be deposited into the compliance resolution fund. Authorizes the department to adjust the additional surcharge fee to equitably apportion the cost among the promoters based on the number of licensed promoters. -- SB3030 CD1

Committee Reports: SSCR 2235 (CPH) SSCR 2585 (WAM) HSCR 1079-08 (TAC) HSCR 1257-08 (CPC) HSCR 1646-08 (FIN) CCR 5-08

Current Status: Apr-25 08 Received by the Governor

Section Affected: 440E-7

## SENATE BILLS THAT PASSED THE LEGISLATURE

- SB3051 SD2 HD1 CD1 (CCR 29-08) RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS.  
Introduced by: Hanabusa C (BR)  
Amends prospective adoptive parents; standards and home studies. Requires that the department human services or its designee to obtain criminal history record information through the Hawaii criminal justice data center and child abuse record information from the department. Amends provisions relating to criminal history record checks by adding retired and senior volunteer program or applicable section or sections of the Social Security Act for the purposes of providing home and community based services. -- SB3051 CD1  
Committee Reports: SSCR 2216 (HSP) SSCR 2733 (JDL) HSCR 1109-08 (HSH) HSCR 1340-08 (JUD) HSCR 1620-08 (FIN) CCR 29-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 346-17, 346-19.7, 346-97, 346-154, 346-335, 352D-4.3, 846-2.7
- SB3061 HD1 CD1 (CCR 26-08) RELATING TO THE FIRST-TO-WORK PROGRAM.  
Introduced by: Hanabusa C (BR)  
Repeals the job opportunities and basic skills program and replaces it with the 1st to work program. Establishes a mandatory work program for certain applicants and recipients of temporary assistance for needy families (TANF) and temporary assistance for other needy families and requires the department of human services to adopt rules consistent with federal regulation. -- SB3061 CD1  
Committee Reports: SSCR 2298 (HSP) HSCR 1065-08 (HSH) HSCR 1300-08 (LAB) HSCR 1621-08 (FIN) CCR 26-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 346-261, 346-262, 346-263, 346-264, 346-265, 346-266, 346-267, 346-268, 346-269, 346-270, 346-271, 346-272, 346-273, 346-274, 346-275, 346-276
- SB3068 SD1 HD1 (HSCR 1704-08) MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION.  
Introduced by: Hanabusa C (BR)  
Appropriation to the department of health for ongoing services provided by the adult mental health division, revenue shortfall, and operational costs at the Hawaii state hospital; and out of the mental health and substance abuse special fund for ongoing services. (\$\$) -- SB3068 HD1  
Committee Reports: SSCR 2078 (HTH) SSCR 2589 (WAM) HSCR 1704-08 (FIN)  
Current Status: Apr-16 08 Received by the Governor  
Apr-22 08 Approved by Governor (Act 29 2008)
- SB3069 SD2 HD1 CD1 (CCR 161-08) RELATING TO RECORDS OF DEFENDANTS COMMITTED TO A HOSPITAL CONTROLLED BY THE DIRECTOR OF HEALTH OR TO CUSTODY OF DIRECTOR OF HEALTH.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to examination of defendant with respect to physical or mental disease, disorder, or defect, effect of finding of unfitness to proceed and legal effect of acquittal on the ground of physical or mental disease, disorder, or defect excluding responsibility; commitment; conditional release; discharge; procedure for separate post acquittal hearing. Provides that if the court orders the defendant committed to a hospital or other facility under the control of the director of health, then the county police departments shall provide to the director of health and the defendant copies of all police reports from cases filed against the defendant which have been adjudicated by the acceptance of a plea of guilty or no contest, a finding of guilt, acquittal, acquittal pursuant to physical or mental disease, disorder, or defect excluding penal responsibility, or by the entry of plea of guilty or no contest, so long as the disclosure to the director of health and the defendant does not frustrate a legitimate function of the county police departments, with the exception of expunged records, records of or pertaining to any adjudication or disposition rendered in the case of a juvenile, or records containing data from the US National Crime Information Center. Requires the county police departments to segregate or sanitize from the police reports information that would result in the likelihood or actual identification of individuals who furnished information in connection with its investigation, or who were of investigatory interest. Provides that records shall not be re disclosed except to the extent permitted by law. -- SB3069 CD1  
Committee Reports: SSCR 2332 (HTH) SSCR 2797 (JDL) HSCR 1345-08 (JUD) HSCR 1722-08 (FIN) CCR 161-08

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- Current Status: Apr-29 08 Passed Legislature  
Section Affected: 704-404, 704-406, 704-411
- SB3074 SD1 HD1 (HSCR 1655-08) MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH.  
Introduced by: Hanabusa C (BR)  
Appropriation out of general revenues and out of the emergency medical services special fund to the department of health to comply with collective bargaining increases negotiated by the ambulance service provider for Oahu. Requires funds to be used for collective bargaining increases. (\$\$) -- SB3074 HD1  
Committee Reports: SSCR 2097 (HTH) SSCR 2582 (WAM) HSCR 1130-08 (HLT) HSCR 1655-08 (FIN)  
Current Status: Apr-16 08 Received by the Governor  
Apr-24 08 Approved by Governor (Act 35 2008)
- SB3076 HD1 CD1 (CCR 113-08) RELATING TO EPIDEMIOLOGISTS.  
Introduced by: Hanabusa C (BR)  
Establishes provisions relating to epidemiologists. Authorizes the department of health to establish up to 10 permanent or temporary exempt positions known as epidemiologist to investigate diseases and injuries which threaten the public health and safety. -- SB3076 CD1  
Committee Reports: SSCR 2276 (HTH) SSCR 2668 (WAM) HSCR 1278-08 (HLT) HSCR 1656-08 (FIN) CCR 113-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 321- (1 SECTION) EPIDEMIOLOGISTS
- SB3087 SD1 HD1 CD1 (CCR 17-08) RELATING TO CONTRACTOR SUSPENSION ON PUBLIC WORKS PROJECTS.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to wages and hours of employees on public works; suspension. Requires the director of labor and industrial relations to suspend a contractor for a period of 3 years for falsification of records or for delay or interference with an investigation. -- SB3087 CD1  
Committee Reports: SSCR 2172 (TSG) SSCR 2670 (JDL) HSCR 1204-08 (LAB) HSCR 1612-08 (FIN) CCR 17-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 104-25
- SB3092 SD1 HD1 CD1 (CCR 33-08) RELATING TO SOCIAL SECURITY NUMBER.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to pending actions, judgments; recording of, notice. Requires the last 4 digits of the social security number to be used for every judgment, order or decree that is registered, recorded or docketed with the bureau of conveyances or with the assistant registrar of the land court. -- SB3092 CD1  
Committee Reports: SSCR 2664 (JDL) HSCR 1191-08 (CPC) HSCR 1672-08 (JUD) CCR 33-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 501-151, 502-33, 504-1, 636-3
- SB3102 SD2 HD1 CD1 (CCR 118-08) RELATING TO THE LAND CONSERVATION FUND.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to authority to acquire and convey. Allows the board of land and natural resources, in consultation with the senate president and the speaker of the house of representatives, to require as a condition of the receipt of funds that state, county, and nonprofit land conservation organizations receiving funds to provide a conservation easement, or an agricultural easement or deed restriction or covenant to an appropriate land conservation organization or county, state, or federal natural resource conservation agency, that shall run with the land and be recorded with the land to ensure the long term protection of land having value as a resource to the State and preserve the interests of the State. -- Amends provisions relating to land conservation fund. Allows moneys from any other private or public sources to be deposited in or credited to the fund, provided that mandates, regulations, or conditions on these funds do not conflict with the use of the fund. Provides that the fund shall be used for costs related to the operation, maintenance, and management of lands acquired by way of this fund that are necessary to protect, maintain, or restore resources at risk on these lands, or that provide for greater public access and enjoyment of these lands; provided that the



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costs related to the operation, maintenance, and management of lands acquired by way of this fund do not exceed 5 per cent of annual fund revenues of the previous year. -- Amends provisions relating to grants to state agencies, counties, and nonprofit land conservation organizations. Allows the board of land and natural resources to make grants to state agencies, counties, and nonprofit land conservation organizations from available funds for the operation, maintenance, and management of lands acquired that are necessary to protect, maintain, or restore resources at risk on these lands, or that provide for greater public access and enjoyment of these lands. -- SB3102 CD1  
Committee Reports: SSCR 2426 (WTL) SSCR 2838 (WAM) HSCR 1293-08 (WLH) HSCR 1776-08 (FIN) CCR 118-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 173A-4, 173A-5, 173A-9

SB3105 SD1 (SSCR 2662)

RELATING TO PUBLIC AGENCY MEETINGS.  
Introduced by: Hanabusa C (BR)  
Amends provisions relating to limited meetings. Provides that if a board determines after sufficient deliberation that it is necessary to conduct an on site inspection at which public attendance is not practicable, and the director of the office of information practices concurs, the board may hold a limited meeting in that location, which is not open to the public. -- SB3105 SD1  
Committee Reports: SSCR 2662 (JDL) HSCR 1581-08 (JUD)  
Current Status: Apr-04 08 Received by the Governor  
Apr-18 08 Approved by Governor (Act 20 2008)  
Section Affected: 92-3.1

SB3166 HD1 CD1 (CCR 12-08)

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.  
Introduced by: Fukunaga C, Slom S, Ihara L, Tokuda J, Chun Oakland S  
Amends provisions relating to the Hawaii community development authority members to require that at least 2 members represent small businesses. Requires the governor to designate from among the existing members, the 2 members that will serve small business representatives. -- SB3166 CD1  
Committee Reports: SSCR 2654 (EDT/WTL/) HSCR 1317-08 (WLH) HSCR 1477-08 (EDB) CCR 12-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 206E-3

SB3171 SD2 HD2 CD1 (CCR 162-08)

RELATING TO CHARITABLE TRUSTS AND NONPROFIT ORGANIZATIONS.  
Introduced by: Ihara L, Hooser G, Baker R, Inouye L  
Establishes provisions relating to registration of charitable organizations. Requires every public benefit corporation domiciled in Hawaii and every charitable organization not exempt to register with the department of the attorney general prior to conducting any solicitation or prior to having any solicitation conducted on its behalf by others. Establishes provisions relating to professional solicitor financial reports; fiscal records and fees. Requires every charitable organization required to register to annually file with the department a report for its most recently completed fiscal year. Prohibits a charitable organization to use the services of an unregistered professional solicitor or professional fundraising counsel. Authorizes the attorney general to refuse to register or revoke or suspend the registration of any charitable organization. Requires a professional solicitor to file gross revenue and an itemization of all expenses incurred on a form prescribed by the attorney general and to report gross revenue from Hawaii donors and national gross revenue from a solicitation activity or campaign. Appropriation out of the solicitation of funds for charitable purposes special fund to the department of the attorney general for 2 permanent full time equivalent (2.00 FTE) deputy attorney general positions, 1 permanent full time equivalent (1.00 FTE) auditor position, and 1 permanent full time equivalent (1.00 FTE) legal assistant position. (\$\$)  
-- SB3171 CD1  
Committee Reports: SSCR 2437 (JDL/ CPH/) SSCR 2787 (WAM) HSCR 1264-08 (CPC/ JUD/) HSCR 1764-08 (FIN) CCR 162-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 467B- (4 SECTIONS), 467B-1, 467B-2.5, 467B-5.5, 467B-8, 467B-9, 467B-9.7, 467B-12

SB3174 SD2 HD2 CD1 (CCR 167-08)

RELATING TO AFFORDABLE HOUSING.  
Introduced by: Chun Oakland S, Sakamoto N, Kokubun R, Espero W, English J, Tokuda J, Menor R, Gabbard M, Ige D, Nishihara C, Tsutsui S, Ihara L, Kim D, Inouye L, Hooser G, Hanabusa C, Taniguchi B, Fukunaga C, Baker R

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Amends Act 291, session laws of 1980, as amended by Act 304, session laws of 1996, as amended by Act 185, session laws of 2004, as amended by Act 231, session laws of 2007, by increasing the amount of the revenue bond authorization for the Hawaii housing finance and development corporation. (\$\$) -- SB3174 CD1

Committee Reports: SSCR 2137 (CPH/ HSP/) SSCR 2861 (WAM) HSCR 1162-08 (HSH/ WLH/) HSCR 1647-08 (FIN) CCR 167-08

Current Status: May=01 08 Passed Legislature

Section Affected: ACT 291 1980, ACT 304 1996, ACT 185 2004, ACT 231 2007

SB3185 SD2 HD1 (HSCR 1661-08)

RELATING TO CANCER.

Introduced by: Baker R, Chun Oakland S

Amends provision relating to breast and cervical cancer treatment program by changing it to comprehensive breast and cervical cancer control program. Requires the department of human services to administer the breast and cervical cancer comprehensive cancer control program in collaboration with the department of health. Requires the department of health to work with the department of human services to assist in the screening, education, and outreach process regardless of a women's eligibility for Medicaid coverage. Requires the department of health to provide state funded medical assistance. Provides that of the funds appropriated to the department of human services for the cancer control center a portion will be transferred to the department of health for cervical and breast cancer screening, education, and outreach. Annual report to the legislature. (\$\$) -- SB3185 HD1

Committee Reports: SSCR 2277 (HTH) SSCR 2771 (WAM) HSCR 1161-08 (HSH/ HLT/) HSCR 1661-08 (FIN)

Current Status: Apr-15 08 Received by the Governor

May-01 08 Approved by Governor (Act 52 2008)

Section Affected: 346-59.2

SB3190 HD1 (HSCR 1648-08)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU.

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

Authorizes the issuance of special purpose revenue bonds to assist Sopogy, Inc. with the planning, designing, construction, equipping, and operating its solar farm power plant on the island of Oahu. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB3190 HD1

Committee Reports: SSCR 2310 (ENE) SSCR 2636 (WAM) HSCR 1167-08 (EEP) HSCR 1648-08 (FIN)

Current Status: May=01 08 Passed Legislature

SB3200 SD1 HD1 (HSCR 1591-08)

RELATING TO GOVERNMENTAL RETENTION OF ATTORNEYS.

Introduced by: Hanabusa C

Amends provisions relating to employment of attorneys. Requires that if the attorney general discloses a conflict of interest that the attorney general declines on the conflict of interest, the attorney general shall retain an attorney for the court, judicial, or legislative office, subject to approval by the court, judicial, or legislative office. -- SB3200 HD1

Committee Reports: SSCR 2169 (TSG) SSCR 2618 (JDL) HSCR 1591-08 (JUD)

Current Status: Apr-14 08 Received by the Governor

Apr-29 08 Became Law Without Governor's Signature (Act 45 2008)

Section Affected: 28-8.3

SB3203 SD1 HD1 CD1 (CCR 45-08)

RELATING TO ANIMAL HOARDING.

Introduced by: Taniguchi B

Establishes provisions relating to animal hoarding. Provides that a person commits the offense of animal hoarding if the person intentionally, knowingly, or recklessly possesses more than 20 dogs, cats, or a combination of dogs and cats, fails to provide necessary sustenance for each dog or cat, and fails to correct the conditions under which the dogs or cats are living, where the conditions injurious to the dogs', cats', or owner's health and well being result from the person's failure to provide necessary sustenance. Makes it a misdemeanor. -- Amends provisions relating to authority to enter premises, notice of impoundment of animal, damage resulting from entry; forfeiture of animal prior to disposition of criminal charges; and surrender or forfeiture of animals by adding animal hoarding. Act to be repealed on July 1, 2011 (sunset). -- SB3203 CD1

Committee Reports: SSCR 2704 (JDL) HSCR 1524-08 (JUD) CCR 45-08

## SENATE BILLS THAT PASSED THE LEGISLATURE

Current Status: Apr-29 08 Passed Legislature  
Section Affected: 711- (1 SECTION), 711-1109.1, 711-1109.2, 711-1110.5

SB3227 SD2 HD1 CD1 (CCR 106-08) RELATING TO HARBORS.  
Introduced by: English J, Chun Oakland S, Sakamoto N, Hooser G, Nishihara C, Hemmings F, Hanabusa C  
Amends provisions relating to disposition by negotiation. Provides that the disposition of public lands for maritime related operation to be a maximum term of 70 years. Authorizes the department to delegate to the development corporation the implementation of commercial harbors modernization plan project. Requires the harbors modernization group to have jurisdiction over the harbors projects (Honolulu, Kahului, Hilo, Kawaihae, Kalaeloa, Nawiliwili harbors) and to be known as the commercial harbors modernization plan and retain powers of the development corporation. Authorizes the department of transportation to issue harbor revenue bonds for harbor capital improvement projects. Appropriation from the harbor revenue bond funds for fiscal year beginning July 1, 2008 and ending June 30, 2012 (sunset), to the department of transportation. -- Establishes provisions relating to Hana harbor; jurisdiction. Requires the department of transportation to have jurisdiction and administrative authority over Hana harbor. Requires the Hana harbor small boat ramp facility to remain under the jurisdiction and administrative authority of the department of land and natural resources. Transfers the jurisdiction, functions, powers, duties, and authority from the department of land and natural resources to the department of transportation. (\$\$) -- SB3227 CD1  
Committee Reports: SSCR 2326 (TIA/ WTL/) SSCR 2760 (WAM) HSCR 1215-08 (TRN/ WLH/) HSCR 1611-08 (FIN) CCR 106-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 171-59, 206J-2, 206J-4, 206J-5.5, 266- (1 SECTION)

SB3228 HD1 (HSCR 1747-08) RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES.  
Introduced by: English J, Baker R, Tsutsui S  
Amends provisions relating to pensions for patient employees at facilities for Hansen's disease treatment. Establishes adjustments for pension amounts. -- SB3228 HD1  
Committee Reports: SSCR 2401 (JDL/ HTH/) SSCR 2675 (WAM) HSCR 1099-08 (HLT) HSCR 1298-08 (LAB) HSCR 1747-08 (FIN)  
Current Status: Apr-15 08 Received by the Governor  
Apr-30 08 Approved by Governor (Act 49 2008)  
Section Affected: 326-23

SB3240 SD1 HD2 (HSCR 1674-08) RELATING TO MOTOR VEHICLE DRIVER'S LICENSE.  
Introduced by: Inouye L  
Establishes provisions relating to expiration of licenses; out of country active duty military personnel. Provides that the expired driver's license of a member of any component of the US armed forces who is on active federal service and whose driver's license expired while deployed outside the US, shall remain valid for 90 days after the service member's return to the US. Amends provisions relating to expiration of licenses. Changes driver's license to expire from 6 years to 8 years after the date of issuance and 4 years after date of issuance for licensee 24 years of age or younger. Authorizes the examiner of drivers to issue a license for a shorter period if the licensee has a physical condition or conditions that the examiner of drivers reasonably believes may impair the driver's ability to drive. -- SB3240 HD2  
Committee Reports: SSCR 2302 (TIA/ IGM/) HSCR 1255-08 (TRN/ PSM/) HSCR 1674-08 (JUD)  
Current Status: Apr-15 08 Received by the Governor  
Apr-30 08 Approved by Governor (Act 50 2008)  
Section Affected: 286- (1 SECTION), 286-106

SB3252 SD2 HD2 CD1 (CCR 168-08) RELATING TO TEACHERS.  
Introduced by: Sakamoto N, Chun Oakland S, English J  
Appropriation to the department of education to assist school teachers seeking to become highly qualified under the No Child Left Behind Act by paying for participation in preparatory courses, tutorials, or programs for the PRAXIS examinations. -- Appropriation for the establishment of 4 professional development schools for teachers. Requires the department of education to allocate funds to the schools by means of competitive grants. Requires the grant application to include a description of how the professional development school will meet the professional development school

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standards and the department's 6 images of success. Allows grants to be awarded for up to 5 years and to be renewable. Requires schools to annually report to the department. (\$\$) -- SB3252 CD1

Committee Reports: SSCR 2259 (EDU) SSCR 2853 (WAM) HSCR 1288-08 (EDN/LAB/) HSCR 1684-08 (FIN) CCR 168-08

Current Status: May=01 08 Passed Legislature

SB3255 SD2 HD2 CD1 (CCR 156-08) RELATING TO LONG TERM CARE.

Introduced by: Ihara L, Baker R, Ige D, Inouye L, Chun Oakland S, Sakamoto N  
Establishes the long term care policy goals of the State of Hawaii. Establishes a long term care commission within the university of Hawaii college of social sciences public policy center to identify problems with the current long term care capacity, programs and services, to develop a 5 year comprehensive long term care plan to accomplish long term care policy goals, to research public and private financing options, monitor federal legislation, and collaborate with interested stakeholders regarding long term care. Reports to the legislature. Allows the commission to conduct or initiate studies, hire staff and contract with 3rd parties to conduct studies. Requires the public policy center to provide administrative support. Appropriation. Commission to expire on November 30, 2010 (sunset). (\$\$) -- SB3255 CD1

Committee Reports: SSCR 2473 (HSP) SSCR 2831 (WAM) HSCR 1092-08 (HLT/HSH/) HSCR 1657-08 (FIN) CCR 156-08

Current Status: Apr-29 08 Passed Legislature

## HOUSE BILLS THAT PASSED THE LEGISLATURE

- HB0007 HD1 SD1 (SSCR 3378) RELATING TO THE I-SAVERX PRESCRIPTION DRUG PROGRAM.  
Introduced by: Takumi R, Green J, Thielen C  
Establishes provisions relating to I saverx prescription drug program. Provides increased access to safe prescription drugs at affordable prices. Requires the governor to enter into a written agreement with the state of Illinois and any other state necessary to provide access for program participants, including Hawaii residents, to safe and affordable prescription drugs from Europe and Canada through the Illinois' I saverx prescription drug program no later than January 1, 2009. Provides that the agreement to participate state that all Hawaii residents shall be provided program access to the I saverx prescription drug program through the internet and a 24 hour toll free telephone number to be considered program participants. Requires the pharmacy benefits manager to be responsible of the operations and administration of the internet website accessed via the I saverx site. Requires the governor to establish, operate and administer a separate internet website to provide Hawaii residents with information relating to the program. Requires Hawaii to cooperate with participating states to ensure an adequate supply of prescription drugs from the program's participating pharmacies. Provides that if demand exceeds the prescription drugs available, an agreement may provide that Illinois residents have priority over other program participants in other participating states. Requires Hawaii to be a member to the joint work group to ensure adequate input from Hawaii regarding the safe and effective administration of the program. Requires Illinois to be the primary administrator of the pharmacy benefits management to a set of standards of practice adopted by participating states. Requires the pharmacy benefits manager and the network of pharmacies to comply with the terms of the pharmacy benefits management agreement. Requires the department of human services to report to the legislature. Act to be repealed on June 30, 2012 (sunset). -- HB0007 SD1  
Committee Reports: HSCR 92 (HLT/ HSH/) HSCR 1026-08 (FIN) SSCR 3120 (HTH) SSCR 3378 (CPH)  
Current Status: May-01 08 Vetoed  
May-01 08 Veto Overridden - House  
May=01 08 Veto Overridden - Senate  
Section Affected: 346- (14 SECTIONS) I-SAVERX PRESCRIPTION DRUG PROGRAM
- HB0094 HD1 SD2 CD1 (CCR 128-08) RELATING TO INSURANCE.  
Introduced by: Herkes R  
Establishes the life settlements law (viatical settlement). Prohibits a person to act as a provider or broker with an owner of life insurance without 1st having obtained a license from the insurance commissioner. Allows the commissioner to suspend, revoke, or refuse to renew the license of any licensee. Annual reports to the legislature. Act to be repealed 2 years from the date of its approval (sunset). -- HB0094 CD1  
Committee Reports: HSCR 24-08 (CPC) HSCR 315-08 (CPC) HSCR 811-08 (FIN) SSCR 3081 (CPH) SSCR 3343 (JDL) CCR 128-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: (31 SECTIONS) LIFE SETTLEMENTS, 431:7-101
- HB0118 SD1 CD1 (CCR 137-08) RELATING TO STATE BONDS.  
Introduced by: Oshiro M  
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. (\$\$) -- HB0118 CD1  
Committee Reports: HSCR 760 (FIN) SSCR 2982 (WAM) CCR 137-08  
Current Status: Apr-29 08 Passed Legislature
- HB0357 HD2 SD1 CD1 (CCR 141-08) RELATING TO TRAFFIC SAFETY.  
Introduced by: Lee M, Thielen C, Rhoads K, Mizuno J, Morita H, Evans C, Luke S, Takai K, Hanohano F  
Requires the department of transportation to work with the counties and nonprofit organizations to identify and implement immediate improvements to high risk crosswalks and road crossings. Requires the department to conduct a study to identify state and county intersections where the time to cross the intersection is insufficient for elderly pedestrians, and to develop additional design, funding, and installation plans to make crosswalks and road crossings safer for pedestrians. Reports to the legislature. -- Appropriation to the department to conduct a pilot study to identify state and county intersections where the time to cross the intersection is insufficient for elderly pedestrians and to implement any immediate improvements to high risk crosswalks and

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road crossing, provided that the department may consult with the counties and nonprofit organization as appropriate for purposes of the pilot study. (\$\$) -- HB0357 CD1  
Committee Reports: HSCR 241 (TRN) HSCR 938 (FIN) SSCR 1182 (TIA/IGM/SSCR 1688 (WAM) CCR 141-08  
Current Status: May=01 08 Passed Legislature

HB0523 HD2 SD1 CD1 (CCR 63-08) RELATING TO CHILDREN.  
Introduced by: Mizuno J, Shimabukuro M, Meyer C, Marumoto B, Ching C, Bertram J  
Establishes provisions relating to foster children, guiding principles (bill of rights). Provides that the department of human services has the duty as foster custodian or permanent custodian to ensure that children living under its care have rights that are protected and enforced. Authorizes the family court to issue any necessary orders sua sponte, or upon appropriate motion, to the department of human services, department of health, and department of education to ensure adherence to the guiding principles enumerated. -- HB0523 CD1  
Committee Reports: HSCR 424 (HSH) HSCR 935-08 (JUD) SSCR 3021 (HSP) SSCR 3382 (JDL) CCR 63-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 587- (1 SECTION) FOSTER CHILDREN

HB0647 HD2 (HSCR 671-08) RELATING TO ENERGY.  
Introduced by: Morita H  
Repeals provisions relating to public private advisory committee under the energy resource law. -- HB0647 HD2  
Committee Reports: HSCR 277-08 (EEP) HSCR 671-08 (EEP) SSCR 3397 (ENE)  
Current Status: Apr-09 08 Received by the Governor  
Apr-22 08 Approved by Governor (Act 25 2008)  
Section Affected: 196-18

HB0660 SD1 CD1 (CCR 69-08) RELATING TO THE JURISDICTION OF THE CIRCUIT COURTS.  
Introduced by: Waters T  
Amends provisions relating to the jurisdiction of the circuit courts. Provides the circuit courts jurisdiction over impeachment actions against county officers. -- HB0660 CD1  
Committee Reports: HSCR 774 (JUD) SSCR 2288 (IGM) SSCR 3419 (JDL) CCR 69-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 603-21.5

HB0661 HD1 SD3 CD1 (CCR 132-08) RELATING TO CAMPAIGN SPENDING.  
Introduced by: Waters T, Green J, Mizuno J, Caldwell K, Belatti D, Berg L  
Establishes a pilot project establishing a comprehensive public funding program for the county of Hawaii council elections for a period of 3 election cycles if campaign spending commission determines that there is sufficient funding in the Hawaii election campaign fund. Requires the campaign spending commission to create and publish all forms and receipts required as well as a candidates' guide to the comprehensive public funding program. -- Amends provisions relating to depletion of fund. Provides that the fund is not obligated to provide moneys to eligible candidates if in the partial public funding program or comprehensive public funding for elections to the county councils moneys in that fund are near depletion. -- Establishes provisions relating to failure to file report; filing substantially defective or deficient report. Establishes penalties and requires the commission to publish the name of all candidate's committees that have failed to file a report or to correct a report. -- Amends provisions relating to elections. Defines loan not to mean expenditures made on behalf of a committee by a candidate, volunteer, or employee if it does not exceed 1,500 dollars within a 30 day period, a dated receipt and a written description of the name and address of each payee and the amount, date, and purpose of each expenditure is provided to the committee before the committee reimburses the candidate, volunteer or employee, and the committee reimburses the candidate, volunteer, or employee within 45 days of the expenditure being made. Redefines person to include business entity and organization. Requires election campaign contributions and expenditures reports to be filed electronically on or before 11:59 p.m. Hawaii standard time on the prescribed filing date. -- Amends provisions relating to income check off authorized. Amends provisions relating to income check off authorized by providing that any individual may designate 3 dollars or more of their income tax refund to the Hawaii election. -- HB0661 CD1  
Committee Reports: HSCR 744 (JUD) HSCR 1196 (FIN) SSCR 3116 (JDL) SSCR 3344 (WAM) - filed FLOOR AMENDMENT 6 CCR 132-08

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Current Status: Apr-29 08 Passed Legislature  
Section Affected: 11-217.5, 11- (1 SECTION), 11-191, 11-193, 11-195, 11-205.6, 11-206, 11-207.5, 11-212, 11-213, 11-216, 11-228, 235-102.5

HB0931 HD1 SD1 CD1 (CCR 57-08) RELATING TO MOPEDS.  
Introduced by: Wakai G, Nishimoto S  
Amends provisions relating to driving of mopeds. Exempts 3 wheeled mopeds from passenger and seating restrictions. Requires 3 wheeled mopeds to be insured for liability and property damage, excluding personal injury protection. Provides that mopeds only be operated on roadways with posted speed limits of 35 miles per hour or less. -- HB0931 CD1  
Committee Reports: HSCR 597 (TRN) HSCR 1073 (JUD) SSCR 1192 (TIA) CCR 57-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 291C-195, 291C-196, 291C-197

HB0987 HD1 SD2 (FLOOR AMENDMENT 8) RELATING TO POLICE OFFICERS.  
Introduced by: Waters T  
Amends provisions for police officers; counsel for. Defines acts done in the performance of the officer's duty as a police officer to include any action while in a duty status or while the police officer is on duty, any action performed by an off duty police officer while effecting an arrest or performing any other police duty, any action performed by the police officer while on special duty status. -- Amends provisions relating to determination of scope of duty. Provides that if the county attorney or corporation counsel of the county in which the police officer is serving fails to provide the police commission with a recommendation within 7 days of the commission's request, the discretion to make a recommendation shall be deemed waived and the police commission may make a determination without considering any recommendation by the county attorney or corporation counsel. -- HB0987 SD2  
Committee Reports: HSCR 795 (JUD) SSCR 1356 (JDL) FLOOR AMENDMENT 8  
Current Status: Mar-19 08 Vetoed  
Section Affected: 52D-8, 52D-9

HB1153 SD1 CD1 (CCR 78-08) RELATING TO PRECURSORS TO THE MANUFACTURE OF CONTROLLED SUBSTANCES.  
Introduced by: Say C (BR)  
Amends provisions relating to the forfeiture. Provides that conveyances including aircraft, vehicles, or vessels that are used, or intended for use, to transport or in any manner facilitate the transportation of precursor chemicals shall be subject to seizure and forfeiture under the criminal forfeiture law. -- HB1153 CD1  
Committee Reports: HSCR 791 (JUD) SSCR 1357 (JDL) CCR 78-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 329-70

HB1356 HD2 SD2 CD1 (CCR 61-08) RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH.  
Introduced by: Say C (BR)  
Amends provisions relating to former foster youth. Redefines former foster youth to mean a person formerly placed under the jurisdiction of the department of human services as a foster child by the family court who has attained the age of 18 while under the placement responsibility of the department or who was under the placement responsibility of the department when a legally responsible care giver was granted custody. Amends higher education board allowances for students. Provides eligible former foster youth to be eligible for higher education board allowances after reaching the age of majority and higher education board allowance for former foster youth to be paid to an accredited higher educational institution of higher learning, or legal custodians provided that the former foster youth is 26 years old or younger; the former foster youth has submitted an application for the higher education board allowance through the age of 21 years old, except that a former foster youth who is between the ages of 22 years and 26 years on July 1, 2008, and attending an institution of higher education may apply for allowance after July 1, 2008, and no later than June 30, 2009. -- Further provides that allowance shall not exceed 60 months. -- HB1356 CD1  
Committee Reports: HSCR 115 (HSH) HSCR 904 (FIN) SSCR 1279 (HSP) SSCR 1639 (WAM) CCR 61-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 346-16, 346-17.4

## HOUSE BILLS THAT PASSED THE LEGISLATURE

- HB1365 SD2 CD1 (CCR 68-08) RELATING TO THE STATE OF HAWAII DEFERRED COMPENSATION PLANS.  
Introduced by: Say C (BR)  
Amends provisions relating to investments. Provides that participating employees shall invest their deferred compensation in the investment products permitted under the plan provided that the investment products shall be provided by companies that are licensed to provide investment products and transact business in the State. Further provides that the investment products may include annuities, life insurance, savings accounts, mutual funds, or other types of investment products that are commonly offered in the securities industry or other deferred compensation plans and are determined by the board of trustees of the Hawaii deferred compensation fund to be reasonably prudent investment products. -- HB1365 CD1  
Committee Reports: HSCR 642 (LAB) HSCR 852 (FIN) SSCR 3004 (JDL) SSCR 3425 (WAM) CCR 68-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 88E-9, 88F-7
- HB1402 HD2 SD2 (SSCR 3347) RELATING TO CORRECTIONAL INDUSTRIES.  
Introduced by: Say C (BR)  
Amends provisions relating to the correctional industries program. Increases the limit on the number of temporary exempt positions allowed from 45 to 65. -- HB1402 SD2  
Committee Reports: HSCR 700 (PSM) HSCR 931 (FIN) SSCR 3070 (PBS/ JDL/ SSCR 3347 (WAM)  
Current Status: Apr-23 08 Received by the Governor  
Section Affected: 354D-3
- HB1412 HD1 SD1 CD1 (CCR 178-08) RELATING TO THE DEPARTMENT OF TAXATION'S BENEFITS-FUNDED REVENUE-GENERATING COMPUTER INITIATIVES.  
Introduced by: Say C (BR)  
Establishes the integrated tax services and management special fund into which shall be deposited appropriations made by the legislature from revenues collected from income taxes, general excise taxes, and use taxes. Requires the fund to pay for the integrated tax services and management system's performance base contracts and administrative and operating expenses relating to the post implementation revenue generating initiatives; the improvement of tax collection capabilities; implementation, administration, and compliance of the Streamlined Sales and Use Tax Agreement; and improvement of the department of taxation's operation and staffing requirements. Exempts the fund from contributing to the central service and administrative expenses of the government. -- Requires the department of taxation to execute performance based contracts and work assignments by October 1, 2008, to enhance or acquire automated tax systems, or both, including computer hardware and software, for the implementation and administration of taxes. Annual report to the legislature. Appropriation to the fund and out of the fund. Requires the department to repay the appropriation to the fund. -- Amends provisions relating to electronic filing of tax returns to authorize the department to adopt rules to require tax returns of amounts 100,000 or less to be filed electronically. (\$\$) -- HB1412 CD1  
Committee Reports: HSCR 812 (FIN) SSCR 3402 (EDT/ WAM/) CCR 178-08  
Current Status: May=01 08 Passed Legislature  
Section Affected: 231- (1 SECTION), 36-27, 36-30, 235-119, 237-31, 238-14, 231-8.5, 231-9.9
- HB1755 HD1 SD1 (SSCR 2194) RELATING TO THE GENERAL EXCISE TAX.  
Introduced by: Yamashita K, Karamatsu J  
Provides that sales at wholesale includes sales of services to a licensed seller engaged in a business or calling including a dealer's furnishing of goods and services to the purchaser of tangible personal property to fulfill a warranty obligation of the manufacturer. -- HB1755 SD1  
Committee Reports: HSCR 344 (EDB) HSCR 1169 (FIN) SSCR 2194 (EDT) SSCR 2673 (WAM)  
Current Status: May-01 08 Passed Legislature  
Section Affected: 237-4
- HB1978 HD1 SD1 (SSCR 3317) RELATING TO PUBLIC ORDER.  
Introduced by: Rhoads K, Brower T  
Amends Act 84, session laws of 2004, relating to urinating or defecating in public by changing the sunset date to Decemeber 31, 2012 (sunset). -- HB1978 SD1  
Committee Reports: HSCR 705-08 (JUD) SSCR 3317 (JDL)



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- Current Status: Apr-23 08 Received by the Governor  
Section Affected: ACT 84 2004
- HB2009 SD1 (SSCR 3068) RELATING TO CORRECTIONS.  
Introduced by: Evans C  
Repeals provisions relating to the correctional program revolving fund; program fees. -- HB2009 SD1  
Committee Reports: HSCR 341-08 (PSM) HSCR 942-08 (FIN) SSCR 3068 (PBS) SSCR 3392 (WAM)  
Current Status: Apr-23 08 Received by the Governor  
Section Affected: 353-33
- HB2045 SD1 (SSCR 3366) RELATING TO ESTABLISHING A GLOBAL YOUTH CENTER.  
Introduced by: Mizuno J, Ward G, Awana K, Cabanilla R, Carroll M, Brower T, Shimabukuro M  
Establishes the global youth center under the university of Hawaii to generate and link an international framework in which youth from around the world may engage in the attainment of world peace, environmental sustainability, and human and economic productivity. -- HB2045 SD1  
Committee Reports: HSCR 682-08 (HED/ INT/) SSCR 2989 (EDU) SSCR 3366 (WAM)  
Current Status: Apr-29 08 Vetoed  
Section Affected: 304A- (1 SECTION) GLOBAL YOUTH CENTER
- HB2062 HD1 SD2 CD1 (CCR 86-08) RELATING TO LONG-TERM CARE.  
Introduced by: Mizuno J, Thielen C, Har S, Belatti D, Ward G, Marumoto B, Meyer C, Ching C  
Requires the department of human services to apply to the federal centers for Medicaid Services to allow persons who are eligible to receive Medicaid funds for care at nursing home facilities to remain at home and receive home and community based long term care; provided that the cost shall not exceed the total expenditures that would have been incurred if the person received facility based long term care, services, or support. -- HB2062 CD1  
Committee Reports: HSCR 37-08 (HSH/ HLT/) HSCR 836-08 (FIN) SSCR 3079 (HSP) SSCR 3300 (WAM) CCR 86-08  
Current Status: Apr-29 08 Passed Legislature
- HB2085 HD1 SD2 (FLOOR AMENDMENT 5) RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION.  
Introduced by: Yamashita K, Tsuji C, Yamane R  
Amends provisions relating to the agribusiness development corporation; board of directors. Adds that 8 members of the board of directors for the corporation have knowledge, experience and expertise within the fields of retail, wholesale, and distribution involving agricultural products, packaging and processing of agricultural products, transportation and shipping of agricultural products, or venture capital involving agricultural businesses. Requires the agribusiness development corporation to complete a 5 year strategic plan which shall include the expansion of its operations from water and land projects to include identification and discussion of personnel and funding needs, new project areas such as marketing and agricultural enterprise development, proposed benchmarks and time lines for implementation, and recommendations for changes to the composition of the agribusiness development corporation board to better achieve the goals set forth in the strategic plan. Report to the legislature. -- HB2085 SD2  
Committee Reports: HSCR 198-08 (AGR/ EDB/) HSCR 812-08 (FIN) SSCR 3296 (AHW) FLOOR AMENDMENT 5  
Current Status: Apr-22 08 Received by the Governor  
Section Affected: 163D-3
- HB2138 HD1 (HSCR 709-08) RELATING TO CAREGIVER RECOGNITION DAY.  
Introduced by: Mizuno J, Magaoay M, Rhoads K, Awana K  
Establishes provisions relating to caregiver recognition day. Designates the 1st Saturday in November in recognition of the very significant role that caregivers play in support of Hawaii's elderly and persons with disabilities. -- HB2138 HD1  
Committee Reports: HSCR 709-08 (HLT/ HSH/) SSCR 3166 (HSP)  
Current Status: Mar-27 08 Received by the Governor  
Apr-04 08 Approved by Governor (Act 6 2008)  
Section Affected: 8- (1 SECTION) CAREGIVER RECOGNITION DAY

## HOUSE BILLS THAT PASSED THE LEGISLATURE

- HB2139 HD2 SD1 CD1 (CCR 64-08) RELATING TO ANATOMICAL GIFTS.  
Introduced by: Mizuno J, Magaoay M, Rhoads K, Awana K  
Repeals the uniform anatomical gift act and establishes the revised uniform anatomical gift act. Establishes provisions for who may make an anatomical gift before donor's death, manner of making anatomical gift before donor's death, amending or revoking anatomical gift before donor's, refusal to make anatomical gift and effect of refusal, preclusive effect of an anatomical gift, amendment, or revocation, who may make an anatomical gift of decedent's body or part, manner of making, amending, or revoking an anatomical gift of decedent's body or part, persons that may receive anatomical gift, search notification, delivery of document of gift not required, rights and duties of procurement organization, coordination of procurement and use, sale or purchase of parts prohibited, penalty, immunity, law governing validity, effect of anatomical gift on advance health care directive, cooperation between medical examiner or coroner and procurement organization, and facilitation of anatomical gift from decedent whose body is under jurisdiction of the examiner or coroner. Establishes the Hawaii organ and tissue education special fund administered and distributed by the department of health for public education programs and activities on organ, tissue, and eye donation. -- Repeals medical and research use of bodies law. -- HB2139 CD1  
Committee Reports: HSCR 458-08 (HLT) HSCR 982-08 (JUD) SSCR 3036 (HTH) SSCR 3339 (JDL) CCR 64-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 327- (26 SECTIONS) REVISED UNIFORM ANATOMICAL GIFT ACT, 286-109.6, 286-109.7, 327-1, 327-2, 327-3, 327-4, 327-5.5, 327-5.6, 327-6, 327-7, 327-8, 327-9, 327-10, 327-11, 327-12, 327-13, 327-14
- HB2163 HD2 SD1 (SSCR 2991) RELATING TO COMPTROLLER SUPERVISION OF ACCOUNTS.  
Introduced by: Chang J, Hanohano F, Bertram J, Karamatsu J, Magaoay M, Ito K  
Amends with provisions relating to audit and accounting. Requires the university of Hawaii to preaudit all proposed payments of 10,000 dollars or more. -- HB2163 SD1  
Committee Reports: HSCR 8-08 (HED) HSCR 775-08 (FIN) SSCR 2991 (EDU) SSCR 3327 (WAM)  
Current Status: Apr-14 08 Received by the Governor  
Apr-25 08 Approved by Governor (Act 37 2008)  
Section Affected: 40-1
- HB2164 HD1 SD1 (SSCR 3348) RELATING TO THE CANCER RESEARCH SPECIAL FUND.  
Introduced by: Chang J, Nishimoto S, Har S, Hanohano F, Morita H, Lee M, Bertram J, Berg L, Tsuji C, Herkes R, Karamatsu J, Magaoay M, Ito K  
Amends provisions relating to the tobacco tax distribution of revenues. Authorizes the moneys in the Hawaii cancer research fund to be used by the university of Hawaii for the cancer research center of Hawaii's capital expenditures. Changes the fund to include fees, charges, and other moneys received in conjunction with programs of the center and from transfers from other accounts or funds. -- HB2164 SD1  
Committee Reports: HSCR 226-08 (HED/ HLT/) HSCR 776-08 (FIN) SSCR 3042 (HTH/ EDU/) SSCR 3348 (WAM)  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 245-15, 304A-2168
- HB2165 RELATING TO NURSING.  
Introduced by: Chang J, Hanohano F, Morita H, Bertram J, Berg L, Tsuji C, Brower T, Magaoay M, Ito K, Har S  
Amends provisions relating to registered nurse; qualifications; licenses; fee; title; existing licensed nurses; verification of licenses; eligibility. Allows a graduate with a bachelors degree and who satisfactorily completed the pre licensure portion of a masters entry program in nursing at an accredited school of nursing in the US or any territory or possession under the jurisdiction of the US that is recognized by the board or other state boards of nursing and a qualified as determined by the board to apply for a license. -- HB2165  
Committee Reports: HSCR 225-08 (HED/ HLT/) HSCR 730-08 (CPC) SSCR 3034 (HTH) SSCR 3290 (CPH)  
Current Status: Apr-04 08 Received by the Governor  
Apr-22 08 Approved by Governor (Act 23 2008)  
Section Affected: 457-7
- HB2168 HD1 (HSCR 1004-08) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS.

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Introduced by: Morita H, Hanohano F, Green J, Chang J  
Authorizes the issuance of special purpose revenue bonds to assist H2 Technologies Incorporated or a partnership in which it is a general partner, or a newly formed LLC in which it is a managing member or the successor in interest or an assignee of H2 Technologies Inc. for the construction of a hydrogen generation appliance research, development, and manufacturing facility and laboratory and a gasoline or diesel to hydrogen automobile conversion garage on the island of Hawaii. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2168 HD1  
Committee Reports: HSCR 96-08 (EEP) HSCR 1004-08 (FIN) SSCR 3122 (ENE) SSCR 3682 (WAM)  
Current Status: Apr=29 08 Passed Legislature

HB2169 HD1 (HSCR 105-08) RELATING TO HEALTH.  
Introduced by: Green J  
Amends provisions relating to board of medical examiners by changing it to Hawaii medical board. -- HB2169 HD1  
Committee Reports: HSCR 105-08 (HLT) HSCR 384-08 (HLT) HSCR 731-08 (CPC) SSCR 3165 (CPH)  
Current Status: Mar-27 08 Received by the Governor  
Apr-11 08 Approved by Governor (Act 9 2008)  
Section Affected: 453-5

HB2204 HD1 SD1 CD1 (CCR 79-08) RELATING TO THE LIABILITY OF A FIREARM OWNER.  
Introduced by: Say C (BR)  
Amends provisions relating to liability of firearm owners. Provides that the absolute liability shall not apply to the State or counties for the use of a firearm owned by the State or county, as applicable, and used by a law enforcement officer employed by the State or county, outside of the course and scope of employment as a law enforcement officer; provided that this shall not be construed to relieve the State and counties from any other tort liability that may be applicable to the State or counties. -- HB2204 CD1  
Committee Reports: HSCR 721-08 (JUD) SSCR 3409 (JDL) CCR 79-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 663-9.5

HB2224 HD1 SD2 (SSCR 3340) RELATING TO INSURANCE.  
Introduced by: Say C  
Amends provisions relating to conformity to federal law. Requires that beginning September 1, 2008 and annually thereafter, all group health insurers shall offer small group health plans to self employed individuals who live, work, or reside in the group health issuer's service areas. Provides that the insurance commissioner may exempt a group health issuer if the commissioner determines that the group health issuer does not have the capacity to deliver services adequately to enrollees of additional groups given its obligation to existing employer groups. Provides that group health issuers may limit periods of enrollment for self employed individuals to a minimum of 30 calendar days. Act to be repealed on July 1, 2013 (sunset). -- HB2224 SD2  
Committee Reports: HSCR 187-08 (HLT) HSCR 755-08 (CPC) SSCR 3044 (HTH/CPH/) SSCR 3340 (JDL)  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 431:2-201.5

HB2238 HD1 SD1 (SSCR 2940) RELATING TO PUBLIC HOUSING.  
Introduced by: Shimabukuro M  
Establishes provisions relating to public housing; affordable in perpetuity. Provides public housing project that is constructed or managed with state or county funds for sale to qualified buyers or provided to qualified tenants as rental, shall remain affordable in perpetuity. Requires the Hawaii public housing authority to ensure that dwelling units provided remain affordable in perpetuity and consistent with federal law. -- HB2238 SD1  
Committee Reports: HSCR 414-08 (HSH) HSCR 787-08 (FIN) SSCR 2940 (HSP) SSCR 3324 (WAM)  
Current Status: Apr-22 08 Received by the Governor  
Section Affected: 356D- (1 SECTION), 356D-31, 356D-43

HB2245 HD1 SD2 CD1 (CCR 67-08) RELATING TO THE UNIVERSITY OF HAWAII.  
Introduced by: Chang J, Hanohano F, Bertram J, Magaoay M, Mizuno J, Sonson A, Evans C

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Amends provisions relating to the university of Hawaii commercial enterprises revolving fund. Allows the university to transfer all funds at its disposal with the exception of general funds and university of Hawaii tuition and fees special fund moneys, into the revolving fund to finance the establishment of new commercial enterprises. Provides that no more than 10 per cent of the tuition and fees special fund moneys may be loaned to the revolving fund to finance the establishment of new enterprises. Act to be repealed on June 30, 2011 (sunset). -- HB2245 CD1

Committee Reports: HSCR 134-08 (HED) HSCR 821-08 (FIN) SSCR 2990 (EDU)  
SSCR 3351 (WAM) CCR 67-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 304A-2251

HB2250 HD1 (HSCR 1903-08)

RELATING TO TRANSPORTATION.

Introduced by: Herkes R

Establishes the Hawaii air carriers law. Exempts persons transporting their own property where transportation is a primary business or enterprise of that person, except where the transportation is undertaken by a Hawaii air carrier. Further exempts persons engaged in the business of transporting persons solely for sightseeing and other recreational activities not involving point to point travel. Establishes an air carrier commission with the department of transportation to assist in the regulation of interisland air carriers and have general supervision over all Hawaii air carriers providing air transportation and over any related company. Authorizes the commission have the power to examine the condition of each Hawaii air carrier and any related companies. Prohibits Hawaii carriers to sell, lease, assign, mortgage, or otherwise dispose of, or encumber any certificate, in whole or in part, or any of its property necessary or useful in the performance of transportation services for the public; nor shall any Hawaii air carrier directly or indirectly merge or consolidate its property, certificates with any other carrier, without 1st having secured the air carrier commission authorization. Establishes tariffs, investigation of unfair or deceptive practices, issuance of securities; execution of lease, unlawful actions; and penalties. Provides any person providing an air transportation with turnaround service between 2 points, both of which are within the State of Hawaii and authority granted by the US Department of Transportation, to be deemed qualified and shall be issued a certificate. -- HB2250 HD1

Committee Reports: HSCR 488-08 (TRN) HSCR 1903-08 (FIN) SSCR 3636 (TIA/  
CPH/)

Current Status: Apr=23 08 Passed Legislature

Section Affected: (20 SECTIONS) HAWAII AIR CARRIERS

HB2253 HD2 SD1 CD1 (CCR 72-08)

RELATING TO AMENDING OR REPEALING VARIOUS PROVISIONS OF CHAPTER 281, HAWAII REVISED STATUTES, INTOXICATING LIQUOR, FOR THE PURPOSE OF CLARIFYING LANGUAGE, CORRECTING ERRORS, AND DELETING UNNECESSARY AND OBSOLETE PROVISIONS.

Introduced by: Herkes R, Yamashita K

Amends provisions relating to intoxicating liquor law. Prohibits any person who keeps or maintains any restaurant or other premises where food, beverages, or entertainment are provided or brought in by patrons or guests, whether compensated or not, to sell or provide or allow the consumption of liquor without a liquor license. Provides that the commission or board shall not be responsible for enforcing any conditions arising from a contract or other agreement of the licensee relating to the licensed premises. Repeals the requirement that wholesale dealers' licenses sell draught beer in quantities not less than 5 gallons at a time to any person. Authorizes a club licensee to host charitable functions that are open to the general public, and a tour or cruise vessel licensee to sell liquor; the categories of establishment to be as follows, a standard bar, or premises which live entertainment or recorded music is provided. Repeals class 7, vessel license. Allows a general license to be granted to the owner of any vessel for the sale of liquor (other than alcohol) on board the vessel while en route within the jurisdictional limits of the state and within any port of the state. Allows a special license to be granted for the sale of liquor for a period not to exceed 3 days and pursuant to commission rule to be approved by the administrator for fundraising events; provided that any registered educational or charitable nonprofit organization may sell liquors in their original packages for off premises consumption. Provides that any licensee who would otherwise fall within the condominium hotel license class but holds a different class license may be required to apply for a condominium hotel license. Allows a temporary license to be renewed at the discretion of the liquor commission for not more than 1 additional 120 day period. Provides that when a temporary license has expired and no permanent license has been issued, the sale and service of liquor shall cease until the

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permanent license is issued. Provides that prior to the admission or withdrawal of a partner or partners, the licensee shall so notify the commission in writing. If the commission finds a partner or limited liability partnership to be an unfit or improper person to hold a license in the partner's own right, it may revoke or suspend the license of the partnership until the unfit or improper partner is removed or replaced. Requires the conversion of an entity into any other form of entity and the merger of any entity with any other entity to not be deemed a transfer of the license, to apply for and secure the approval of the commission without any requirement for publication of notice. Prohibits a license to be issued individually to a general partnership, limited partnership, limited liability partnership, or limited liability company whose partner or member holding 25 per cent or more interest. Exempts public hearing for restaurant general license. Provides that when the requirements have not been met, the commission may cancel the hearing or continue the public hearing. Adds that 1 notice is sufficient to an owner or lessee of multiple parcels. Authorizes protests against the granting of a license to be filed by any person, which qualifies for an automatic refusal. Adds that protesters may submit corrections to the master list and protest list at the public hearing provided that additions or corrections to the voter registration list be certified by the clerk of the county. Allows the liquor commission to permit the reduction or the increase in the area of the licensed premises of any licensee without publication of notice at a public hearing, provided that, where an increase in premises may significantly impact the public, the commission may require hearings. -- HB2253 CD1

Committee Reports: HSCR 126-08 (EDB) HSCR 808-08 (CPC/ JUD/) SSCR 3411 (JDL) CCR 72-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 281-1, 281-4, 281-17.5, 281-21, 281-31, 281-32, 281-35, 281-39, 281-45, 281-52, 281-53, 281-56, 281-57, 281-58, 281-59, 281-61, 281-62, 281-32.3

HB2254 HD2 SD1 (SSCR 2963)

RELATING TO BANKS AND FINANCIAL INSTITUTIONS.

Introduced by: Herkes R

Establishes provisions relating to financial institution name fraud. Prohibits a person to use the name or trademark of a financial institution or its affiliates or subsidiaries when marketing or soliciting existing or prospective customers without the written consent of the financial institution. Allows the commissioner of financial institutions to impose civil penalties. -- HB2254 SD1

Committee Reports: HSCR 16-08 (CPC) HSCR 679-08 (JUD) SSCR 2963 (CPH) SSCR 3320 (JDL)

Current Status: Apr-15 08 Received by the Governor

Apr-30 08 Approved by Governor (Act 51 2008)

Section Affected: 412:1- (1 SECTION) FINANCIAL INSTITUTION NAME FRAUD

HB2255 HD2 SD2 CD1 (CCR 65-08)

RELATING TO LIFE INSURANCE.

Introduced by: Herkes R

Amends provisions relating to the life insurance and annuities act. Repeals provision that the premium for the policy be paid partly from the employer's fund or funds contributed by the employer. Requires the premium for the policy to be paid entirely by the employer, or by funds paid entirely by the insured employees, or by funds contributed by both the employer and the insured employee. Repeals requirement that the policy cover at least 10 employees and that the amounts of insurance under the policy be based upon some plan precluding individual selection either by the employer, or trustee. Repeals the provision that the insurance for the dependent shall not be in excess of 50 per cent of the coverage of the insured individual or 5,000 dollars and in the case of a dependent whose age at death is under 6 months be in excess of 2,000 dollars. -- HB2255 CD1

Committee Reports: HSCR 68-08 (CPC) HSCR 758-08 (LAB) SSCR 2964 (CPH) SSCR 3417 (JDL) CCR 65-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 431:10D-202, 431:10D-212, 431:10D-501

HB2261 HD2 SD1 (SSCR 2938)

RELATING TO AGRICULTURAL LOANS.

Introduced by: Tsuji C, Yamashita K, Chong P, Awana K, Yamane R, Ito K, Brower T, Hanohano F, Evans C, Chang J, Manahan J, Green J, Magaoay M

Amends provisions relating to definitions under agricultural loans law. Defines farm sustainable projects and aquaculture sustainable projects to mean projects that improve the operations viability but are not directly tied to farm crop production, including but not limited to photovoltaic energy, hydroelectric, wind power generation, methane

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generation, food safety, product traceability, bio diesel production, and ethanol production. Amends provisions relating to aquaculture loan programs. Defines aquaculture sustainable projects to mean projects that improve the operations viability but are not directly tied to aquaculture production. Projects may include but are not limited to photovoltaic energy, hydroelectric, wind power generation, methane generation, food safety, product traceability, bio diesel production, and ethanol production. Amends provisions relating to direct loans. Requires that class H farm sustainable project loans to be 3 per cent a year and for the loan to provide for purchase, construction, or improvement of essential farm buildings, including the improvement of existing farm buildings related to the project; the improvement of land that may be required for the project; the purchase of equipment and payment of any related expenses including materials, labor, and services; operating costs associated with the project; and the liquidation indebtedness incurred for any of the foregoing purposes. The loans shall not be for an amount to exceed 1 million 500,000 dollars or 85 percent of the project cost, whichever is less, and for a term not to exceed 40 years. Amends provisions relating to loan; limitation and terms. Requires that class H aquaculture sustainable project loans shall be for the purchase, construction, or improvement of essential farm buildings, including the improvement of existing farm buildings related to the project; the improvement of land that may be required for the project; the purchase of equipment and payment of any related expenses including materials, labor, and services; operating costs associated with the project; and the liquidation indebtedness incurred for any of the foregoing purposes. The loans shall not be for an amount to exceed 1 million 500,000 dollars or 85 percent of the project cost, whichever is less, and for a term not to exceed 40 years. -- HB2261 SD1

Committee Reports: HSCR 558-08 (AGR/ EEP/) HSCR 918-08 (FIN) SSCR 2938 (AHW) SSCR 3141 (ENE) SSCR 3383 (WAM)

Current Status: Apr-25 08 Passed Legislature

Section Affected: 155-1, 155-8, 155-9, 219-2, 219-6, 219-9

HB2263 SD1 (SSCR 3405)

RELATING TO HARBORS.

Introduced by: Rhoads K

Amends provisions relating to rules under harbors law. Authorizes the director of transportation to limit where possible the allowable noise that emanate from vessels while using the commercial harbors, ports, roadsteads, docks, wharves, piers, quays, bulkheads, and landing of the State. -- Amends provisions relating to exceptions. Provides that no scaling shall be required for any vehicle used in transshipping neighbor island bound cargo directly between piers in Honolulu harbor, or any activities limited to crossing a public road, street, or highway within the State at locations approved by the director of transportation, in the case of state highways, or the county engineer, in the case of county roads and streets. -- HB2263 SD1

Committee Reports: HSCR 484-08 (TRN) HSCR 739-08 (EEP) SSCR 3405 (ENE/ TIA/)

Current Status: Apr-29 08 Vetoed

Section Affected: 266-3, 291-36

HB2271 HD1 SD2 (SSCR 3367)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CASTLE MEDICAL CENTER AND ITS AFFILIATES.

Introduced by: Chong P, Ito K, Mizuno J, Waters T, Green J

Authorizes the issuance of special purpose revenue bonds to assist Castle medical center, a Hawaii not for profit corporation, and 1 or more of its nonprofit affiliates, to finance and refinance equipment purchases, and for the construction and improvement of health care facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2271 SD2

Committee Reports: HSCR 594-08 (HLT) HSCR 785-08 (FIN) SSCR 3041 (HTH) SSCR 3367 (WAM)

Current Status: Apr-29 08 Passed Legislature

HB2272 HD2 SD2 CD1 (CCR 92-08)

RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS.

Introduced by: Souki J, Say C, Nakasone B

Amends provisions relating to civil service and exemptions. Provides that positions or contracts for personal services with private persons or entities shall be extended to contracts for building, custodial, and grounds maintenance services with qualified community rehabilitation programs lasting no more than 1 year and at a cost under 850,000 dollars. Requires the department of human resources development to annually report to the legislature. -- HB2272 CD1

Committee Reports: HSCR 518-08 (LAB) HSCR 1003-08 (FIN) SSCR 3017 (HSP/

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- JDL/ SSCR 3368 (WAM) CCR 92-08  
Current Status: Apr=29 08 Passed Legislature  
Section Affected: 76-77
- HB2293 HD1 SD2 CD2 (SENATE FLOOR AMENDMENT 13 OR HOUSE FLOOR AMENDMENT 4) RELATING TO AGRICULTURE.  
Introduced by: Oshiro M  
Amends provisions relating to agribusiness development corporation. Provides that the corporation may purchase, accept, and maintain permanent conservation easements in accordance with the natural resources conservation service farm and ranch lands protection program. Adds that when leasing corporation controlled agricultural land, the corporation may contract with a financial institution that is transacting business in this State to provide lease management services. Provides that for lands in central Oahu acquired under Act \_\_\_\_, session laws of 2008, the agricultural leases shall be for no more than 55 years. Establishes provisions relating to acquisitions of important agricultural lands authorized by the legislature, acquisitions, payments, installment purchase agreements. Authorizes the corporation to purchase agricultural lands located in central Oahu and owned by the Galbraith Estate, and issue revenue bonds for the purchase. Requires the corporation to work with a negotiating team to review and make recommendations regarding any potential transactions. Provides that if an agreement to acquire the property identified is not reached within a reasonable time as determined by the department of land and natural resources, the department shall exercise its power of eminent domain to acquire the property. Appropriation. (\$\$) -- HB2293 CD2  
Committee Reports: HSCR 193-08 (AGR/ WLH/) HSCR 766-08 (FIN) SSCR 3056 (AHW/ WTL/) SSCR 3369 (WAM) CCR 144-08 - filed SENATE FLOOR AMENDMENT 13 HOUSE FLOOR AMENDMENT 4  
Current Status: May=01 08 Passed Legislature  
Section Affected: 163D-7, 163D-15.6, 163D- (3 SECTIONS), 163D-9
- HB2301 HD1 SD1 (SSCR 3039) RELATING TO DENTISTRY.  
Introduced by: Caldwell K  
Establishes provisions relating to prohibition on interference. Prohibits a licensed dentist who engages in the practice of dentistry in any form, to permit a person or entity, other than a licensed dentist to directly or indirectly own, direct, participate in, or interfere with the licenses practice of dentistry. Exempts the State or any county, any legally incorporated eleemosynary dispensary or infirmary, private school, or welfare center. -- HB2301 SD1  
Committee Reports: HSCR 443-08 (HLT) HSCR 898-08 (CPC) SSCR 3039 (HTH) SSCR 3291 (CPH)  
Current Status: Apr-14 08 Received by the Governor  
Apr-29 08 Approved by Governor (Act 44 2008)  
Section Affected: 448- (1 SECTION) PROHIBITION ON OWNERSHIP AND INTERFERENCE
- HB2326 HD2 SD1 (SSCR 3009) RELATING TO MORTGAGES.  
Introduced by: Caldwell K, Herkes R  
Establishes the mortgage rescue fraud prevention act. Requires distressed property consultants to draft contracts to fully disclose all services to be performed, the exact terms of the agreement between the consultant and all owners of the distressed property and the total amount and terms of compensation to be directly or indirectly received by the consultant. Authorizes the owners of distressed properties to cancel a distressed property consultant contract at any time before the services are performed. -- HB2326 SD1  
Committee Reports: HSCR 438-08 (CPC/ JUD/) HSCR 971-08 (FIN) SSCR 3009 (CPH) SSCR 3322 (JDL)  
Current Status: Apr-25 08 Received by the Governor  
Section Affected: (11 SECTIONS) MORTGAGE RESCUE FRAUD PREVENTION ACT
- HB2346 HD2 SD2 CD1 (CCR 55-08) RELATING TO ENDANGERING THE WELFARE OF A MINOR.  
Introduced by: Waters T, Say C  
Amends provisions relating to endangering the welfare of a minor in the 1st degree. Provides that the person commits the offense if the person recklessly causes or permits a minor to inject, ingest, inhale, or otherwise use any controlled substance not prescribed by a physician, except for medical use of marijuana. Amends provisions relating to endangering the welfare of a minor in the 2nd degree. Provides that the person commits the offense if the person recklessly causes or permits a minor to inject,

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ingest, inhale, or otherwise use any controlled substance not prescribed by a physician, except for medical use of marijuana. Exempts nursing mothers who may cause the ingestion or introduction of detectable amounts of any controlled substance to their minor children through breastfeeding. -- HB2346 CD1  
Committee Reports: HSCR 411-08 (HSH) HSCR 746-08 (JUD) SSCR 3018 (HSP)  
SSCR 3415 (JDL) CCR 55-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 709-903.5, 709-904

HB2347 HD1 (HSCR 747-08) RELATING TO METAL.  
Introduced by: Waters T, Tsuji C, Morita H, Yamane R, Say C  
Amends provisions relating to prohibitions; penalty. Provides that any person who violates scrap dealer licensing provisions or scrap dealer statement requirement shall be guilty of a misdemeanor. -- HB2347 HD1  
Committee Reports: HSCR 47-08 (CPC) HSCR 747-08 (JUD) SSCR 3007 (CPH)  
SSCR 3381 (JDL)  
Current Status: Apr-09 08 Received by the Governor  
Apr-23 08 Approved by Governor (Act 32 2008)  
Section Affected: 445-235

HB2366 SD1 CD1 (CCR 90-08) RELATING TO THE ORGAN DONOR REGISTRY.  
Introduced by: Mizuno J, Magaoay M, Rhoads K, Awana K, Green J  
Allows the director of health to contract for the establishment of a statewide organ donor registry to provide for a centralized database and automated system to make organ donor information available to individuals who register for online system access, provided that in no instance shall the contract authorize the expenditure of state funds. Requires the director to work with the department of transportation, county motor vehicle agencies, the Organ Donor Center of Hawaii, and any other interested parties in developing specifications for the registry. Requires the director to apply for a federal grant from the US Department of Health and Human Services' Health Resources and Services Administration. -- HB2366 CD1  
Committee Reports: HSCR 17-08 (HLT) HSCR 987-08 (FIN) SSCR 2997 (HTH)  
SSCR 3323 (WAM) CCR 90-08  
Current Status: Apr-29 08 Passed Legislature

HB2369 RELATING TO THE AFTER-SCHOOL PLUS PROGRAM REVOLVING FUND.  
Introduced by: Takumi R  
Amends provisions relating to after school plus (afterschool, A+, A-plus, A plus) program revolving fund. Limits the fund to consist of fees collected by the department of education for the program. Repeals legislative appropriations. -- HB2369  
Committee Reports: HSCR 32-08 (EDN) HSCR 908-08 (FIN) SSCR 2994 (EDU)  
SSCR 3395 (WAM)  
Current Status: Apr-09 08 Received by the Governor  
Apr-23 08 Approved by Governor (Act 33 2008)  
Section Affected: 302A-1149.5

HB2372 HD2 SD2 CD1 (CCR 91-08) RELATING TO TIME SHARE PLANS.  
Introduced by: Yamane R, Hanohano F  
Establishes provisions relating to limited permit. Authorizes the director of commerce and consumer affairs to issue a limited permit to a developer permitting the offer or sale of an additional interest in a time share plan to an existing purchaser in the same time share plan. Further authorizes the director of commerce and consumer affairs to issue a limited permit to a developer permitting the offer or sale by the developer of a time share interest in a time share plan located outside of the state, but within the US, to an individual who currently owns a time share interest that was purchased from that developer. -- HB2372 CD1  
Committee Reports: HSCR 99-08 (TAC) HSCR 757-08 (CPC) SSCR 3064 (CPH)  
SSCR 3426 (WAM) CCR 91-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 514E- (1 SECTION) LIMITED PERMIT

HB2386 SD2 CD1 (CCR 93-08) RELATING TO WORKERS' COMPENSATION.  
Introduced by: Sonson A  
Amends provisions relating to temporary total disability benefits under workers' compensation law. Provides that payment shall be terminated only upon order of the director of labor and industrial relations or if the employee's treating physician



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determines that the employee is able to return to work and the employer has made a bona fide offer of suitable work within the employee's medical restrictions. Further provides that the order shall only be issued after the director has reviewed the case file and position papers submitted by the employee and employer. Requires the director to issue a decision without a hearing within 30 days, indicating whether temporary total disability benefits should have been discontinued. Allows the employer to request in writing for the director to issue a credit amount for benefits paid by the employer after the date which benefits should have been discontinued. Requires an employer or insurance carrier who fails to comply to pay attorneys fees and cost to the employee or other penalties. Provides that where a work injury causes temporary total disability and payment of compensation due, does not begin with 30 day of the injured employee shall be entitled to a weekly benefit equal to 70 per cent of the employee's average weekly wages, subject to the limitations on weekly benefit rates prescribed or if the employee's average weekly wages are less than the maximum weekly benefit rate prescribed at the rate of 100 per cent of the employee's average weekly wages. -- Requires the director of labor and industrial relations to convene a working group to address and make recommendations to resolve concerns in this Act. Report to the legislature. -- HB2386 CD1

Committee Reports: HSCR 524-08 (LAB) HSCR 989-08 (FIN) SSCR 3090 (JDL)  
SSCR 3449 (WAM) CCR 93-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 386-31

HB2387 HD1 SD2 (SSCR 3360)

RELATING TO WORKERS' COMPENSATION.

Introduced by: Sonson A

Establishes a working group on funding for workers compensation independent medical examination under the department of labor and industrial relations. Requires the working group to study and determine alternative methods or combination of methods of paying impartial physicians to conduct medical examinations. Report to the legislature. Working group to cease to exist on May 15, 2009 (sunset). -- HB2387 SD2

Committee Reports: HSCR 523-08 (LAB) HSCR 990-08 (FIN) SSCR 3087 (JDL)  
SSCR 3360 (WAM)

Current Status: May-01 08 Passed Legislature

HB2388 HD1 SD2 CD1 (CCR 94-08)

RELATING TO WORKERS' COMPENSATION.

Introduced by: Sonson A

Amends provisions relating to medical care, services and supplies under workers' compensation law. Provides that when a dispute exists between an injured employee and the employer or employer's insurer regarding the proposed treatment plan or whether medical services should be continued, the employee shall continue to receive essential medical services prescribed by the treating physician necessary to prevent deterioration of the injured employee's condition or further injury until the director of labor and industrial relations issues a decision on whether the injured employee's medical treatment should be continue. Provides that the employer or the employer's insurer may recover from the employee's personal health care provider qualified or from any other appropriate occupational or non occupational insurer, all the sums paid for medical services rendered after the date designated by the director. Prohibits charges to the employee for the disallowed services, unless the services were obtained in violation of reports of physicians, surgeons, and hospitals. Provides that the attending physician, employee, employer, or insurance carrier may request in writing that the director review the denial of the treatment plan or the continuation of medical services. -- HB2388 CD1

Committee Reports: HSCR 525-08 (LAB) HSCR 1024-08 (FIN) SSCR 3088 (JDL)  
SSCR 3441 (WAM) CCR 94-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 386-21

HB2391 HD1 (HSCR 722-08)

RELATING TO LEGAL SERVICE.

Introduced by: Waters T

Amends provisions relating to prohibition on private practice of law by the attorney general, 1st deputy, and other deputies. Provides that except for the attorney general's 1st deputy, other deputies may provide pro bono legal services if the pro bono services do not create a conflict of interest with the duties of the deputies' respective offices. -- HB2391 HD1

Committee Reports: HSCR 722-08 (JUD) SSCR 3163 (JDL)

Current Status: Apr-14 08 Vetoed

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Section Affected: 28-10

HB2428

### RELATING TO HIGHWAYS.

Introduced by: Nakasone B

Amends provisions relating to the highways law. Adds that all other real property highway related interest in the State, opened, laid out, subdivided, consolidated, and acquired and built by the government are declared to be public highways. Requires the director of transportation to select, designate, acquire, or lay out in compliance with the requirements of the Federal Highway Act. Requires the director to acquire new or additional real property interests in support of the system or systems. Requires the council, by the resolution to grant the director exemption from county subdivision requirements in order to expedite and make efficient the expenditure of public money. Requires the department of transportation to acquire, subdivide, consolidate, construct, maintain, and administer all highways comprising the state highway system in accordance with all state and federal laws and exempt from county subdivision ordinances. -- HB2428

Committee Reports: HSCR 39-08 (TRN) HSCR 732-08 (WLH) SSCR 3209 (TIA/IGM/)

Current Status: Mar-31 08 Received by the Governor

Apr-14 08 Approved by Governor (Act 12 2008)

Section Affected: 264-1, 264-23, 264-29, 264-43

HB2436 HD2 SD2 (SSCR 3341)

### RELATING TO FIREWORKS.

Introduced by: Yamane R, McKelvey A, Evans C, Waters T

Amends provisions relating to definitions, fireworks. Redefines display fireworks to add aerial device UN0334. Amends provisions relating to general prohibitions. Adds prohibition for any person without a permit issued by a county fire department to throw any ignited fireworks from, at, or into a vehicle, or at a person or an animal, and from above the 1st floor of any building; to be set off, ignited, discharged above the 1st floor of any building, in any vehicle, within 1,000 feet of any operating licensed convalescent home, licensed home for the elderly, zoo, licensed animal shelter, or licensed animal hospital, on a public beach, in any officially designated forest or wildlife preserve, and within 500 feet of any hotel. Amends provisions relating to permits. Requires a payment of 25 dollars for any consumer fireworks for cultural uses that occur any time other than New Year's Eve, Chinese New Year's Day, and the 4th of July. Amends provisions relating to sale to minors and changes it to sale to minors; sale by minors; prohibited. Prohibits minors from selling fireworks. -- HB2436 SD2

Committee Reports: HSCR 313-08 (TAC) HSCR 751-08 (JUD) SSCR 3069 (PBS) SSCR 3341 (JDL)

Current Status: Apr-14 08 Received by the Governor

Apr-25 08 Approved by Governor (Act 38 2008)

Section Affected: 132D-2, 132D-5, 132D-10, 132D-12

HB2438 HD2 SD2 CD1 (CCR 127-08)

### RELATING TO CIGARETTES.

Introduced by: Yamane R, McKelvey A, Evans C

Establishes the reduced ignition propensity cigarettes law. Prohibits cigarettes to be sold or offered for sale in this State or offered for sale or sold to persons located in this State unless the cigarettes have been tested to meet performance standards and the manufacturer has filed a written certification with the state fire council and cigarettes have been marked. Requires the attorney general to enforce the law. Act to be repealed if a federal reduced cigarette ignition propensity standard that preempts this Act is adopted and becomes effective (sunset). -- HB2438 CD1

Committee Reports: HSCR 263-08 (HLT) HSCR 643-08 (CPC/ JUD/) HSCR 1001-08 (FIN) SSCR 2956 (CPH/ HTH/) SSCR 3434 (JDL) CCR 127-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: (8 SECTIONS) REDUCED IGNITION PROPENSITY CIGARETTES LAW, 132-16

HB2441

### RELATING TO WORKERS' COMPENSATION.

Introduced by: Takumi R

Amends provisions relating to coverage for workers' compensation. Extends coverage for a student participating in a school approved work based learning program sponsored by the department of education or the university of Hawaii who works for a public employer. -- HB2441

Committee Reports: HSCR 173-08 (LAB) HSCR 291-08 (EDN) HSCR 991-08 (FIN) SSCR 3030 (EDU/ JDL/) SSCR 3326 (WAM)

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Current Status: Apr-07 08 Received by the Governor  
Apr-22 08 Approved by Governor (Act 24 2008)  
Section Affected: 302A-430

HB2450 HD1 SD2 CD1 (CCR 54-08) RELATING TO LAND USE.  
Introduced by: Tsuji C, Green J, Chong P  
Establishes provisions relating to reclassification of land contiguous to an agricultural district; condition. Provides that any decision approving a petition for a boundary amendment where lands in the petition area are contiguous or adjacent to lands in the agricultural district shall include conditions prohibiting any action that would interfere with or restrain farming operations and that notification to all prospective developers or purchasers of land or interest in land in the petition area and subsequent notification to lessees or tenants of the land, that farming operations and practices on adjacent or contiguous land in the agricultural district are protected, shall be included in any disclosure for sale or transfer of real property. -- HB2450 CD1  
Committee Reports: HSCR 192-08 (AGR/ WLH/) HSCR 748-08 (JUD) SSCR 3060 (AHW/ WTL/) SSCR 3418 (JDL) CCR 54-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 205- (1 SECTION) RECLASSIFICATION OF LAND CONTIGUOUS TO AN AGRICULTURAL DISTRICT

HB2460 SD1 (SSCR 3266) RELATING TO CONDOMINIUMS.  
Introduced by: Caldwell K, Herkes R, Say C, Oshiro B  
Amends provisions relating to association of apartment owners funds, handling and disbursement. Allows funds in the general operating account of the association of apartment owners to be invested in certificates of deposit issued through the Certificate of Deposit Account Registry Service in an amount at least equal in their market value. -- HB2460 SD1  
Committee Reports: HSCR 683-08 (CPC) SSCR 3266 (CPH)  
Current Status: Apr-22 08 Received by the Governor  
Section Affected: 514A-97, 514B-149

HB2467 HD2 (HSCR 762-08) RELATING TO FIRE PROTECTION.  
Introduced by: Evans C, Yamane R, Har S, McKelvey A, Ito K, Tsuji C, Carroll M  
Amends provisions relating to adoption of state fire code. Provides that the state fire council shall adopt a state fire code. Requires the state fire code to become part of the state building code. -- Amends provisions relating to airports, general. Requires the State to conduct fire and safety inspections at all state owned airport facilities at least once a year. -- HB2467 HD2  
Committee Reports: HSCR 339-08 (PSM) HSCR 762-08 (WLH) SSCR 3279 (IGM/ TIA)  
Current Status: Apr-03 08 Received by the Governor  
Apr-17 08 Approved by Governor (Act 18 2008)  
Section Affected: 132-3, 261-4

HB2486 SD1 CD1 (CCR 76-08) RELATING TO HISTORIC PRESERVATION.  
Introduced by: Evans C, Ching C, Thielen C, Marumoto B, Green J, McKelvey A, Cabanilla R, Ward G  
Establishes provisions relating to photographs of historic property. Provides that each county agency that issues building, construction, or development related permits shall not issue any permit allowing the demolition, construction, or other alteration of a historic building until the applicant for a permit provides proof that the department of land and natural resources was provided with archival black and white photographs of the historic building. -- Amends provisions relating to historic preservation. Provides that if any building that is eligible for listing or is listed on the Hawaii or national register of historic places, no demolition, construction, or other alteration shall occur until after the responsible agency, officer, or county has transmitted archival quality black and white photographs to the department. Requires that in the case of any building over 50 years old, no demolition, construction or other alteration of the building shall occur until after the owner has transmitted to the department, at the owner's expense, archival quality black and white photographs of the building. -- HB2486 CD1  
Committee Reports: HSCR 672-08 (WLH) SSCR 3401 (EDT) CCR 76-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 46- (1 SECTION), 6E-8, 6E-10

HB2492 HD1 SD1 CD1 (CCR 66-08) RELATING TO PLANNED COMMUNITY ASSOCIATIONS.



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behalf of the department and the day to day operations of the renewable energy facility siting process; and submit periodic reports to the legislature on renewable energy facilitation activities and the progress of the renewable energy facility siting process. -- Establishes provisions relating to the energy security special fund. Provides that the department of business, economic development, and tourism shall expend the funds on its energy program including projects that ensure dependable efficient, and economical energy, promote energy self sufficiency and provide greater energy security for the State. -- Amends provisions relating to the environmental response revolving fund. Provides that money from the fund be expended by the department for deposit into the energy security special fund. Requires the director of finance to transfer money from the environmental response revolving fund to the energy security special fund. Appropriation out of the energy security special fund for the facilitator. (\$\$) -- HB2505 CD1

Committee Reports: HSCR 598-08 (EEP) HSCR 891-08 (FIN) SSCR 3109 (ENE)  
SSCR 3459 (WAM) CCR 147-08

Current Status: May=01 08 Passed Legislature

Section Affected: 201- (1 SECTION), 201- (1 SECTION), 128D-2

### HB2507 HD1 SD2 CD1 (CCR 148-08) RELATING TO GREENHOUSE GAS EMISSIONS REDUCTION.

Introduced by: Morita H, Mizuno J, Takumi R, Luke S, Hanohano F, Saiki S, Takai K, Chong P, Nishimoto S, Berg L, Chang J, Yamashita K, Oshiro M, Tsuji C, Karamatsu J, Say C, Brower T, Bertram J, Waters T, Wakai G, Shimabukuro M, Tokioka J, Carroll M, Rhoads K, Caldwell K, Lee M, Belatti D, Yamane R, Manahan J, Magaoay M, Oshiro B  
Appropriation to the department of business, economic development, and tourism for 2 temporary full time positions for 1 greenhouse gas emissions reduction task force program manager and 1 project assistant / researcher. (\$\$) -- HB2507 CD1

Committee Reports: HSCR 394-08 (EEP) HSCR 893-08 (FIN) SSCR 3125 (ENE)  
SSCR 3452 (WAM) CCR 148-08

Current Status: May=01 08 Passed Legislature

### HB2511 HD1 SD2 CD1 (CCR 51-08) RELATING TO RENTAL ASSISTANCE.

Introduced by: Shimabukuro M, Rhoads K, Caldwell K, Takumi R, Nishimoto S, Belatti D, Magaoay M, Takai K, Herkes R, Sonson A, Chang J, Mizuno J, Green J, Lee M, Carroll M, Morita H, Berg L, Evans C, Tsuji C, Say C, Chong P, Yamashita K, Manahan J, Awana K, Brower T, Bertram J, Karamatsu J, Waters T, Wakai G, Luke S, Hanohano F, Oshiro B

Establishes provisions relating to rent supplement; qualifications. Provides that the Hawaii public housing authority law shall not prevent a person who otherwise qualifies for rent supplement from taking up to 90 days from the day the person's application for rent supplement is approved provided that rent supplement payments shall not commence until a qualified rental dwelling is secured. -- HB2511 CD1

Committee Reports: HSCR 620-08 (HSH) HSCR 838-08 (FIN) SSCR 3078 (HSP)  
SSCR 3372 (WAM) CCR 51-08

Current Status: Apr=29 08 Passed Legislature

Section Affected: 356D- (1 SECTION) RENT SUPPLEMENT

### HB2517 HD1 SD1 (SSCR 3297) RELATING TO INVASIVE SPECIES.

Introduced by: Tsuji C, Hanohano F, Lee M, Green J, Oshiro B, Caldwell K, Rhoads K, Takumi R, Belatti D, Mizuno J, Saiki S, Nishimoto S, Takai K, Ito K, Har S, Karamatsu J, Say C, Yamashita K, Manahan J, Herkes R, Waters T, Chang J, Brower T, Magaoay M, Wakai G, Yamane R, Tokioka J, Bertram J, McKelvey A, Morita H, Berg L, Carroll M, Chong P, Nakasone B, Oshiro M, Luke S, Evans C

Amends provisions relating to plant import. Requires the department to designate by rule as restricted plants, specific plants that may be detrimental or potentially harmful to agriculture, horticulture, the environment, or animal or public health. Prohibits the sale of specific plants on the list of restricted plants by rule, except for importation of noxious weed for research, by permit, and not offered for sale or sold in the state. Prohibits any person to sell any plant or propagative portion of *Salvinia molesta* or *Salvinia minima* and *Pistia stratiotes*. -- HB2517 SD1

Committee Reports: HSCR 560-08 (AGR) HSCR 738-08 (EEP) SSCR 3297 (AHW/  
ENE/)

Current Status: Apr-14 08 Received by the Governor

Apr-28 08 Approved by Governor (Act 40 2008)

Section Affected: 150A-6.1

### HB2519 HD2 SD2 CD1 (CCR 96-08) RELATING TO HEALTH CARE.

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Introduced by: Green J, Lee M, Caldwell K, Rhoads K, Belatti D, Oshiro B, Mizuno J, Takai K, Nishimoto S, Wakai G, Ito K, Tsuji C, Sonson A, Herkes R, Berg L, Evans C, Manahan J, Brower T, Karamatsu J, Luke S, Say C, Hanohano F, Waters T, Chang J, Shimabukuro M, Magaoay M, Yamane R, Morita H, Carroll M, Chong P, Yamashita K, Har S, Nakasone B, Awana K, Bertram J, McKelvey A

Establishes the Hawaii health corps program working group within the department of business, economic development, and tourism to develop a plan to create the Hawaii health corps program that will address physician and dentist shortages. Requires the working group to develop a plan to establish the program that provides that a maximum of 20 qualified participants may be selected each year to receive tuition loan repayments; participants shall agree to serve in underserved and rural areas; loan repayments shall be paid over a 5 year period; participants shall serve a minimum of 5 years in the; priority placement in the will be for graduates of the University of Hawaii's John A. Burns school of medicine; persons shall be selected to serve in the program regardless of specialty; and qualified participants in the program shall commit to serve as 1st responders in the event of a declared emergency or at the request of the director of health. Report to the legislature. -- HB2519 CD1

Committee Reports: HSCR 191-08 (HLT) HSCR 427-08 (HED) HSCR 988-08 (FIN)  
SSCR 3104 (HTH) SSCR 3436 (WAM) CCR 96-08

Current Status: Apr-29 08 Passed Legislature

HB2520 HD3 SD2 CD1 (CCR 89-08)

RELATING TO CAREGIVERS.

Introduced by: Lee M, Green J, Tsuji C, Caldwell K, Rhoads K, Belatti D, McKelvey A, Takumi R, Oshiro B, Mizuno J, Saiki S, Berg L, Takai K, Evans C, Nishimoto S, Say C, Sonson A, Luke S, Carroll M, Ito K, Herkes R, Waters T, Chang J, Shimabukuro M, Magaoay M, Yamane R, Tokioka J, Morita H, Chong P, Oshiro M, Manahan J, Awana K, Karamatsu J, Hanohano F

Establishes a working group under the joint legislative committee on aging in place to explore provisions of wage replacement benefits to employees who need time off from work to care for a family member with a serious health condition. Requires the working group to explore funding mechanisms for a paid family leave program; review the research findings of the joint legislative committee on family caregiving; analyze the caregiver needs assessment; review the contents of House Bill No. 2520 House Draft 3 (HB3520 HD3); review paid family leave bills in California, Washington, and New Jersey; consider drafting legislation for introduction in the regular session of 2009 that addresses wage replacement for caregivers; and inventory the eldercare policies and practices that currently exist in the workplace and the extent to which they exist. Requires the department of labor and industrial relations to provide administrative support and the legislative reference bureau to provide legislative drafting services for the working group. Report to the legislature. -- HB2520 CD1

Committee Reports: HSCR 203-08 (HLT/HSH/) HSCR 512-08 (LAB) HSCR 1033-08  
(FIN) SSCR 3076 (HSP/ JDL/) SSCR 3427 (WAM) CCR 89-08

Current Status: Apr-29 08 Passed Legislature

HB2523

RELATING TO THE LAND USE COMMISSION.

Introduced by: Har S, Green J, Berg L, Lee M, Evans C, Caldwell K, Oshiro B, Rhoads K, Mizuno J, Takai K, Chang J, Nishimoto S, Tsuji C, Awana K, Ito K, Herkes R, Magaoay M, Luke S, Tokioka J, Hanohano F, Say C, Carroll M, Bertram J, Wakai G, Chong P, Oshiro M, Yamashita K, Manahan J, Karamatsu J

Amends provisions relating to land use commission decision making criteria. Requires the commission to specifically consider the county general plan and all community, development, or community development plans adopted pursuant to the county general plan, as related to the land that is subject to the reclassification petition. -- HB2523

Committee Reports: HSCR 685-08 (WLH) SSCR 2988 (IGM) SSCR 3292 (WTL)

Current Status: Apr-04 08 Received by the Governor  
Apr-22 08 Approved by Governor (Act 26 2008)

Section Affected: 205-17

HB2531 HD1 SD2 CD1 (CCR 140-08)

RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN.

Introduced by: McKelvey A, Yamashita K, Evans C, Carroll M, Yamane R, Hanohano F, Green J, Mizuno J

Creates a temporary West Maui transportation access plan working group within the department of transportation to develop a West Maui transportation access plan to address road closures. Allows the working group to contract with a consultant to develop the plan. Report to the legislature. Temporary working group to cease to exist on June 30, 2009 (sunset). Appropriation to the department of transportation for the

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plan and for the hiring of a technical consultant. (\$\$) -- HB2531 CD1  
Committee Reports: HSCR 63-08 (TRN) HSCR 857-08 (FIN) SSCR 3049 (TIA/ TSG/ SSCR 3359 (WAM) CCR 140-08  
Current Status: May=01 08 Passed Legislature

HB2547 SD1 (SSCR 2996) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MAUI PREPARATORY ACADEMY.  
Introduced by: McKelvey A, Yamashita K  
Authorizes the issuance of special purpose revenue bonds to assist Maui Preparatory Academy, a Hawaii not for profit corporation, to finance or refinance the planning, construction improvement, and equipping of its educational facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2547 SD1  
Committee Reports: HSCR 142-08 (EDN) HSCR 814-08 (FIN) SSCR 2996 (EDU) SSCR 3462 (WAM)  
Current Status: Apr-29 08 Passed Legislature

HB2550 HD2 SD2 CD1 (CCR 73-08) RELATING TO PUBLIC UTILITIES.  
Introduced by: Shimabukuro M  
Amends provisions relating to standard contract or tariff; rate structure. Requires the public utilities commission to ensure that a percentage of the total rated generating capacity produced by eligible customer generators shall be reserved for electricity produced by eligible residential or small commercial customer generators. Allows the commission to define maximum capacity and to evaluate, on an island by island basis, the applicability of the generating capacity requirements. Report to the legislature. -- HB2550 CD1  
Committee Reports: HSCR 604-08 (EEP) HSCR 957-08 (CPC) SSCR 3140 (ENE) SSCR 3298 (CPH) CCR 73-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 269-102

HB2557 HD1 SD1 CD1 (CCR 74-08) RELATING TO EVIDENCE.  
Introduced by: Oshiro B, Waters T, Ward G, Wakai G, Caldwell K  
Establishes provisions relating to limitation on compellable testimony from journalists and newscasters; exceptions. Provides that a journalist or newscaster shall not be required by a legislative, executive, or judicial officer or body, or any other authority having the power to compel testimony or the production of evidence, to disclose, by subpoena or otherwise the source, or information that could reasonably be expected to lead to the discovery of the identity of the source, of any published or unpublished information obtained by the person while so employed or professionally associated in the course of gathering, receiving, or processing information for communication to the public or any unpublished information obtained or prepared by the person while so employed or professionally associated in the course of gathering, receiving, or processing information for communication to the public. Adds that no fine or punishment shall be imposed against a journalist for refusal to disclose information pursuant to this section. Act to be repealed on June 30, 2011 (sunset). -- HB2557 CD1  
Committee Reports: HSCR 724-08 (JUD) SSCR 3410 (JDL) CCR 74-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 621- (1 SECTION) LIMITATION ON COMPELLABLE TESTIMONY FROM JOURNALISTS AND NEWSCASTERS

HB2559 HD2 SD1 (SSCR 3288) RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT.  
Introduced by: Oshiro B, Waters T, Herkes R  
Repeals the unclaimed property laws and replaces it with the uniform unclaimed property act. -- HB2559 SD1  
Committee Reports: HSCR 421-08 (EDB) HSCR 902-08 (CPC/ JUD/) SSCR 3288 (CPH)  
Current Status: Apr-15 08 Received by the Governor  
May-01 08 Approved by Governor (Act 55 2008)  
Section Affected: (31 SECTIONS) UNIFORM UNCLAIMED PROPERTY ACT, 523A-63, 523A-65, 523A-1, 523A-2, 523A-2.5, 523A-3, 523A-4, 523A-5, 523A-6, 523A-7, 523A-8, 523A-9, 523A-10, 523A-11, 523A-12, 523A-13, 523A-14, 523A-15, 523A-16, 523A-17, 523A-18, 523A-19, 523A-20, 523A-21, 523A-22, 523A-23.5, 523A-24, 523A-25, 523A-26, 523A-27, 523A-28, 523A-29, 523A-30, 523A-31, 523A-32, 523A-33, 523A-34, 523A-35,

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523A-36, 523A-37, 523A-38, 523A-39, 523A-40, 523A-41

- HB2589 HD2 SD2 (SSCR 3416) RELATING TO SCRAP METAL.  
Introduced by: Yamane R, Yamashita K, Har S, Manahan J  
Establishes provisions relating to payment of copper purchased by scrap dealer or recycler; check; mailing. Requires scrap dealer or recycler to pay for copper purchases by check and payable to the seller. Requires that at the time of sale of the copper, the seller shall present a valid photo identification card or license issued by a federal or state government agency authorized to issue a valid identification. Provides the check may be mailed to the address shown on the identification or picked up personally by the seller at the place of business of the scrap dealer or recycler. -- HB2589 SD2  
Committee Reports: HSCR 69-08 (CPC) HSCR 983-08 (JUD) SSCR 3053 (CPH) SSCR 3416 (JDL)  
Current Status: Apr-25 08 Received by the Governor  
Section Affected: 445- (1 SECTION), 445-235
- HB2605 HD2 SD1 (SSCR 3413) RELATING TO THE ARMED SERVICES.  
Introduced by: Evans C, Har S  
Establishes provisions relating to exemption for national guard, military reserves, and other active duty military personnel claiming Hawaii as their residence of record. Provides that 1 noncommercial motor vehicle registered to members of the national guard, military reserves, and armed services, including Coast Guard assigned to a unit in the state and is a good standing member, shall be exempted from vehicle weight tax. -- HB2605 SD1  
Committee Reports: HSCR 353-08 (PSM/ TRN/) HSCR 954-08 (FIN) SSCR 3413 (WAM)  
Current Status: May-01 08 Passed Legislature  
Section Affected: 249- (1 SECTION) EXEMPTION FOR NATIONAL GUARD, MILITARY RESERVES, AND OTHER ACTIVE DUTY MILITARY PERSONNEL CLAIMING HAWAII AS THEIR RESIDENCE OF RECORD
- HB2614 SD1 (SSCR 2995) RELATING TO ISLAND PACIFIC ACADEMY.  
Introduced by: Har S, Mizuno J, Yamane R, Tsuji C, Yamashita K, Chong P, Oshiro B  
Authorizes the issuance of special purpose revenue bonds to assist Island Pacific Academy, Inc., a Hawaii not for profit corporation, to finance or refinance the planning, construction, improvement, and equipping of its educational facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2614 SD1  
Committee Reports: HSCR 143-08 (EDN) HSCR 815-08 (FIN) SSCR 2995 (EDU) SSCR 3387 (WAM)  
Current Status: Apr-29 08 Passed Legislature
- HB2656 RELATING TO CAMPAIGN CONTRIBUTIONS.  
Introduced by: Say C (BR)  
Amends provisions relating to definitions. Redefines immediate family to include reciprocal beneficiary. -- HB2656  
Committee Reports: HSCR 697-08 (JUD) SSCR 3162 (JDL)  
Current Status: Mar-27 08 Received by the Governor  
Apr-14 08 Approved by Governor (Act 11 2008)  
Section Affected: 11-191
- HB2661 HD2 SD2 CD1 (CCR 62-08) RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES.  
Introduced by: Say C  
Authorizes the issuance of special purpose revenue bonds to assist Hui Mana 'Oma'o (Hui Mana Oma o) or an enterprise or commercial entity in which Hui Mana 'Oma'o possesses a vested equity interest, to establish facilities to convert renewable energy resources into electrical energy. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2661 CD1  
Committee Reports: HSCR 451-08 (EEP) HSCR 1005-08 (FIN) SSCR 3108 (ENE) SSCR 3431 (WAM) CCR 62-08  
Current Status: Apr-29 08 Passed Legislature
- HB2675 HD2 SD1 (SSCR 3040) RELATING TO MEDICAL MARIJUANA.  
Introduced by: Say C (BR)



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Establishes a medical marijuana task force within the university of Hawaii to examine current laws regarding the adequate supply of marijuana for medical use to ensure sufficient amounts of medication for a qualified patient's needs; study the feasibility of developing safe growing facilities on each of the islands of Hawaii, Kauai, Lanai, Maui, Molokai, and Oahu; seek possible solutions to challenges faced by qualified patients with written certification when faced with inter island travel resulting from statutory prohibitions including federal laws that prohibit travel with medical marijuana; examine all issues and obstacles that qualifying patients have encountered; and research advances made by other states regarding medical marijuana laws and programs. Requires the college of tropical agriculture and human resources to be responsible for administering the work of the task force, provide a facilitator and submit a report to the legislature. Requires the task force to report to the legislature. Task force to cease to exist June 30, 2009 (sunset). -- HB2675 SD1

Committee Reports: HSCR 469-08 (HLT) HSCR 986-08 (PSM) SSCR 3040 (HTH)  
SSCR 3321 (JDL)

Current Status: Apr-22 08 Received by the Governor

HB2688 HD1 (HSCR 2-08)

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

Introduced by: Oshiro M

Appropriation for session and nonsession expenses of the senate and the house of representatives up to and including June 30, 2009, including the 2008 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 auditor to conduct or complete its audit functions. -- Appropriation to the legislative reference bureau for defraying expenses. -- Requires the legislative reference bureau to contract with the university of Hawaii to conduct a study of the State's environmental review process. Appropriation. -- Appropriation to the office of the ombudsman for defraying expenses. -- Appropriation for defraying the expenses of the legislative information system. -- Appropriation to the legislature for the legislative broadcast program. (\$\$) -- HB2688 HD1

Committee Reports: HSCR 2-08 (FIN) SSCR 2020 (WAM)

Current Status: Feb-04 08 Received by the Governor

Feb-13 08 Approved by Governor (Act 1 2008)

HB2696 HD2 (HSCR 782-08)

RELATING TO THE BOARD OF THE JUDICIARY HISTORY CENTER.

Introduced by: Say C (BR)

Amends provisions relating to executive board of the judiciary history center. Requires that a vacancy on a board be filled for the remainder of the unexpired term by the chief justice. Provided that for the 3 positions originally appointed by the chief justice from a list submitted by the Friends of the Judiciary History Center, the chief justice shall fill the vacancy from a list of 3 candidates submitted by the Friends of the Judiciary History Center for each of those vacancies. -- HB2696 HD2

Committee Reports: HSCR 349-08 (JUD) HSCR 782-08 (FIN) SSCR 3333 (JDL)

Current Status: Apr-07 08 Received by the Governor

Apr-22 08 Approved by Governor (Act 27 2008)

Section Affected: 6F-3

HB2697 HD1 SD1 CD1 (CCR 70-08)

RELATING TO THE INTERMEDIATE APPELLATE COURT.

Introduced by: Say C (BR)

Establishes provisions relating to subpoenas; oaths. Authorizes the intermediate appellate court to have the power to subpoena and compel the attendance of witnesses from any part of the state and to compel the production of books, papers, documents, or tangible things and any judge of the court to administer oaths. Requires the judiciary to submit a report to the legislature on the number of times the intermediate appellate court has exercised the subpoena power granted by this Act, including a brief description of the circumstances giving rise to the need for each use. Act to be repealed on June 30, 2010 (sunset). -- HB2697 CD1

Committee Reports: HSCR 704-08 (JUD) SSCR 3295 (JDL) CCR 70-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 602- (1 SECTION) SUBPOENAS

## HOUSE BILLS THAT PASSED THE LEGISLATURE

- HB2698 HD3 SD1 (SSCR 3086) RELATING TO COURT-APPOINTED COUNSEL AND GUARDIANS AD LITEM IN FAMILY COURT.  
Introduced by: Say C (BR)  
Amends provisions relating to appointment of counsel and guardian ad litem; compensation. Changes the fees for court appointed counsel and guardians ad litem in family court cases to 90 dollars per hour for in court services provided by an attorney and 60 dollars per hour for out of court services provided by an attorney and all services provided by a person who is not an attorney. Provides that nothing shall preclude the judiciary from contracting for court appointed counsel and guardian ad litem services and based on contract amounts guided by the rates. -- HB2698 SD1  
Committee Reports: HSCR 57-08 (HSH) HSCR 445-08 (JUD) HSCR 793-08 (FIN) SSCR 3086 (JDL) SSCR 3390 (WAM)  
Current Status: Apr-22 08 Received by the Governor  
Section Affected: 571-87
- HB2699 HD1 SD1 (SSCR 3334) RELATING TO THE UNIFORM PROBATE CODE.  
Introduced by: Say C (BR)  
Amends provisions relating to life insurance, retirement plan, transfer of death registration, deceased beneficiary. Provides that life insurance, retirement plan, transfer of death registration, deceased beneficiary does not apply to payable on death accounts established at a financial institution. Allows interested persons to request a copy of the original inventory of any item. Authorizes the kokua kanawai to interview the respondent and visit the respondent's present dwelling, unless otherwise ordered by the court. Allows the court to extend the time for the copy of the order of appointment and notice to be sent or delivered to the ward, or otherwise modify or waive that requirement. Allows the written report of records to be available to any nominated conservator, nominated conservator's and respondent's lawyers. -- HB2699 SD1  
Committee Reports: HSCR 210-08 (CPC) HSCR 741-08 (JUD) SSCR 3334 (JDL)  
Current Status: Apr-15 08 Received by the Governor  
Apr-25 08 Approved by Governor (Act 39 2008)  
Section Affected: 560:2-706, 560:3-708, 560:5-305, 560:5-307, 560:5-311, 560:5-406, 560:5-407, 560:5-409
- HB2700 HD1 SD2 CD1 (CCR 136-08) RELATING TO THE JUDICIARY.  
Introduced by: Say C (BR)  
Judiciary Supplemental Appropriations Act of 2008. Amends Act 169, session laws of 2007, relating to the judiciary budget. (\$\$) -- HB2700 CD1  
Committee Reports: HSCR 1055-08 (FIN) SSCR 3115 (JDL) SSCR 3421 (WAM) CCR 136-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: ACT 169 2007, (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION), (1 SECTION)
- HB2704 HD2 SD1 CD1 (CCR 150-08) RELATING TO HA'IKU VALLEY.  
Introduced by: Say C (BR)  
Establishes the Ha'iku (Haiku) valley cultural preserve law. Establishes the Haiku valley cultural preserve commission within the department of land and natural resources. Requires the commission to establish criteria, policies, and controls for permissible uses within the valley, approve contracts for services, advise the office of Hawaiian affairs, governor, and department on matters relating to the valley, advise the office of planning and the department of the attorney general on matters relating to the conveyance of the valley to the department, and enter in curator or stewardship agreements with Hawaiian cultural and spiritual community organizations for the perpetuation of native Hawaiian cultural, religious, and subsistence customs, beliefs, and practices. -- Establishes the Haiku valley cultural preserve trust fund to be administered by the department with the approval of the commission. Annual report to the legislature. -- Authorizes the office of state planning and the department of the attorney general to initiate the acquisition of all lands in the valley cultural preserve that are not state lands. -- HB2704 CD1  
Committee Reports: HSCR 568-08 (WLH) HSCR 1023-08 (FIN) SSCR 3062 (WTL/AHW/ JDL/) SSCR 3445 (WAM) CCR 150-08  
Current Status: May=01 08 Passed Legislature  
Section Affected: (12 SECTIONS) HA'IKU VALLEY CULTURAL PRESERVE
- HB2710 HD2 SD2 (SSCR 3358) RELATING TO THE RE-EMPLOYMENT OF RETIREES.  
Introduced by: Say C (BR)  
Establishes provisions relating to re employment of State and county retirees. Provides

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that appointing authorities in the State and county government's executive branches may employ retired State and county government employees who are receiving retirement benefits. Provides that a retired state or county government employee is eligible for 1/2 full time equivalent position after 1 calendar year of retirement. Provides that retired state or county government employees may be rehired for labor shortage positions and for other positions that are deemed by the human resources management chief executive to be critical to fill. Requires the appointing authority and the retired state or county employee who is rehired to certify that no agreement to rehire the employee was made prior to the employee's retirement. New retirees, for civil service positions, shall be recruited and selected under normal civil service procedures. Requires the director of human resources of the appropriate jurisdiction to certify that the retiree was hired in accordance with applicable civil service laws. Prohibits state and county government employees who are hired by the State or any of the counties from earning retirement service credit, contributing to the retirement system, or gaining additional retirement system benefits as a result of their subsequent employment with the State or a county and the employed retiree shall continue to receive the employee's normal retirement benefits without penalty. Requires county employers to contribute to the pension accumulation fund the required percentage of the rehired employee's compensation to amortize the system's unfunded actuarial accrued liability. Act to be repealed on June 30, 2013 (sunset). -- HB2710 SD2

Committee Reports: HSCR 507-08 (LAB) HSCR 1009-08 (FIN) SSCR 3113 (JDL/IGM/) SSCR 3358 (WAM)

Current Status: May-01 08 Passed Legislature

Section Affected: 88- (1 SECTION), ACT 286 2006

HB2727 HD2 SD1 CD1 (CCR 97-08)

RELATING TO HEALTH INSURANCE.

Introduced by: Waters T

Establishes the temporary autism disorders spectrum benefits and coverage task force in the department of health's children with special health needs branch who shall assist the task force by providing a facilitator. Requires the task force to report to the legislature. Requires the task force to discuss and seek input on the problems faced by parents of children with autism and what can be done to ensure that proper health benefits and services are provided through public and private resources to address the special needs of children with autism. Further requires the task force to research health insurance coverage plans that cover autism spectrum disorders in other states and develop a plan of services that health insurers should be mandated to cover. Task force shall cease to exist on June 30, 2009 (sunset). Act to be repealed on June 30, 2009 (sunset). -- HB2727 CD1

Committee Reports: HSCR 262-08 (HLT) HSCR 952-08 (FIN) SSCR 3105 (HTH) SSCR 3276 (CPH) CCR 97-08

Current Status: Apr-29 08 Passed Legislature

HB2730 HD1 SD1 CD1 (CCR 71-08)

RELATING TO LEGAL REQUIREMENTS FOR NEIGHBORHOOD BOARD MEETINGS.

Introduced by: Waters T, Oshiro B

Establishes provisions relating to neighborhood board; notice and agenda; public input; quorum. Provides that the agenda required to be included in written public notice of a neighborhood board meeting may include an opportunity for the board to receive public input on issues not specifically noticed for consideration at the forthcoming meeting. Further provides that any matter raised as part of the public input agenda may be discussed and information on the matter may be received by the board at the meeting; provided that the board may not make a decision on the issue. The board may make decisions on matters originally raised as part of a public input agenda only at a later meeting, the agenda for which shall give notice of decision making on the matter. Authorizes the board to receive information or testimony on a matter of official board business without a quorum provided that the board may not make a decision on the issue. Requires board members to report matters presented as information or testimony at the next meeting of the board. -- Establishes provisions relating to permitted interactions of neighborhood board members and neighborhood board meeting; unanticipated events. -- HB2730 CD1

Committee Reports: HSCR 706-08 (JUD) SSCR 3114 (IGM) SSCR 3332 (JDL) CCR 71-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 92- (3 SECTIONS) NEIGHBORHOOD BOARD

HB2739 HD1 SD2 CD1 (CCR 138-08)

RELATING TO STATE ENTERPRISE ZONES.

Introduced by: Yamashita K, Tsuji C, Yamane R, McKelvey A, Wakai G, Caldwell K, Say

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C, Magaoay M, Herkes R, Ito K, Hanohano F, Tokioka J, Har S, Brower T, Waters T  
Establishes provisions relating to force majeure event; agricultural businesses. Allows agricultural businesses that wholly or partially are prevented from maintaining eligibility requirements remain eligible for all tax incentives while experiencing conditions caused by a force majeure event. Defines force majeure event to mean an event, including damaging weather or natural disasters such as epidemic disease, pest outbreak, high wind, thunderstorm, hail storm, tornado, fire, flood, earthquake, lava flow or other volcanic activity, drought, tidal wave, hurricane, or without limiting or restricting the foregoing in any way, and event reasonably beyond the control of, and not attributable to neglect by, an agricultural business. Redefines full time employee to include leased employee and an employee under a joint employment arrangement. Redefines qualified business to include engaging in processing agricultural products. Provides that for an agricultural business to qualify it must increase its gross sales of agricultural crops or products produced within the enterprise zone by 2 per cent annually. Provides that for agricultural businesses only, retail sales of value added products made from crops grown within an enterprise zone shall count towards certification for the tax credit against any taxes due the State, however, agricultural businesses will not be exempt from general excise taxes on the gross proceeds of agricultural retail sales. -- HB2739 CD1  
Committee Reports: HSCR 133-08 (EDB/ AGR/) HSCR 906-08 (FIN) SSCR 2937 (AHW) SSCR 3146 (EDT) SSCR 3325 (WAM) CCR 138-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 209E- (1 SECTION), 209E-1, 209E-2, 209E-9, 209E-11

HB2761 HD1 SD1 CD1 (CCR 87-08) RELATING TO WOMEN'S HEALTH.  
Introduced by: Morita H, Evans C, Lee M, Shimabukuro M, Mizuno J, Thielen C, Hanohano F, Luke S, Ching C, Yamane R, Carroll M, Pine K  
Requires the department of human services to apply to the federal Centers for Medicare and Medicaid services to amend the state Medicaid plan to extend post partum and interconception care from 8 weeks to a minimum of 6 months for women who participate in the Hawaii QUEST program, to allow the state to receive federal reimbursement. Report to the legislature. -- HB2761 CD1  
Committee Reports: HSCR 418-08 (HSH/ HLT/) HSCR 837-08 (FIN) SSCR 3012 (HSP) SSCR 3330 (WAM) CCR 87-08  
Current Status: Apr-29 08 Passed Legislature

HB2763 HD1 SD1 CD1 (CCR 133-08) RELATING TO THE CHILDREN OF INCARCERATED PARENTS TASK FORCE.  
Introduced by: Evans C, Lee M, Mizuno J, Marumoto B, Thielen C, Shimabukuro M, Hanohano F, Luke S, Cabanilla R, Yamane R, Carroll M, Pine K, Meyer C, Brower T  
Requires the department of public safety and the department of human services to re establish the children of incarcerated parents task force administratively attached to the department of human services to identify and develop programs and support services for children of incarcerated parents, as well as programs to strengthen the bond between the families. Annual reports to the legislature. Task force shall cease to exist after June 30, 2012 (sunset). -- HB2763 CD1  
Committee Reports: HSCR 613-08 (PSM/ HSH/) HSCR 955-08 (FIN) SSCR 3073 (HSP/ PBS/) SSCR 3331 (WAM) CCR 133-08  
Current Status: Apr-29 08 Passed Legislature

HB2770 HD1 SD2 (SSCR 3301) RELATING TO BRIDGE TO HOPE PROGRAM.  
Introduced by: Lee M, Evans C, Har S, Mizuno J, Marumoto B, Thielen C, Shimabukuro M, Rhoads K, Morita H, Belatti D, Luke S, Berg L, Yamane R, Ching C, Awana K, Carroll M, Pine K  
Amends provisions relating to the bridge to hope program; transitional benefits. Repeals the limitation that participants be Temporary Assistance and Needy Families (TANF) Program recipients; clarifies that participants be in the 1st to work program and expanding the eligible participants to include students enrolled in an approved course of study including but not limited to, vocational education. -- HB2770 SD2  
Committee Reports: HSCR 320-08 (HSH) HSCR 848-08 (FIN) SSCR 3013 (HSP) SSCR 3301 (WAM)  
Current Status: Apr-25 08 Passed Legislature  
Section Affected: 346-68

HB2772 HD3 SD1 CD1 (CCR 88-08) RELATING TO HUMAN TRAFFICKING.  
Introduced by: Lee M, Brower T  
Amends Act 260, session laws of 2006. Adds members to the anti trafficking task force. Report to the legislature. Task force shall cease to exist on June 30, 2010 (sunset). --

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HB2772 CD1

Committee Reports: HSCR 55-08 (HSH) HSCR 395-08 (JUD) HSCR 1011-08 (FIN)  
SSCR 3089 (JDL) SSCR 3391 (WAM) CCR 88-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: ACT 260 2006

HB2781 HD2 SD2 CD1 (CCR 134-08)

RELATING TO SMALL BUSINESS.

Introduced by: Yamashita K, Chong P, Tsuji C, Yamane R, McKelvey A, Wakai G, Har S, Tokioka J, Say C, Magaoay M, Herkes R, Ito K, Brower T, Hanohano F, Karamatsu J, Waters T, Caldwell K, Oshiro M

Establishes the small business bill of rights. -- Requires the small business regulatory review board to convene a working group to review the process and procedures related to rulemaking. Requires the group to review and make recommendations regarding the rulemaking on whether the current statutes are adequate to meet the concerns of small business; concerns that have been raised by small businesses, the small business regulatory review board of government agencies in implementing the statutes; the level of difficulty in adequately meeting the requirements of the statutes, and any other issues that may arise during the review. Report to the legislature. -- HB2781 CD1

Committee Reports: HSCR 289-08 (EDB) HSCR 802-08 (FIN) SSCR 3046 (EDT)  
SSCR 3456 (JDL/ WAM/) CCR 134-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 201M-2

HB2810 HD1 SD1 CD1 (CCR 53-08)

RELATING TO WATER RATES.

Introduced by: Tsuji C, Herkes R, Chong P, Mizuno J, Brower T, Awana K, Takai K

Establishes provisions relating to preferential water rates for agricultural activities. Authorizes the public utilities commission to establish preferential rates for potable water used for agricultural activities in a public utility's service area. Provides that rates approved by the public utilities commission shall be subsidized by the portable water rates charged to other customers of the public utility. Allows the public utilities commission, in consultation with the department of agriculture to establish additional criteria to qualify bona fide agribusinesses for water used solely for agricultural activities.

-- HB2810 CD1

Committee Reports: HSCR 196-08 (AGR/ WLH/) HSCR 901-08 (CPC) SSCR 3059  
(AHW/ WTL/) SSCR 3271 (CPH) CCR 53-08

Current Status: Apr=29 08 Passed Legislature

Section Affected: 269- (1 SECTION), 269-1

HB2843 HD2 SD2 CD1 (CCR 142-08)

RELATING TO INVASIVE SPECIES.

Introduced by: Tsuji C, Chong P, Karamatsu J, Brower T, Takai K, Green J, Awana K  
Amends provisions relating to plant and nondomestic animal quarantines. Defines freight to mean nonpassenger goods, cargo, or lading, transported for pay. Defines net weight to mean gross weight of the freight minus the container weight, if any. Amends provisions relating to inspection, quarantine, and eradication service fee and charge. Requires a fee for the inspection, quarantine, and eradication of invasive species contained in any freight, including marine commercial container shipment, air freight, or any other means of transporting freight to be paid by the person responsible for paying the freight charges to the transportation company. The fee shall be assessed on the net weight of the imported freight computed on the basis of 50 cents for every 1,000 pounds of freight brought into the state. Requires the transportation company to collect the fee and forward the payment to the department of agriculture at the port of disembarkation. The department shall deposit the fee into the pest inspection, quarantine, and eradication fund. -- HB2843 CD1

Committee Reports: HSCR 559-08 (AGR/ TRN/) HSCR 770-08 (FIN) SSCR 3103  
(AHW/ ENE/ TIA/) SSCR 3353 (WAM) CCR 142-08

Current Status: May=01 08 Passed Legislature

Section Affected: 150A-2, 150A-5.3

HB2847 SD1 CD1 (CCR 58-08)

RELATING TO CONDITIONAL LICENSE PERMITS.

Introduced by: Waters T

Amends provisions relating to conditional license permits under the use of intoxicants while operating a vehicle law. Provides that conditions for the permit include driving to school, vocational training, driving for personal medical or dental care or treatment, and driving to assist in the care of another person who is unable to drive due to the other person's age, disability, or medical condition. Allows a conditional license permit for a respondent who holds a commercial driver's license. -- HB2847 CD1

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Committee Reports: HSCR 401-08 (TRN) HSCR 736-08 (JUD) SSCR 3210 (TIA)  
CCR 58-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 291E-44

HB2863 HD2 SD2 CD1 (CCR 146-08) RELATING TO RENEWABLE ENERGY.

Introduced by: Say C

Establishes the renewable energy facility siting process law. Defines energy resources coordinator as the director of business, economic development and tourism. Requires the coordinator to consult with appropriate state and county agencies to develop and establish a permit plan application format and procedure designed to ensure a timely review to obtain required permits and approvals for renewable energy facilities, receive a permit plan applications from an applicant for the approval of the siting, development, construction, and operation of a renewable energy facility, with an appropriate initial application fee as determined by the coordinator, identify all state and county permits necessary for approval of the renewable energy facility, assist in the permit plan application process, gather from the applicant any information the coordinator finds relevant and necessary for the reviewing and processing of a permit application by the federal, state, and county agencies, coordinate public meetings on the island where a renewable energy facility is proposed to be developed, work with the federal, state, and county agencies and the applicant to determine the terms and conditions of the permit plan and permits that are necessary to effectuate this law and to protect the public health and safety and promote the general welfare. Provides that applicable county issued permits shall be required to grade a site or construct a structure for a facility. Establishes a renewable energy facility siting special fund which shall be expended by the energy resource coordinator for the operation and administration of the renewable energy facility siting process. -- Amends provisions relating to environmental impact statements by defining renewable energy facility and requires that for an action that proposes the establishment of a renewable energy facility, a draft environmental impact statement shall be prepared at the earliest practicable time. -- Requires the public utilities commission to assist the energy resource coordinator in effectuating this law. Appropriation out of the renewable energy siting special fund. (\$\$) -- HB2863 CD1

Committee Reports: HSCR 272-08 (EEP/WLH/) HSCR 551-08 (CPC) HSCR 1029-08 (FIN) SSCR 3138 (ENE/WTL/IGM/) SSCR 3380 (CPH/WAM/) CCR 146-08

Current Status: May=01 08 Passed Legislature

Section Affected: (12 SECTIONS) RENEWABLE ENERGY FACILITY SITING PROCESS, 343-2, 269-27.2, 343-5

HB2872 SD2 CD2 (SENATE FLOOR AMENDMENT 11 OR HOUSE FLOOR AMENDMENT 5)

RELATING TO PUBLIC LANDS.

Introduced by: Sagum R, Tokioka J, Hanohano F, Chang J, Yamashita K, Morita H  
Requires the board of land and natural resources to negotiate directly with all existing lessees or permittees of recreation - residence use leases in locations at state parks or state forest reserves in counties with a population of less than 100,000, for lease renewals. Requires the renegotiated lease to be for at least 20 years on such terms and conditions as may be prescribed by the board, to be based on market rates, and be a 1 time only negotiation and does not ensure that there will be direct negotiations at the expiration of the renegotiated lease. Requires the lessee or permittee to have 30 days following the final notification of new lease terms, to agree to and sign the renegotiated lease, or the lease shall expire on December 31, 2008, and the recreation - residence use lease shall be auctioned by the board. -- Establishes a Koke'e (Kokee) state park advisory council within the department of land and natural resources to review and assist in updating and revising the Koke'e state park master plan, advise and assist in the management of the Koke'e recreational cabin leases, enhance community education and cultural awareness of Koke'e state park, participate in the protection and preservation of Koke'e state park's natural and cultural resources; and advise and assist in the overall implementation of the master plan. -- Requires the department of land and natural resources to enforce all provisions of recreation residential lease agreements and to establish penalties. -- HB2872 CD2

Committee Reports: HSCR 866-08 (FIN) SSCR 3135 (WTL) SSCR 3354 (WAM) CCR 149-08 - filed SENATE FLOOR AMENDMENT 11 HOUSE FLOOR AMENDMENT 5

Current Status: May=01 08 Passed Legislature

HB2894 SD1 (SSCR 3399)

RELATING TO PLANNED COMMUNITY ASSOCIATIONS.

Introduced by: McKelvey A (BR)

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Establishes provisions relating to interpretation. Establishes that any association documents be liberally construed to facilitate the operation of the planned community association. Establishes provisions relating to restatement of association documents. Allows an association, by a resolution adopted by the board, to at any time restate the association document of the association to include amendments and supersede the original documents and any relative amendments. Amends provisions relating to amendment of association documents when no procedure provided. Provides that association document to be amended requires the vote of association members at a meeting or by written consent of the same percentage of association members without a meeting. -- HB2894 SD1

Committee Reports: HSCR 696-08 (CPC) SSCR 3399 (CPH)  
Current Status: Apr-22 08 Received by the Governor  
Section Affected: 421J- (2 SECTIONS), 421J-2, 421J-12

HB2908 SD1 (SSCR 2981)

RELATING TO AUDIT RECOMMENDATIONS.

Introduced by: Oshiro M

Establishes provision relating to audit recommendations; annual report. Requires the legislative auditor to submit a report to the legislature of each non implemented audit recommendation that is more than 1 year old. Provides that any agency that is notified by the auditor that they have not yet implemented their internal audit to submit a written report to the auditor, the president of the senate, and the speaker of the house of representatives no later than 30 days after notification explaining why the audit recommendation was not implemented and the estimated date of implementation. -- HB2908 SD1

Committee Reports: HSCR 296-08 (LMG) HSCR 938-08 (FIN) SSCR 2981 (WAM)  
Current Status: Apr-10 08 Received by the Governor  
Apr-24 08 Became Law Without Governor's Signature (Act 36 2008)  
Section Affected: 23- (1 SECTION), 23-4

HB2917 HD2 SD1 (SSCR 3269)

RELATING TO HARBORS.

Introduced by: Brower T, Tsuji C, Mizuno J, Luke S, Hanohano F

Establishes provisions relating to portability of Kewalo basin use permit; Honolulu harbor. Requires the department of transportation to allow, on a space available basis, a vessel with a use permit authorizing the vessel to moor in Kewalo basin and to moor in Honolulu harbor at no additional cost and with no additional use permit required under the condition that the manager of Kewalo basin prohibits entrance into Kewalo basin because of inclement weather or ocean conditions and that as soon as the manager of Kewalo basin opens the entrance to vessels, the vessel leave Honolulu harbor; the owner or operator of a commercial fishing vessel desires to sell the owner's or operator's catch of fish to a business operating within Honolulu harbor or otherwise conduct business within Honolulu harbor; provides that the vessel shall not moor in Honolulu harbor for a period longer than necessary to unload all or some of the catch of fish for sale or otherwise conduct business; and the owner of the vessel is current in its payments of any moneys, rates, fees, dues, compensation, fines, or penalties assessed against the vessel that are due to the state. -- HB2917 SD1

Committee Reports: HSCR 264-08 (WLH) HSCR 539-08 (TRN) HSCR 796-08 (FIN)  
SSCR 3269 (TIA/ WTL/)  
Current Status: Apr-25 08 Passed Legislature  
Section Affected: 266- (1 SECTION) KEWALO BASIN USE PERMIT

HB2920 SD1 CD1 (CCR 77-08)

RELATING TO FRAUD PREVENTION.

Introduced by: Tokioka J, Morita H, Caldwell K, Say C

Establishes provisions relating to powers and duties of the attorney general. Requires that in addition to any other powers and duties authorized by law, the attorney general to have all powers necessary or convenient including without limitation to issue notary public commissions to applicants; adopt, amend, or repeal rules administrative procedure; suspend or revoke any commission for any cause or any violation, and refuse to issue any commission for any cause that would be grounds for suspension or revocation of a commission and impose administrative fines. Establishes the offenses of misrepresenting a notarized document in the 1st degree and 2nd degree. Amends provisions relating records; copies as evidence. Requires that for each official act, the notary shall enter in the book the title or type and date of the document or proceeding and the nature of the act, transaction, or thing to which the document relates. -- HB2920 CD1

Committee Reports: HSCR 863-08 (CPC) SSCR 3289 (CPH) CCR 77-08

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Current Status: Apr-29 08 Passed Legislature  
Section Affected: 456- (4 SECTIONS), 710- (2 SECTIONS), 456-7, 456-8, 456-9, 456-9.5, 456-15

HB2929 HD1 SD1 (SSCR 3406)

### RELATING TO WORKERS' COMPENSATION.

Introduced by: Caldwell K, Sonson A, Say C, Mizuno J, Oshiro M, Green J  
Establishes provisions relating to independent medical examination; permanent impairment rating examination; mutual agreement. Requires that after an injury and after a claim is filed by the employee, the employer, upon mutual agreement of the parties, may appoint a qualified physician paid by the employer to conduct an independent medical examination of the injured employee or a permanent impairment rating examination of the injured employee and make a report to the employer. Requires that if the parties cannot agree on a physician, the employer may request in writing that the director of labor and industrial relations appoint a physician licensed in a relevant medical specialty licensed to practice in Hawaii, and willing to undertake such examination within 7 calendar days of the directors receipt of the request. Requires the physician selected to examine the employee within 30 days. Requires the director to keep and maintain a list of qualified physicians including their respective qualification. Prohibits an independent medical examination and a permanent impairment rating examination be combined into a single medical examination unless the injured employee consents in writing prior to scheduling the examination. Prohibits the director, the appellate board, or any court order more than 1 independent medical examination per case unless good and valid reasons exist. Provides that if an employee unreasonably refuses to submit to or in any way obstructs an examination, the employee's rights to claim compensation for the work injury may be suspended until the unreasonable refusal or obstruction ceases and no compensation to be payable for the period during the refusal or obstruction continues. Requires that the cost of conducting the ordered medical examination to be limited to the complex consultation charges governed by the medical fee schedule. Requires the physicians selected to perform independent medical examination or permanent impairment rating examinations be licensed in Hawaii or licensed in the state where the claimant resides, currently hold and have held an active professional and occupational license for 5 consecutive years prior to the examination. Provides when an injured employee has attained medical stability by the attending physician, the employer may appoint a physician, paid by the employer and selected by agreement of the parties to conduct a permanent impairment rating examination of the injured employee. Act to be repealed on July 1, 2011 (sunset). -- HB2929 SD1

Committee Reports: HSCR 232-08 (LAB) HSCR 975-08 (FIN) SSCR 3406 (JDL)  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 386- (1 SECTION), 386-79

HB2953 SD1 CD1 (CCR 59-08)

### RELATING TO MOTOR VEHICLES.

Introduced by: Souki J  
Amends provisions relating to interisland shipping of vehicles, proof required. Adds that drivers of vehicles traveling on an inter island ferry shall present identification of the driver, a current certificate of registration for the vehicle, and proof of motor vehicle insurance. Requires inter island ferry carrier to keep a record of transporting the vehicle by recording the vehicle identification number and retaining the information for 3 years. -- HB2953 CD1

Committee Reports: HSCR 305-08 (TRN) HSCR 810-08 (JUD) SSCR 3048 (TIA) SSCR 3458 (JDL) CCR 59-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 286-271

HB2954 SD1 (SSCR 3160)

### RELATED TO TOWING.

Introduced by: Souki J  
Amends provisions relating to abandoned vehicles. Provides that when the tow occurs between the hours of 6 p.m. and 6 a.m., from Monday through Thursday and from 6 p.m. Friday to 6 a.m. Monday, the towing company shall be entitled to an overtime charge of 15 dollars. Provides that if the vehicle is in the process of being hooked up or is hooked up to the tow truck and the owner appears on the scene, the towing company shall unhook the vehicle and shall not charge any fee to the owner of the vehicle. Provides that any towing company engaged in towing in a county with a population greater than 500,000 shall not be entitled to any overtime charge if towing services to consumers are not offered 24 hours per day every day of the week; provided that a towing company shall file their hours of operation with the police department in a county with a population



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greater than 500,000. -- HB2954 SD1  
Committee Reports: HSCR 85-08 (TRN) HSCR 899-08 (CPC) SSCR 3160 (TIA/ IGM/  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 290-11

HB2955 HD1 SD1 (SSCR 2984) RELATING TO ARCHAEOLOGICAL DATA.  
Introduced by: Ito K, Yamashita K, Karamatsu J, Carroll M, Chong P, Tsuji C, Magaoay M, Sagum R  
Establishes provisions relating to archeological data survey database. Establishes a Hawaii archeological data survey online database accessible to the public through the internet and designated as a program of the State of Hawaii museum of natural and cultural history. Authorizes the information within the database to include the collections of the Bernice Pauahi Bishop Museum, publicly available materials, and materials from private entities or organizations. The data survey shall be developed and maintained in consultation with the state historic preservation division and other appropriate state and federal agencies and private organizations. Authorizes the museum, in consultation with the office of Hawaiian affairs and the state historic preservation division, to withhold from the database, temporarily or permanently, information due to a valid threat that disclosure may frustrate the legitimate government function of protecting valuable archeological sites and artifacts. -- HB2955 SD1  
Committee Reports: HSCR 299-08 (WLH) HSCR 797-08 (FIN) SSCR 2984 (EDT/ AHW/) SSCR 3463 (WAM)  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 6E- (1 SECTION) ARCHAEOLOGICAL DATA SURVEY DATABASE

HB2965 HD2 SD2 (SSCR 3346) RELATING TO AGRICULTURAL WATER SECURITY.  
Introduced by: Takamine D, Hanohano F, Herkes R, Green J, Tsuji C, Chang J, Evans C  
Establishes provisions relating to agricultural water systems; emergency power. Provides that when the governor has declared that a disaster has occurred for any portion of the state which results in damage to an agricultural water system that requires the temporary use of electrical power or backup generators to pump ground water for irrigation until the system can be repaired, the person who controls, operates, or manages the system may negotiate an agreement for the production of emergency power for the agricultural water system. Provides that the agreement shall terminate when the governor determines that the disaster emergency relief period is terminated. Provides that if the negotiated agreement is with an independent power producer that is not currently regulated by the public utilities commission, the execution of the agreement shall not cause the independent power producer to become subject to the jurisdiction of the public utilities commission. -- HB2965 SD2  
Committee Reports: HSCR 197-08 (AGR/ WLH/) HSCR 552-08 (CPC) HSCR 817-08 (FIN) SSCR 3023 (AHW/ CPH/) SSCR 3346 (WAM)  
Current Status: Apr-25 08 Passed Legislature  
Section Affected: 209- (1 SECTION) AGRICULTURAL WATER SYSTEMS

HB2971 HD1 SD2 (SSCR 3362) RELATING TO EDUCATION.  
Introduced by: Takumi R, Berg L  
Requires the department of education to adopt recommendations of the online learning task force. Requires the department to establish the infrastructure for online learning based on institution type in the following order of priority: high schools (including charter high schools), middle and elementary schools, adult community schools, charter middle and elementary schools, the university of Hawaii system (particularly the community colleges), private secondary and post secondary institutions (for a fee), and adult populations for remedial education and upgrading of workforce skill. -- HB2971 SD2  
Committee Reports: HSCR 145-08 (EDN) HSCR 920-08 (FIN) SSCR 2973 (EDU) SSCR 3362 (WAM)  
Current Status: Apr-29 08 Passed Legislature

HB2972 HD1 SD2 CD1 (CCR 130-08) RELATING TO EDUCATION.  
Introduced by: Takumi R, Takai K  
Establishes the facilities alignment commission attached to the department of education to establish criteria for the selection of public schools to be consolidated or closed; recommend, based upon these criteria, a list of schools for consolidation or closure, subject to the review of the legislature; and direct the board of education to proceed with the process of consolidating or closing underused schools according to the

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recommendations of the commission, if the legislature does not disapprove of the recommendations in their entirety. Allows the commission to have access to all records in the department of education pertinent to its duties and may request research and analysis assistance from the department. Requires the department to submit to the commission a school facilities plan. Requires the commission to establish criteria to select schools to be consolidated, other than charter schools; and underused schools to be closed other than charter schools. Requires the commission to hold public hearings and make available to the public draft copies of its proposed criteria. Report to the legislature. Commission to terminate upon adjournment of the regular session of 2011 (sunset). -- HB2972 CD1

Committee Reports: HSCR 204-08 (EDN) HSCR 909-08 (FIN) SSCR 2974 (EDU)  
SSCR 3356 (WAM) CCR 130-08

Current Status: Apr-29 08 Passed Legislature

HB2974 HD2 (HSCR 1021-08)

RELATING TO LABOR.

Introduced by: Takumi R, Belatti D, Bertram J, Berg L, Ito K, Morita H, Caldwell K, Carroll M, Luke S, Wakai G, Takai K, Sonson A, Hanohano F, Oshiro B, Mizuno J, Lee M, Rhoads K, Awana K, Oshiro M, Manahan J, Say C

Establishes provisions relating to streaming union certification. Provides that whenever a petition shall have been filed by an employee or group of employees or any individual or labor organization acting on their behalf alleging that a majority of employee in a unit appropriate for the purposes of collective bargaining, requires the Hawaii labor relations board to investigate the petition. Establishes provisions relating to facilitating initial collective bargaining agreements. Requires that not later than 10 days after receiving a written request for collective bargaining from an individual or labor organization that has been newly organized or certified as a representative, the parties shall meet and commence to bargain collectively and make every reasonable effort to conclude and sign a collective bargaining agreement. If after 90 days, the parties have failed to reach an agreement; either party may notify the board of the existence of a dispute and request conciliation. -- HB2974 HD2

Committee Reports: HSCR 509-08 (LAB) HSCR 1021-08 (FIN) SSCR 3161 (JDL)

Current Status: Apr-14 08 Vetoed

Section Affected: 377- (2 SECTIONS) STREAMLINING UNION CERTIFICATION

HB2977 HD1 SD1 CD1 (CCR 83-08)

RELATING TO INVASIVE SPECIES.

Introduced by: Chang J, Tsuji C, Magaoay M, Karamatsu J, Hanohano F, Takai K, Awana K, Bertram J, Ito K

Amends provisions relating to the establishment of council, duties, invasive species council. Requires the appropriate state agencies to collaborate with the counties and communities to develop and implement a systematic approach to reduce and control coqui frog infestations on public lands that are near or adjacent to communities, and to provide annual reports on the progress made in achieving this objective. -- HB2977 CD1

Committee Reports: HSCR 561-08 (AGR) HSCR 818-08 (FIN) SSCR 3318 (ENE/IGM/) CCR 83-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 194-2

HB2978 HD1 SD2 CD1 (CCR 129-08)

RELATING TO EDUCATION.

Introduced by: Chang J, Karamatsu J, Mizuno J, Yamashita K, Herkes R, Magaoay M, Ito K, Takai K, Bertram J, Tsuji C, Shimabukuro M, Hanohano F, Evans C

Requires the university of Hawaii to prepare and provide an annual incentive and performance report and plan in November of each year beginning in 2008, to the legislature to assist the legislature in appropriating up to 2 per cent of the university's annual budget to facilitate the university's strategic plan and related state goals. Requires the 2008 report and plan to include baseline data for the past 5 years, by program, department, campus, and university, on the number of full time equivalent students; number of students who have transferred to other institutions of higher education within the university; the number of students who have graduated; the number of full time equivalent faculty; the number of openings in major workforce shortage areas including teaching, nursing, and technology; and the number of graduates filling job openings in major workforce shortage areas. Further requires the report to include a project plan of the same data for the upcoming 5 years. -- Establishes a task force to assist the university in developing a budgetary system that includes a funding formula for the distribution of fiscal resources to the various campuses. Report to the legislature. -- HB2978 CD1

Committee Reports: HSCR 223-08 (HED) HSCR 781-08 (FIN) SSCR 3066 (EDU)

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SSCR 3361 (WAM) CCR 129-08  
Current Status: May=01 08 Passed Legislature

- HB3002 HD1 SD1 CD1 (CCR 80-08) RELATING TO PROSTITUTION.  
Introduced by: Rhoads K, Awana K, Mizuno J, Say C, Brower T, Takai K, Ching C  
Establishes provisions relating to habitual solicitation of prostitution. Provides that a person commits the offense of habitual solicitation of prostitution if the person is a habitual prostitution offender and pays, agrees to pay, or offers to pay a fee to another person to engage in sexual conduct. Defines habitual prostitution offender to mean if the person, at the time of the conduct for which the person is charged, had 2 or more convictions within 10 years of the instant offense for prostitution, street solicitation of prostitution, habitual solicitation of prostitution, an offense of any other jurisdiction that is comparable to 1 of the offenses, or any combination of the offenses. Makes it a misdemeanor. Act to be repealed on June 30, 2010 (sunset). -- HB3002 CD1  
Committee Reports: HSCR 726-08 (JUD) SSCR 3336 (JDL) CCR 80-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 712- (1 SECTION) HABITUAL SOLICITATION OF PROSTITUTION
- HB3037 MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY, SEWER, REFUSE, AND INSURANCE PREMIUM PAYMENTS.  
Introduced by: Say C (BR)  
Appropriation out of the stadium special fund to the stadium authority for paying electricity, sewer, refuse, and insurance premium bills. (\$\$) -- HB3037  
Committee Reports: HSCR 694-08 (FIN) SSCR 2926 (EDT) SSCR 2979 (WAM)  
Current Status: Mar-20 08 Received by the Governor  
Mar-25 08 Approved by Governor (Act 2 2008)
- HB3038 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. (\$\$) -- HB3038  
Committee Reports: HSCR 695-08 (FIN) SSCR 2980 (WAM)  
Current Status: Mar-20 08 Received by the Governor  
Mar-25 08 Approved by Governor (Act 3 2008)
- HB3040 HD1 SD1 CD1 (CCR 82-08) RELATING TO PUBLIC SAFETY.  
Introduced by: Say C (BR)  
Establishes provisions relating to indecent electronic display to a child. Provides that any person who intentionally masturbates or intentionally exposes the genitals in a lewd or lascivious manner live over a computer online service, internet service, or local bulletin board service and who knows that the transmission is viewed on a computer or other electronic device by a minor, another person under 18 years of age, or who represents to be under 18 years of age, is guilty of indecent displays to a child which is a misdemeanor. -- Amends provisions relating to electronic enticement of a child in the 1st degree. Provides that a person convicted of electronic enticement of a child in the 1st degree shall be sentenced to an indeterminate term of imprisonment as provided by law. -- Amends provisions relating to definitions of registration of sex offenders and other covered offenders and public access to registration information. Defines clean record to mean no conviction for a felony or covered offense, if placed on probation or parole, completion of probation or parole without more than 1 revocation, and, for sex offenders, successful completion of an appropriate sex offender treatment program, if such program was ordered. Defines crime against minor to mean a criminal offense that consists of kidnapping of a minor by someone other than a parent, unlawful imprisonment in the 1st or 2nd degree that involves the unlawful imprisonment of a minor by someone other than a parent. Adds to the definition of sexual offense or the offense was committed with the intent to promote or facilitate the commission of another covered offense. -- Amends provisions relating to registration requirements. Adds that a person who establishes or maintains a residence in this state and who has not been designated as a covered offender by a court of this State but who has been designated as a covered offender, sex offender, offender against minors, repeat covered offender, sexually violent predator, or any other sexual offender designation in another state or jurisdiction and was, as a result of such designation, subjected to registration or community or public notification, or both, or would be if the person was a resident of that state or jurisdiction, without regard to whether the person otherwise meets the criteria

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for registration as a covered offender, shall register in the manner provided in this section and shall be subject to community and public notification. -- Establishes the Adam Walsh Act compliance working group within the department of the attorney general to determine which Hawaii laws need to be amended to comply with the Act, identify resources needed, identify sources of funding, consider if additional funds would be needed, review the provisions of Part II of this Act, as those measures pertain to the sex offender registry laws, and draft legislation to bring the State into compliance with the Act. Report to the legislature. Working group shall cease to exist after June 30, 2009 (sunset). -- HB3040 CD1

Committee Reports: HSCR 727-08 (JUD) SSCR 3407 (JDL) CCR 82-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 707- (1 SECTION), 706-606.5, 707-756, 846E-1, 846E-2, 846E-3, 846E-4, 846E-9, 846E-10, 846E-11, 846E-13

HB3080 HD1 (HSCR 245-08)

RELATING TO PROPERTY OF PUBLIC UTILITIES.

Introduced by: Say C (BR)

Amends provisions relating to merger and consolidation of public by changing utility corporations to utilities. Authorizes the public utility under circumstances that it deems exigent and in its judgment require a response that rapidly restores essential public services, or avoid serious risk to public safety, or to mitigate severe economic losses to customers to transfer, assign, or dispose of its property without prior approval from the public utilities commission; provided that the public utility does not hinder or degrade the public utility's operation and report to the public utilities commission within 30 days of any action. -- HB3080 HD1

Committee Reports: HSCR 245-08 (CPC) HSCR 819-08 (FIN) SSCR 3164 (CPH)

Current Status: Mar-27 08 Received by the Governor

Apr-04 08 Approved by Governor (Act 7 2008)

Section Affected: 269-19

HB3085 HD2 SD1 (SSCR 3280)

RELATING TO BUSINESS REGISTRATION.

Introduced by: Say C (BR)

Amends provisions relating to trademarks, print, labels, trade names, registration and protection of. Establishes provisions relating to penalties for signing false documents, liability for fraudulent registration, common law rights, and severability. Prohibits any person from adopting or using a trade or entity name that infringes on any other person's ownership rights to any registered trade name, mark, or the name of any entity registered or authorized to transact business in accordance with the laws of this State or a name the exclusive right to which is, at the time, reserved in this State. -- HB3085 SD1

Committee Reports: HSCR 175-08 (EDB) HSCR 644-08 (CPC/ JUD/) HSCR 804-08 (FIN) SSCR 3280 (CPH/ JDL/)

Current Status: Apr-29 08 Passed Legislature

Section Affected: 482- (4 SECTIONS) MISCELLANEOUS, 482-1, 482-3, 482-4, 482-8, 482-8.5, 482-21, 482-31, 482-3.5, 482-5, 482-30, 482-35, 482-37

HB3106

RELATING TO GRADUATES OF FOREIGN ACUPUNCTURE PROGRAMS.

Introduced by: Say C (BR)

Amends provisions relating to qualifications for examination under acupuncture practitioners. Provides that for applicants who graduated from an institute, school, or college, located in the US or any territory under the jurisdiction of the US, the institute, school, or college shall be accredited or recognized by any acupuncture or oriental medicine accrediting body recognized by the US Department of Education. Provides that for applicants who graduated from a foreign institute, school, or college with formal program in the science of acupuncture, the applicant, at the applicants own expense, shall have the applicants transcripts and curriculum evaluated by a board approved and designated professional evaluator who shall make a determination whether the transcripts and curriculum are at least equivalent to that of the US accredited acupuncture program and that the foreign institute is licensed, approved, or accredited by the appropriate governmental authority or an agency recognized by a governmental authority in the respective foreign jurisdiction and whose curriculum is approved by the board of acupuncture. -- HB3106

Committee Reports: HSCR 189-08 (HLT) HSCR 680-08 (CPC) SSCR 3035 (HTH) SSCR 3278 (CPH)

Current Status: Apr-03 08 Received by the Governor

Apr-18 08 Approved by Governor (Act 21 2008)

## HOUSE BILLS THAT PASSED THE LEGISLATURE

- Section Affected: 436E-5
- HB3109 SD1 (SSCR 3268) RELATING TO DISPENSING OPTICIANS.  
Introduced by: Say C (BR)  
Amends provisions relating to dispensing optician defined. Includes offer to sell or sells non corrective contact lenses. -- HB3109 SD1  
Committee Reports: HSCR 457-08 (HLT) HSCR 900-08 (CPC) SSCR 3268 (CPH)  
Current Status: Apr-18 08 Received by the Governor  
Section Affected: 458-1, 458-14
- HB3120 HD2 SD1 CD1 (CCR 143-08) RELATING TO ANIMAL QUARANTINE FACILITIES.  
Introduced by: Say C (BR)  
Amends provisions relating to authority to contract or rent facilities. Allows the board of agriculture to contract with 3rd parties for use or rental of animal quarantine property or facilities at a reasonable fee and require its use for animal welfare, including emergency shelters for animals, or agriculture related purposes. -- HB3120 CD1  
Committee Reports: HSCR 324-08 (AGR/ EDB/) HSCR 772-08 (FIN) SSCR 3024 (AHW) SSCR 3384 (WAM) CCR 143-08  
Current Status: May=01 08 Passed Legislature  
Section Affected: 142-3.5
- HB3126 SD2 CD1 (CCR 56-08) RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.  
Introduced by: Say C (BR)  
Amends provisions relating to conditions of loans under the Hawaiian homes commission act, 1920. Increases the loan amount for development and operation of a farm, ranch, or aquaculture operation from 50,000 dollars to 200,000 dollars. -- HB3126 CD1  
Committee Reports: HSCR 666-08 (WLH/ AGR/) HSCR 830-08 (FIN) SSCR 2975 (AHW) SSCR 3439 (WAM) CCR 56-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: HAWAIIAN HOMES COMMISSION ACT 1920 215
- HB3140 SD2 (SSCR 3374) MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII PUBLIC HOUSING AUTHORITY  
Introduced by: Say C (BR)  
Appropriation to the Hawaii public housing authority to repay the department of budget and finance for a loan to pay for liability insurance and payroll costs and to address the budget deficits for the state family public housing program and federal low rent program. (\$\$) -- HB3140 SD2  
Committee Reports: HSCR 618-08 (HSH) HSCR 840-08 (FIN) SSCR 3077 (HSP) SSCR 3374 (WAM)  
Current Status: Apr-23 08 Received by the Governor  
Apr-29 08 Approved by Governor (Act 43 2008)
- HB3150 HD2 SD1 (FLOOR AMENDMENT 9) RELATING TO THE HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT.  
Introduced by: Say C (BR)  
Amends provisions relating to reporting requirements, Hawaii emergency planning and community right to know act. Provides that the owner or operator of a facility in the State that stores, uses, or manufactures any hazardous substance shall comply with the following requirements for all hazardous substances present at the facility in amounts not less than 10,000 pounds and for all extremely hazardous substances present at the facility in amounts not less than 500 pounds or the threshold planning quantity for that substance, whichever is less. -- HB3150 SD1  
Committee Reports: HSCR 247-08 (HLT) HSCR 601-08 (EEP) HSCR 852-08 (FIN) SSCR 3398 (HTH/ ENE/) FLOOR AMENDMENT 9  
Current Status: May-01 08 Passed Legislature  
Section Affected: 128E-6
- HB3151 HD2 SD1 (SSCR 3126) RELATING TO ELECTRONIC PERMITTING FEES.  
Introduced by: Say C (BR)  
Establishes provisions relating to fees for electronic applications and payments. Requires any departmental program that collects fees for the issuance of permits, licenses, certificates, or similar approvals that requires fees to be deposited to the credit of the general fund to 1st deduct any electronic and credit card processing fees and charges with any electronic services and credit card services provider. -- HB3151 SD1

## HOUSE BILLS THAT PASSED THE LEGISLATURE

Committee Reports: HSCR 34-08 (EEP) HSCR 895-08 (FIN) SSCR 3126 (ENE)  
SSCR 3388 (WAM)  
Current Status: Apr-25 08 Passed Legislature  
Section Affected: 321- (1 SECTION) FEES FOR ELECTRONIC APPLICATIONS  
AND PAYMENTS

HB3161 SD3 (FLOOR  
AMENDMENT 3)

MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS  
CORPORATION.

Introduced by: Say C (BR)

Appropriation to the Hawaii health systems corporation to pay accounts payable within  
45 days from the date of the invoice for its facilities, excluding the Maui memorial  
medical center; and for Maui memorial medical center. Appropriation for Maui memorial  
medical center to be expended only if the operating loan being negotiated by the  
medical center does not close prior to April 4, 2008 . (\$\$) -- HB3161 SD3

Committee Reports: HSCR 357-08 (HLT) HSCR 839-08 (FIN) SSCR 2917 (HTH)  
SSCR 2954 (WAM) - filed FLOOR AMENDMENT 3

Current Status: Apr-10 08 Received by the Governor

Apr-21 08 Vetoed item

Apr-22 08 Approved by Governor (Act 30 2008)

HB3173 HD1 SD1 CD1 (CCR 84-08)

RELATING TO GROUNDED VESSELS.

Introduced by: Say C (BR)

Amends provisions relating to vessel aground on state property. Adds that the  
department of land and natural resources may assume control of any vessel that cannot  
be immediately removed by the owner within 72 hours in a manner that is reasonably  
safe. Provides that once the department assumes control over the vessel, the vessel  
shall be removed by conventional salvage methods to minimize damages to the natural  
resources and not become a hazard to navigation. -- HB3173 CD1

Committee Reports: HSCR 375-08 (WLH) HSCR 831-08 (FIN) SSCR 2971 (WTL)  
SSCR 3342 (JDL) CCR 84-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 200-47.5

HB3174 HD1 SD1 CD1 (CCR 100-08)

RELATING TO FEDERAL FISHERIES REGULATIONS.

Introduced by: Say C (BR)

Establishes provisions relating to consistency of state and federal fisheries regulations.  
Requires the department of land and natural resources to adopt administrative rules for  
fisheries located in both state and federal waters, that are equivalent to and consistent  
with federal fisheries regulations for the same waters, to create uniform, complementary,  
and comprehensive management measures to improve efficiencies in management and  
effectiveness of enforcement. Requires the board to annually establish a fishing  
season, a total fishing quota, or individual fishing quotas, or adopt rules relating to bag,  
size, and gear limits, consistent with federal fisheries regulations that are adopted or  
declared by the federal government to prevent overfishing and with similar state rules.  
Provides that if the federal fisheries agency declares a fishery to be sustainable and  
amends or repeals its regulations accordingly, the department shall amend or repeal any  
rules for that fishery adopted. Exempts the Papahānaumokuākea Marine National  
Monument. -- HB3174 CD1

Committee Reports: HSCR 663-08 (JUD) HSCR 1025-08 (FIN) SSCR 3281 (WTL)  
CCR 100-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 187A- (1 SECTION) CONSISTENCY OF STATE AND FEDERAL  
FISHERIES REGULATIONS

HB3175 HD1 SD1 CD1 (CCR 98-08)

RELATING TO COMMERCIAL MARINE FISHING REPORTS.

Introduced by: Say C (BR)

Establishes provisions relating to catch report; shared jurisdiction of fisheries. Requires  
the department of land and natural resources to adopt rules necessary to effectuate the  
federal requirements where there is a shared jurisdiction between the state and federal  
government over a fishery. Exempts the Papahānaumokuākea Marine National  
Monument. -- HB3175 CD1

Committee Reports: HSCR 565-08 (WLH) HSCR 916-08 (FIN) SSCR 3294 (WTL)  
CCR 98-08

Current Status: Apr-29 08 Passed Legislature

Section Affected: 189- (1 SECTION) CATCH REPORT

## HOUSE BILLS THAT PASSED THE LEGISLATURE

- HB3177 HD1 SD2 CD1 (CCR 85-08) RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT.  
Introduced by: Say C (BR)  
Amends provisions relating to penalty for violation, conservation district. Increases the fine to 15,000 dollars per violation within the conservation district and damages to public land or natural resources, or any combination thereof. Authorizes the board of land and natural resources to set, charge, and collect the fine based on the value of the natural resource that is damaged, the market value of the natural resource damaged, and any other factor it deems appropriate, such as the loss of the natural resource to its natural habitat and environment and the cost of restoration or replacement. -- HB3177 CD1  
Committee Reports: HSCR 186-08 (WLH) HSCR 534-08 (JUD) HSCR 905-08 (FIN) SSCR 2959 (WTL) SSCR 3453 (JDL) CCR 85-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 183C-7
- HB3178 SD2 CD1 (CCR 126-08) RELATING TO CIVIL PENALTIES FOR VIOLATIONS ON PUBLIC LANDS.  
Introduced by: Say C (BR)  
Amends provisions relating to powers, public lands, management and disposition of. Increases fines for encroachment upon public lands. Adds that any person causing encroachments on public lands to be liable for administrative costs incurred by the department of land and natural resources and for payment of damages. Establishes penalties and fines for 1st, 2nd, and 3rd offenses for any person engaging in any prohibited use of public lands or conducting any prohibited activity on public lands. Allows the board of land and natural resources to set, charge, and collect a fine that, in its discretion, is appropriate considering the value of the natural resource that is damaged or the subject of theft. -- HB3178 CD1  
Committee Reports: HSCR 662-08 (JUD) HSCR 823-08 (FIN) SSCR 3006 (WTL) SSCR 3455 (JDL) CCR 126-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 171-6
- HB3179 SD1 CD1 (CCR 99-08) RELATING TO THE DEFINITION OF RENEWABLE ENERGY PRODUCER.  
Introduced by: Say C (BR)  
Amends provisions relating to disposition to governments, governmental agencies, public utilities, and renewable energy producers. Redefines renewable energy producer to include any grower or producer of plant or animal materials used primarily for the production of biofuels or other fuels and that nothing herein is intended to prevent the waste product or byproduct of the plant or animal material grown or produced for the production of biofuel, other fuels, electrical energy, or thermal energy, from being used for other useful purposes. -- HB3179 CD1  
Committee Reports: HSCR 573-08 (WLH/ EEP/) HSCR 833-08 (FIN) SSCR 3404 (ENE/ AHW/) CCR 99-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 171-95
- HB3191 HD1 SD2 (SSCR 3438) RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.  
Introduced by: Say C (BR)  
Amendment relating to conforming the Hawaii income tax law to the Federal Internal Revenue Code. -- HB3191 SD2  
Committee Reports: HSCR 677-08 (FIN) HSCR 865-08 (FIN) SSCR 3014 (EDT) SSCR 3438 (WAM)  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 235-2.3, 235-2.4, 235-2.45, 235-2.5, 235-55.91
- HB3197 SD1 (SSCR 3000) MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE STATE HIGHWAY SYSTEM.  
Introduced by: Say C (BR)  
Appropriation out of the state highway fund to the department of transportation for the state highway system. (\$\$) -- HB3197 SD1  
Committee Reports: HSCR 454-08 (TRN) HSCR 860-08 (FIN) SSCR 3000 (TIA) SSCR 3394 (WAM)  
Current Status: Apr-23 08 Received by the Governor  
Apr-29 08 Approved by Governor (Act 42 2008)
- HB3249 HD1 SD1 CD1 (CCR 60-08) RELATING TO TRANSPORTATION.

## HOUSE BILLS THAT PASSED THE LEGISLATURE

Introduced by: Waters T  
Amends provisions relating to driving upon bikeway by adding parking. Prohibits any person to park any vehicle upon a bicycle lane or bicycle path. Establishes a fine of 500 dollars. -- HB3249 CD1  
Committee Reports: HSCR 408-08 (TRN) HSCR 735-08 (JUD) SSCR 3002 (TIA) SSCR 3420 (JDL) CCR 60-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 291C-123

HB3325 HD2 (HSCR 316-08) RELATING TO THE UNIFORM LAND SALES PRACTICES ACT.  
Introduced by: Luke S, Yamane R, Magaoay M  
Amends provisions relating to exemptions under the uniform land sales act. Adds offers or dispositions of an interest in land registered as a time share plan. -- HB3325 HD2  
Committee Reports: HSCR 36-08 (TAC) HSCR 316-08 (CPC) HSCR 734-08 (JUD) SSCR 3270 (CPH)  
Current Status: Apr-02 08 Received by the Governor  
Apr-15 08 Approved by Governor (Act 14 2008)  
Section Affected: 484-3

HB3331 HD2 SD2 CD2 (CCR 95-08) RELATING TO CONDOMINIUMS.  
Introduced by: Brower T, Green J  
Amends provisions relating to mediation; condominium management dispute resolution; request for hearing; hearing under the condominium property regimes law. Provides that if a dispute is not resolved by mediation, including for the reason that a unit owner or the board of directors refuses to participate in the mediation of a particular dispute, any party to that proposed or terminated mediation may file for arbitration no sooner than 30 days from the termination date of the mediation. -- Amends provisions relating to mediation under the condominium law by adding condominium management dispute resolution, request for hearing; hearing. Provides that if a dispute is not resolved by mediation, including for the reason that a unit owner or the board of directors refuses to participate in the mediation of a particular dispute, any party to that proposed or terminated mediation may file a request for a hearing with the office of administrative hearings of the department of commerce and consumer affairs. Act to be repealed on June 30, 2009 (sunset). -- HB3331 CD2  
Committee Reports: HSCR 647-08 (CPC) HSCR 877-08 (JUD) SSCR 3008 (CPH) SSCR 3442 (JDL) CCR 52-08 CCR 95-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 514A-121.5, 514B-161

HB3343 HD1 (HSCR 274-08) RELATING TO FILIPINO-AMERICAN HISTORY MONTH.  
Introduced by: Manahan J, Magaoay M, Lee M, Chang J, Har S, Herkes R, Karamatsu J, Sonson A, Mizuno J, Cabanilla R, Belatti D, Wakai G, Berg L  
Establishes the provision to designate the month of October as Filipino American history month. The month of October shall commemorate the contributions of Filipino Americans to the history and heritage of Hawaii and the US. -- HB3343 HD1  
Committee Reports: HSCR 274-08 (INT) HSCR 737-08 (TAC) SSCR 3293 (EDT)  
Current Status: Apr-04 08 Received by the Governor  
Apr-15 08 Approved by Governor (Act 15 2008)  
Section Affected: 8- (1 SECTION) FILIPINO-AMERICAN HISTORY MONTH

HB3352 HD2 SD2 CD1 (CCR 145-08) RELATING TO AN AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER.  
Introduced by: Mizuno J  
Requires the auditor to perform a financial and management audit of the Hawaii Disability Rights Center. Report to the legislature. -- HB3352 CD1  
Committee Reports: HSCR 230-08 (HLT/ HSH/) HSCR 483-08 (LMG) HSCR 1017-08 (FIN) SSCR 3020 (HSP) SSCR 3375 (WAM) CCR 145-08  
Current Status: May=01 08 Passed Legislature

HB3377 SD2 CD1 (CCR 139-08) RELATING TO HIGHWAY SAFETY.  
Introduced by: Har S, Hanohano F, Tsuji C, Yamashita K, McKelvey A, Carroll M, Magaoay M, Awana K, Karamatsu J, Yamane R, Ito K, Manahan J, Lee M, Herkes R, Chang J, Caldwell K, Sagum R, Chong P, Tokioka J, Oshiro B, Say C, Rhoads K, Mizuno J, Waters T  
Establishes provisions relating to ignition interlock special fund; surcharge; indigents. Establishes the fund to be administered by the director of transportation to fund the cost of installing and operating ignition interlock devices in vehicles of persons who are



## HOUSE BILLS THAT PASSED THE LEGISLATURE

indigent. Requires a person who installs a device to pay a surcharge to the vendor which shall be deposited into the special fund. -- Establishes provisions relating to certification. Requires the director of transportation to establish and administer a statewide program relating to certification and monitoring of ignition interlock devices installed and the vendors who install and maintain them. Requires each vendor who sells or installs an ignition interlock device to be certified annually by the director of transportation and the vendor to pay a certification fee to the director of transportation to deposit the fee into the ignition interlock special fund. -- Establishes provisions relating to ignition interlock permits; driving for employment. Provides that upon proof that the respondent has installed an ignition interlock device in the respondent's vehicle, the director shall issue an ignition interlock permit that will allow the respondent to drive a vehicle equipped with an ignition interlock device during the revocation period. Allows the director to issue a separate permit authorizing a respondent to operate a vehicle owned by the respondent's employer during the period of revocation without installation of an ignition interlock device if the respondent is gainfully employed in a position that requires driving and the respondent will be discharged if prohibited from driving a vehicle not equipped with an ignition interlock device. -- Amends provisions relating to effective date, and period of administrative revocation by adding conditions. Requires the respondent to keep an ignition interlock device installed and operating on any vehicle the person operates during the revocation period. Provides that the installation and maintenance of the device shall be at the respondent's own expense. -- Amends provisions relating to conditional license by adding ignition interlock permits. Allows the administrative director of the courts to issue either a conditional license permit or an ignition interlock permit. Requires any person committing the offense of operating a vehicle under the influence of an intoxicant to have their driver's license revoked and have the privilege to operate a vehicle with the installation of a device. Establishes length of time for 1st, 2nd, 3rd, and 4th offenses. -- Amends provisions relating to operating a vehicle after license and privilege have been administratively suspended or revoked for operating a vehicle under the influence of an intoxicant by prohibiting the operation or control a vehicle without installing an ignition interlock device. -- Amends provisions relating to conditions of release on bail, recognizance, or supervised release. Requires the court to order the defendant of the offense of operating a vehicle under the influence of an intoxicant as a condition of bail, recognizance, or supervised release to install an ignition interlock device. -- Establishes a Hawaii ignition interlock implementation task force to plan for the implementation of this Act. Report to the legislature. Task force to cease to exist on June 30, 2010 (sunset). Appropriation out of the driver education and training special fund to be expended by the department of transportation. -- Amends provisions relating to proof of financial responsibility required upon conviction of certain offenses and operating a vehicle under the influence of an intoxicant. -- Amends provisions relating to proof of financial responsibility required upon conviction of certain offenses. Exempts a person convicted of a 1st offense of highly intoxicated driving. Repealed on June 30, 2010 (sunset). (\$\$) -- HB3377 CD1  
Committee Reports: HSCR 121-08 (TRN) HSCR 390-08 (JUD) HSCR 861-08 (FIN) SSCR 2999 (TIA/ JDL) SSCR 3423 (WAM) CCR 139-08  
Current Status: May=01 08 Passed Legislature  
Section Affected: 291E- (2 SECTIONS), 291E- (1 SECTION), 291E-1, 291E-34, 291E-41, 291E-44, 291E-61, 291E-62, 804-7.1, 853-4, 287-20

HB3383 SD1 CD1 (CCR 81-08)

RELATING TO HAWAII PENAL CODE.

Introduced by: Oshiro B, Caldwell K, Magaoay M, Waters T, Evans C, Har S  
Amends provisions relating to multiple sentence of imprisonment. Requires multiple terms of imprisonment to run concurrently unless the court orders or the statute mandates that the terms run consecutively. -- HB3383 CD1  
Committee Reports: HSCR 688-08 (JUD) SSCR 3337 (JDL) CCR 81-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 706-668.5

HB3386 HD1 SD2 CD1 (CCR 131-08)

RELATING TO ATTORNEYS.

Introduced by: Say C  
Amends provisions relating to administrative rules officer; specialists; appointment and duties by repealing appointment and duties and adding special tax counsel designation. Provides that any licensed attorney employed by the department of taxation as administrative rules officer or administrative rules specialist shall be designated special tax counsel. Authorizes the counsel to provide legal advice to the department, represent the department before a board of review, and represent the department before the tax appeal court. Annual report to the legislature. -- HB3386 CD1

## HOUSE BILLS THAT PASSED THE LEGISLATURE

Committee Reports: HSCR 536-08 (JUD) HSCR 825-08 (FIN) SSCR 3095 (TSG)  
SSCR 3435 (JDL) CCR 131-08  
Current Status: Apr-29 08 Passed Legislature  
Section Affected: 231-4.5