CROSSOVER BILLS

(Bills Which Passed Third Reading)

HAWAII STATE LEGISLATURE

REGULAR SESSION OF 2010

SHOWING ACTIONS TAKEN AS OF

March 4, 2010

Prepared by the:

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

FOREWORD

This publication includes all bills in the current legislature which passed Third Reading as of March 4, 2010. This publication has been created by the Legislative Reference Bureau - Systems Office.

This publication includes such data as the bill number, title, introducer, description, and current status of the bill. It reflects data recorded up to and including March 4, 2010.

Ken H. Takayama
Director
Legislative Reference Bureau

March 2010

SENATE BILLS THAT PASSED THIRD READING

SB0006 SD2 (SSCR 772)

RELATING TO REAL PROPERTY.
Introduced by: Hee C
Establishes provisions relating to uniform property electronic recording act. Allows the registrar of the bureau of conveyances to accept electronic documents with electronic signatures for recording. Allows the registrar to furnish copies of maps or plans in photographic, electronic or electrostatic form. Allows the registrar to issue nonattested documents in photographic, electronic or electrostatic form. Allows the registrar to convert into electronic form information or documents recorded before the registrar was given the authority to record electronic documents. -- SB0006 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to WLO then JUD then FIN

SB0015 SD1 (SSCR 511)

RELATING TO THE POWER OF ARREST.
Introduced by: Taniguchi B
Amends provisions relating to officer of the US customs and border protection service; arrest powers. Repeals authorization for an officer of the Citizen and Immigration Services to make arrests without a warrant. -- SB0015 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to JUD

SB0032 SD1 (SSCR 360)

RELATING TO FUEL.
Introduced by: Baker R
Amends Act 209, session laws of 2007 by specifying that the provisions increasing the taxes for liquid fuel and diesel oil shall not be repealed (sunset). -- SB0032 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP then FIN

SB0037 SD2 (SSCR 703)

RELATING TO INTRA-COUNTY FERRY SERVICE.
Introduced by: Baker R, Tsutsui S, English J
Provides a general excise tax exemption of the value or gross proceeds from the sale of liquid fuel consumed in the operation of an intra county ferry services that serves a county with a population of less than 500,000 and that includes at least 3 islands inhabited by permanent residents. -- SB0037 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to TRN then FIN

SB0038 SD2 (SSCR 642)

RELATING TO TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES.
Introduced by: Baker R, Hemmings F, Green J, English J
Amends provisions relating to the cigarette tax and tobacco tax law. Redefines tobacco products to include smokeless tobacco and pipe tobacco. Increases the excise tax on the wholesale price of each tobacco product sold. Provides that 33 1/3 per cent of the taxes collected on tobacco products shall go to the health systems special fund. -- SB0038 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then FIN

SB0044 SD2 HD2 (HSCR 1715)

RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION.
Introduced by: Baker R, Green J, Ige D, Tsutsui S, English J
Establishes provisions relating to annual management and performance audit. Requires the auditor to annually perform a management and performance audit of the Hawaii health systems corporation. Report to the legislature. -- SB0044 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr-20 09 Conference Committee: House Members: Yamane R, Oshiro M -- Chang J, Finnegan L, Keith-Agaran G, Nishimoto S, Sagum R, Tsuji C, Ward G, Yamashita K
Apr=20 09 Conference Committee: Senate Members: Ige D, Takamine D, Tsutsui S -- Baker R, Hemmings F, Kokubun R

SB0051 SD1 HD1 (HSCR 1152)

RELATING TO DENTISTRY.
Introduced by: Baker R
Amends provisions relating to dentistry defined; exempted practices. Redefines dentistry to include an offering to perform or the performance of any phase of any operation incident to teeth whitening, including the instruction or application of teeth whitening material or procedures at any location. -- SB0051 HD1
Current Status: Mar-24 09 Passed Second Reading House as amended (HD1)
Mar-24 09 Referred to CPC

SENATE BILLS THAT PASSED THIRD READING

SB0053 HD1 (HSCR 1592)

RELATING TO INSURANCE.
Introduced by: Baker R, Green J
Amends provisions relating to life settlements. -- SB0053 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr-20 09 Conference Committee: House Members: Yamane R, Herkes R, Oshiro B -- Thielen C, Wakai G

SB0056 SD1 (SSCR 326)

RELATING TO ENFORCEMENT OF THE SMOKING PROHIBITION.
Introduced by: Baker R, English J
Amends provisions relating to jurisdiction and power. Prohibits the liquor commission within its county to grant an applicable class of license renewal for a bar, business, nightclub, or restaurant that do not comply with the smoking law and to issue a summons or citation for violation. Requires a bar, business, nightclub, or restaurant as a prerequisite for renewal to show satisfactory proof of compliance with signage requirements. Increases fines and a 3rd violation shall result in the revocation of a liquor license. - SB0056 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then CPC/ JUD/

SB0058 SD2 HD1 (HSCR 1111)

RELATING TO MOTOR VEHICLE INSURANCE.
Introduced by: Baker R
Establishes provisions relating to exclusion of designated persons. Allows an insurer to specifically designate or exclude any person from coverage under their motor vehicle insurance policy. Provides that if a person is convicted of operating a motor vehicle from which the person was excluded from insurance coverage or an owner who has permitted an excluded person to operate a motor vehicle, requires that the fine to be 3,000 dollars for the 1st offense and a minimum of 1,500 dollars for each subsequent offense that occurs within a 5 year period from any prior offense. Act to be repealed on ____ (sunset). -- SB0058 HD1
Current Status: Apr=08 09 Senate Disagrees to House amendments
Apr=09 09 Conference Committee: Senate Members: Baker R, Taniguchi B -- Hemmings F
Apr-20 09 Conference Committee: House Members: Souki J, Herkes R, Oshiro B -- Awana K, Marumoto B

SB0062 SD1 HD2 (HSCR 1726)

RELATING TO WORKERS' COMPENSATION.
Introduced by: Takamine D
Establishes provisions relating to medical examination; selection of physicians under workers' compensation law. 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 45 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. Repeals provisions

relating to medical examination by employer's physician. -- Amends provisions relating to employment under workers' compensation law. Redefines employment to not include service performed by a member of a limited liability company if the member is an individual and has a distributional interest of at least 50 per cent in the company provided that no employer requires an employee to form a limited liability company as a condition of employment. Prohibits service performed by a partner of a partnership if the partner is an individual and service performed by a partner of a limited liability partnership if the partner is an individual and has a transferable interest in the partnership of at least 50 per cent. Prohibits service performed by a sole proprietor. Act to be repealed on July 1, 2012 (sunset). -- SB0062 HD2

Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=16 09 Conference Committee: Senate Members: Takamine D -- Hee C, Taniguchi B
Apr-20 09 Conference Committee: House Members: Rhoads K, Oshiro M -- Ward G, Yamashita K

SB0063 SD2 HD1 (HSCR 1207)

RELATING TO WORKERS' COMPENSATION.
Introduced by: Takamine D, Green J
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 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 within 30 days, 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. -- SB0063 HD1

Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SB0064

RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD.
Introduced by: Takamine D
Amends provisions relating to labor and industrial relations appeals board. Authorizes the appeals board to appoint, set the duties and compensation and provide for reimbursement of actual and necessary expenses incurred by the hearing officer. -- SB0064

Current Status: Feb-17 09 Introduction/Passed First Reading - House
Feb-20 09 Multiple Referral to LAB then JUD then FIN

SB0065 SD1 (SSCR 516)

RELATING TO THE HAWAII RULES OF EVIDENCE.
Introduced by: Takamine D
Amends provisions relating to rules of evidence; character evidence. Provides that when an alleged victim's trait of character for aggressiveness is introduced and admitted in trial by the defense, the prosecution may admit evidence of the same trait of character in the accused. -- SB0065 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to JUD

SB0076 SD1 (SSCR 594)

RELATING TO TAXATION.
Introduced by: Hanabusa C (BR)
Amends provisions relating to partial payment of taxes. Provides that partial payments be credited to interest, penalties, and principal in equal amounts. -- SB0076 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to FIN

SENATE BILLS THAT PASSED THIRD READING

SB0086 SD2 (SSCR 674)

RELATING TO MAKUA.
Introduced by: Hanabusa C (BR)
Establishes the Makua Valley reserve law. Requires the reserve to be used solely for preservation and practice of rights and traditions exercised by native Hawaiians for cultural, spiritual, and subsistence purposes; preservation and protection of its archaeological, historical, and environmental resources; rehabilitative, revegetation, habitat restoration and preservation; and education. Prohibits commercial uses. Establishes a reserve commission within the department of land and natural resources to establish permissible uses within the valley. Establishes the Makua Valley rehabilitation trust fund into which shall be deposited moneys received from the federal government for the rehabilitation and environmental restoration of the valley. Fund to be repealed on July 1, 2045 (sunset). -- SB0086 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HAW/ WLO/ then EBM then JUD then FIN

SB0093 SD1 (SSCR 515)

RELATING TO CAMPAIGN FINANCING.
Introduced by: Hanabusa C (BR)
Amends provisions relating to election campaign contributions. Establishes a grace period during which a candidate or candidate's committee may return or refund contributions that exceed the __ per cent cap on nonresident contributions. -- SB0093 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to JUD

SB0101 SD1 HD1 (HSCR 1180)

RELATING TO CRIMINAL HISTORY RECORD CHECKS BY COUNTIES.
Introduced by: Hanabusa C (BR)
Amends provisions relating to criminal history record checks. Authorizes counties to conduct criminal history record checks on taxicab drivers and applicants for a taxicab driver certificate. -- SB0101 HD1
Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to JUD

SB0105 SD1 (SSCR 496)

RELATING TO PROTECTIVE PROCEEDINGS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to protective proceeding. Allows family court to appoint a limited conservatorship when a minor is unable to manage property or business affairs effectively or because of another physical, mental or health impairment. -- SB0105 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to JUD

SB0107 HD1 (HSCR 1150)

RELATING TO ADMINISTRATIVE REVOCATION.
Introduced by: Hanabusa C (BR)
Amends provisions relating to administrative hearing, procedure, decision. Allows administrative director of the courts to permit authoritative revocation hearing to be held in a county other than the county in which the notice of administrative revocation was issued or by telephonic, video or electronic means. -- SB0107 HD1
Current Status: Mar-24 09 Passed Second Reading House as amended (HD1)
Mar-24 09 Referred to JUD

SB0111

RELATING TO THE PENAL CODE.
Introduced by: Hanabusa C (BR)
Amends provisions relating to disposition of convicted defendants. Adds DNA (deoxyribonucleic acid) analysis fee. -- SB0111
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to JUD then FIN

SB0112 HD1 (HSCR 1165)

RELATING TO THE CHILDREN'S JUSTICE PROGRAM.
Introduced by: Hanabusa C (BR)
Amends provisions relating to coordination function. Establishes that records of the children's justice program shall be confidential with exceptions for program and provider staff, medical and mental health professionals and the courts. -- SB0112 HD1
Current Status: Mar-24 09 Passed Second Reading House as amended (HD1)
Mar-24 09 Referred to JUD

SB0114 SD1 (SSCR 570)

RELATING TO DENTAL CARE.

Introduced by: Taniguchi B, Baker R
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring contracts to declare coordination of benefits policy with the insured, subscriber, contract holder for dental services. -- SB0114 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then CPC

SB0120 SD1 (SSCR 47)

RELATING TO THE UNIFORM MEDIATION ACT.
Introduced by: Taniguchi B
Establishes the uniform mediation act. -- SB0120 SD1
Current Status: Feb-18 09 Introduction/Passed First Reading - House
Feb-20 09 Multiple Referral to JUD then FIN

SB0121 SD1 (SSCR 241)

RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT.
Introduced by: Taniguchi B
Repeals the uniform management of institutional funds act and replaces it with the uniform prudent management of institutional funds act. -- SB0121 SD1
Current Status: Mar-20 09 Passed Second Reading House
Mar-20 09 Referred to FIN

SB0123 SD1 (SSCR 19)

RELATING TO MOTOR VEHICLES.
Introduced by: Taniguchi B (BR)
Establishes provisions relating to antique motor vehicles; permitted operation. Allows the operation of an antique motor vehicle on the highway for participation in club activities, exhibits, tours, parades, including transportation to and from events; for testing the operation or obtaining repairs or maintenance; or for occasional pleasure driving not exceeding 20 miles from the residence of the owner. -- Amends provisions relating to county vehicular taxes. Repeals the exception for antique motor vehicles. -- SB0123 SD1
Current Status: Feb-13 09 Introduction/Passed First Reading - House
Feb-17 09 Multiple Referral to TRN then JUD

SB0133 SD2 (SSCR 510)

RELATING TO UTILITIES.
Introduced by: Chun Oakland S (BR)
Establishes provisions relating to lifeline electricity rates under public utilities law. Requires the public utilities commission to implement a program to achieve lifeline electricity rates for residential electricity users. Requires the commission to require every electric public utility providing local electricity service to file a schedule of rates and charges providing a rate for lifeline electricity subscribers. -- SB0133 SD2
Current Status: Mar-23 09 Passed Second Reading House
Mar-23 09 Referred to CPC

SB0145 SD2 HD1 (HSCR 1120)

RELATING TO EDUCATION.
Introduced by: Sakamoto N, Chun Oakland S
Amends provisions relating to facilities and equipment under the department of education. Repeals provision that allows the department of education to require that the approximate cost of electricity and maintenance for air conditioners not installed by the department of accounting and general services to be paid by a private entity until the department establishes temperature and noise standards and a policy relating to air conditioning. Provides that for equipment or fixtures that are to be installed in existing or new school facilities, the department of education instead of the department of accounting and general services shall be responsible for the repair and maintenance of the donated equipment or fixtures. -- SB0145 HD1
Current Status: Mar-24 09 Passed Second Reading House as amended (HD1)
Mar-24 09 Referred to FIN

SB0153 SD1 (SSCR 27)

RELATING TO PUBLIC ACCESS.
Introduced by: Sakamoto N
Establishes provisions relating to permits; zoning; development and subdivision projects. Requires that agencies ensure a public right of way that has been available for the general public to use to access the sea, shoreline, or any coastal or inland public recreation area including beaches, shores, parks, and trails, prior to granting or renewing a permit for or approving a developmental project, subdivision project, or zoning initiative that may affect public access. -- SB0153 SD1

Current Status: Feb-17 09 Introduction/Passed First Reading - House
Feb-20 09 Multiple Referral to WLO/ HSG/ then EBM then FIN

SB0165 SD2 (SSCR 836)

RELATING TO PUBLIC SCHOOL CAFETERIA WORKERS.
Introduced by: Sakamoto N
Amends provisions relating to cafeteria workers. Repeals provision that cafeteria workers be paid over a 12 month period. -- SB0165 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EDN/ LAB/ then FIN

SB0169 SD2 HD2 (HSCR 1708)

RELATING TO HAWAII HEALTH CORPS.
Introduced by: Green J, Chun Oakland S
Establishes the Hawaii health corps law. Establishes the recruitment program within the department of business, economic development, and tourism. Provides that in selecting recruitment recipients, the department shall give 1st priority preference to recruitment health professionals who are graduates of the university of Hawaii John A. Burns school of medicine; graduates of a Hawaii residency program; or residents of the State of Hawaii who have obtained residency and give 2nd priority preference to recruitment health professionals who are graduates of out of state schools or residency programs. Requires all recruitment health professionals participating in the recruitment program to commit to serve as 1st responders in the event of a declared emergency in the State or at the request of the director of health. Report to the legislature. Appropriation. ($$) -- SB0169 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr-20 09 Conference Committee: House Members: Yamane R, Nishimoto S, Chang J -- Finnegan L
Apr=20 09 Conference Committee: Senate Members: Ige D, Tsutsui S -- Green J, Hemmings F, Tokuda J

SB0178 SD1 HD1 (HSCR 1648)

RELATING TO FOOD WASTE RECYCLING.
Introduced by: Kim D, Galuteria B, Tsutsui S, Chun Oakland S, Ige D, Fukunaga C, Tokuda J, Hooser G, Ihara L
Requires the department of education in partnership with the department of health to develop and implement a 3 year food waste recycling pilot project in 1 or more schools. Appropriation. Reports to the legislature. Act to be repealed on June 30, 2012 (sunset). ($$) -- SB0178 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Gabbard M, Sakamoto N, Tsutsui S -- Hemmings F, Hooser G
Apr-20 09 Conference Committee: House Members: Takumi R, Morita H, Oshiro M -- Ching C, Coffman D

SB0186 SD1 (SSCR 662)

RELATING TO FOSTER CARE SERVICES.
Introduced by: Chun Oakland S
Requires the department of human services to increase the rate of the monthly board payment to foster boarding home parents, group homes, and child caring institutions. Appropriation. Reports to the legislature. ($$) -- SB0186 SD1
Current Status: Mar-24 09 Passed Second Reading House
Mar-24 09 Referred to FIN

SB0194 SD2 (SSCR 849)

RELATING TO TAXATION.
Introduced by: Chun Oakland S
Establishes provisions relating to direct deposit of income tax refunds. Authorizes a request for direct deposit of refund and requires the taxpayer to designate the taxpayer's checking or savings account for deposit. Prohibits a tax preparer to designate the paid preparer's personal or business checking or savings account for direct deposit of a clients tax refund. Establishes penalties. -- SB0194 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to FIN

SB0201 SD2 HD1 (HSCR 1100)

MAKING AN APPROPRIATION FOR THE HAWAII COUNTY ECONOMIC OPPORTUNITY COUNCIL.
Introduced by: Takamine D, Green J, Kokubun R
Appropriation to the department of human services for a grant in aid to the Hawaii county economic opportunity council to purchase 10 new buses to serve the disadvantaged elderly, pre school children, and disabled persons in Hawaii county.

Appropriation shall not be expended if federal funding under the American Recovery and Reinvestment Act of 2009 can be used. ($$) -- SB0201 HD1
Current Status: Mar-23 09 Passed Second Reading House as amended (HD1)
Mar-23 09 Referred to FIN

SB0205 SD1 HD2 (HSCR 1590)

RELATING TO OWNER-BUILDERS.
Introduced by: Sakamoto N
Amends provisions relating to issuance of building permits; owner builder registration. Modifies disclosure statement by adding you must submit your federal and state tax identification numbers, federal and state tax clearances, and certificate of workers' compensation insurance with your permit application. Requires any person who obtains a permit to comply with all of the requirements specified in the disclosure statement. -- SB0205 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=16 09 Conference Committee: Senate Members: Sakamoto N, Baker R -- Galuteria B, Hemmings F, Kidani M
Apr-20 09 Conference Committee: House Members: McKelvey A, Herkes R, Oshiro B -- Marumoto B, Wakai G

SB0207 SD1 (SSCR 500)

RELATING TO CORRECTIONAL FACILITIES.
Introduced by: Espero W
Establishes provisions relating to correctional facility and community correctional center deaths; reporting. Requires the director of public safety to report to the senate president, speaker of the House of Representatives, and legislative committee chairs for public safety on correctional employee deaths or injuries sustained on the grounds of a correctional facility or center where Hawaii inmates reside within 24 hours. -- SB0207 SD1
Current Status: Mar-24 09 Passed Second Reading House
Mar-24 09 Referred to FIN

SB0208

RELATING TO PUBLIC SAFETY.
Introduced by: Espero W
Amends provisions relating to civil service and exemptions. Repeals the exemption for sheriff, 1st deputy sheriff, and 2nd deputy sheriff. -- SB0208
Current Status: Mar-24 09 Passed Second Reading House
Mar-24 09 Referred to FIN

SB0210 SD2 HD1 (HSCR 1670)

RELATING TO CORRECTIONS.
Introduced by: Espero W
Establishes provisions relating to transfer of inmates to other Hawaii correctional facilities. Allows the director of public safety to transfer a committed felon to any correctional facility located in this State, if the transfer is in the best interests of the State and the welfare of the committed felon will be best served by the transfer; provided that the director consider if the committed felon is currently engaged in rehabilitation or reentry program prior to the proposed transfer, whether the felon may continue with a similar program at the facility to which transfer is proposed; and whether other committed felons have volunteered to be transferred provided that felons volunteering for a transfer to be given preference for a transfer to achieve cost savings. Allows the director to consider, prior to the transfer of a committed felon to any correctional institution located in another state, whether the committed felon is regularly participating in extended family leave visitations with the committed felon's child and whether the transfer would disrupt the visitations or allows the director to consider, among other things; whether the committed felon is enrolled in a vocational, educational, treatment, reentry, or other program that cannot reasonably be resumed at the correctional facility in another state; and whether other committed felons volunteering for a transfer to be given preference for a transfer to achieve cost savings. -- SB0210 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Espero W, Tsutsui S -- Bunda R, Kidani M, Slom S
Apr-20 09 Conference Committee: House Members: Hanohano F, Lee M -- Aquino H, Pine K

SB0212 SD2 (SSCR 630)

RELATING TO PUBLIC SAFETY.
Introduced by: Espero W
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. -- SB0212 SD2

Current Status: Mar-20 09 Passed Second Reading House
Mar-20 09 Referred to JUD

SB0213 SD1 (SSCR 568)

RELATING TO PUBLIC SAFETY.
Introduced by: Espero W
Requires the department of public safety to develop performance measures that accurately reflect progress toward improving recidivism rates; decreasing prisoner assaults on correctional staff; reducing correctional staff turnovers; and improving departmental efficiencies in staffing, budgeting, data management and analysis. Reports to the legislature. -- SB0213 SD1

Current Status: Mar-24 09 Passed Second Reading House
Mar-24 09 Referred to FIN

SB0230 SD1 (SSCR 334)

RELATING TO THE RIGHTS OF VICTIMS.
Introduced by: Espero W
Establishes provisions relating to notification not required. Provides that victims, witnesses, and surviving immediate family members of crime victims may waive their rights by providing written notice to police and the prosecuting attorney. Further provides that the director of health, upon written request, shall give notice to each victim, witness, and surviving immediate family member of crime victims, of any unauthorized absence of any person placed in a facility or services contracted by or operated by the director, by the most reasonable and expedient means available. Defines major developments to include when the offender is acquitted or found unfit to proceed on the ground of physical or mental disease, disorder, or defect; following an acquittal or finding of unfitness to proceed, the offender is released or discharged from custody, or committed to the custody of the director of health for placement in an appropriate public or private institution; or when the offender has regained fitness to proceed, including the date on which the penal proceedings are to be resumed. Amends provisions relating to rights of accused by providing that on request, victims, witnesses, and surviving immediate family members of crime victims shall have the right to be informed by the department of health of changes planned by the department in the custodial status of the offender that allows or results in the release of the offender into the community, including escape and final discharge. Amends provisions relating to intergovernmental cooperation by including the department of health. -- SB0230 SD1

Current Status: Mar-20 09 Passed Second Reading House
Mar-20 09 Referred to JUD

SB0231 SD1 (SSCR 788)

RELATING TO PUBLIC SAFETY.
Introduced by: Espero W
Amends provisions relating to State council for interstate adult offender supervision by adding coordinator for supervision of adult offenders. Authorizes the judiciary to appoint a full time coordinator position for the supervision of adult offenders and be paid from the probation services special fund. Provides that the fee for each application made by a parolee or probationer for transfer out of the State shall be deposited into the probation services special fund. -- SB0231 SD1

Current Status: Mar-20 09 Passed Second Reading House
Mar-20 09 Referred to JUD

SB0241 SD2 (SSCR 618)

RELATING TO ENERGY.
Introduced by: Gabbard M, Green J
Establishes the cool roofs law. Requires counties beginning January 1, 2011, to only give permits for the construction of any new residential or commercial structures that have a cool roof. Allows the energy resources coordinator of the department of business, economic development, and tourism to allow a variance upon application. Exempts the portion of the roof covered by solar energy system. -- SB0241 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP/ HSG/ WLO/ then EBM then FIN

SENATE BILLS THAT PASSED THIRD READING

SB0242 SD2 HD2 (HSCR 1735)

RELATING TO SEAWATER AIR CONDITIONING.
Introduced by: Gabbard M, Green J
Amends provisions relating to State enterprise zones. Redefines qualified business to include, engaged in producing air conditioning from a seawater air conditioning district cooling system. -- Amends the state general excise exemptions to include the production of air conditioning from a seawater air conditioning district cooling system provided that such gross proceeds received by a contractor licensed under the contractor law in connection with the construction of a seawater air conditioning district cooling system shall not be exempt from the general excise tax. -- SB0242 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Gabbard M, Kim D -- Hemmings F
Apr-20 09 Conference Committee: House Members: Morita H, McKelvey A, Oshiro M -- Ching C, Coffman D

SB0243

RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.
Introduced by: Gabbard M, Hooser G
Amends provisions relating to redemption of empty deposit beverage containers. Requires any retail dealer having greater than 75,000 square feet of interior space to operate a redemption center and accept all types of empty deposit beverage containers that bear a valid Hawaii refund value. -- SB0243
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP then EBM then FIN

SB0256 SD2 (SSCR 830)

RELATING TO TELEWORK.
Introduced by: Gabbard M, Chun Oakland S, Espero W
Establishes a telework task force within the department of business, economic development, and tourism to work in coordination with the department of human resources development to develop incentives and recommendations to encourage and expand telework opportunities in both the public and private sectors that will help to alleviate the high transportation related expenses of commuting. Report to the legislature. Requires the legislative reference bureau to assist the task force. Task force to cease to exist on July 1, 2010 (sunset). Appropriation. ($$) -- SB0256 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to TRN/ LAB/ then FIN

SB0259

RELATING TO JURY DUTY.
Introduced by: Nishihara C
Amends provisions relating to exemption of jurors. Reduces the exemption for persons 80 years of age or older to 75 years of age. -- SB0259
Current Status: Mar-10 09 Introduction/Passed First Reading - House
Mar-10 09 Single Referral to JUD

SB0260 SD1 (SSCR 565)

RELATING TO GAMBLING.
Introduced by: Nishihara C
Establishes that free play shall not be considered a defense. Provides that if free play was offered by mail as an alternative to play via purchase of an item that is not bona fide or is offered at a price that is disproportionate to the value of the item purchased or a chance to win if the free play by mail is offered from a pool different from the pool from which the chance to win via purchase is drawn shall be gambling. -- SB0260 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to JUD

SB0264 HD1 (HSCR 1246)

RELATING TO TOURISM.
Introduced by: Nishihara C, Tsutsui S
Amends provisions relating to specific research and promotional functions of the department of business, economic development and tourism. Deletes the responsibility for tourism research and statistics. -- Amends the provisions relating to the Hawaii tourism authority board. Removes the directors of the department of business, economic development and tourism, and the department of transportation, the chairperson of the board of land and natural resources, and executive director of the state foundation on culture and the arts from the Hawaii tourism authority board. -- Amends provisions relating to tourism marketing plan; measures of effectiveness. Requires the Hawaii tourism authority to develop measures of effectiveness. -- Amends provisions relating to tourism related activities. Transfers the research and statistics duties from the department of business, economic development, and tourism to the Hawaii tourism

authority. Requires the authority to enter in to contracts and agreements to measure and analyze tourism trends, provide information and research to assist in the development and implementation of state tourism, and provide tourism information on visitor arrivals, visitor characteristics, and expenditures, the number of transient accommodation units available, occupancy rates, and room rates, airline related data, and the impact of ongoing marketing programs on the authority of Hawaii's tourism industry, employment in Hawaii, state taxes, and the State's lesser known and underutilized destinations. -- Amends provisions relating to tourism emergency. Redefines tourism emergency to include a national or a global economic crisis. -- Establishes provisions relating to the assistance by state and county agencies; advisory group. Requires the authority to establish an advisory group which advises the authority in preparation and execution of measures to respond to tourism emergencies, programs for the management, improvement, and protection of Hawaii's natural environment, measures to address issues affecting airlines, air routes, and barriers to travel to Hawaii, and programs to perpetuate the cultures of Hawaii and engage local communities to sustain and preserve the native Hawaii culture. -- Amends provisions related to transient accommodations tax remittances; distribution to counties. Requires that not less than 1 per cent of the 34.2 per cent of the revenues deposited into the tourism special fund be for tourism product development and cultural programs. -- SB0264 HD1

Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB0271 SD2 (SSCR 670)

RELATING TO TOURISM EMERGENCY.
Introduced by: Nishihara C, Tsutsui S
Amends provisions relating to tourism emergency. Adds a national or global economic crisis to situations considered a tourism emergency. Requires no action may be taken without the governor's express approval, in addition to the governor's declaration of the existence of a tourism emergency. -- SB0271 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to TCI then FIN

SB0287 SD2 (SSCR 669)

RELATING TO ENERGY.
Introduced by: Green J
Establishes provisions relating to geothermal energy pilot program. Requires that the energy resources coordinator to establish a pilot program to produce electricity from geothermal energy sources. Program to terminate by December 31, 2019 (sunset). Amends provisions relating to the utilization of electricity generated from nonfossil fuels. Allows the public utilities commission to direct public utilities that supply electricity to the island of Hawaii to arrange for the acquisition of electricity generated from geothermal sources at the maximum capacity that is available. -- SB0287 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP/ WLO/ then CPC then FIN

SB0288 SD1 (SSCR 448)

RELATING TO SCHOOLS.
Introduced by: Green J, Chun Oakland S
Establishes provisions relating to school vending machines; beverages. Requires beverage selections from school vending machines to contain only healthy beverages as deemed appropriate by the department of education. -- SB0288 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EDN then HLT

SB0294 SD2 HD1 (HSCR 1614)

RELATING TO STATE DEPARTMENTS.
Introduced by: Kim D
Transfers the position of special advisor for tourism from the department of business, economic development, and tourism to the office of the governor. -- Amends the provisions relating to the special advisor for tourism. Requires that the special advisor serve as the liaison between the governor and the Hawaii tourism authority, department of business, economic development, and tourism, and other public and private parties on matters relating to tourism. -- Transfers the natural energy laboratory of Hawaii authority from the department of business, economic development and tourism to the department of accounting and general services. Requires the legislative reference bureau to conduct a review and report to the legislature. Appropriation to provide 7 positions to support the Hawaii clean energy initiative. -- Establishes provisions relating to a renewable energy branch; establishment. Establishes the branch within the department of business, economic development, and tourism to coordinate renewable energy initiatives. -- Amends provisions relating to power and duties of the energy

resource coordinator. Subject to approval from the governor, requires the energy resource coordinator to formulate a systematic process, development of requirements to identify geographic areas with renewable energy resource; develop and recommend incentive plans and programs to encourage the development of renewable energy resources projects; assist public and private agencies in identifying the utility transmission projects or infrastructure for renewable energy resources; assist public and private agencies in coordination with the department of budget and finance in accessing the use of revenue bonds; and develop the criteria or requirements for identifying and qualifying transmission projects or infrastructure. -- Amends provisions relating to the Hawaii state planning Act. Includes transportation energy. -- Authorizes the governor to establish positions necessary to accomplish the management of projects funded by federal grants provided that the positions shall be exempt from civil service. The governor shall submit a report to the legislature. Appropriation to the energy security special fund and out of fund to pay for the 7 full time, temporary positions. ($$) -- SB0294 HD1

Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Fukunaga C, Tsutsui S -- Hemmings F
Apr-20 09 Conference Committee: House Members: Oshiro M, McKelvey A -- Choy I, Ward G, Yamashita K

SB0295 SD1 (SSCR 508)

RELATING TO TRANSPORTATION.
Introduced by: Gabbard M, English J, Chun Oakland S, Kidani M, Green J
Amends definition of energy efficient vehicle under the Hawaii public procurement code. -- Amends provisions relating to the designation of high occupancy vehicle lane. Authorizes hybrid or energy efficient vehicles to use any high occupancy vehicle lane (HOV) regardless of number of occupants. Requires the director of transportation to develop the means to identify hybrid vehicles and energy efficient vehicles. -- SB0295 SD1

Current Status: Mar-27 09 Passed Second Reading House
Mar-27 09 Referred to JUD

SB0350 SD1 HD1 (HSCR 1587)

RELATING TO USE OF FORCE.
Introduced by: Slom S
Amends provisions relating to the use of force in self protection. Amends the provision that deadly force is not justifiable if the actor knows that the necessity of using such force by the actor can be avoided with complete safety by retreating or by surrendering possession of a thing to a person asserting a claim of right or by complying with a demand that the actor abstain from any action which the actor has no duty to take, by providing that the actor is not obliged to retreat from the actor's dwelling, place of work, or any other place in which the actor may lawfully be present. -- SB0350 HD1

Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=16 09 Conference Committee: Senate Members: Taniguchi B -- Slom S, Takamine D

SB0358 SD1 (SSCR 143)

RELATING TO FIREARMS.
Introduced by: Slom S
Establishes provisions relating to prohibition against seizure of firearms or ammunition during emergency or disaster, suspension of permit or license. Prohibits any person or government entity to seize or confiscate, under any civil defense, emergency, or disaster relief powers or functions conferred, or during any civil defense emergency period, or during any time of national emergency or crisis, any firearm or ammunition and permit or license of any individual who is lawfully permitted to carry or possess the firearm or ammunition and who carries, possesses, or uses the firearm or ammunition in a lawful manner and in accordance with the criminal laws of this State. -- Amends provisions relating to civil defense powers, in general. Repeals provisions which allowed the governor to register and blood type RHo blood typing on females of child bearing age or younger and other compulsory blood typing as may be approved by competent medical authority. -- SB0358 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to PBS then JUD

SB0360 SD1 HD1 (HSCR 1191)

RELATING TO EXTRACURRICULAR ACTIVITIES.
Introduced by: Slom S
Establishes provisions relating to participation in extracurricular activities by home schooled children. Provides that a child who is home schooled is eligible to participate

in extracurricular activities at the school that the child would be required to attend. -- SB0360 HD1
Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SB0378 SD1 HD1 (HSCR 1262)

RELATING TO FISHING.
Introduced by: Tsutsui S, English J, Baker R
Requires the department of land and natural resources to continue to hold public informational meetings on the taking and protection of uhu, weke / moana kali, and ulua / papio. Further requires the department to develop a monitoring and evaluation program to determine the effects of that runoff, sedimentation, pollution, lack or profusion of fresh water intrusion, and the introduction of invasive species have on the ecosystem and the fish. Further requires the department to develop a monitoring and evaluation program to determine the outcomes to be achieved by the implementation of any proposed rules and estimate timeframes through which the outcomes will be achieved. Act to be repealed on December 31, 2020 (sunset). -- SB0378 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=16 09 Conference Committee: Senate Members: Hee C -- Bunda R, Fukunaga C, Hemmings F
Apr-20 09 Conference Committee: House Members: Ito K, Har S -- Ching C, Keith-Agaran G

SB0382 SD1 HD2 (HSCR 1578)

RELATING TO THE STADIUM AUTHORITY.
Introduced by: Tsutsui S
Amends provisions relating to stadium authority, appointment, terms. Increases the membership of the stadium authority to 11 members. Provides that 3 members shall be appointed directly by the governor, 3 members shall be appointed by the governor from a list of nominees submitted by the president of the senate, and 3 members shall be appointed by the governor from a list of nominees submitted by the speaker of the house of representatives. -- SB0382 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=16 09 Conference Committee: Senate Members: Fukunaga C -- Baker R, Ige D
Apr-20 09 Conference Committee: House Members: Manahan J, Ito K -- Ching C, Tokioka J

SB0384

RELATING TO EDUCATION.
Introduced by: Tsutsui S, English J
Establishes provisions relating to pedestrian traffic safety devices; newly constructed schools, for public schools, charter schools, and private schools. Requires the department of education, charter schools, and private schools to ensure that there are proper pedestrian traffic safety devices in place and fully operational prior to the 1st day of school. Requires the assistance of the department of transportation, county transportation services department, and county police department. -- SB0384
Current Status: Mar-06 09 Introduction/Passed First Reading - House
Mar-10 09 Multiple Referral to EDN then TRN then FIN

SB0390 SD2 HD1 (HSCR 1086)

RELATING TO ENERGY RESOURCES.
Introduced by: Gabbard M
Amends provisions relating to solar water heater system required for new single family residential construction. Requires that building permits issued after January 1, 2010 for new single family dwellings include standards for solar water heating systems, unless a variance is approved by the energy resources coordinator. Requires that a variance application be accepted if submitted by an architect or mechanical engineer who attests to specific conditions. Requires the energy resources coordinator to publicize all applications for a variance within 7 days after receipt of the application and the disposition of all applications within 7 days of the determination. -- SB0390 HD1
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-20 09 Referred to CPC

SB0391 SD1 (SSCR 702)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU.
Introduced by: Gabbard M
Authorizes the issuance of special purpose revenue bonds to assist Honolulu Seawater Air Conditioning LLC, a Hawaii company, in designing and constructing the district cooling project. Authorizes the issuance of refunding special purpose revenue bonds to

refund the special purpose revenue bonds. ($$) -- SB0391 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP then FIN

SB0392 SD1 (SSCR 705)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING, LLC PROJECTS ON OAHU.
Introduced by: Gabbard M
Amends Act 111, session laws of 2004, by changing the sunset date to June 30, 2014. -- SB0392 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP then FIN

SB0393 SD2 (SSCR 701)

RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST ONE PLANET PACIFIC ENERGY, LLC, A PROCESSING ENTERPRISE.
Introduced by: Gabbard M
Authorizes the issuance of special purpose revenue bonds to assist One Planet Pacific Energy, LLC with the planning, designing, construction, and equipping of, and the acquisition of lands for, a gasification facility adjoining the construction and demolition material solid waste landfill located in Nanakuli, Oahu, Hawaii. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. ($$) -- SB0393 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP then FIN

SB0404 SD1 (SSCR 597)

RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND.
Introduced by: Kim D, Tsutsui S, Hooser G
Appropriation out of the emergency and budget reserve fund (rainy day fund) to ____ as a grant to maintain levels of programs determined to be essential to public health, safety, welfare, and education; provide for counter cyclical economic and employment programs in periods of economic downturn; restore facilities destroyed or damaged or services disrupted by disaster in any other county; and meet other emergencies when declared by the governor or determined to be urgent by the legislature. ($$) -- SB0404 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to FIN

SB0411 SD1 (SSCR 451)

RELATING TO KAENA POINT STATE PARK.
Introduced by: Bunda R
Establishes provisions relating to Kaena point state park; overnight camping. Requires the department of land and natural resources to permit overnight camping at Kaena point state park. Report to the legislature on the progress of rule adoption. -- SB0411 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to WLO then FIN

SB0417 SD1 HD1 (HSCR 1167)

RELATING TO HEALTH.
Introduced by: Ige D, Green J, Ihara L, Baker R, Chun Oakland S
Establishes provisions relating to Medicaid reimbursements under department of human services law. Requires Medicaid reimbursements to hospital to be equal to the acute medical services payment for patients occupying acute licensed beds who are on a waitlist for long term care. Requires Medicaid reimbursements to facilities with long term care beds to be equal to the state reimbursement rate for sub acute care for patients with medically complex conditions who prior to admission to the facility were receiving acute care services in an acute care hospital. Appropriation for increased medicated reimbursement. -- Appropriation to the department of health for emergency services at federally qualified health centers. -- Appropriation to department of human services for the delivery of services at facilities under the safe house program that provided for the mental an emotionally health of at risk youth. ($$) -- SB0417 HD1
Current Status: Mar-24 09 Passed Second Reading House as amended (HD1)
Mar-24 09 Referred to FIN

SB0428 SD1 (SSCR 741)

RELATING TO PSYCHOLOGISTS.
Introduced by: Ige D, Baker R, English J, Green J
Establishes provisions relating to prescription certification. Establishes that psychologist may apply to the board of psychology for a conditional prescription certificate. Requires psychologist holding conditional prescription certificate continue to hold a current license

to practice psychology in Hawaii and continue malpractice insurance, inform the board of the name of the prescribing mental health professional under whose supervision the psychologist will prescribe psychotropic medication, maintain an ongoing collaborative relationship with the doctor of medicine who oversees the patients general medical care. Prohibits psychologist holding a conditional prescription certificate to delegate prescriptive authority to any person. Allows a person to use the title of industrial / organizational psychologist provided that the person registers with the board is professionally competent, holds a doctoral degree and provides psychological services or consultation to organization. Requires the state health planning and development agency report to the legislature, including any proposed legislation and assessing the viability of continuing prescriptive authority for psychologists. -- SB0428 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then CPC then JUD then FIN

SB0430 SD1 (SSCR 584)

RELATING TO HEALTH INSURANCE.
Introduced by: Ige D, Baker R, Hooser G, Fukunaga C, Ihara L, Chun Oakland S
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring coverage for the screening of colorectal cancer by colonoscopy every 10 years, beginning at age 50. -- SB0430 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then CPC then FIN

SB0436 SD2 HD1 (HSCR 1154)

RELATING TO LIFE SCIENCES.
Introduced by: Ige D, Baker R, Fukunaga C
Provides an income tax credit for clinical trials equal to 15 per cent of the qualified clinical trial costs in any county with a population over 700,000 and 20 per cent in any county with a population of 700,000 or less. Requires pre qualification of the clinical trial with the department of business, economic development, and tourism. -- SB0436 HD1

Current Status: Mar-24 09 Passed Second Reading House as amended (HD1)
Mar-24 09 Referred to FIN

SB0442 SD2 HD2 (HSCR 1266)

RELATING TO TRANSIT ORIENTED DEVELOPMENT.
Introduced by: Sakamoto N
Establishes provisions relating to county infrastructure development revolving loan fund. Establishes the revolving loan fund to be administered by the director of finance. Provides no interest loans to counties for the development, pre development or construction of infrastructure projects to expedite the building of transit oriented development, particularly those projects involving affordable housing. Annual report to the legislature. -- SB0442 HD2

Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB0449 SD2 (SSCR 622)

RELATING TO PATIENT PRESCRIPTION INFORMATION.
Introduced by: Hooser G, Baker R, Ige D, English J, Chun Oakland S, Green J, Espero W
Establishes provisions relating to prescription information; confidentiality; violation. Requires that records relative to prescription information containing identifiable patient data shall not be licensed, transferred, used, or sold by any pharmacy benefits manager, insurance company, electronic transmission intermediary, pharmacy licensed, physician or osteopathic physician licensed or other similar entity for any commercial purpose. Requires the department of commerce and consumer affairs to refer reports of any person or entity in violation to the appropriate professional licensing or regulatory body for investigation and disciplinary action, including the suspension or revocation of the person or entity's license or permit to practice. -- SB0449 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then CPC

SB0455 SD1 (SSCR 513)

RELATING TO PUBLIC HOUSING.
Introduced by: Hooser G
Establishes provisions relating to smoking in and around public housing; designated smoking areas. Requires the Hawaii public housing to designate no more than 50 per cent of the units in public housing projects as smoking units and designate 1 or more permissible smoking areas not less than 20 feet from any residential building or community facility of a public housing project. Allows the authority to terminate any lease, rental agreement, permit, or licensee upon the 3rd violation provided that, a

violation by a non resident who is visiting a resident shall be deemed a violation by the resident only if the resident is within 20 feet of the visitor at the time of the violation. -- SB0455 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HSG/ HLT/ then JUD

SB0461 SD1 (SSCR 253)

RELATING TO RENEWABLE ENERGY.
Introduced by: Gabbard M, Hooser G
Amends provisions relating to utilization of electricity generated from non fossil fuels under public utilities commission law. Repeals the authority to determine the just and reasonable rate for the nonfossil fuel generated electricity supplied to the public utility by the producer. Redefines cost effective to include or as the public utilities commission otherwise determines to be just and reasonable. -- SB0461 SD1
Current Status: Mar-10 09 Introduction/Passed First Reading - House
Mar-10 09 Multiple Referral to EEP then CPC

SB0466 SD2 HD1 (HSCR 1287)

RELATING TO POLLUTION.
Introduced by: Gabbard M
Establishes provisions relating to leaf blower; restrictions. Prohibits any person to use or operate a leaf blower to blow, dispel or make airborne, dust, leaves, grass cuttings, paper, trash or any other type of unattached debris or material, beyond the boundaries of the parcel of property being cleaned, unless the consent of the adjoining owner or person in possession of the adjoining property is obtained. -- Leaf blower debris. Prohibits any person to use or operate a leaf blower to blow leaves dirt and other debris onto the public rights of way or onto private property not owned, leased, or controlled by the leaf blower operator or the employer or contractor to allow such debris to remain there in excess of 30 minutes. -- SB0466 HD1
Current Status: Mar=04 10 Senate Disagrees to House amendments

SB0468 SD1 HD2 (HSCR 1686)

RELATING TO COASTAL ZONE MANAGEMENT.
Introduced by: Hee C
Amends provisions relating to public access. Requires the counties to ensure reasonable street parking near public access areas in the special management area. Amends provisions relating to coastal zone management. Requires affected agencies to adequately plan to minimize the risk for coastal hazards including tsunami, hurricane, wind, waves, erosion, sea level rise, subsidence, and point and nonpoint source pollution, and that the development does not impede public access to the shoreline or beach area. Provides that beach protection minimizes the construction of public coastal hazard protection structures seaward of the shoreline, except when they result in improved public access, safety, aesthetic, environmental, and engineering solutions to coastal hazards, when they enhance beach conservation or restoration. Exempts any structure that abut the shoreline within the Waikiki Special District and properties that abut beaches that are subject to the Waikiki Beach Reclamation Agreement from shoreline setback provisions. -- SB0468 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=16 09 Conference Committee: Senate Members: Hee C, English J -- Fukunaga C, Slom S
Apr-20 09 Conference Committee: House Members: Ito K, Karamatsu J -- Chong P, Har S, Thielen C

SB0474 SD1 (SSCR 497)

PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE HAWAII CONSTITUTION, TO CLARIFY THE GUBERNATORIAL APPOINTMENT PROCESS.
Introduced by: Hanabusa C
Proposes to amend the constitution. Provides that upon the expiration of the term of office of any appointee, the governor shall nominate a successor to the vacant office within the time limit required by law. -- SB0474 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-16 09 Multiple Re referral to JUD then FIN

SB0477

RELATING TO GOVERNMENT RETENTION OF ATTORNEYS.
Introduced by: Hanabusa C
Amends provisions relating to employment of attorneys. Authorizes the speaker of the house of representatives or the president of the senate, separately as well as jointly, to employ or retain attorneys. -- SB0477
Current Status: Mar-20 09 Passed Second Reading House
Mar-20 09 Referred to JUD

SENATE BILLS THAT PASSED THIRD READING

SB0478 SD2 (SSCR 625)

RELATING TO DISASTER RELIEF.
Introduced by: Hanabusa C
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 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. -- SB0478 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to PBS then FIN

SB0485 SD2 (SSCR 801)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CARBON DIVERSION INC.
Introduced by: Hanabusa C (BR)
Authorizes the issuance of special purpose revenue bonds to assist Carbon Diversion Inc., or a partnership in which it is a general partner, for the establishment of a cogeneration facility and related energy production facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. ($$) -- SB0485 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP then FIN

SB0486 SD2 (SSCR 805)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES.
Introduced by: Hanabusa C (BR)
Authorizes the issuance of special purpose revenue bonds to assist BioEnergy Hawaii, LLC, or a partnership in which it is a general partner, in the construction and operation of a cogeneration facility and related energy production facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. ($$) -- SB0486 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP then FIN

SB0497 SD1 HD1 (HSCR 1189)

RELATING TO THE HAWAII TEACHER STANDARDS BOARD.
Introduced by: Sakamoto N, Chun Oakland S
Amends provisions relating to the Hawaii teacher standards board. Increases the membership of the board. Authorizes the board to determine how fees are collected and to adopt, amend, repeal, or suspend the policies and standards of the board. Authorizes the board to employ an executive director exempt from civil service and public service laws. -- Authorizes the board, at its discretion through June 30, 2010 (sunset), to grant additional extension of teacher licenses. Provides that any previously approved extension shall be deemed valid as issued. -- Amends Act 263, session laws of 2007, by repealing the sunset date. -- SB0497 HD1
Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SB0504 SD2 (SSCR 829)

RELATING TO THE UNIVERSITY OF HAWAII.
Introduced by: Tokuda J
Appropriation to the university of Hawaii for the establishment of a sustainability internship program. Authorizes the university to fund the program through alternative means and requires the university to work with the sustainable saunders project to identify alternative methods of funding the program. Report to the legislature. ($$) -- SB0504 SD2
Current Status: Mar-19 09 Passed Second Reading House

Mar-27 09 Referred to FIN

SB0506 SD1 HD1 (HSCR 1182)

RELATING TO PROCUREMENT.
Introduced by: Tokuda J
Amends provisions relating to the Hawaii public procurement code. Establishes provisions relating to failure to adequately verify, deliver, or supply Hawaii products. Provides that any contract performed in violation of the procurement code shall be voidable and the offeror shall be referred for debarment or suspension proceedings. Amends the definition of Hawaii products by redefining product classes I and II and repealing class III. Allows self certification as part of the offer that the Hawaii products qualify for preference. -- SB0506 HD1
Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SB0512 SD2 HD1 (HSCR 1663)

RELATING TO TAXATION.
Introduced by: Baker R
Amends provisions relating to the ethanol production facility income tax credit by replacing ethanol with biofuel. Provides that the tax shall be 40 cents per gallon and that a qualifying biofuel production facility shall be located within the State and utilize locally grown feedstock for at least 75 per cent of its production output. Establishes credit limits for the period from July 1, 2011, through December 31, 2012 (sunset) and after December 31, 2012. -- SB0512 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Gabbard M, Kim D -- Slom S
Apr-20 09 Conference Committee: House Members: Morita H, Tsuji C, Oshiro M -- Chong P, Coffman D, Thielen C

SB0516 SD1 (SSCR 294)

RELATING TO PHYSICIAN ORDERS FOR LIFE SUSTAINING TREATMENT.
Introduced by: Baker R, Ige D
Establishes the physician orders for life sustaining treatment law. Allows a patient and a patient's surrogate to choose to execute or not execute life sustaining treatment. Authorizes the department of health to require all private health care facilities and hospitals in the State adopt the use of a standardized physician orders for life sustaining treatment form. Authorizes the Hawaii health systems corporation to require all health care facilities and community hospitals within Hawaii health systems corporation to adopt the use of a standardized physician orders for life sustaining treatment form. -- SB0516 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then JUD then FIN

SB0520 SD1 (SSCR 467)

RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT.
Introduced by: Baker R, Kidani M
Amends provisions relating to legal ownership certification. Prohibits a dealer to sell or advertise for sale a new motor vehicle unless the dealer has the actual legal ownership certificate or a certificate of origin or its equivalent issued to the dealer by the manufacturer or distributor. -- Further prohibits a dealer to sell or advertise for sale a used motor vehicle unless the dealer possesses evidence that all liens on the motor vehicle have been satisfied and the actual legal ownership certificate or proof of the right to possess the legal ownership certificate for the motor vehicle. -- SB0520 SD1
Current Status: Mar-03 10 Received by the Governor

SB0532 SD1 HD1 (HSCR 1565)

RELATING TO LIMITING CIVIL LIABILITY.
Introduced by: Taniguchi B (BR)
Establishes provisions relating to owner to criminal offender; limited liability. Provides that any owner of any other interest in real property shall not be liable for any injury to a person that occurs upon the real property during the course of the person's commission of a criminal offense. -- SB0532 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=16 09 Conference Committee: Senate Members: Taniguchi B -- Slom S, Takamine D
Apr-28 09 Conference Committee: House Members: Karamatsu J -- Ito K, Souki J, Thielen C

SB0535

RELATING TO INTOXICATING LIQUOR.
Introduced by: Taniguchi B (BR)

Amends provisions relating to prohibitions under intoxicating liquor law. Prohibits a person to possess any open liquor container or consume any liquor on any public highway, public sidewalk, or public housing project area designated by the Hawaii public housing authority. -- SB0535
Current Status: Mar-19 09 Passed Second Reading House
Mar-19 09 Referred to JUD

SB0540 SD2 HD1 (HSCR 1673)

RELATING TO PUBLIC SAFETY.
Introduced by: Espero W
Establishes provisions relating to residential drug abuse program. Requires the department of public safety to establish a residential drug abuse program for the treatment and community reintegration of nonviolent offenders who have a history of drug or alcohol abuse, are in the custody of the State, and have been certified as graduates of the in facility phase of a residential drug abuse program. Provides that if an inmate fails to fulfill the requirements as established, the inmate shall be immediately terminated from the program; and returned to prison where the inmate was incarcerated prior to admission to the program. -- SB0540 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=20 09 Conference Committee: Senate Members: Espero W, Tsutsui S -- Bunda R, Hemmings F
Apr-20 09 Conference Committee: House Members: Hanohano F, Lee M -- Aquino H, Ward G

SB0546 SD1 (SSCR 145)

RELATING TO CORRECTIONS.
Introduced by: Espero W, Hooser G
Requires the department of public safety to establish and administer an electronic monitoring pilot program on Oahu for eligible committed persons. Requires program participants to be permitted to live and work in the community and to be electronically monitored by the department at all times. Requires the department to select the program participants subject to the approval of the prosecuting attorney of the county in which the committed person was convicted and limited to a maximum of 30 participants at any time. Report to the legislature. Appropriation. ($$) -- SB0546 SD1
Current Status: Mar-24 09 Passed Second Reading House
Mar-24 09 Referred to FIN

SB0549 SD1 HD1 (HSCR 478-10)

RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT.
Introduced by: Espero W
Amends provisions relating to the motor vehicle express warranty enforcement (lemon law). Redefines motor vehicle to include a motorcycle. -- SB0549 HD1
Current Status: Mar=04 10 Senate Agrees to House Amendments

SB0552 SD1 (SSCR 619)

RELATING TO ENERGY-EFFICIENT VEHICLES.
Introduced by: Espero W, Hemmings F, Gabbard M, Hooser G
Establishes provisions relating to light duty motor vehicle requirements. Provides that the procurement policy for all agencies purchasing or leasing motor vehicles shall be to reduce dependency on petroleum for transportation energy. Requires that beginning January 1, 2010, all state and county entities shall select vehicles having reduced dependence on petroleum based fuels when purchasing or leasing new vehicles. Establishes priority list for vehicles. -- SB0552 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP/ TRN/ then FIN

SB0553 SD2 (SSCR 685)

RELATING TO ENERGY-EFFICIENT LIGHTING.
Introduced by: Espero W, Green J, Hooser G, Gabbard M
Amends provisions relating to energy efficiency through life cycle costing. Requires that by January 1, 2010, all state agencies, except for facilities administered by the department of public safety and other facilities that require non qualifying light bulbs for public safety reasons, replace any incandescent light bulbs in use in any state government facility with ENERGY STAR qualified compact fluorescent light bulbs and light emitting diode lighting products. -- SB0553 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP/ EBM/ then FIN

SB0555 SD2 (SSCR 617)

RELATING TO ENERGY EFFICIENCY.
Introduced by: Espero W, Green J, Gabbard M
Establishes provisions relating to appliance energy efficiency; rules. Requires the

director of business, economic development and tourism to adopt rules for the energy efficiency of new appliances. Prohibits new appliances to be sold or offered for sale that do not meet the standards for energy efficiency. Requires the department of business, economic development and tourism to investigate the advantages and disadvantages of joining a multi state compliance standard collaborative, the appliance standard awareness project or both for the purposes of gathering information and receiving assistance. Report results of investigation and recommendations for action to the Legislature. -- SB0555 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP/ EBM/ then FIN

SB0559 SD2 (SSCR 686)

RELATING TO RECYCLING.
Introduced by: Espero W
Establishes provisions relating to Hawaii recycling program. Requires the department of accounting and general services to establish a mandatory recycling program for all state buildings and facilities over which the department has authority. Provides that the recycling program include all recyclable paper products, electronic devices, plastics, furniture, and all other recyclable items. Requires the energy resources coordinator to cooperate with the department. Report to the legislature. Amends provisions relating to deposit into deposit beverage container deposit special fund; use of fund. Allows the department of health to fund the Hawaii recycling program. Appropriation out of the deposit beverage container deposit special fund. ($$) -- SB0559 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP then FIN

SB0560 SD2 (SSCR 637)

RELATING TO PUBLIC SAFETY.
Introduced by: Espero W, English J
Establishes a task force on the disparate treatment of native Hawaiians and other groups in the State's criminal justice system within the office of Hawaiian affairs. Report to legislature. Appropriation. ($$) -- SB0560 SD2

Current Status: Mar-20 09 Passed Second Reading House
Mar-20 09 Referred to HAW

SB0567 HD1 (HSCR 1117)

RELATING TO HEALTH.
Introduced by: Espero W, Green J, Hemmings F
Establishes provisions relating to blood donations; age of donor under department of health law. Allows any person 18 years of age or older to donate blood in any voluntary and noncompensatory blood program without obtaining parental permission or authorization. Allows any person 16 years of age or older, but who has not attained the age of 18 to donate blood in a voluntary and noncompensatory blood program if the person obtains written permission from the person's parent or guardian. -- SB0567 HD1

Current Status: Mar-24 09 Passed Second Reading House as amended (HD1)
Mar-24 09 Referred to JUD

SB0568 SD2 HD1 (HSCR 1255)

RELATING TO ELECTRONIC PRESCRIPTIONS.
Introduced by: Espero W, Green J
Establishes the electronic prescription drug program task force within the department of health to develop a plan to establish and implement a plan, by July 1, 2011, to enable use of an electronic prescription drug program by pharmacists, physicians, and others authorized to prescribe or dispense prescription drugs in the state. Requires the governor to appoint the task force members. Report to the legislature. Task force shall cease to exist on December 31, 2010 (sunset). -- SB0568 HD1

Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=20 09 Conference Committee: Senate Members: Ige D, Baker R, Tsutsui S -- Espero W, Hemmings F
Apr-20 09 Conference Committee: House Members: Yamane R, Nishimoto S -- Finnegan L

SB0571 HD1 (HSCR 1223)

RELATING TO A VETERANS' MEMORIAL.
Introduced by: Espero W
Directs the department of accounting and general services, the department of defense, and the office of veterans' services to jointly develop a plan to create a memorial to the veterans of the Persian Gulf War and Operation Desert Storm. Requires public hearing to be held. Report to the legislature. -- SB0571 HD1

Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SENATE BILLS THAT PASSED THIRD READING

SB0572 SD2 (SSCR 780)

RELATING TO CONDOMINIUMS.
Introduced by: Espero W, Fukunaga C
Amends provisions relating to condominiums. Prohibits the amount of special assessment for delinquent monthly common assessment from exceeding 3,600 dollars. Expands limitations on association liability for elderly unit owners aging in place to include disabled persons. -- SB0572 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HUS then CPC/ JUD/

SB0579 SD2 HD1 (HSCR 1069)

RELATING TO THE HAWAIIAN LANGUAGE.
Introduced by: English J, Green J
Amends provisions relating to the Hawaiian language; spelling. Requires beginning January 1, 2011, all letterhead prepared by or for state or county agencies or offices to include accurate, appropriate, and authentic Hawaiian names and words, including but not limited to macrons and glottal stops printed above the English translations provided that any revision to conform any letterhead existing on or before January 1, 2011 to the requirements of this section may be implemented when the letterhead requires replacement or reprinting, or otherwise requires revision. -- Amends provisions relating to State language. Requires beginning January 1, 2011 the Hawaiian languages is to be used on all emblems and symbols representative of the State provided that for emblems and symbols existing on January 1, 2011 conformance with this section may be delayed until a replacement for the emblem or symbol is required. -- SB0579 HD1
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-20 09 Referred to WLO/ JUD/

SB0580 SD2 HD1 (HSCR 1213)

RELATING TO FORFEITURE.
Introduced by: English J, Green J
Establishes provisions relating to forfeiture. Provides that in addition to criminal penalties for violating Kahoolawe island reserve law, violators may be subject to civil remedies including criminal forfeiture. Requires that the department of land and natural resources participate in the criminal forfeiture program. -- SB0580 HD1
Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to JUD

SB0588 SD1 (SSCR 574)

RELATING TO NONGOVERNMENT HEALTH PLAN PAYMENTS TO CRITICAL ACCESS HOSPITALS AND FEDERALLY QUALIFIED HEALTH CENTERS.
Introduced by: Ige D
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations (HMOs) act by requiring coverage for critical access hospitals of no less than 101 per cent of cost, consistent with Medicare, for all services provided to members and for federally qualified health centers of no less than their prospective payment system rates. -- SB0588 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT/ HUS/ then CPC then FIN

SB0591 SD1 (SSCR 586)

RELATING TO INSURANCE.
Introduced by: Ige D
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) that provides health care coverage for the regular employees of any group or association by requiring them to offer the same coverage to part time employees. Requires the insurance commissioner to prepare a report of cost and benefits of this Act. Report to the legislature. Act to be repealed July 1, 2011 (sunset). -- SB0591 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-20 09 Multiple Re referral to CPC then FIN

SB0595 SD1 (SSCR 571)

RELATING TO CONDOMINIUM PROPERTY REGIMES.
Introduced by: Fukunaga C
Amends provisions relating to telecommunications equipment and additions to and alterations of condominiums. Allows the board of directors of an association to allow owners to install antennas for amateur radios. Requires a written statement of the reasons for denial. -- SB0595 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to CPC

SB0602 SD2 HD2 (HSCR 1719)

RELATING TO THE ARTS.

Introduced by: Fukunaga C, Baker R, Taniguchi B
Amends provisions relating to the works of art special fund. Adds that the fund may be used for costs related to creation of electronic, digital, or other permanent records of works of art. Includes art for all state buildings and the Bishop Pauahi Museum and Iolani Palace. Defines works of art to include live performing arts. Act to be repealed on December 31, 2011 (sunset). -- SB0602 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Fukunaga C, Taniguchi B, Tsutsui S -- Slom S
Apr-20 09 Conference Committee: House Members: Manahan J, Carroll M, Tokioka J -- Marumoto B, Yamashita K

SB0604 SD2 (SSCR 620)

RELATING TO EMERGENCY CONTRACEPTIVES FOR SEXUAL ASSAULT SURVIVORS.
Introduced by: Fukunaga C, Green J, Chun Oakland S, Nishihara C, Baker R, Ige D, Kidani M, Kim D
Establishes provisions relating to emergency contraceptives for sexual assault survivors. Requires hospitals that provide medical care to sexual assault survivors to provide each sexual assault survivor with medically and factually accurate written and oral information about emergency contraception; orally inform each survivor of her option to receive emergency contraception at the hospital; immediately provide emergency contraception to each sexual assault survivor who requests it; and ensure that each person at the hospital that provides care to a survivor is trained in sexual assault treatment and emergency contraception. Requires the department of health pay the cost of the emergency contraception dispensed to sexual assault survivors from the domestic violence and sexual assault special fund. Establishes provisions relating to enforcement; administrative penalties. Requires the department to set charge and collect administrative fines and recover administrative fees and costs, including attorney's fees and costs, resulting from a violation. Requires the department to establish a policy and procedure to monitor compliance, including complaints process and provide written notice to any hospital that the department determines is in violation, including an opportunity to take corrective action. -- SB0604 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then JUD

SB0606 SD2 (SSCR 509)

RELATING TO CONDOMINIUMS.
Introduced by: Fukunaga C, Baker R, Chun Oakland S, Galuteria B
Establishes provisions relating to renewable energy devices. Allows the board of directors of an association to install or permit the installation of solar energy devices and wind energy devices on the common elements of the project, including leasing or licensing the common elements for such installations. -- SB0606 SD2
Current Status: Mar-20 09 Passed Second Reading House
Mar-20 09 Referred to CPC

SB0614 HD2 (HSCR 1236)

RELATING TO FAMILY LEAVE.
Introduced by: Espero W
Amends provisions relating to family leave. Requires that an employee be entitled to a total of 4 weeks of family leave during any calendar year upon the birth of a child of the employee; upon the adoption of a child; to care for a child, spouse, reciprocal beneficiary, or parent with a serious health condition; or address family care, legal, and financial issues directly related to or resulting from the impending military deployment or active military deployment of the employee's child, spouse, reciprocal beneficiary or parent. Requires the employee to provide the employer with a copy of the military orders verifying the military deployment of the employee's child, spouse, reciprocal beneficiary, or parent, and any other certifications or supporting documentation. -- SB0614 HD2
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB0619 SD2 (SSCR 776)

RELATING TO VOTING.
Introduced by: Espero W
Amends provisions relating to rules for determining residency for voting. Allows a person to keep their residency while confined in a prison, jail correctional facility or community correctional facility within or outside the State. -- Amends provisions relating to who may vote by absentee ballot. Requires that an absentee ballot be the method of voting for all persons registered to vote as residents of the State who are confined in a prison, jail, correctional center, or community correctional center. -- Amends provisions relating to

the delivery of ballots. Allows the chief election officer to prepare special ballots provided that the text is identical in substance with that appearing on the official ballots. -- Amends provisions relating to rights lost by convicted persons. Allows a person sentenced for a felony to vote during the period of probation or parole, or by absentee ballot while imprisoned during a period commencing 2 years prior to the person's scheduled final discharge from imprisonment. -- Amends provisions relating to the certificate of discharge. Allows the defendant to vote and hold public office after being discharged. -- SB0619 SD2

Current Status: Mar-20 09 Passed Second Reading House
Mar-20 09 Referred to JUD

SB0623 SD1 HD1 (HSCR 1061)

RELATING TO TUITION ASSISTANCE.
Introduced by: Espero W
Amends provisions relating to tuition assistance for Hawaii national guard personnel to attend the university of Hawaii. Authorizes the adjutant general to award tuition assistance for qualified enlisted persons, warrant officers, and officers in the Hawaii national guard who are students working toward a degree on any campus of the University of Hawaii. Provides a priority to students working toward an undergraduate degree for the awarding of available funding for tuition assistance. -- SB0623 HD1

Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-24 09 Referred to FIN

SB0633 SD1 HD1 (HSCR 1269)

RELATING TO WATER.
Introduced by: Hee C
Amends provisions relating to Molokai irrigation system water users advisory board; establishment; meetings. Requires that at least 4 members of the Molokai irrigation system water users advisory board be Hawaiian homestead farmers. Requires that all members of the advisory board be Molokai irrigation system users, residents of the island of Molokai and active general excise tax licensees. -- SB0633 HD1

Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to HAW

SB0635 SD1 (SSCR 453)

RELATING TO STATE PARKS.
Introduced by: Hee C
Directs the department of land and natural resources to transfer land in Kahana Valley to the office of Hawaiian affairs. Requires the office to manage the lands and assist the 6 families residing in the valley to obtain long term residential leases. Transfers all rights, powers, functions, and duties of the department relating to the lands to the office. -- SB0635 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to WLO then HAW then FIN

SB0636 SD1 HD2 (HSCR 1714)

RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.
Introduced by: Hee C
Establishes provisions relating to recreational renaissance special fund. Establishes the fund in the department of land and natural resources for the recreational renaissance program. Provides that the fund shall be used for information technology, payment of bonds, planning, design, and construction, operation and maintenance costs, and land acquisition. -- Establishes provisions for partnership with the department for Keehi small boat harbor and triangle island. Requires the department of land and natural resources to delegate to the aloha tower development corporation the implementation of projects related to Keehi small boat harbor and triangle island. -- Amends industrial park to include existing roadways that provide access to or within an industrial park. Exempts the selection of a partnership for the development of an industrial park from competitive sealed bid provisions. -- Repeals the prohibition of moorage of commercial vessels and commercial activities in the Ala Wai and Keehi boat harbors. Requires that the total number of valid commercial use permits that may be issued for vessels assigned mooring at Ala Wai boat harbor shall not exceed 15 per cent of the total berths and shall not exceed 35 per cent of the total berths at Keehi boat harbor. Requires moorage fees to be established by appraisal by a state licensed appraiser with a schedule for existing mooring holders and a schedule for new mooring applicants. Allows the additional assessment of utility fees. Appropriation out of the fund. ($$) -- SB0636 HD2

Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr-20 09 Conference Committee: House Members: Ito K, Oshiro M -- Har S, Thielen C, Yamashita K
Apr=27 09 Conference Committee: Senate Members: Hee C,

Kim D -- Fukunaga C, Hemmings F, Kokubun R

SB0638 SD2 HD1 (HSCR 1620)

RELATING TO PUBLIC LANDS.
Introduced by: Hee C
Establishes a 2 year moratorium on the eviction of persons who reside in Kahana valley state park, have participated in interpretive programs for the valley and have continuously lived there since 1987 or hold or have held a long term lease or permit to reside there. Authorizes the board of land and natural resources to enter into negotiations and execute long term leases with qualified applicants. Requires the department of land and natural resources with the Kahana planning council to develop a Kahana living park master plan and report to the legislature. Establishes a planning council to complete the master plan. -- Amends provisions relating to the Hawaiian homes commission act of 1920. Establishes provisions relating to commercial projects. Allows the department of Hawaiian home lands to negotiate lease for commercial projects. -- SB0638 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr-20 09 Conference Committee: House Members: Ito K, Carroll M, Oshiro M -- Thielen C, Wooley J
Apr=21 09 Conference Committee: Senate Members: Hee C, Kim D -- Fukunaga C, Kokubun R

SB0639 SD1 (SSCR 211)

RELATING TO PUBLIC LANDS.
Introduced by: Hee C
Authorizes the department of land and natural resources to negotiate and enter into long term residential leases for sites in state parks with acreage greater than 5,000 acres but less than 6,000 acres, not to exceed 55 years in duration, with persons who resided in the same park since 1987 and have participated in interpretive programs for the state park. Requires qualified persons to agree to be essential parts of the interpretive programs in the state park as directed by the department. Establishes a state park planning council to advise the department. -- SB0639 SD1
Current Status: Feb-24 09 Introduction/Passed First Reading - House
Feb-25 09 Multiple Referral to WLO then FIN

SB0642 SD2 HD2 (HSCR 1668)

RELATING TO PUBLIC EMPLOYEES.
Introduced by: Hee C
Amends provisions relating to adjustments authorized; limitations, restrictions. Requires adjustments for excluded employees in the excluded managerial compensation plan be at least equal to across the board wage increases or reductions and changes in health and retirement benefits provided under collective bargaining agreements to employees in the bargaining unit from which the employees are excluded. -- SB0642 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Takamine D, Tsutsui S -- Hee C
Apr-20 09 Conference Committee: House Members: Rhoads K, Yamashita K -- Pine K

SB0643 SD2 (SSCR 843)

RELATING TO PUBLIC LANDS.
Introduced by: Hee C
Amends provisions relating to the Hawaiian Homes commission Act of 1920. Changes the management of Kahana valley state park from the department of land and natural resources to the department of Hawaiian home lands. Authorizes the department of Hawaiian home lands to negotiate and enter into long term residential leases not to exceed 99 years in duration. Amends Act 5, session laws of 1987, as amended by Act 238, session laws of 1988, Act 23, session laws of 1989, Act 106, session laws of 1991, Act 58, session laws of 1992, and Act 177, session laws of 1993. -- SB0643 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to WLO then HAW then FIN

SB0646 SD1 (SSCR 557)

RELATING TO PUBLIC ACCOUNTABILITY.
Introduced by: Ihara L
Amends provisions relating to program execution of the budget. Requires the governor to explain in writing any decisions to limit appropriations approved by the legislature. -- SB0646 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to FIN

SENATE BILLS THAT PASSED THIRD READING

SB0654

RELATING TO VOTING.
Introduced by: Ihara L, Chun Oakland S
Establishes provisions relating to election day voter registration. Allows persons eligible to vote to register at the polling place for the precinct in which the person maintains residence, on that election day. -- SB0654
Current Status: Mar-10 09 Introduction/Passed First Reading - House
Mar-10 09 Multiple Referral to JUD then FIN

SB0661 SD2 (SSCR 828)

RELATING TO THE FUNERAL INDUSTRY.
Introduced by: Ihara L, Chun Oakland S
Establishes provisions relating to advisory committee. Authorizes the director of the department of commerce and consumer affairs to appoint an advisory committee consisting of cemetery authorities and pre need funeral authorities licensed and members of the public to advise the director on an on going basis, in carrying out the director's cemetery and funeral trusts duties and any administrative rules adopted; in determining the availability, efficacy, associated costs, and possible revenue sources related to the development, collection, and reporting of additional licensee and trust financial information; on enforcement of cemetery and funeral trusts and related administrative rules; proposing and developing amendments to the cemetery and funeral trust law or to any rules adopted; and on any other matter of concern regarding the funeral industry. Requires the director to establish and maintain a pre need cemetery and funeral special fund and to collect a 1 time fee of not more than ____ dollars per contract from each pre need funeral authority for deposit into the fund to be used to investigate any violation or complaint that has been lodged or asserted by reason of fraud, misrepresentation, or deceit against any pre need funeral authority. Requires every cemetery authority or pre need funeral authority to submit an audited financial statement and actuarial report to the director. Amends provisions relating to actuarial study, audited financial statement, trust agreement; available for review by adding complaints, consultants, reports, and contractor reports. Requires the department to submit a report annually that describes the status of the audited financial reports and actuarial reports of licensees to the legislature. Provides that 70 per cent of the funds paid by the purchaser to be transferred to the trustee and to remain in trust. Requires that the cemetery authority or pre need funeral authority provide an annual statement to the purchaser within 30 days of the close of the prior month. -- SB0661 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to CPC/ JUD/ then FIN

SB0667 SD2 HD1 (HSCR 1066)

RELATING TO WHISTLEBLOWERS' PROTECTION.
Introduced by: Ihara L, Espero W, Tsutsui S
Establishes provisions relating to whistleblowers. Requires the department of labor and industrial relations to inform the complainant of the complainant's right under the law. Further requires the department to prescribe notices pertaining to the whistleblowers Act. Establishes provisions relating to protected disclosure by a public employee. Prohibiting an employer to discharge, threaten, or otherwise discriminate against an employee regarding a public employee's compensation, terms, conditions, location, or privileges of employment because the public employee, or a person acting on behalf of the public employee, reports or is about to report to the public employer or a public body, verbally or in writing. Provides that in addition to relief and damages a public employee who alleges a violation may bring a civil action for punitive damages. Requires public employers to post and keep posted notices pertaining to the application of the law in conspicuous places in every establishment where any public employee is employed to permit the public employee to readily observe a copy on the way to or from the public employee's place of employment. -- SB0667 HD1
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-20 09 Referred to JUD

SB0673

RELATING TO ZONING.
Introduced by: Ihara L
Amends provisions relating to county zoning. Requires group living facilities to adhere to restrictions on commercial deliveries, ambient noise and pollutant emission standards. -- SB0673
Current Status: Mar-06 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HUS/ HLT/ then WLO

SB0687 SD2 HD1 (HSCR 1072)

RELATING TO PROCUREMENT.
Introduced by: Takamine D

Establishes provisions relating to final decision; time. Requires a final decision on a request for a hearing or judicial review relating to any procurement to be issued within 30 days of the receipt of a request for an administrative hearing or the filing of an application for judicial review. -- Amends provisions relating to administrative proceedings for review. Requires that any bidder, offeror, contractor or person that is party to a protest of a solicitation or award of a contract may initiate a proceeding provided that the protest concerns a matter that is equal to no less that 10 per cent of the total estimated value of the contract and the party initiating the proceeding shall pay to the department of commerce and consumer affairs an amount equal to 1 per cent of the total estimated value if the contract 1 million dollars or more. -- SB0687 HD1

Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-20 09 Referred to JUD

SB0688 HD2 (HSCR 1281)

RELATING TO EMPLOYMENT.
Introduced by: Takamine D, Chun Oakland S
Provides a successor employer general excise tax exemption to a successor employer for 1 year. -- Establishes provisions relating to worker retention in the event of divestiture. Requires that in the event of a divestiture of a covered establishment, the successor employer shall hire all incumbent nonsupervisory and nonconfidential employees, shall not require incumbent employees to file employment applications with the successor employer to be considered for hire unless existing employee files are incomplete, may conduct pre hire screening of the incumbent employees not prohibited by law, and may retain less than 100 per cent of incumbent employees if the nature of the successor establishment is substantially dissimilar or the human resources needs are reduced. -- SB0688 HD2

Current Status: Mar-18 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB0690 SD2 HD1 (HSCR 1172)

RELATING TO INTERGOVERNMENTAL MOVEMENTS.
Introduced by: Takamine D
Establishes provisions relating to intergovernmental exchanges or movements. Allows for the exchange or movement of civil service employees between the State and any county, between counties, between the federal government and the State, or between the federal government and any county provided certain conditions are met. -- SB0690 HD1

Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SB0696 SD1 (SSCR 827)

RELATING TO COQUI FROGS.
Introduced by: Takamine D, English J, Baker R, Hooser G
Amends provisions relating to the transient accommodations tax. Provides that each county may elect to use a portion of its share of the revenues to eradicate coqui frogs. Further provides that if none of the counties elect to do so this Act shall be repealed on December 31, 2010 (sunset) and if a county does elect to do so this Act will be repealed on December 31, 2012 (sunset). -- SB0696 SD1

Current Status: Mar-25 09 Passed Second Reading House
Mar-25 09 Referred to FIN

SB0697 HD1 (HSCR 989)

RELATING TO INTOXICATING LIQUOR.
Introduced by: Tsutsui S, English J, Kidani M
Amends provisions relating to jurisdiction and powers under intoxicating liquor law. Allows the liquor commission with money collected from the assessment of fines against licensees within their own county to be expended to finance substance abuse treatment and prevention programs or private programs within the county, including educational programs. -- Amends provisions relating to promoting intoxicating liquor to a minor. Changes it from a misdemeanor to a petty misdemeanor. Establishes penalties for 1st, 2nd, and 3rd offenses. -- SB0697 HD1

Current Status: Mar-16 09 Passed Second Reading House as amended (HD1)
Mar-16 09 Referred to CPC

SB0698 SD3 (FLOOR AMENDMENT 2)

RELATING TO THE RENTAL MOTOR VEHICLE AND TOUR VEHICLE SURCHARGE TAX.
Introduced by: Tsutsui S
Amends provisions relating to the rental motor vehicle and tour vehicle surcharge tax. Changes the tax and provides that ___ per cent of the collection each month shall be deposited into the general fund. -- SB0698 SD3

Current Status: Mar-13 09 Introduction/Passed First Reading - House
Mar-13 09 Multiple Referral to TRN then FIN

SB0701 SD2 HD1 (HSCR 1288)

RELATING TO LANDFILLS.
Introduced by: Gabbard M
Establishes provisions relating to landfills; moratorium. Prohibits any person, government agency or entity to construct or operate a new municipal solid waste landfill, green waste landfill, or otherwise, or expand any existing private solid waste landfill unit, or any component on or after August 1, 2009, in the Ewa district; Waianae district; Waialua district; Koolauloa district; and Koolanupoko district. Exempts any municipal solid waste landfill existing prior to August 1, 2009, or any proposal to expand a municipal solid waste landfill, including Waimanalo gulch sanitary landfill. -- SB0701 HD1
Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to JUD

SB0705 SD1 HD1 (HSCR 1224)

RELATING TO HAWAII PUBLIC PROCUREMENT CODE.
Introduced by: Kim D, Chun Oakland S, Kidani M
Amends provisions relating to the Hawaii public procurement code. Exempts contracts to procure goods, services, or construction from a source approved as a sole source by the federal government under a grant from the federal government in any procurement funded by state and federal matching funds or by federal funds alone. -- SB0705 HD1
Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB0707 SD1 (SSCR 2491)

RELATING TO CABLE TELEVISION SYSTEMS.
Introduced by: English J, Baker R, Tsutsui S
Establishes provisions relating to designation of access organizations for PEG (public education and government) access channels. Authorizes the director of commerce and consumer affairs to designate 1 or more access organizations to oversee the development, operation, supervision, management, production or broadcasting of programs of PEG access channels. Requires the director to establish requirements for the designation of access organization rules. Amends provisions relating to cable advisory committee. Requires the committee to advise the director on any decision designation, modifying, or rescinding a designation of an access organization or the requirements by the director to be submitted for review to the cable advisory committee for advice. -- SB0707 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM then CPC then LMG/ FIN/

SB0709 SD2 HD1 (HSCR 1273)

RELATING TO AGRICULTURE.
Introduced by: English J
Establishes the genetically engineered taro law. Prohibits any person to develop, test, propagate, release, import, plant or grow genetically engineered taro. -- SB0709 HD1
Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to AGR

SB0713 SD2 HD2 (HSCR 1724)

MAKING AN APPROPRIATION FOR THE EMERGENCY ENVIRONMENTAL WORKFORCE.
Introduced by: English J, Gabbard M
Amends Act 4, 3rd special session of 2001, which establishes the emergency environmental workforce within the research corporation of the university of Hawaii by changing it to the workforce program. Requires the program to employ as employees of the corporation for at least 12 months, individuals who were terminated from their jobs as a result of significant local economic downturn or as a result of acts of war instead of employing individuals who were terminated from their jobs after the September 11 tragedy as a result of local economic downturn, for 3 months as contract employees. Appropriation out of federal funds received by the State from the American Recovery and Reinvestment Act of 2009 to the research corporation of the university of Hawaii. ($$) -- SB0713 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Takamine D, Tsutsui S -- Bunda R, Slom S
Apr-20 09 Conference Committee: House Members: Morita H, Chang J, Rhoads K, Coffman D -- Ching C

SENATE BILLS THAT PASSED THIRD READING

SB0721 HD1 (HSCR 1717)

RELATING TO DISTRICT-WIDE IMPROVEMENT PROGRAMS.
Introduced by: Fukunaga C, Chun Oakland S, Galuteria B
Amends provisions relating to district wide improvement program. Allows the community development district to consider such factors as determined by the community development authority which may include special or general benefits conferred upon the real property, and impacts and burdens created by the assessment. Allows the community development authority to issue and sell bonds in such amounts as may be authorized by the legislature to provide funds to finance public facilities. -- SB0721 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr-20 09 Conference Committee: House Members: Ito K, Har S -- Ching C
Apr=21 09 Conference Committee: Senate Members: Hee C -- Bunda R, Fukunaga C, Hemmings F

SB0733 SD2 (SSCR 842)

RELATING TO EDUCATION.
Introduced by: Sakamoto N, Tsutsui S
Establishes provisions relating to use of data reflecting recent conditions in impact fee calculations. Requires school impact fees to be updated every 3 years. Amends provisions relating to school impact fees. Adds construction cost component impact fee and land component impact fees. Also adds formula to determine school area requirements. -- SB0733 SD2
Current Status: Mar-20 09 Passed Second Reading House
Apr-02 09 Referred to FIN

SB0746 SD1 (SSCR 644)

RELATING TO EDUCATION.
Introduced by: Sakamoto N, Chun Oakland S, Kidani M
Requires the department of education to establish a 2 year pilot project to demonstrate the cost efficiencies and savings of complex wide allocations of the funds received by the complex area through the weighted student formula. Interim and final reports to the legislature. -- SB0746 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EDN then FIN

SB0747 SD2 HD1 (HSCR 1190)

RELATING TO WORKFORCE DEVELOPMENT.
Introduced by: Sakamoto N
Requires the department of education to convene the appropriate agencies including the university of Hawaii, the department of labor and industrial relations, and the department of business, economic development, and tourism to examine current and emerging programs seeking to track student progress and develop a comprehensive tracking system for students from kindergarten to the 12th grade and as they move into the workforce. Requires the system to assess the performance of the spectrum of educational reform efforts and resource allocations. Report to the legislature. Appropriation. -- Amends Act 283, session laws of 2007, by adding that the educational workforce working group shall review and recommend enhancements to the career and technical education center website for the dissemination of information regarding workforce development resources, initiatives, and programs within the state and by requiring reports to the legislature and appropriations to the department of labor and industrial relations for the group in 2010 and 2011. ($$) -- SB0747 HD1
Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SB0754 SD1 HD2 (HSCR 1307)

RELATING TO AFFORDABLE HOUSING.
Introduced by: Sakamoto N
Requires the legislative reference bureau to review the state laws related to affordable housing, the Hawaii housing finance and development corporation, and the Hawaii public housing authority to identify strengthen Hawaii's housing laws. Report to the legislature. -- SB0754 HD2
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB0763 SD1 (SSCR 591)

RELATING TO CRUELTY TO ANIMALS.
Introduced by: Chun Oakland S
Amends provisions relating to cruelty to animals by fighting dogs. Provides that a person commits the offense of cruelty to animals by fighting dogs if the person causes, sponsors, arranges, or holds a fight between dogs, wagers on or pays admission to a dog fight, owns, trains, transports, possesses, breeds, sells, transfers, or equips a dog

with the intent that the dog will be engaged in a dogfight, allows a dog fight to occur on any property owned or controlled by the person, allows any dog intended by the person to be used for a fight to be kept, boarded, housed, trained, or transported, on any property owned or controlled by the person, uses any means of communication for the promotion of a dog fight, or possesses any device intended to enhance the animal's fighting ability with the intent that the device be used to train or prepare the dog to fight. Defines device to mean both animate and inanimate objects and includes live animals used as bait animals. Provides that dog fighting is a class C felony. -- SB0763 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to JUD

SB0771 SD1 HD1 (HSCR 493-10)

RELATING TO APPRAISALS.
Introduced by: Chun Oakland S, Sakamoto N
Amends provisions relating to practice as a real estate appraiser; uniform standards; award. Requires that a real estate appraiser comply with the Uniform Standards of Professional Appraisal Practice when acting as an appraiser in an arbitration to determine the fair market value of real estate. Amends provisions relating to award under uniform arbitration Act. Requires that in an arbitration proceeding to determine the fair market value or fair market rental of real property where the arbitrator is a licensed real estate appraiser, the record of award shall include the findings of fact, the appraiser's rationale for the award and information regarding the evidence which provided the basis for the award. -- SB0771 HD1
Current Status: Mar=04 10 Senate Agrees to House Amendments

SB0773 SD2 HD1 (HSCR 1158)

RELATING TO HOUSING.
Introduced by: Chun Oakland S, Sakamoto N
Appropriation to the housing finance and development corporation to assist developers in contracting for 3rd party review and certification including inspections, discretionary permits, and ministerial permits to expedite the processing and issuance of building permits for affordable projects. -- Appropriation to the Hawaii public housing authority for repair and maintenance of public housing projects. -- Appropriation to the authority for providing security in public housing project. -- Appropriation to the authority for outreach or support services to unsheltered homeless, at risk homeless, and those residing in homeless facilities. ($$) -- SB0773 HD1
Current Status: Mar-24 09 Passed Second Reading House as amended (HD1)
Mar-24 09 Referred to FIN

SB0774 SD2 HD1 (HSCR 1028)

RELATING TO SCHOOLS.
Introduced by: Chun Oakland S, Sakamoto N
Appropriation out of the federal temporary assistance for needy families (TANF) program funds to the department of human services for non school hour programs (A+, A-plus, A plus) to provide supervision of children kindergarten through 12th grades under the department of education and for the office of youth services for non school hour programs for children and youth enrolled in school. Establishes allocation percentages for each county based on the number of children 18 years of age or younger in each county. Provides that moneys allocated shall not reduce existing funding for non school hour programs, and shall be awarded by the expending agencies only to non school hour programs that demonstrate a commitment to partnering with the public and private sectors and involve youth as active participants in all phases of program planning, implementation, and evaluation. Requires all programs that receive such moneys to meet each quarter with their community partners for program evaluation and improvement. Requires the department of education, the office of youth services, and the counties to convene annually to share information on the best practices and outcomes. Annual report to the legislature by the office of youth services. -- Requires the county of Hawaii to expend funds for the implementation of the Safe Haven model demonstration program. ($$) -- SB0774 HD1
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-20 09 Referred to EDN

SB0782 SD1 HD1 (HSCR 1067)

RELATING TO EMPLOYMENT SECURITY.
Introduced by: Baker R, Tokuda J, Fukunaga C, Kidani M, Chun Oakland S
Establishes provisions relating to eligibility of benefits for domestic or sexual violence victims under the Hawaii employment security law. Prohibits victims of domestic or sexual violence to be denied benefits where the individual is separated voluntarily or involuntarily from employment. -- SB0782 HD1
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)

Mar-20 09 Referred to JUD

SB0786 SD1 (SSCR 396)

RELATING TO HISTORIC PLACES.
Introduced by: Chun Oakland S
Establishes provisions relating to criminal trespass; historic sites; criminal property damage; historic sites. Increases the penalties for criminal trespassing and property damage on property listed on the Hawaii Register of Historic Places. -- SB0786 SD1
Current Status: Mar-10 09 Introduction/Passed First Reading - House
Mar-10 09 Multiple Referral to WLO then JUD

SB0794 SD1 (SSCR 585)

RELATING TO HEALTH.
Introduced by: Chun Oakland S, Green J, English J
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring coverage for weight management and obesity prevention, evaluation, and guidance services for any dependent of a subscriber. -- SB0794 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then CPC then FIN

SB0799 HD1 (HSCR 1032)

PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CLARIFY THE SELECTION OF THE STUDENT MEMBER OF THE BOARD OF EDUCATION.
Introduced by: Sakamoto N, Kidani M, Chun Oakland S
Proposes to amend the constitution. Changes the public high school student member on the board of education to be a voting member. -- SB0799 HD1
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-20 09 Referred to JUD

SB0807 SD1 (SSCR 826)

RELATING TO THE ENVIRONMENT.
Introduced by: Chun Oakland S, Green J
Appropriation to the department of education to establish a recycling program and provide recycling bins on every public school campus in the State. Requires the department of education in partnership with the department of health to develop and implement a 3 year food waste recycling pilot project in 1 or more schools. Appropriation. Reports to the legislature. Act to be repealed on June 30, 2012 (sunset). ($$) -- SB0807 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-16 09 Multiple Re referral to EDN then EEP then FIN

SB0809 SD2 (SSCR 815)

RELATING TO CHILDREN.
Introduced by: Chun Oakland S
Establishes a task force to coordinate public and private resources to benefit homeless children. Requires the task force to establish findings and develop recommendations on how the State can coordinate public and private resources to benefit homeless children. Reports to the legislature. -- Establishes the kokua na keiki special fund administered and expended by the department of human services to establish and hire a homeless coordinator position and 1 support staff and to provide grants for innovative programs that benefit the homeless children or that help coordinate services for the benefit of homeless children. Appropriation out of available federal funds to the special fund and out of the special fund upon determination by the department that federal funds may be appropriately expended. Task force to be repealed on July 1, 2013 (sunset). ($$) -- SB0809 SD2
Current Status: Mar-19 09 Passed Second Reading House
Mar-19 09 Referred to FIN

SB0818 SD2 (SSCR 841)

RELATING TO HEALTH.
Introduced by: Chun Oakland S, Ihara L, Baker R, Green J, Espero W
Establishes provisions relating to inspections; public notice. Beginning January 1, 2011, requires the department of health to post on its website electronic copies of reports for all inspection it performs for state licensed care facilities. Beginning January 1, 2011, requires the department of human services to post on its website electronic copies of reports for all inspection it performs on adult day care centers and community care foster family homes. -- SB0818 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT/ HUS/ then FIN

SENATE BILLS THAT PASSED THIRD READING

SB0821 SD2 (SSCR 645)

RELATING TO ELDER CARE.
Introduced by: Ihara L, Chun Oakland S, Baker R
Requires the executive office on aging to cooperate with the county offices of aging to develop a plan to increase voluntary contributions to support the cost of kupuna care programs; procedures for managing the waitlist for kupuna care service; and policies for applying a cash and counseling approach to service delivery. -- SB0821 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT/ HUS/ then FIN

SB0823 SD1 HD1 (HSCR 1338)

RELATING TO FAMILY LEAVE.
Introduced by: Ihara L, Chun Oakland S
Establishes provisions relating to posting of notice under family leave law. Requires employers to post and keep posted notices clearly setting forth the rights of employees in a form prescribed by the director of labor and industrial relations in conspicuous places in every establishment where any employee is employed so as to permit the employee to observe readily a copy on the way to or from the employee's place of employment. -- SB0823 HD1
Current Status: Apr=06 09 Senate Disagrees to House amendments
Apr=09 09 Conference Committee: Senate Members: Takamine D -- Slom S, Taniguchi B

SB0830 SD2 HD1 (HSCR 1198)

RELATING TO GOVERNMENT SHARED SERVICES TECHNOLOGY.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to a shared services technology special fund. Establishes the fund into which are deposited funds from participating departments and agencies and other sources to benefit from cost savings when implementing statewide information technology systems, hardware and software through a centrally coordinated planning, fund pooling, and multi department acquisition process. Report to the legislature. -- SB0830 HD1
Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SB0843 SD1 HD1 (HSCR 1251)

RELATING TO SENTENCING.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to presentence mental and medical examinations. Provides that a court may order a defendant who has been convicted of a felony or misdemeanor to submit to mental or other medical observation or examination; and appoint 1 or more qualified psychiatrists, physicians, or licensed psychologists to make the examination. Requires the department of health to create a list of certified examiners for appointment. -- SB0843 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=20 09 Conference Committee: Senate Members: Ige D, Taniguchi B -- Espero W, Slom S
Apr-20 09 Conference Committee: House Members: Mizuno J, Karamatsu J, Brower T -- Ward G

SB0844 SD1 (SSCR 767)

RELATING TO THE DISCLOSURE OF VITAL STATISTICS RECORDS TO LAW ENFORCEMENT OFFICERS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to disclosure of records. Provides that a law enforcement officer who requires a birth certificate or death certificate as evidence in a criminal investigation to submit a request to the department of health and provide identification and a signed statement verifying, under penalty of criminal prosecution for false swearing that the officer is a law enforcement officer of the State or county; is acting in official capacity; and that the birth certificate or death certificate is needed as evidence in a criminal investigation. -- SB0844 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then JUD

SB0846 SD1 (SSCR 602)

RELATING TO POST CONVICTION PROCEEDINGS.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to time limitation. Provides that any complaint filed under habeas corpus law or a petition for post conviction relief filed under the Hawaii rules of penal procedure shall be filed within 15 years. Provides that this does not apply to any motion, petition, or appeal filed pursuant to post conviction DNA testing. Establishes provisions relating to successive petitions. Provides that a claim presented in a 2nd or

successive complaint that was not presented in a prior complaint shall be dismissed. Provides exceptions. -- SB0846 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to JUD

SB0848 HD1 (HSCR 1426)

RELATING TO METAL.
Introduced by: Hanabusa C (BR)
Amends Act 197, session laws of 2007, as amended by Act 16, session laws of 2008, relating to theft of copper by repealing the sunset date. -- Amends Act 53, session laws of 2008, relating to theft of beer kegs by repealing the sunset date. -- SB0848 HD1
Current Status: Apr=08 09 Senate Disagrees to House amendments
Apr-20 09 Conference Committee: House Members: Herkes R, Ito K -- Marumoto B, Wakai G
Apr=21 09 Conference Committee: Senate Members: Taniguchi B, Takamine D, Baker R -- Slom S

SB0863 SD2 (SSCR 684)

RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to authority to modify and amend development agreements with eligible developers. Empowers and authorizes the Hawaii housing finance and development corporation to amend, delete, restate, and otherwise modify the terms, conditions, plans, specifications, and all other matters relating directly or indirectly to any housing project that was previously approved by the housing finance and development corporation, including without limitation, the terms covenants, and conditions of any development agreement for a housing project between the housing finance and development corporation and an eligible developer. Allows the corporation to establish and collect reasonable fees for administrative expenses incurred by the corporation in processing applications for loans, grants, services, and real estate documents related to the corporation's functions. -- SB0863 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HSG then FIN

SB0877 SD2 HD1 (HSCR 1118)

RELATING TO THE ONE CALL CENTER.
Introduced by: Hanabusa C (BR)
Amends provisions relating to definitions under 1 call center; advance warning to excavators law. Redefines excavation to exempt any pest control activity. Amends Act 141, session laws of 2004, as amended by Act 22, session laws of 2005, relating to the 1 call center, by repealing the sunset date. -- SB0877 HD1
Current Status: Mar-24 09 Passed Second Reading House as amended (HD1)
Mar-24 09 Referred to FIN

SB0881 SD1 (SSCR 599)

RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to insolvency of the trust. Requires that if the Hawaii employer union health benefits trust fund becomes insolvent, the trust and the employee organization that established the trust shall assume all liabilities and indemnify the State. -- SB0881 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to LAB then JUD then FIN

SB0887 SD1 HD2 (HSCR 1653)

RELATING TO ESCROW DEPOSITORIES.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to disclosures involving personal property. Provides that an escrow depository that receives, holds, and delivers the money, other consideration, or instrument affecting title to personal property to disclose in writing all parties involved in the transaction. Establishes provisions relating to submission of security breach information. Provides that upon discovery or notification that a security breach has occurred or is reasonably believed to have occurred, requires that the escrow depository to provide notice of security breach to the commissioner of financial institution. Allows a escrow depository to temporarily close or relocate an office for up to 180 days, or a longer time period if determined to be necessary by the commissioner, in the event of an emergency or for other good cause and provide a written notice to the commissioner as soon as practicable and notice of the reopening of the office within 5 working days. Requires any trade association with a membership composed of escrow depositories licensed to do business in the State to provide its member escrow depositories with

educational material, updated legislation, and any other industry pertinent information or material on a regular basis. Amends provisions relating to confidential portion of application or records by adding consumer complaints, statistical data. Allows the commissioner to disclose statistical data regarding the number of consumer complaints filed against an escrow depository. Amends provisions relating to administrative penalty. Requires that any person who violates any of the provisions shall be subject to an administrative fine of up to 5,000 dollars for each violation. Replaces provisions relating to net capital with tangible net capital. Increases tangible net capital for any corporation, partnership, limited liability corporation, limited liability partnership, or other business entity regardless of corporate designation engaging in the escrow depository business. Requires the commission to conduct a criminal history record check. Requires an escrow depository to at all times maintain a bond given to the commissioner in the penal sum of not less than 200,000 dollars and in lieu of the bond, an escrow depository may deposit cash or an unconditional and irrevocable letter of credit. Amends provisions relating to fidelity bonds by adding fidelity insurance deposit. Requires all of its directors, officers, and employees who have access to money, negotiable securities, or instruments in their possession or under their control, a licensed escrow depository shall at all times either maintain a fidelity bond or fidelity insurance insured by a surety insurer authorized to do business in the State in an amount not less than 125,000 dollars or deposit an equivalent amount of cash or an unconditional and irrevocable letter of credit. Amends provisions relating to accounting for moneys, property, etc. Prohibits a licensee to comingle any such money or other property with its own moneys or other property, or with moneys or other property held by it in any other capacity or make a disbursement on behalf of a specific account escrow unless sufficient collected funds have been received for that escrow. Requires the department of commerce and consumer affairs to conduct criminal history record checks on proposed officers, directors, and escrow officers of the applicant for a license as an escrow depository. -- SB0887 HD2

Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=16 09 Conference Committee: Senate Members: Baker R -- Hemmings F, Ige D
Apr-20 09 Conference Committee: House Members: Herkes R, Ito K, Keith-Agaran G -- Marumoto B

SB0891 SD1 (SSCR 561)

RELATING TO INSURANCE.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to unfair or deceptive acts or practices in the accident and health or sickness insurance business. Prohibits health care insurers, mutual benefit societies, dental service corporations and health maintenance organizations (HMOs) from canceling or refusing to renew an enrollment or subscription because of the enrollees or subscriber health status; rescinding or modifying an authorization for a specific type of treatment by a provider after the provider renders, or begins rendering, the health care service in good faith; changing the premium rates, copayments, coinsurances or deductibles of a contract after receipt of payment premium for the 1st month of coverage; engaging in post claims underwriting; and establishing an eligible charge for a nonparticipating provider service that is different from the eligible charge paid for the same service rendered by a participating provider. Requires the insurance commissioner to notify the health care insurer of each complaint filed by certified mail. Requires the health care insurer to issue a written response with reasonable promptness, in no case more than 15 working days. -- SB0891 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then CPC/ JUD/

SB0898 SD2 HD1 (HSCR 476-10)

RELATING TO CIVIL DEFENSE.
Introduced by: Hanabusa C (BR)
Amends provisions relating to immunity from liability of private shelter. Provides that the following shall not be considered compensation: any consideration paid by or on behalf of any guest or person for the transient accommodation lodging, any consideration paid for any patient, resident, or ward present or residing in any hospital, community based care home, home based care home, home health agency, or health agency of any type licensed by the department of health or the department of human services and used as a private shelter, or a private shelter used for any other duty or standard of care owed to any patient, resident, or ward; and any compensation or consideration paid by or on behalf of any minor or student of any age in any day care, preschool, elementary school, middle school, or any other educational facility used as a private shelter. -- SB0898 HD1

Current Status: Mar=04 10 Senate Disagrees to House amendments

SENATE BILLS THAT PASSED THIRD READING

SB0905 SD2 HD2 (HSCR 1260)

RELATING TO THE OFFICE OF COMMUNITY SERVICES.
Introduced by: Hanabusa C (BR)
Establishes the office of community services law. Establishes the office within the department of human services which shall include the progressive neighborhoods program; Hawaii office of economic opportunity; refugee resettlement program; and State immigrant services center. Repeals the community services law and transfers all rights, powers, function, and duties of the department of labor and industrial relations relating to the office of community services to the department of human services. -- Allows the department of human services to establish a pilot project to assist undocumented immigrants who are victims of domestic violence or sexual assault. Report to the legislature. Repealed on June 30, 2011 (sunset). -- SB0905 HD2
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB0906

RELATING TO PUBLIC MEETINGS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to a meeting by videoconference by changing it to meeting by interactive conference technology; notice; quorum. Allows a board to hold a meeting by interactive conference technology provided that there is audio, or audio and visual interaction between all members. -- SB0906
Current Status: Mar-10 09 Introduction/Passed First Reading - House
Mar-10 09 Multiple Referral to JUD then FIN

SB0910 SD1 HD2 (HSCR 207-10)

RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to homes program office. Requires the department of human services to administer and operate homeless facilities and any other program for the homeless. Exempts any donor who gives money, land and improvements, or who leases land and improvement from liability or for any civil damages resulting from the donations, except as result from the donor's gross negligence or wonton acts or omissions without full disclosure. Establishes provisions for emergency or transitional shelter volunteers; shelter stipend payments, and temporary emergency shelters. Allows the department to contract with a qualified provider agency to administer, operate and manage the homeless facilities or any other program for the homeless. Repeals provisions relating to homeless assistance under the Hawaii public housing authority law. Requires the department to transfer 10 positions from the Hawaii public housing authority to the benefit, employment, and support services division. -- SB0910 HD2
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Feb-09 10 Referred to FIN

SB0921 SD2 HD1 (HSCR 1204)

RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS.
Introduced by: Hanabusa C (BR)
Repeals provisions relating to statewide council on independent living. -- SB0921 HD1
Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SB0930 HD1 (HSCR 1006)

RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to volunteer medical assistance personnel. Provides volunteer medical assistance personnel licensed or certified in this State, or employed by a health care facility, while providing volunteer assistance service on behalf of the State or county, including participation during periods of assistance services and assistance training to be deemed state or county employees and have the powers, duties, rights and privileges in the performance of their duties as prescribed by or under the authority of the governor or a county. Provides except in cases of wilful or criminal misconduct, gross negligence, or reckless misconduct, any volunteer medical assistance personnel providing volunteer assistance services shall not be liable for the death of or injury to persons, or for damages to property, as a result of any act or omission in the course of rendering volunteer assistance services. -- SB0930 HD1
Current Status: Mar-19 09 Passed Second Reading House as amended (HD1)
Mar-19 09 Referred to JUD

SB0940 SD1 HD1 (HSCR 1304)

RELATING TO INSURANCE.
Introduced by: Hanabusa C (BR)

Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) that offers coverage for pre hospital ambulance treatment and transport services to provide for direct payment for the provision of pre hospital ambulance treatment and transport services. Prohibits any transaction between the provider of pre hospital ambulance treatment and transport services and an insurer if the parties have entered into a contract providing for direct payment. -- Establishes provisions relating to requirements for participating insurance entity. Provides that within 90 days any insurance entity contracted by the State to provide Medicaid coverage to enter into written contracts with a minimum of 50 per cent of the hospitals and providers of healthcare services in the insurance entity's coverage areas. -- SB0940 HD1

Current Status: Apr=08 09 Senate Disagrees to House amendments
Apr=09 09 Conference Committee: Senate Members: Ige D, Baker R -- Green J, Hemmings F
Apr-20 09 Conference Committee: House Members: Yamane R, Herkes R -- Marumoto B, Nishimoto S, Wakai G

SB0950 SD2 (SSCR 2562)

RELATING TO ELECTRIC GUNS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to restriction on possession, sale, gift or delivery of electric guns. Exempts law enforcement officers and conservation and resources reinforcement officers. Requires the department of public safety and the department of land and natural resources to maintain records relating to electric guns and annually report to the legislature. Requires the departments to ensure that their officers receive training prior to deployment of the electric guns. Further requires the conservation and resources enforcement program to pursue law enforcement accreditation or recognition in the use of electric guns prior to purchasing electric guns and related equipment and obtaining training for the use of the electric guns by their law enforcement officers. -- SB0950 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to PBS/ WLO/ then JUD then FIN

SB0968 SD1 (SSCR 592)

RELATING TO ESCAPE.
Introduced by: Hanabusa C (BR)
Amends provisions relating to escape in the 2nd degree. Includes the person who knowingly fails to appear in person at a correctional facility or detention center for the service of a term of custody or confinement ordered by the court. -- SB0968 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to JUD

SB0969 SD2 HD1 (HSCR 1219)

RELATING TO RESTRICTED ACCESS TO CORRECTIONAL FACILITIES.
Introduced by: Hanabusa C (BR)
Amends provisions relating to restricted access to correctional facilities. Provides that the entry of any person or vehicle onto state correctional or detention facility grounds may be conditioned upon a search for weapons or contraband; provided that prior to searching the person or the person's vehicle, the correctional staff shall give the person notice and an opportunity to decline a conditional search and be refused entry onto state correctional or detention facility grounds. Requires the department to post signs at reasonable intervals along the boundary of correctional or detention facilities of the conditional entry. Changes the penalty from a misdemeanor to a class C felony. -- SB0969 HD1

Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to JUD

SB0970 SD1 HD1 (HSCR 1218)

RELATING TO COMMITTED PERSONS' ACCOUNTS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to custody of moneys; accounts for committed person, etc. Requires the department of public safety to deposit into 1 or more accounts with 1 or more financial institutions for the specific purpose of maintaining committed persons' fund and requires the department to maintain accounts for each committed person and to allow committed persons the use of their funds for approved expenses and purchases during incarceration. Allows the director to designate a percentage of all funds earned by the committed person while in custody that shall be deposited and held in a non spendable account for the purpose of providing funds for that same committed person upon release from custody. Prohibits accounts maintained by the department to bear interest, and no interest of any kind shall be paid to a committed person on any account maintained by the department. Requires the department to provide quarterly accounting

statements to all committed persons held in custody for over 1 quarter of the year and conduct annual audits. -- SB0970 HD1
Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB0995 SD2 HD3 (HSCR 1716)

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to the definition of public lands by adding lands conveyed to the office of Hawaii affairs pursuant to Act ____, session laws of 2009. -- Amends provisions relating to district; established boundaries. Requires that the Kakaako community development district not include any land conveyed to the office of Hawaiian affairs pursuant to Act ____, session laws of 2009. Repeals provisions relating to interim revenue. Conveys to the office of Hawaiian affairs Kakaako makai. -- SB0995 HD3
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr-20 09 Conference Committee: House Members: Carroll M, Ito K, Karamatsu J, Oshiro M -- Har S, Ward G
Apr=22 09 Conference Committee: Senate Members: Hee C, Kim D, Taniguchi B -- Fukunaga C, Kokubun R

SB1040 SD2 (SSCR 502)

RELATING TO SMOKING.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to prohibition during community events. Prohibits smoking during events on public beaches, in public parks and recreational areas or in areas designated as recreational by the state or county agency organizing or funding the community event; or in areas within 20 feet of the nonsmoking area. -- SB1040 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then TCI/ WLO/ then JUD

SB1045 SD2 (SSCR 752)

RELATING TO ADVANCED PRACTICE REGISTERED NURSES.
Introduced by: Baker R
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring coverage for care provided by participating advanced practice registered nurses within the scope of their licenses to the extent that the policy provides benefits for identical services rendered by another health care provider. -- Establishes provisions relating to global signature authority. Authorizes advanced practice registered nurses to sign, certify, or endorse all documents relating to health care within their scope of practice provided for their patients, including but not limited to workers' compensation verification documents, verification and evaluation forms from the department of human services and the department of education, verification and authorization forms from the department of health, and physical examination forms. Amends provisions relating to prescriptive authority for advanced practice registered nurses. Requires the board of nursing to determine the exclusionary formulary for qualified advanced practice registered nurses who are granted prescriptive authority. Provides that advanced practice registered nurses shall be considered qualified if they have met the advanced pharmacology requirements for initial prescriptive authority pursuant to rules adopted by the board. Provides that only qualified advanced practice registered nurses are authorized to diagnose, prescribe, and institute therapy or referrals of patients to health care agencies, health care providers, and community resources. -- SB1045 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then CPC then FIN

SB1046 SD1 HD1 (HSCR 1664)

RELATING TO HEALTH PROFESSIONAL EDUCATION.
Introduced by: Baker R, Sakamoto N, Ige D, Green J, Tokuda J, Hooser G, Tsutsui S, Chun Oakland S
Appropriation to the university of Hawaii for the Hawaii Quentin Burdick rural health interdisciplinary training program. ($$) -- SB1046 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=16 09 Conference Committee: Senate Members: Tokuda J, Ige D, Tsutsui S -- Hemmings F
Apr-20 09 Conference Committee: House Members: Chang J, Yamane R, Lee M -- Ching C, Nakashima M

SB1053 SD2 (SSCR 796)

RELATING TO ENVIRONMENTAL REVIEW.
Introduced by: English J, Tokuda J
Amends provisions relating to applicability and requirements of the environmental impact

statement law. Allows the preparation of the environmental assessment made by the agency or the agency to designate the person who is the proposed user of the state or county facility or improvement, to prepare and fund the environmental assessment on behalf of the agency. -- SB1053 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP then FIN

SB1054 SD2 HD1 (HSCR 1183)

RELATING TO HIGHWAY SAFETY.
Introduced by: English J, Espero W
Amends provisions relating to activities prohibited while operating a motor vehicle. Prohibits all drivers from using a mobile telephone (cell phone, wireless phone, cellular phone) or other electronic device while operating a motor vehicle, unless it is equipped with a hands free accessory and the mobile phone is used in the hands free mode. Prohibits the driver of a moving school bus that is carrying passengers, or a moving transit vehicle from using a mobile telephone even with hands free accessories. Prohibits all drivers from consuming food or beverages, conducting personal grooming or reaching for any object or device not related to or necessary for, driving, while operating a motor vehicle. -- SB1054 HD1

Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to JUD

SB1057 SD2 (SSCR 795)

RELATING TO DETENTION AND RETENTION PONDS.
Introduced by: Espero W
Establishes a temporary water safety task force within the department of health to collect data and determine the advisability of limiting or defining liability to landowners from persons injured on their land, where the land is made available for the retention of flood waters and runoff; determine minimum safety requirements for the development and maintenance of retention ponds; determine the appropriate warning signs for retention ponds; determine the need for a periodic retention pond inspection program; and consider any other relevant matters pertaining to the safety of retention ponds. Report to the legislature. Task force to cease to exist on June 30, 2010 (sunset). -- SB1057 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then WLO then FIN

SB1059 SD2 HD2 (HSCR 477-10)

RELATING TO FIREWORKS.
Introduced by: Espero W, Kidani M, Green J
Establishes provisions relating to illegal fireworks task force; established. Establishes an illegal fireworks task force in the state fire council to stop the importation of illegal fireworks and explosives. Report to the legislature. -- SB1059 HD2

Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Feb-26 10 Reported from JUD (HSCR 477-10) (HD2)
Mar-04 10 Deferred - House

SB1060 SD1 HD2 (HSCR 1696)

RELATING TO FIREWORKS.
Introduced by: Espero W, Green J
Establishes provisions relating to consumer fireworks surcharge tax. Requires that a consumer fireworks surcharge of 50 per cent of gross receipts of the consumer fireworks sold at retail shall be assessed and collected each month from the seller of the consumer fireworks at retail. -- Establishes provisions relating to certificate of registration. Requires that consumer fireworks sellers shall register with the director of taxation and make a 1 time payment of 20 dollars to the department of taxation for a certificate of registration. -- SB1060 HD2

Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Espero W, Tsutsui S, Taniguchi B -- Bunda R, Hemmings F
Apr-20 09 Conference Committee: House Members: Hanohano F, Manahan J, Karamatsu J, Aquino H -- Lee M, Tsuji C, Ward G

SB1062 SD1 (SSCR 2393)

RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS.
Introduced by: Fukunaga C, Baker R
Establishes the professional employer organizations law. Requires organization to register with the insurance commissioner. -- SB1062 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB/ EBM/ then CPC then FIN

SENATE BILLS THAT PASSED THIRD READING

SB1077 SD1 (SSCR 583)

RELATING TO HEALTH INSURANCE.
Introduced by: Green J
Establishes within the department of health the temporary preventative health care task force to develop a plan to encourage health insurance providers to offer preventative health care plans to its members, enrollees, or new applicants that cover preventative health care services. Report to the legislature. Act to be repealed on June 30, 2011 (sunset). -- SB1077 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT then CPC then FIN

SB1083 SD1 HD1 (HSCR 1301)

RELATING TO BURIAL SITES.
Introduced by: Hee C
Amends provisions relating to prehistoric and historic burial sites. Requires the department of land and natural resources to consult with native Hawaiian organizations such as Alu Like, Inc., the association of Hawaiian civic clubs, the council for native Hawaiian advancement, the Kanaka council, the Kamakakuokalani center for Hawaiian studies at the university of Hawaii, historic preservation division, island burial councils, and representatives of the Hawaiian benevolent societies and the Hawaiian royal orders on whether a burial site should be preserved in place or relocated and to develop a list of candidates for the burial councils. -- SB1083 HD1
Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB1085 SD2 HD1 (HSCR 1070)

RELATING TO CEDED LANDS.
Introduced by: Hee C, Galuteria B, Kidani M, English J
Establishes provisions relating to limitation on sale and transfers. Prohibits the State from disposing or any lands in the public land trust, whether by lease with option to purchase, sale or exchange until the claims of the native Hawaiian people have been resolved; or the State no longer supports reconciliation between the State and the native Hawaiian people or until December 31, 2014. Establishes a process for the state to dispose of ceded lands upon the occurrence of 1 of the aforementioned events. -- SB1085 HD1
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-20 09 Referred to WLO/ JUD/

SB1086 SD1 (SSCR 514)

RELATING TO PET ANIMALS.
Introduced by: Hee C
Amends provisions relating to temporary restraining order. Allows the exclusive care of a pet animal to be granted as part of an ex parte temporary restraining order. Prohibits the respondent from visiting, taking, concealing, threatening, physically abusing or otherwise disposing of a pet animal. -- SB1086 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to JUD

SB1088 SD2 HD1 (HSCR 1214)

RELATING TO PUBLIC ACCESS.
Introduced by: Hooser G, English J, Tsutsui S, Chun Oakland S
Establishes provisions relating to suits by individuals. Allows a person to have private right of action for injunctive relief. Permits recovery of the prevailing party's costs and attorneys' fees. Allows the attorney general to intervene on behalf of the State, if requested. -- SB1088 HD1
Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to JUD

SB1094 SD2 HD1 (HSCR 1174)

RELATING TO HEALTH.
Introduced by: Ige D, Chun Oakland S, Ihara L, Green J, Baker R
Requires the department of health to establish a federally qualified health center pilot project for fiscal years 2010 - 2011 and 2011 - 2012. Provides that enabling services includes case management assessment; case management treatment facilitation; case management referral; financial counseling / eligibility assistance; health education / supportive counseling individual; health education / supportive counseling group; interpretation; outreach; transportation; and other services provided by an employee or contractor of a primary care center that reduces access barriers for a patient assigned to a primary care panel at a community health center. Further provides that the project to be funded through available sources. Reports to the legislature. -- SB1094 HD1
Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SENATE BILLS THAT PASSED THIRD READING

SB1096 SD2 HD1 (HSCR 1720)

RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT.
Introduced by: Ige D, Fukunaga C, Green J, Baker R
Amends provisions relating to fostering inspiration and relevance through science and technology pre academy program; established by adding k - 12 robotics with respect to its mission. -- Appropriation to the university of Hawaii for the program, including 9 permanent full time equivalent (9.00 FTE) positions. -- Appropriation to the economic development alliance of Hawaii, inc. into and out of the Hawaii 3Ts school technology laboratories fund to maintain the project EAST (environmental and spacial technology) program in existing schools and to expand the program to schools statewide. Requires matching funds. -- Appropriation to the research corporation of the university of Hawaii through a contract with the Hawaii Educational Networking Consortium for k-12 creative media programs. ($$) -- SB1096 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Ige D, Tokuda J, Sakamoto N, Tsutsui S -- Fukunaga C, Slom S
Apr-20 09 Conference Committee: House Members: Chang J, Berg L, Yamashita K -- Finnegan L, Nakashima M

SB1103 SD1 (SSCR 197)

RELATING TO EFFECTIVE LEGISLATION.
Introduced by: Kim D, Espero W, Hooser G
Establishes provisions relating to commission on effective legislation. Establishes the commission on effective legislation within the office of the ombudsman. Requires the commission to review all existing laws that are brought to its attention by legislators, state and county agencies, and members of the public. Report to legislature. -- SB1103 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-16 09 Multiple Re referral to JUD then FIN

SB1105 SD2 HD1 (HSCR 1178)

RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES.
Introduced by: Kim D
Establishes provisions relating to hearings on reports. Requires that reports to the legislature of studies and audits by executive departments and agencies, including the Hawaii health systems corporation, the legislative auditor, the judiciary, the legislative reference bureau or the office of Hawaiian affairs as requested by a concurrent resolution or required by law, including budget measures, to be submitted to the clerk of each house, to the president of the senate and speaker of the house of representatives, and to the chair of the applicable subject matter committee of each chamber and the legislative reference bureau library. Requires that the respective chairs of the committees to whom a report is submitted to conduct a public hearing or informational briefing on the report during the legislative session or during the legislative interim in which the report is submitted within 1 year of receipt. Exempts annual report to legislature. -- SB1105 HD1
Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SB1106 SD2 (SSCR 839)

RELATING TO TAXATION.
Introduced by: Kokubun R, Green J, Hanabusa C
Amends provisions relating to withholdings of income tax on the disposition of real property by nonresident persons. Requires every nonresident that is a transferee to submit a certified Hawaii real property tax act payment verification form issued by the department of taxation verifying that the transferee properly made a return of the amount withheld to the department, to the bureau of conveyances, as a precondition of recording a transfer of title of real property. -- SB1106 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to FIN

SB1118 SD2 HD2 (HSCR 1703)

RELATING TO LOW-INCOME HOUSING.
Introduced by: Sakamoto N, Chun Oakland S
Establishes provisions relating to low income housing tax credit loan. Authorizes the Hawaii housing finance and development corporation to provide no interest low income housing tax credit loans to an owner of a qualified low income building that has been awarded federal credits which are subject to the state housing credits under section 42(h)(3)(c) of the Internal Revenue Code. -- Amends provisions relating to low income housing income tax credit. Provides that a qualified low income building that has been awarded a subaward under section 1602 of the American Recovery and Reinvestment Act of 2009, shall also be eligible for the credit. Further provides that in lieu of the credit

the owner may make a request to the corporation for a loan. Authorizes the issuance of general obligation bonds for appropriation for the loans. ($$) -- SB1118 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Sakamoto N, Tsutsui S -- Chun Oakland S, Galuteria B, Hemmings F
Apr-20 09 Conference Committee: House Members: Cabanilla R, Sagum R -- Ching C, Chong P, Yamashita K

SB1120

RELATING TO CHARTER SCHOOLS.
Introduced by: Sakamoto N
Amends provisions relating to civil service status; employee rights under the public charter school law. Includes employees at Waialae and Lanikai elementary schools who shall retain their civil service status upon the conversion of their school to a conversion charter school. -- SB1120
Current Status: Mar-24 09 Passed Second Reading House
Mar-24 09 Referred to FIN

SB1122 SD2 HD2 (HSCR 1707)

RELATING TO PUBLIC EMPLOYMENT.
Introduced by: Takamine D, Green J
Prohibits any employee who is furloughed from 2008 - 2009 through 2010 - 2013 to be considered to have a break in employee's employment, a decrease in the employer's contribution to the Hawaii employer union health benefits trust fund, a change in the amount of vacation or sick leave earned by the employee, a decrease in the employee's length of service for purposes of the employee's pension, retirement and deferred compensation plans, and any change on any right privilege, or benefit to which the employee is entitled or to which the employee would have been entitled to by law but for the furlough, provided that an employee's retirement allowances and other benefits under chapter 88 shall be based on the employees actual compensation during the furlough. -- SB1122 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Takamine D, Tsutsui S -- Taniguchi B
Apr-20 09 Conference Committee: House Members: Rhoads K, Oshiro M -- Pine K, Yamashita K

SB1125 SD2 HD1 (HSCR 1209)

RELATING TO PROCUREMENT.
Introduced by: Takamine D, Hooser G
Establishes the responsible construction contractor law. Requires a contractor who submits a bid for a public works contract and procurements for construction to show proof of compliance that all workers of the contractor and subcontractor are classified as employees, hiring practices comply with all applicable labor laws and prevailing wage requirements, Hawaii residents compose not less than 80 per cent of the workforce on the project, provides employees with a fair and neutral process for resolving work related issues, and is appropriately licensed. Establishes provisions relating to public works construction; apprenticeship agreement. Requires that a governmental body that enters into a public works contract having an estimated value of more than 250,000 dollars shall decrease the bid amount by 5 per cent if the bidder is appropriately licensed and has a written agreement with an apprenticeship program registered with the department of labor and industrial relations. Requires that if awarded the contract, the bidder shall continue to certify monthly in writing that the bidder is a party to a registered apprenticeship agreement for the entire duration of the contract. Establishes penalties. -- SB1125 HD1
Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SB1126 SD2 (SSCR 694)

RELATING TO JOB-SHARING FOR PUBLIC EMPLOYEES.
Introduced by: Takamine D, Green J, English J, Hooser G, Baker R, Sakamoto N
Establishes the job sharing law. Authorizes the establishment and administering of a voluntary program for permanent, full time employees. -- SB1126 SD2
Current Status: Mar-25 09 Passed Second Reading House
Mar-25 09 Referred to FIN

SB1128

RELATING TO METAL.
Introduced by: Taniguchi B
Amends Act 53, session laws of 2008, relating to theft of beer kegs by repealing the sunset date. -- SB1128

Current Status: Mar-23 09 Passed Second Reading House
Mar-23 09 Referred to JUD

SB1129 SD1 HD1 (HSCR 1049)

RELATING TO ATHLETIC TRAINERS.
Introduced by: Taniguchi B
Establishes the athletic trainers law. Prohibits a person to represent, advertise, or announce oneself, either publicly or privately, as an athletic trainer, nor use in connection with the person's name or place of business the words registered athletic trainer, or any other words, letters abbreviation, or insignia indicating or implying that the person is an athletic trainer unless the person has registered with the department of commerce and consumer affairs. Require the department to maintain a current list of names and business addresses of athletic trainers and the registrant's copy of its certification from the National Athletic Trainers Association Board of Certification to be a public record. Requires physician to provide supervision to an athletic trainer for athletic training services plans or protocols. Establishes penalties. Requires the legislative auditor to perform a sunrise analysis of the licensure of athletic trainers. Report to the legislature. -- SB1129 HD1
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-20 09 Referred to CPC

SB1137 SD2 HD3 (HSCR 1732)

RELATING TO HEALTH.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to criminal history record checks under Hawaii health systems corporation law. Requires the Hawaii health systems corporation to develop procedures for obtaining verifiable information regarding the criminal history of persons who are employed or seeking employment, or are current or prospective contractors, providers, or volunteers in any of the corporation's health facilities. Requires the Hawaii criminal justice data center to perform the criminal history record check and to assess providers and contractors a reasonable fee for criminal history record checks performed. -- SB1137 HD3
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=20 09 Conference Committee: Senate Members: Ige D, Taniguchi B, Tsutsui S -- Baker R, Slom S
Apr-20 09 Conference Committee: House Members: Yamane R, Karamatsu J, Nishimoto S -- Finnegan L, Shimabukuro M

SB1140 SD2 HD3 (HSCR 1660)

RELATING TO HEALTH CARE.
Introduced by: Hanabusa C (BR)
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations (HMOs) act by requiring coverage for critical access hospitals of no less than ____ per cent of cost, consistent with Medicare, for all services provided to members and for federally qualified health centers of no less than their prospective payment system rates for all services rendered to health plan beneficiaries. -- SB1140 HD3
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=20 09 Conference Committee: Senate Members: Ige D, Baker R, Tsutsui S -- Green J, Hemmings F
Apr-20 09 Conference Committee: House Members: Yamane R, Mizuno J, Herkes R, Nishimoto S -- Marumoto B, Shimabukuro M

SB1141 SD2 HD1 (HSCR 1265)

RELATING TO PUBLIC LANDS.
Introduced by: Bunda R
Requires the department of land and natural resources to offer parcels of Sand Island for sale to persons who possess a valid lease, subject to approval by the legislature. -- SB1141 HD1
Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB1143 SD1 (SSCR 552)

RELATING TO THE STATE HISTORIC PRESERVATION OFFICER.
Introduced by: Hee C
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 respect 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. -- SB1143 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to WLO then LAB then FIN

SB1147 SD1 HD1 (HSCR 1056)

RELATING TO STATE DISASTER RELIEF.
Introduced by: Espero W
Amends provisions relating to disaster relief during suspension of preceding sections by changing it to proclamation of disaster emergency; report. Authorizes the governor to proclaim a disaster emergency to implement disaster relief. Requires that the vice director of civil defense issue a report within 90 days of the disaster proclamation to the governor, mayor of each county and the legislature with specific information. -- Amends Act 78, session laws of 2007, by extending the lapse date of the appropriation. ($$). -- SB1147 HD1
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-20 09 Referred to JUD

SB1148 SD2 HD2 (HSCR 1308)

RELATING TO THE COMPREHENSIVE OFFENDER REENTRY SYSTEM.
Introduced by: Espero W
Amends provisions relating to comprehensive offender reentry system. Requires the department of public safety within ____ days of the offender's felony prison sentencing by the court to develop comprehensive written reentry plan for each individual entering a correctional facility to assist in the rehabilitation of the offender and reviewed annually by reentry staff. Provides where feasible that no child or family member of the offender was a victim of the offender's crime, or proved further that there is no active temporary or permanent restraining order in place applicable to the offender. Requires the director when establishing policies or rules are consistent with public safety and inmate security, and when practical and feasible, in the best interest of the family; promote research in collaboration with impacted state agencies, interested individuals, and organizations, including the department of human services and other state agencies, community partners who are impacted by, or provide services to, children of incarcerated parents and the university of Hawaii or other organization with experience and expertise in gathering and analyzing information and data. Requires the director to return Hawaii inmates held in out of state prisons when there is sufficient facility program and bed space to safely accommodate their return. Provides that by December 31, 2010, the maximum number of Hawaii inmates who are housed in out of state prisons shall not exceed ____ . Legislative oversight to cease to exist on July 1, 2009, (sunset). Establishes a reentry commission within the department of public safety to work with the department in monitoring and reviewing the comprehensive offender reentry program, including facility educational and treatment programs, rehabilitative services, work furloughs, and the Hawaii paroling authority's oversight of parolees. Reentry commission to cease to exist on July 1, 2012 (sunset). Appropriation. ($$) -- SB1148 HD2
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB1152 HD1 (HSCR 1268)

RELATING TO AGRICULTURAL LANDS.
Introduced by: Hee C
Establishes a 100 year moratorium on any building or development project on agricultural lands located in state senate districts 22 and 23; provided that the moratorium be limited to any building or development project for which general planning has not commenced; it is intended to affect parcels of agricultural land with an overall (master) productivity rating of class A or B, and designated as an agricultural district; it is intended to affect parcels of agricultural land located in the State of Hawaii, and designated as an agricultural district; and it is not a permissible use within an agricultural district. -- SB1152 HD1
Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to JUD

SB1165 SD1 (SSCR 641)

RELATING TO GENERAL EXCISE TAX.
Introduced by: Nishihara C
Amends Act 239, session laws of 2007, which provides that the general excise tax exemption includes amounts received by a submanager of an association of apartment owners of a condominium property regime or a nonprofit homeowners or community association in reimbursement for sums paid for common expenses and further provides a general excise tax exemption for amounts received by the operator of a hotel from the

owner of the hotel to include amounts from a timeshare association and amounts received by the suboperator of a hotel from the owner of the hotel, from a timeshare association, or from the operator of the hotel, by repealing the sunset date. -- SB1165 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to TCI then FIN

SB1167 SD2 HD1 (HSCR 1202)

RELATING TO THE HAWAII TOURISM AUTHORITY.
Introduced by: Nishihara C
Establishes provisions relating to applicability of the Hawaii public procurement code; convention center contractor. Subjects the private contractor that operates the convention center to the procurement code. Repeals exemption for concession or concession spaces at the convention center. -- Amends provisions relating to the Hawaii tourism authority; establishment; board. Requires the board to appoint an individual to serve as president and chief executive officer, instead of executive director. -- Amends provisions relating to tourism related activities. Requires the Hawaii tourism authority to periodically submit a report of the contracts and agreement entered into by the authority to the governor, the speaker of the house of representatives and the president of the senate. -- Amends provisions relating to the tourism special fund. Allows the president and chief executive officer to have not more than 5 per cent of the funds in the tourism fund for administrative purposes. Amends Act 58, session laws of 2004 as amended by Act 22, session laws of 2005, and Act 306, session laws of 2006. -- SB1167 HD1

Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Nishihara C, Kim D, Taniguchi B -- Galuteria B, Slom S
Apr-20 09 Conference Committee: House Members: Manahan J, McKelvey A, Tokioka J -- Evans C, Marumoto B, Yamashita K

SB1173 SD2 HD3 (HSCR 1699)

RELATING TO ENERGY EFFICIENCY.
Introduced by: Gabbard M, Espero W, Green J, Chun Oakland S, English J
Establishes provisions relating to energy efficiency portfolio standards under public utilities commission law. Requires the public utilities commission to establish energy efficiency portfolio standards that will maximize cost effective energy efficiency programs and technologies. Requires the commission to establish incentives and penalties based on performance in achieving the energy efficiency portfolio by rule or order and evaluate the energy efficiency portfolio standard every 5 years beginning in 2013. Report to the legislature. Establishes provisions relating to public buildings; benchmarks; retro commissioning guidelines; energy savings performance contracts. Requires state department with responsibilities for the design and construction of public buildings and facilities to benchmark every existing public building that is either larger than 5000 square feet or uses more than 8000 kilowatt hours of electricity or energy per year and to use the benchmark as a basis in determining the State's investment in improving the efficiency of its own building stock. Requires public building to be retro commissioned not less than every 5 years and requires the energy resources coordinator to establish retro commissioning guidelines by January 1, 2010. Allows the department to enter into energy savings performance contracts with a 3rd party to cover the capital costs of energy efficiency measures and distributed generation. Allow the comptroller to review and exempt specific project as appropriate to take into account cost effectiveness. Requires the department of accounting and general services to develop a master energy savings performance contract agreement that any department may use to contract with an energy saving performance contracts provider for energy efficiency and renewable energy services. Establishes provisions relating to energy efficiency consumer information in sale or lease of real property. Provides that prior to the sale or leasing of property, requires property owners and lessors to provide utility bills for the most recent 3 month period in which the property was occupied. Establishes provisions relating to building energy efficiency revolving loan fund administered by the department of business, economic development and tourism to provide low or no interest loans or other authorized financial assistance to eligible public, private, and nonprofit borrowers for making energy efficiency improvements in buildings; and to cover administrative and legal cost of fund management and management associated with individual loans. Allows the department to contract with other public or private entities for the provisions of all or a portion of the services necessary for the administration and implementation of the loan fund program and set fees or charges for fund management and technical site assistance or establish subaccounts within the fund. Allows that the public benefits fee administrator to conduct energy efficiency assessments to identify current energy use patterns in the state and areas of greatest potential for energy savings; establishing

aggressive energy efficiency plans; establishing on bill financing programs; conduct building code analysis and review and developing and implementing recommendations; establishing programs and information to educate financial institutions, mortgage brokers, and consumers on the economics of energy efficient properties; and processing variance from solar water heater installations. -- SB1173 HD3

Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Gabbard M, Baker R, Kim D -- Green J, Hemmings F
Apr-20 09 Conference Committee: House Members: Morita H, Ito K, Herkes R, Coffman D -- Marumoto B

SB1178 SD2 HD1 (HSCR 1256)

RELATING TO HEALTH.
Introduced by: Tokuda J, Green J, English J
Requires the department of health to review emergency plans and develop guidelines for all dialysis centers in the state to ensure the safety of dialysis patients in the event of a public emergency and post on its website a list of dialysis centers in Hawaii that have backup emergency generator with the capacity to sustain dialysis treatments and maintain their water treatment system in the event of a power outage. Report to the legislature. -- SB1178 HD1

Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB1179 SD2 HD1 (HSCR 1030)

RELATING TO EDUCATION.
Introduced by: Tokuda J, Taniguchi B
Establishes provisions relating to farm to school policy; established. Establishes that the policy of the State is to encourage and support a farm to school program. -- Establishes the farm to school program in the department of education to connect schools with local farmers with the objectives of serving healthy meals in schools, improving student nutrition, providing health and nutrition education opportunities that will last a lifetime, and support local farmers. -- SB1179 HD1

Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-20 09 Referred to EDN

SB1181 SD2 HD1 (HSCR 1210)

RELATING TO LABOR.
Introduced by: Takamine D
Amends provisions relating to payrolls and payroll records. Requires that a certified copy of all fringe benefits be reported on a form provided by or approved for use by the department of labor and industrial relations. Requires that the fringe benefit reporting form itemize the cost of fringe benefits paid by the general contractor or subcontractor for health and welfare benefits, pension and annuity benefits, vacation benefits, continuing education and training benefits and other fringe benefits paid by the general contractor or subcontractor. Requires that an itemized fringe benefit reporting form shall be included in employee payroll records. -- SB1181 HD1

Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SB1184 SD1 (SSCR 498)

RELATING TO THE CIVIL RIGHTS COMMISSION.
Introduced by: Takamine D
Amends provisions relating to record; confidentiality; disclosure; reporting requirements by adding use. Adds that documents received from witnesses, and correspondence with parties and witnesses to be disclosed as required by order of a hearings examiner with jurisdiction in a case arising from a complaint filed with the civil rights commission or to be used as evidence in the investigation, conciliation, and litigation of complaints filed with the commission, or as ordered by a court or hearings examiner. Defines confidential witness to mean a person who is not a complainant or respondent to a complaint filed with the commission and who requests that the person's identity or statement be kept confidential, subject to a determination by the commission. -- SB1184 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to JUD

SB1192 SD1 (SSCR 566)

RELATING TO DISTRICT COURT.
Introduced by: Taniguchi B (BR)
Amends provisions relating to district court, powers. Increases the maximum amount of money in cases for the recovery of money and for the return of leased or rented personal property worth, from 3,500 dollars to 7,000 dollars. -- SB1192 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House

Mar-12 09 Multiple Referral to JUD then FIN

SB1194 SD1 (SSCR 499)

RELATING TO OFFENSES AGAINST PUBLIC ORDER.
Introduced by: Taniguchi B (BR)
Establishes provisions relating to gaffs or slashers prohibited. Prohibits any person from manufacturing, buying, selling, bartering, exchanging or possessing gaffs, slashers or any sharp object designed to be attached to the spur of a gamecock or fighting fowl. Establishes fines and penalties. -- SB1194 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to JUD

SB1197 SD1 (SSCR 558)

RELATING TO THE ECONOMY.
Introduced by: Fukunaga C
Requires the department of taxation to submit an annual report to the legislature on all tax expenditures. -- SB1197 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to FIN

SB1199 SD1 (SSCR 553)

RELATING TO FISHING.
Introduced by: English J, Tsutsui S, Sakamoto N
Establishes provisions relating to Molokai community based subsistence fishing area; restrictions; regulations. Establishes the Molokai community based subsistence fishing area. -- SB1199 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to WLO then FIN

SB1203 SD2 (SSCR 773)

RELATING TO COMMUNITY SERVICE.
Introduced by: Tsutsui S, Sakamoto N
Requires the department of labor and industrial relations' office of community service to establish a voluntary program to allow all state residents between the ages of 15 and 18 to serve a minimum of 500 hours of community service. Participants shall earn 3 dollars per hour in scholarship funds to be placed in a trust fund to finance any educational program until the age of 30. Report to the legislature. Requires the attorney general to advise the office on legal issues. Requires the governor, the board of education, and the board of regents of the university of Hawaii to direct all agencies under their authority to cooperate with and assist the department. -- SB1203 SD2
Current Status: Mar-20 09 Passed Second Reading House
Mar-27 09 Referred to FIN

SB1205 SD2 HD3 (HSCR 1661)

RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS.
Introduced by: Tsutsui S
Establishes a temporary health insurance for unemployed or underemployed persons program in the department of human services to provide temporary health care coverage for persons who have lost employment or reduction in hours. Requires the department to have a benefits package similar to the basic benefits provided in the QUEST Net program. Reports to the legislature. Appropriation. ($$) -- SB1205 HD3
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=20 09 Conference Committee: Senate Members: Ige D, Baker R, Tsutsui S -- Hemmings F
Apr-20 09 Conference Committee: House Members: Yamane R, Rhoads K, Nishimoto S -- Pine K, Yamashita K

SB1215 HD1 (HSCR 1025)

PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATED TO RESIDENCE REQUIREMENTS FOR MEMBERS OF THE LEGISLATURE.
Introduced by: Kidani M
Proposes to amend the constitution. Requires candidates for the office of state senate or house of representatives to be a resident of the district from which they seek to be elected for not less than 12 consecutive months prior to the next succeeding general election. -- SB1215 HD1
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-20 09 Referred to JUD

SB1221 SD1 (SSCR 165)

RELATING TO PUBLIC HOUSING.
Introduced by: Galuteria B, Hemmings F
Amends provisions relating to criminal trespass in the 1st degree. Provides that a person commits the offense of criminal trespass if that person enters or remains unlawfully in

the premises of any public housing project, after reasonable warning to leave by housing authorities, adds that a warning or request to leave shall not be necessary between 10:00 p.m. and 5:00 a.m.; provided that the person is not an invited guest. -- SB1221 SD1
Current Status: Mar-24 09 Passed Second Reading House
Mar-24 09 Referred to JUD

SB1226 SD2 HD1 (HSCR 1244)

RELATING TO THE TOURISM SPECIAL FUND.
Introduced by: Nishihara C, Tsutsui S, Hooser G, English J
Amends provisions relating to the transient accommodations tax. Changes the percentage for the tourism special fund. -- SB1226 HD1
Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB1227 SD2 HD1 (HSCR 1245)

RELATING TO THE HAWAII TOURISM AUTHORITY.
Introduced by: Nishihara C, Tsutsui S, Hooser G, Kokubun R, Ige D, Tokuda J, Kidani M, English J
Establishes the department of tourism law. Requires the department to promote activities, maintain, and expand the state's domestic and international travel market. -- Changes the department of business, economic development, and tourism to the department of business and economic development. Repeals the Hawaii tourism authority and transfers function to the department of tourism. -- Requires the governor to convene an interagency working group to develop comprehensive plans for transferring certain rights, powers, functions, and resources to the department of tourism. Working group to cease to exist on June 30, 2012 (sunset). -- SB1227 HD1
Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB1228 SD2 (SSCR 791)

RELATING TO STATE SMALL BOAT HARBORS.
Introduced by: Kokubun R (BR)
Amends provisions relating to permits and fees for state small boat harbors. Allows commercial fishing operations to transfer ownership, without terminating its permit. -- SB1228 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to WLO

SB1230 SD2 (SSCR 789)

RELATING TO TAXATION.
Introduced by: Kokubun R
Establishes a real property asset acquisition tax. Imposes the tax on transfers of real property located in Hawaii or any interest therein that is affected by a sale transaction. Amends conveyance tax law by changing it to conveyance taxes. -- SB1230 SD2
Current Status: Mar-23 09 Passed Second Reading House
Mar-23 09 Referred to FIN

SB1241 SD2 (SSCR 777)

RELATING TO REAL PROPERTY TRANSACTIONS.
Introduced by: Hee C
Establishes provisions relating to prohibition on transfer fees; covenants. Prohibits charging a fee in connection with a future transfer of the property when deed restriction or other covenant running with the land applicable to the sale of residential real property that requires a transferor of residential real property, or the transferee's heirs, successors, and assigns, to pay to a declarant or other person imposing a deed restriction or covenant on the property or a 3rd party designated by a transferor of the property. Exempts fees or charges required by a land restriction or other covenant running with the land in connection with the transfer of residential real property. -- SB1241 SD2
Current Status: Mar-23 09 Passed Second Reading House
Mar-23 09 Referred to JUD

SB1247 SD2 (SSCR 818)

RELATING TO THE ECONOMY.
Introduced by: Fukunaga C, Hooser G, Espero W, Baker R, Chun Oakland S, Tsutsui S, Green J, Ige D
Amends provisions relating to the tax administration special fund. Allows the expenditure of funds to compile usage and other data to analyze the costs and benefits of the tax laws. -- Requires the department of taxation and the department of business, economic development, and tourism to perform an evaluation of various tax credits and exemptions and report to the legislature. -- SB1247 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to FIN

SB1249 SD2 (SSCR 819)

RELATING TO TEACHERS.
Introduced by: Sakamoto N, English J, Espero W, Green J, Galuteria B, Chun Oakland S, Ihara L, Hooser G, Tsutsui S, Kidani M
Establishes provisions relating to teacher housing allowance program. Requires the department of education to establish the program to provide housing allowances to teachers employed to teach at public schools. -- Establishes provisions relating to homeownership for educators program. Requires the department of education to administer the program to offer a deferred interest 2nd mortgage to qualified teachers and staff. Establishes the educator's 2nd mortgage revolving trust fund to provide mortgages. -- Appropriation for the teacher housing allowance program. -- Appropriation for the homeownership for educators 2nd mortgage revolving fund and out of the fund. -- Appropriation for management of the teacher housing program and for renovation, repair, and maintenance to bring existing units to acceptable levels of habitation. Reports to the legislature. -- Establishes the teachers peer review program. Requires all new teachers to participate in the program for the 1st 5 years of teaching. Requires the department to develop and administer standards for peer reviewers. Appropriation. -- Requires the department to establish a timetable to amend the provisions of bargaining unit 6 (educational officers and other personnel of the department of education) contract, Article XVII(F), and department of education school code 5200(A) compensation to increase the number of years of prior teaching experience allowable for salary placement credit for full time experience in a school in the US from 6 to 10 years. Reports to the legislature. ($$) -- SB1249 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EDN then HSG then FIN

SB1258 SD2 HD2 (HSCR 1701)

RELATING TO RENEWABLE ENERGY.
Introduced by: Gabbard M, Chun Oakland S, Kidani M
Amends provisions relating to public utilities commission law. Redefine renewable energy to mean electrical energy savings but not customer sited, grid connected photovoltaic systems beginning in 2015. Redefines renewable energy to include ocean thermal energy conversion. Requires electric utility company that sells electricity for consumption to establish a renewable portfolio standard of 25 per cent of its net electricity sales by December 31, 2020 and 40 per cent of its net electricity sales by December 31, 2030. Requires that no later than December 31, 2014, at least 50 per cent of renewable portfolio standards be met and beginning January 1, 2015, 100 per cent of the renewable portfolio standards be met by electrical generation from renewable energy sources and prohibits electrical energy savings to count toward renewable energy portfolio standards. Requires the commission to evaluate the renewable portfolio standards every 5 years beginning in 2013. Redefines eligible customer generator by adding leases, or purchases electricity. Redefines net energy metering to include that the electric utility shall not be unreasonably deny, burden, or delay an eligible customer generator's request to participate in net energy metering. Changes provisions relating to termination by eligible customer generators with eligible customer generators; termination; alternative credits or compensation mechanisms. Provides that if the commission, at any time establishes alternative mechanisms for crediting or otherwise compensating eligible customer generators for exported power, eligible customer generators with existing net energy metering contracts to have the option of maintaining these existing net energy metering contracts rather than converting to new alternative credits or compensation mechanisms. -- Subject to approval from the governor, requires the energy resource coordinator to formulate a systematic process, including the development of requirements to identify geographic areas with renewable energy resource; develop and recommend incentive plans and programs to encourage the development of renewable energy resources projects; assist public and private agencies in identifying the utility transmission projects or infrastructure for renewable energy resources; assist public and private agencies in coordination with the department of budget and finance in accessing the use of revenue bonds; and develop the criteria or requirements for identifying and qualifying transmission projects or infrastructure. Redefines qualified business to include the development or production of fuels, thermal energy, or electrical energy from renewable resources. Amends provisions relating to State general excise exemptions. Exempts qualified business engaging in the development or production of fuels, thermal energy, or electrical energy from renewable resources. -- Amends provisions relating to renewable energy facilitator; establishment; duties. Requires the renewable energy facilitator to facilitate the efficient permitting of

renewable energy project including the land parcel on which the facility is situated, any renewable energy production structure or equipment, any energy transmission lines from the facility to a public utility's electricity system, and any on site infrastructure for the production of electricity or biofuel from the renewable energy site. -- Redefines renewable energy facility or facility to mean a new facility located in the state with the capacity to produce from renewable energy between 5 megawatts and 200 megawatts of electricity or a biofuel production facility with a capacity to produce 1 million gallons annual. Amends provisions relating to general duties of the coordinator. Requires the coordinator to be given at least 30 days written notice stating that a the permit plan application and a permit is not approved or denied within 12 months after approval of a completed permit plan application, the permitting agency, within 30 days following the 12 month period, shall provide the coordinator with a report identifying diligent measures that are being taken by the agency. Provides that if no further processing and action are reported by the permitting agency within 5 months, the permit shall be deemed approved. Appropriation out of the renewable energy facility siting special fund. ($$) -- SB1258 HD2

Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Gabbard M, Hee C, Baker R, Kim D -- Hemmings F
Apr-20 09 Conference Committee: House Members: Morita H, Ito K, Herkes R, Oshiro M -- Coffman D, Marumoto B, Wakai G

SB1265 SD1 HD1 (HSCR 3-10)

RELATING TO LABELING OF MEAT AND FISH PRODUCTS.
Introduced by: Ige D, Green J, Chun Oakland S
Establishes provisions relating to fish products; labeling. Requires that fish products that have been gas treated to approximate the appearance of freshness to bear a label indicating the type of gas that was used and a statement that the gas was used to approximate the appearance of freshness. Redefines misbranded to include if the meat or meat products that have been gas treated to approximate the appearance of freshness, but do not bear a label indicating the type of gas that was used and a statement that the gas treatment was used approximate the appearance of freshness. Increases fines. Requires the department of agriculture to display on the department's department's official website notice of the labeling requirements for gas treated meat or meat products and fish products. -- SB1265 HD1

Current Status: Jan-28 10 Passed Second Reading House as amended (HD1)
Jan-28 10 Referred to CPC/ JUD/

SB1271 SD1 HD1 (HSCR 1613)

RELATING TO PUBLIC EMPLOYEES.
Introduced by: Kim D
Provides that, except for positions in the department of education and the university of Hawaii, with respect to positions in the executive branch vacated during fiscal year 2009 - 2010 and fiscal year 2010 - 2011, 30 per cent of the positions vacated in each department may be refilled by the head of the department to ensure the continued ability of the department to carry out its public purpose; 30 per cent of the positions vacated in each department shall be held vacant for fiscal year 2009 - 2010 and shall be assigned to a statewide personnel pool, provided that after June 30, 2010, the governor may propose the transfer of the vacant positions assigned between executive departments, subject to the approval of the legislature through the executive budget; 30 per cent of the positions vacated in each department shall be held vacant for fiscal year 2010 - 2011 and shall be assigned to a statewide personnel pool, provided after June 30, 2011, the governor may propose the transfer of the vacant positions between executive departments as necessary to fill essential positions, subject to the approval by the legislature through the executive budget; and 40 per cent of the positions vacated in each department in each fiscal year shall be eliminated. Provides that for the judiciary 30 per cent of the positions vacated may be refilled by the chief justice to ensure the continued ability of the judiciary to carry out its public purpose; 30 per cent of the positions vacated in each department shall be held vacant for fiscal years 2009 - 2010 and 2010 - 2011; and 40 per cent of the positions vacated shall be eliminated. Provides that for the University of Hawaii vacated positions during fiscal year 2009 - 2010 and fiscal year 2010 - 2011, 70 per cent of the positions vacated in each fiscal year may be refilled by the president of the University of Hawaii, with the approval of the board of regents, provided that these positions shall be reallocated as necessary to restructure and organize the university to ensure the continued provision of appropriate, direct, student related services; 30 per cent of the positions vacated shall be held vacant for fiscal year 2009 - 2010, provided that after June 30, 2010, the president may propose the transfer of vacant positions between divisions, programs, and departments as

necessary to fill essential positions, subject to approval by the legislature through the executive budget; and 30 per cent of the positions vacated shall be held vacant for fiscal year 2010 - 2011 provided that after June 20, 2011, the president may propose the transfer of vacant positions between divisions, programs, and departments as necessary to fill essential positions, subject to approval of the legislature through the executive budget. Provides that the department of education vacated positions during fiscal year 2009 - 2010 and fiscal year 2010- 2011, 20 per cent of vacated statewide administrative positions shall be eliminated. Requires each department to report its position reallocations to the director of finance. Requires the director of finance to report to the legislature. -- SB1271 HD1

Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Takamine D, Tsutsui S -- Slom S, Taniguchi B
Apr-20 09 Conference Committee: House Members: Oshiro M, Rhoads K -- Yamashita K

SB1272 SD1 HD1 (HSCR 1203)

RELATING TO TAXATION.
Introduced by: Kim D, Tsutsui S, Hooser G, Nishihara C, English J
Amends provisions relating to the transient accommodations tax. Provides that of the ____ dollars deposited into the tourism special fund ____ per cent shall be deposited into the state parks special fund, ____ per cent shall be deposited into the special land and development fund and ____ per cent shall be deposited into the pest inspection, quarantine, and eradication fund. -- SB1272 HD1

Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SB1276 SD2 HD1 (HSCR 1062)

RELATING TO SMALL BUSINESS.
Introduced by: Slom S, Fukunaga C, Chun Oakland S, Sakamoto N, Kidani M, Tokuda J, Galuteria B, Green J, Ihara L
Repeals and replaces the small business bill of rights under the small business regulatory flexibility act. Amends Act 230, session laws of 2008. -- SB1276 HD1

Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-20 09 Referred to JUD

SB1277 SD2 HD1 (HSCR 1159)

RELATING TO HOUSING.
Introduced by: Sakamoto N, Kidani M, Green J, Espero W, Galuteria B, Chun Oakland S, Ihara L
Establishes provisions relating to self help housing special fund to be administered by the Hawaii housing finance and development corporation. Allows appropriations by the legislature, private contributions, repayment of loans, interest, other returns and moneys from other sources to be deposited into the fund. Requires the fund to provide loans or grants for development, pre development, construction, acquisition, preservation, and substantial rehabilitation of self help housing units. Permitted uses include planning, design, land acquisition, costs of options, down payments, equity financing, capacity building of nonprofit housing developers, and other housing development services or activities. Allows for recapturing loans or grants made from the fund if a self help housing project is refinanced or sold at a later date. Provides loans and grants provided that the corporation establishes loan to value ratios to protect the fund and that are not to exceed 100 per cent. Annual report to legislature. -- Amends provisions relating to the disposition of taxes. Increases the amount of conveyance tax revenues that goes into the rental housing trust fund to 45 per cent and adds that ____ per cent shall be paid into the self help housing special fund. -- SB1277 HD1

Current Status: Mar-24 09 Passed Second Reading House as amended (HD1)
Mar-24 09 Referred to FIN

SB1278 SD2 (SSCR 681)

RELATING TO EDUCATION.
Introduced by: Sakamoto N, Green J, Hooser G, Tsutsui S, Kidani M
Amends provisions relating to junior kindergartens and kindergarten programs. Prohibits schools to move students between junior kindergarten and kindergarten except in cases where the movement is based on assessments determined by a qualified teacher with early childhood education background and experience and the formative and summative assessment of a student's academic, physical, social, and emotional abilities. Requires the department of education to use assessment tools and protocols for determining a student's initial placement and for decision making about a student's movement between tiers and into grade 1. Allows junior kindergarten students to graduate directly to 1st grade. Further requires the department to establish categories of qualified teachers with

early childhood education backgrounds and experience and teacher aide paraprofessionals. -- Requires the department to complete the planning and development of the appropriate curriculum for the 2 tiered kindergarten program. Report to the legislature. Appropriation for teacher professional development and for creation of 1 permanent educational specialist position. ($$) -- SB1278 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EDN then FIN

SB1299 SD1 HD1 (HSCR 1156)

RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING.
Introduced by: Hanabusa C (BR), Espero W
Amends provisions relating to State enterprise zones. Redefines qualified business to include businesses engaged in advanced flight simulator training for pilots, dispatcher, mechanics, or air traffic controllers. -- SB1299 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Fukunaga C, Tsutsui S -- Hemmings F
Apr-20 09 Conference Committee: House Members: McKelvey A, Choy I -- Wakai G, Ward G

SB1300 SD1 (SSCR 647)

RELATING TO THE JUNIOR RESERVE OFFICERS' TRAINING CORPS.
Introduced by: Hanabusa C (BR)
Appropriation to the department of education to establish and hire 6 instructor positions for junior reserve officers' training corps (JROTC) programs at public high schools in the State. ($$) -- SB1300 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EDN then FIN

SB1308 SD1 (SSCR 76)

RELATING TO EDUCATION.
Introduced by: Hanabusa C (BR)
Repeals the teacher standards board and replaces with the board of education. -- SB1308 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EDN/ LAB/ then FIN

SB1309 SD2 (SSCR 2448)

MAKING AN APPROPRIATION TO THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER
Introduced by: Hanabusa C (BR)
Appropriation to the department of health for emergency services at Waianae coast comprehensive health center. ($$) -- SB1309 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then FIN

SB1310 SD2 (SSCR 719)

RELATING TO HEALTHCARE.
Introduced by: Hanabusa C (BR)
Establishes the region specific, medical home healthcare federal demonstration project for the Waimanalo and Waianae area to provide culturally sensitive, community based services, including integrated behavioral services. Appropriation to the department of human services to the Waianae coast comprehensive health center. Requires that only moneys received by the State pursuant to the federal American Recovery and Reinvestment Act of 2009 may be expended. ($$) -- SB1310 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to HLT/ HUS/ then FIN

SB1311 SD1 HD1 (HSCR 90-10)

RELATING TO AQUATIC RESOURCES.
Introduced by: Hanabusa C (BR)
Amends provisions relating to university of Hawaii may use land, etc. Allows the university of Hawaii the privilege, free of charge, to use the staff of the department of land and natural resources for the purposes of a biological laboratory and for research. -- Exempts the university of Hawaii from any law that requires a permit or application to carry out repair and maintenance of the Hawaii marine laboratory refuge. -- SB1311 HD1
Current Status: Mar-02 10 Vetoed

SB1313 SD2 (SSCR 650)

RELATING TO COMMUNITY DEVELOPMENT.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to Kewalo basin; management. Requires the department of land and natural resources to have sole jurisdiction and administrative responsibility

for the management of all submerged lands and contiguous fast lands necessary for the management, maintenance, and operation of the small boat harbor facilities at Kewalo basin. Repeals the Hawaii community development authority. Transfers real property within the Kalaeloa community development district and the portion of the Kakaako community development district that is makai of Ala Moana boulevard to the department of land and natural resources and the portion of the Kakaako community development district that is mauka of Ala Moana boulevard to the city and county of Honolulu. Transfers zoning authority to the city and county of Honolulu. Requires that the legislative reference bureau prepare proposed legislation that substitutes references made in the Hawaii Revised Statutes to the Hawaii community development authority with the department of land and natural resources, chairperson of the board of the department of land and natural resources, or the city and county of Honolulu, and correct corresponding references or referring language, as appropriate. Requires the legislative reference bureau to submit proposed legislation to the legislature. -- SB1313 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to WLO then TRN then FIN

SB1315 SD2 (SSCR 709)

RELATING TO CONSERVATION AND RESOURCES ENFORCEMENT PROGRAM.
Introduced by: Hanabusa C (BR)
Amends provisions relating to board of land and natural resources by transferring jurisdiction over the conservation and resources enforcement program to department of public safety. -- SB1315 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Feb-26 10 Multiple Re referral to WLO then FIN

SB1316 SD2 (SSCR 837)

RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION.
Introduced by: Hanabusa C (BR)
Repeals the aloha tower development corporation. Transfers all rights, powers and functions to the Hawaii community development authority. -- Establishes provisions relating to a aloha tower fund. Creates the aloha tower fund to be administered by the department of business, economic development and tourism. Requires the Hawaii community development authority to be responsible for the development, planning, construction, improvement, repair, and reconstruction of projects within the Aloha Tower complex. Allows the authority with the approval of the governor to issue bonds. -- Establishes provisions relating to the partnership with department of transportation, harbors, division and the US department of transportation, maritime administration; commercial harbors modernization plan. Requires the department of transportation, harbors division to assume jurisdiction over the harbors modernization project from the Aloha Tower development corporation, requiring all projects be approved by the director of transportation and the governor. Establishes provisions relating to the harbors modernization plan that includes the Honolulu harbor, the Kahului harbor, the Hana harbor, the Hilo harbor, the Kawaihae harbor, the Kalaeloa harbor, the Nawiliwili harbor, and land disposition matters in projects identified in the commercial harbors modernization plan. Establishes the membership and functions of the harbors modernization group. Exempts procurements relating to the harbors modernization project from the Hawaii public procurement code until June 30, 2016 (sunset). -- SB1316 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to WLO/ TRN/ then EBM then FIN

SB1318 SD1 HD1 (HSCR 1215)

RELATING TO PLANNING AND ECONOMIC DEVELOPMENT.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to a construction moratorium. Allows the department of land and natural resources to establish an interim coastal construction moratorium along the length of Kailua beach where there shall be no new development makai of the coastal construction line. The moratorium will expire in 2 years (sunset) after establishment or upon the determination of the department that it is no longer appropriate. Requires the department and the university of Hawaii to make recommendations to the legislature for future actions for the protection and management of Kailua beach. Act to be repealed on June 1, 2011 (sunset). -- SB1318 HD1

Current Status: Mar-27 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB1332 SD2 HD1 (HSCR 1042)

RELATING TO HEALTHCARE.
Introduced by: Chun Oakland S

Establishes the respiratory care practitioners law. Requires a practitioner of respiratory care to be licensed by the state respiratory care practitioners board established within the department of commerce and consumer affairs. -- SB1332 HD1
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-20 09 Referred to CPC/ JUD/

SB1334 SD2 (SSCR 711)

RELATING TO HAWAIIAN MUSIC AND DANCE.
Introduced by: Galuteria B, Kim D, Kidani M, Sakamoto N, Chun Oakland S, Green J, Baker R
Establishes provisions relating to a museum for Hawaiian music and dance; advisory committees; established. Establishes the museum within the state foundation of culture and arts. Requires the state foundation on culture and the arts in coordination with the department of accounting and general services to negotiate with a nonprofit entity to develop, operate, and manage the museum. Allows the department of land and natural resources to lease land in the Kakaako makai area on lands controlled by the Hawaii community development authority for the museum. Appropriation. ($$) -- SB1334 SD2
Current Status: Mar-20 09 Passed Second Reading House
Mar-27 09 Referred to FIN

SB1343 SD2 HD1 (HSCR 1606)

RELATING TO FEES AND OTHER ASSESSMENTS.
Introduced by: Kokubun R, Takamine D, Tokuda J
Amends provisions relating to fees and other assessments. Repeals the authority of administrative agencies to establish fees and replace administratively established fees with statutory fees, including department of commerce and consumer affairs, department of agriculture, department of business, economic development and tourism, housing finance and development corporation, reserved housing loan program, Hawaii community development authority, department of transportation, department of education, university of Hawaii, department of health, and banking fees. -- SB1343 HD1
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=16 09 Conference Committee: Senate Members: Taniguchi B, Kim D -- Kokubun R
Apr-20 09 Conference Committee: House Members: Oshiro M -- Chong P, Choy I, Lee M

SB1344 HD2 (HSCR 1681)

RELATING TO HEALTH CARE.
Introduced by: Kokubun R (BR)
Establishes provisions relating to requirements for participating insurance entity. Requires that within 90 days any insurance entity contracted by the State to provide Medicaid coverage shall enter into written contracts with a minimum of 50 per cent of the hospitals and providers of healthcare services in the insurance entity's coverage areas. Amends provisions relating to medical care payments. Prohibits the department of human services to require an enrolled member of the QUEST and QUEST expanded access programs to re enroll and select a QUEST or QUEST expanded access health plan unless the QUEST or QUEST expanded access health plan ceases to actively continue providing services and coverage to its members. Requires the department to conduct a public awareness campaign to educate Medicaid QUEST and QUEST expanded access recipients about their new plan options. -- SB1344 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Chun Oakland S, Ige D, Baker R -- none
Apr-20 09 Conference Committee: House Members: Mizuno J, Yamane R, Herkes R, Oshiro M -- Brower T, Shimabukuro M, Ward G

SB1346 SD2 (FLOOR AMENDMENT 3)

RELATING TO TAXATION.
Introduced by: Sakamoto N, Chun Oakland S, Kidani M, Hooser G, Espero W
Provides an income tax credit for general volunteer services performed for the public schools. -- Provides a general excise tax exemption for income arising from the manufacture, production, packaging, and sale of food items including any food or food product for home consumption and meals prepared and served for aged, meals prepared and served for treatment and rehabilitation programs, meals prepared and served for disabled or blind recipients of social security, and meals prepared and served by residential shelters for women and children. Prohibits county surcharge on food. -- Provides a general excise tax exemption of over the counter nonprescription medications and prescription eyewear, of physician and dentistry services, and rent. -- Establishes provisions relating to education funding commission. Establishes the

commission within the department of education to establish dollar or percentage allocations for moneys deposited into the education special fund. Report to the legislature and governor. Establishes the fund into which shall be deposited a portion of the general excise tax revenues. Provides that the fund shall be used to support early education public schools. -- Increases the standard deduction for income tax purposes as provided by section 63 (with respect to taxable income defined) of the Federal Internal Revenue Code. -- Changes the 4 per cent general excise tax. -- SB1346 SD2
Current Status: Mar-13 09 Introduction/Passed First Reading - House
Mar-13 09 Single Referral to FIN

SB1349 SD1 (SSCR 567)

RELATING TO NOTARIES PUBLIC.
Introduced by: Taniguchi B
Establishes provisions for authorized changes to documents after notarization. Allows notary publics to make certain changes to the document after notarization, under specified conditions. Amends provisions relating to seal. Requires that the notary public's commission number be shown on the notary public's stamp or seal. -- SB1349 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to JUD/ CPC/

SB1381 SD2 (SSCR 820)

RELATING TO THE ENVIRONMENT.
Introduced by: Hooser G
Establishes provisions relating to use of American Recovery and Reinvestment act of 2009 funds and other federal moneys. Allow the director of health to provide financial assistance to public water systems for the construction of necessary drinking water infrastructure projects, through the drinking water fund, using moneys from the American Recovery and Reinvestment Act of 2009 and other applicable federal acts. Allows the director to provide financial assistance for publicly owned wastewater treatment works for the construction of necessary wastewater infrastructure projects, through the water pollution control revolving fund established by using money from the American Recovery and Reinvestment Act of 2009 and other applicable federal acts. -- SB1381 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP/ WLO/ then FIN

SB1449 SD2 (SSCR 846)

RELATING TO GENERAL EXCISE TAX.
Introduced by: Hooser G
Amends provisions relating to general excise taxes by changing the day of payment from the last day of the calendar month to the 20th day of the calendar month and requires the taxpayer to make estimated tax payments by voucher. Provides that for underpayment of estimated taxes, 2/3 of 1 per cent per month of the amount of the underpayment for the period of the underpayment would be added. -- SB1449 SD2
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to FIN

SB1610 SD2 HD1 (HSCR 1177)

RELATING TO MEDICAL ORDERS.
Introduced by: Baker R
Establishes provisions relating to order given by physician assistant; agent under medicine and surgery law. Provides that an order by a licensed physician assistant who is properly performing within the physician assistant's scope of practice shall be deemed a medical order of a physician assistant's supervising physician. -- SB1610 HD1
Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to JUD/ CPC/

SB1611 SD2 HD2 (HSCR 1712)

RELATING TO HIGHWAYS.
Introduced by: English J
Raises the fuel tax, state motor vehicle registration fee, vehicle weight tax for any island with a population of more than 20,000, and rental motor vehicle and tour vehicle surcharge tax. Raises the rental motor vehicle and tour vehicle surcharge tax. -- Authorizes the department of transportation to issue highway revenue bonds for various capital improvement projects and programs. -- Requires the department of transportation to develop 1 or more pilot programs to test alternatives to state and county motor vehicle fuel taxes. Allows the department of taxation to refund motor vehicle fuel taxes paid by participants in pilot programs. -- Appropriation of an additional amount of highway revenue bonds and the sum of ____ dollars of federal funds. Reports to the legislature on the transportation modernization program. ($$) -- SB1611 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments

Apr=17 09 Conference Committee: Senate Members: English J, Baker R, Kim D -- none
Apr-21 09 Conference Committee: House Members: Souki J, Oshiro M -- Awana K, Nakashima M, Tokioka J, Yamashita K

SB1614 SD2 HD1 (HSCR 1199)

RELATING TO THE PASSENGER FACILITY CHARGE SPECIAL FUND.
Introduced by: English J
Amends provisions relating to passenger facility charge special fund. Allows the director of transportation to use appropriated funds paid into the passenger facility charge special fund for airport capital improvement program project approved by the legislature and as permitted under the Aviation Safety and Capacity Expansion Act. Allows the department to establish subaccounts within the passenger facility charge special fund and requires the transfer of funds to pay debt service on bonds issued to finance airport capital improvement projects and authorized by the legislature. -- SB1614 HD1
Current Status: Mar-25 09 Passed Second Reading House as amended (HD1)
Mar-25 09 Referred to FIN

SB1621 SD2 HD2 (HSCR 1734)

RELATING TO COLLECTIVE BARGAINING.
Introduced by: Takamine D
Establishes provisions relating to streamlining union certification under the Hawaii employment relations act. Requires the Hawaii labor relations board to investigate the petition, when an employee, group of employees, or any individual or labor organization acting on their behalf, files a petition alleging that a majority of employees in a unit appropriate for the purposes of collective bargaining wish to be represented by an individual or labor organization for those purposes. Requires the board to adopt rules governing the certification of an exclusive representative and to have the final determination on any controversy concerning the eligibility of an employee to sign and authorization card and the validity of an employee's signature on an authorization card. Establishes provisions relating to facilitation of collective bargaining agreements. Provides that no 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, requires the parties to meet and commence to bargain collectively and to make every reasonable effort to conclude and sign a collective bargaining agreement; provides that, if after the expiration of the 90 day period beginning on the date which bargaining commenced, or such additional period as the parties may agree upon, the parties have failed to reach an agreement, allows either party to notify the board of the existence of a dispute and request conciliation. Further provides that, if after the expiration of the 20 day period beginning on the date which the request for conciliation, or such additional period as the parties may agree upon, the conciliator is not able to bring the parties to agreement by conciliation; requires the board to refer the dispute to an arbitration panel. Requires the arbitration panel to render a decision settling the dispute, and the decision shall be binding upon the parties for a period of 2 years, unless amended during that period by written consent of the parties. -- SB1621 HD2
Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=17 09 Conference Committee: Senate Members: Takamine D, Taniguchi B -- Hee C
Apr-20 09 Conference Committee: House Members: Rhoads K, McKelvey A, Oshiro M -- Nakashima M, Yamashita K

SB1622 SD1 HD1 (HSCR 1003)

RELATING TO EMPLOYMENT SECURITY.
Introduced by: Takamine D
Establishes provisions relating to transition employment period. Provides that in the event of a divestiture of a covered establishment, within a period of 10 days after the confirmation of the transaction causing the divestiture, requires the existing employer to make available to the prospective employer the names of all employees of the existing employer employed at the site or sites covered by the transaction, the date each employee was hired, and each employee's job classification. Requires the prospective employer to retain, for a 90 day transition employment period, all employees of the existing employer who were employed at the time of the confirmation of the transaction, maintain a preferential hiring list of eligible employees not retained by the new employer to hire additional employees based on operational needs. Establishes penalties. -- SB1622 HD1
Current Status: Mar-18 09 Passed Second Reading House as amended (HD1)
Mar-18 09 Referred to EBM

SENATE BILLS THAT PASSED THIRD READING

SB1624 SD1 (SSCR 781)

PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO ALLOW THE LEGISLATURE TO EITHER FUND THE TAX CREDIT UNDER ARTICLE VII, SECTION 6 OF THE CONSTITUTION, OR DEPOSIT THE SAME AMOUNT INTO THE EMERGENCY AND BUDGET RESERVE FUND.
Introduced by: Hooser G, Tsutsui S, Kim D, Chun Oakland S, Baker R, Espero W, Tokuda J
Proposes to amend the constitution. Amends the provision that whenever the state general fund balance at the close of each of 2 successive fiscal years exceeds 5 per cent of general fund revenues for each of the 2 fiscal years, the legislature in the next regular session shall provide for a tax refund or tax credit by allowing either a tax refund or credit or deposit into the emergency and budget reserve fund (rainy day fund). -- SB1624 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to FIN

SB1633 SD2 (SSCR 695)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST EPOD, INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU.
Introduced by: Hanabusa C (BR)
Authorizes the issuance of special purpose revenue bonds to assist EPOD, Inc., a corporation to be incorporated in the State of Hawaii, with the planning, design, construction, equipping, and operating of a solar panel manufacturing plant and solar farm power plant on the island of Oahu and various other islands. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. ($$) -- SB1633 SD2
Current Status: Mar-25 09 Passed Second Reading House
Mar-25 09 Referred to FIN

SB1645 SD1 (SSCR 742)

RELATING TO STATE BUILDING CODE.
Introduced by: Hanabusa C (BR), Kidani M, English J, Hee C
Requires that the state building code council review studies and structural tests on bamboo as a construction material and recommend standards and criteria for the use of bamboo as an accepted construction material under the state building code. Report to the Legislature. -- SB1645 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to WLO then CPC

SB1661 SD1 (SSCR 578)

RELATING TO PUBLIC AGENCY MEETINGS.
Introduced by: Hanabusa C (BR), Green J, Ihara L
Establishes provisions relating to attendance of members at meetings other than board meetings; legislative hearings. Allows a member of a board to attend a meeting of any other board, commission, agency, or department where a subjects is discussed that may be on the agenda of a future board meeting of the member's board providing and following certain requirements. -- Amends provisions relating to boards and commissions; quorum; number of votes necessary to validate acts. Allows a board or commission to meet if no quorum is present provided that it is duly noticed meeting, that the board or commission takes no action, and that minutes of the meeting are taken. -- SB1661 SD1
Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to JUD

SB1666 SD2 HD1 (HSCR 1164)

RELATING TO TEMPORARY ASSISTANCE TO NEEDY FAMILIES.
Introduced by: Chun Oakland S, Espero W, Ige D, Kidani M, Ihara L, Kim D, Tsutsui S, Hee C, English J, Fukunaga C, Galuteria B, Green J, Hooser G, Hanabusa C, Kokubun R, Nishihara C, Tokuda J, Sakamoto N, Baker R
Appropriation out of the federal temporary assistance for needy families (TANF) funds to the department of human services to provide monthly cash benefits to eligible families, and for associated eligibility determination costs; for obtaining job training contracts and providing related support services for temporary assistance for needy families and temporary assistance for other needy families recipients; for programs to prevent and reduce the incidence of out of wedlock pregnancies and encourage the formation and maintenance of 2 parent families; for the purchase of service contracts for child welfare services; for transfer to the child development fund; for transfer to the social services block grant; for information systems costs related to the temporary assistance for needy families program; and for administering the program. ($$) -- SB1666 HD1

Current Status: Mar-24 09 Passed Second Reading House as amended (HD1)
Mar-24 09 Referred to FIN

SB1668 SD2 (SSCR 821)

RELATING TO HUMAN SERVICES.
Introduced by: Hooser G, Chun Oakland S, Hanabusa C, Kokubun R, Ihara L, Kim D, Tsutsui S, Hee C, Tokuda J, Espero W, English J, Fukunaga C, Kidani M, Galuteria B, Nishihara C, Sakamoto N, Green J, Ige D, Baker R
Amends provisions relating to aged, blind, and permanently and totally disabled; eligibility for assistance, by replacing permanently and totally disabled to temporarily incapacitated persons. Allows persons without minor dependents and who are determined needy in accordance with state standards to be eligible for state funded public assistance. Further provides that the payment standard or standard of allowance for an aged, blind, temporarily incapacitated, or disabled person shall not exceed 62.5 per cent of the standard of need. Repeals the requirement that the director of human services to determine the allowance for general assistance to households without minor dependents based upon the total amount appropriated for general assistance. Repeals provisions relating to general assistance to households without minor dependents. Provides that the director of human services, with the approval of the governor, may authorize the expenditure of funds for public assistance through the transfer of moneys from other programs under the purview of the director of human services. -- SB1668 SD2
Current Status: Mar-19 09 Passed Second Reading House
Mar-19 09 Referred to FIN

SB1669 SD2 (SSCR 683)

RELATING TO EDUCATION.
Introduced by: Sakamoto N, English J, Espero W, Ige D, Kim D, Chun Oakland S, Green J, Tokuda J, Galuteria B, Nishihara C, Kidani M, Hooser G, Hanabusa C, Kokubun R, Ihara L, Tsutsui S, Fukunaga C, Baker R
Authorizes the issuance of general obligation bonds for appropriation to the department of education for repair and maintenance projects. -- Exempts the department from expenditure of public money and public contracts law, the Hawaii public procurement code, and any and all other requirements of law for competitive bidding for contracts related to construction projects. Requires the department to develop internal policies and procedures. Annual report to the legislature. -- Exemption to be repealed on June 30, 2012 (sunset). ($$) -- SB1669 SD2
Current Status: Mar-24 09 Passed Second Reading House
Mar-24 09 Referred to FIN

SB1671 SD1 HD2 (HSCR 1230)

RELATING TO FOSSIL FUELS.
Introduced by: Gabbard M, Hooser G, Hanabusa C, Kokubun R, Ihara L, English J, Kidani M, Espero W, Nishihara C, Kim D, Tsutsui S, Hee C, Galuteria B, Tokuda J, Fukunaga C, Sakamoto N, Green J, Baker R, Chun Oakland S, Ige D
Establishes provisions relating to new fossil fuel powered electrical generation facilities; prohibition. Prohibits any state or county agency from issuing a permit for the construction or operation of a new facility that produces electrical energy solely from the combustion of any type of fossil fuel except under extraordinary circumstances as determined by the public utilities commission or when the electrical generation unit is primarily used to serve the facility's own internal operation and has a rated capacity of less than 2 megawatts. -- Establishes provisions relating to new fossil fuel powered electrical generation facilities; prohibition. Prohibits the public utilities commission from approving the construction or operation of a new facility that produces electrical energy solely from the combustion of any type of fossil fuel except under extraordinary circumstances as determined by the public utilities commission or when the electrical generation unit is primarily used to serve the facility's own internal operation and has a rated capacity of less than 2 megawatts. -- SB1671 HD2
Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB1672 SD1 (SSCR 581)

RELATING TO HISTORIC STRUCTURES.
Introduced by: Fukunaga C, Hanabusa C, Hooser G, Kokubun R, Ihara L, Kim D, Tsutsui S, Hee C, Tokuda J, Green J, Nishihara C, English J, Kidani M, Galuteria B, Espero W, Sakamoto N, Baker R, Chun Oakland S, Ige D
Amends provisions relating to review of effect of proposed state projects. Amends the requirement that if a building is eligible for listing or is listed on the Hawaii or national register of historic places, no demolition will occur until photographs of the historic building have been transmitted by the responsible agency, officer, or county by repealing

the requirement that the photographs be archival quality black and white photographs. -- Amends provisions relating to historic property. Provides that each county agency that issues building, construction, or development related permits shall not issue any permit allowing the demolition of a historic building until the applicant for a permit provides proof that the department of land and natural resources was provided with photographs of the historic building. -- Amends provisions relating to photographs of historic property. Defines photographs of historic building as pictures of the building exterior, including window treatments, doors, roof line and interesting architectural details, such as gables, finials, rock wall foundations or porches. Allows the department of land and natural resources and the counties to convene and establish a task force. Report to the legislature. -- SB1672 SD1

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Single Referral to WLO

SB1675 SD2 (SSCR 746)

RELATING TO RENEWABLE ENERGY.

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

Amends provisions relating to public utilities commission law. Redefines eligible customer generator to include leases or purchases electricity. Redefines energy metering to require the electric utility not to unreasonably deny, burden, or delay an eligible customer generator's request to participate in net energy metering. Replaces provisions relating to termination by eligible customer generators with eligible customer generators; termination; alternative credits or compensation mechanisms. Provides that if the public utilities commission, at any time, establishes alternative mechanisms for crediting or compensating eligible customer generators for exported power, requires that the eligible customer generators with existing net energy metering contracts to have the option of maintaining existing net energy metering contracts rather than converting to new alternative credits or compensation mechanisms. -- SB1675 SD2

Current Status: Mar-12 09 Introduction/Passed First Reading - House
Mar-12 09 Multiple Referral to EEP then CPC

SB1679 SD2 HD1 (HSCR 1175)

RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND.

Introduced by: Chun Oakland S, Sakamoto N, Takamine D, English J, Green J, Kidani M, Hooser G, Hanabusa C, Kokubun R, Ihara L, Tsutsui S, Hee C, Fukunaga C, Espero W, Tokuda J, Galuteria B, Nishihara C, Ige D

Appropriation out of the emergency budget and reserve fund (rainy day fund) to the department of health, department of human services, and department of education. -- Appropriation out of the emergency budget and reserve fund to the executive office on aging to supplement the development of Ke Ola Pono, the Chronic Disease Self management Program, and EnhancedFitness; to the department of health for a respite services program; to supplement the healthy start program; for grants for Catholic Charities Hawaii, Kapahulu center, Moiliili community center, and Waikiki community center; for maintaining kupuna care services; to supplement the development of the aging and disability resource center program; for the developmental disabilities medicaid waiver program; for mental health services; for the partnerships in community living program; for direct health care to the uninsured; for substance abuse treatment; and for the healthy aging partnership program; and to the department of human services for the Hawaii children's health care program and for the Hawaii Immigrant Health Initiative Program services administered by the Kalihi Palama health center. ($$) -- SB1679 HD1

Current Status: Apr=16 09 Senate Disagrees to House amendments
Apr=20 09 Conference Committee: Senate Members: Ige D, Chun Oakland S, Tsutsui S -- Baker R
Apr-20 09 Conference Committee: House Members: Yamane R, Mizuno J, Oshiro M -- Belatti D, Ward G

SB1680 SD2 HD1 (HSCR 1073)

RELATING TO TECHNOLOGY.

Introduced by: Fukunaga C, Espero W, Kim D, Sakamoto N, Hooser G, Hanabusa C, Kokubun R, Ihara L, Tsutsui S, Hee C, Green J, English J, Kidani M, Galuteria B, Nishihara C, Ige D, Tokuda J, Baker R, Chun Oakland S

Establishes the Hawaii broadband commissioner law. Provides that the commissioner be attached to the department of commerce and consumer affairs and shall have general supervision over all telecommunications carriers and cable operators and have the general supervision over public, educational, or governmental (PEG) access facilities and public educational, or governmental access organizations. Requires the commissioner to study and develop a comprehensive policy to further deploy broadband

communications, including internet access. Further requires the commissioner to develop programs and initiatives intended to facilitate the deployment of broadband communications services in the state and access to those services by users in the State. Annual report to the governor and from the governor to the legislature. Establishes the commissioner special fund to be used by the commission and the division of consumer advocacy. Annual report to the legislature on the fund. Establishes a communication advisory committee to advise the commissioner, telecommunications operators, and cable operators. -- Requires telecommunications carrier to obtain a certificate of convenience and necessity before commencing its business. -- Empowers the commissioner to issue cable franchises and designate a PEG (public education and government) access organization consistent with administrative rules that are adopted with input from the public and with recognition of the 1st amendment rights of individuals who utilize PEG access services. -- Allows the commissioner to apply for, and expend, federal moneys from the American Recovery and Reinvestment Act of 2009, and other applicable federal acts; to purchase broadband facilities, services, or equipment and enter into contracts for broadband related projects, through the compliance resolution fund; establish a separate account within the Hawaii broadband commissioner special fund and assign to that account federal moneys appropriated under federal laws; any moneys applied for or received by the department for uses related to the purpose to be transferred to the Hawaii broadband commissioner upon its establishment; and exempts contracts or purchases using moneys from the American Recovery and Reinvestment Act of 2009 or federal funds appropriation measures from the expenditure of public money and public contracts law. -- Authorizes the commissioner to employ attorneys independent of the department of the attorney general to provide legal services. -- Repeals cable television system law. Transfers functions and responsibilities relating to telecommunications and cable operators from the department and the public utilities commission to the communications commissioner. Transfers portions of the moneys from the public utilities commission special fund to the communications commission special fund and cable television subaccount. Requires the cable televisions division department of commerce and consumer affairs to transfer 4 positions and the department to transfer 10 positions to the service of the Hawaii broadband commissioner. Requires the commissioner to convene a work group to develop procedures for streamlined permitting function for the development of broadband service or technology. Report to the legislature. Requires the legislative reference bureau to review laws relating to broadband technology, telecommunications, infrastructure development, and permitting requirements and report to the legislature. Appropriation out of the federal funds subaccount of the commissioner special fund to purchase broadband facilities, services, or equipment or to fund broadband related infrastructure projects. ($$) -- SB1680 HD1

Current Status: Mar-20 09 Passed Second Reading House as amended (HD1)
Mar-27 09 Referred to FIN

SB2001 SD1 (SSCR 2342)

RELATING TO TAXATION.
Introduced by: Nishihara C
Establishes provisions relating to wagering winnings; waiver. Allows a taxpayer to acquire from the department of taxation for ____ dollars, a written waiver that exempts the taxpayer from reporting any wager winnings that were acquired legally outside of the State for the waiver period of 5 consecutive days. -- SB2001 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2007 SD1 (SSCR 2345)

RELATING TO BUDGETARY POWERS.
Introduced by: Hanabusa C
Amends provisions relating to the budget allotment system. Prohibits the governor and the director of finance from restricting funding to a program to the extent that the program cannot adequately execute its intended purpose or suspend or abolish any existing program, if the program has been authorized by the legislature and moneys have been appropriated for the program, unless authorized legislative act, or the modification or amendment is made pursuant to a declaration of emergency by the governor. -- Amends provisions relating to the responsibilities of the legislature. Empowers the legislature to determine by law to establish new programs or suspend or abolish an existing program for which public moneys must be appropriated and expended. -- SB2007 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SENATE BILLS THAT PASSED THIRD READING

SB2015 SD1 (SSCR 2111)

RELATING TO INTRASTATE TELECOMMUNICATIONS SERVICES.
Introduced by: Baker R
Amends provisions relating to local exchange intrastate services; fully competitive by changing it to retail intrastate services; fully competitive. Requires the public utilities commission to treat retail intrastate telecommunications services, under the commission's classification of services relating to costs, rates, and pricing, as fully competitive. -- SB2015 SD1
Current Status: Mar-04 10 Passed Legislature

SB2016

RELATING TO LIFE SETTLEMENTS.
Introduced by: Baker R
Amends provisions relating to Act 177, session laws of 2008, relating to life settlements. Act to be repealed on June 16, 2015 (sunset). -- SB2016
Current Status: Feb-11 10 Introduction/Passed First Reading - House
Feb-12 10 Multiple Referral to CPC then FIN

SB2017

RELATING TO INSURANCE CLAIMS ADJUSTERS.
Introduced by: Baker R
Amends provisions relating to claims adjusters; limited license. Allows the insurance commissioner to issue a limited license to an adjuster who only adjusts either workers' compensation or crop insurance claims who has a passing grade on an examination approved by the risk management agency of the US department of agriculture. -- SB2017
Current Status: Mar-04 10 Passed Legislature

SB2018

RELATING TO NEGOTIABLE INSTRUMENTS.
Introduced by: Baker R
Amends provisions relating to charges for dishonored checks. Repeals provision that service charge be reasonable. -- SB2018
Current Status: Feb-11 10 Introduction/Passed First Reading - House
Feb-12 10 Single Referral to CPC

SB2019 SD1 (SSCR 2362)

RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING.
Introduced by: Baker R
Amends provisions relating to operation of thrill craft; parasailing; water sledding; commercial high speed boating. Changes commercial use and operator permit to be valid for 1 year instead of 5 years. Requires the permit holder to be in compliance with the conditions required by the department of the land and natural resources in response to community or other complaints filed with the department. Repeals the 20 year limit for commercial use and operator permits for commercial thrill craft and parasailing. -- SB2019 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to WLO then FIN

SB2020

RELATING TO REAL PROPERTY.
Introduced by: Baker R, Chun Oakland S
Amends Act 189, session laws of 2009, relating to leases of commercial and industrial real property. Extends the sunset date to June 30, 2015 (sunset). -- SB2020
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM then JUD

SB2025 SD2 (SSCR 2560)

RELATING TO PAROLE.
Introduced by: Espero W
Amends provisions relating to final discharge. Repeals paroling authority's complete pardon. Further repeals provision that any prisoner not granted a final discharge and full pardon to be brought before the paroling authority annually and that any person, who, while on parole, enters the military service of the US, upon the person's honorable discharge may petition the paroling authority for a final discharge. -- SB2025 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to PBS then FIN

SB2026 SD2 (SSCR 2435)

RELATING TO PAROLE.
Introduced by: Espero W
Establishes provisions relating to parole service fee. Requires the Hawaii paroling authority to order a committed person to pay a parole service fee of 60 dollars provided

that no parole service fee shall be ordered if the authority determines that the parolee is unable to pay the parole service fee; the fee or balance of the fee owed shall be waived if no payment or only partial payment is made; payment of the fee by an inmate from the inmate's account maintained by the department of public safety to be an approved expense; and the parole service fee shall not be construed to prohibit the paroling of any committed person. Requires 80 per cent of the fee to be deposited into the parole services special fund and 20 per cent be deposited into the crime victim compensation special fund. Requires an offender who is paroled and is authorized to travel across state lines to and from a compacting state to the extent a service fee or facsimile is allowed under the interstate compact for the supervision of adult offenders; provided that the Hawaii parole service fee, if any, shall be deposited in whole into the parole services special fund. Authorizes the authority to enter into a memorandum of agreement with a government agency to collect the parole service fee. Establishes the parole services special fund to be used to defray expenses in the operation of the parole system in the monitoring of parolees and enforcing conditions of parole. -- SB2026 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to PBS then FIN

SB2028 SD1 (SSCR 2614)

RELATING TO FAMILY COURT.

Introduced by: Chun Oakland S

Establishes provisions relating to child custody evaluators. Requires the board of family court judges to establish a child custody evaluator registry and to maintain and update the registry annually. Authorizes the board to establish child custody evaluation standards and to recommend the appointment and certification of child custody evaluators. -- SB2028 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HUS then JUD then FIN

SB2030 SD2 (SSCR 2591)

RELATING TO HEALTH.

Introduced by: Chun Oakland S

Establishes provisions relating to medicaid payments. Requires the department of human services to pay health plans under its medicaid program according to terms of the contracts. Provides that if circumstances prevent the State from complying with this provision, the State shall pay the health plan interest on any amounts remaining unpaid at a rate equal to 15 per cent per year. Amends provisions relating to reimbursement for accident and health or sickness insurance benefits. Requires the insurance commissioner to automatically suspend the accrual of interest if the entity's failure to pay a claim within the applicable time limitation is the result of late payment to the entity by the State, any of its political subdivisions, or the federal government for services provided to beneficiaries of the state medicaid program. Appropriation out of the Hawaii hurricane relief fund to provide medicaid coverage to Compact of Free Association migrants and to address the increase in medicaid enrollment. Authorizes the department of human services to expend 140 million dollars in matching federal funds ($$). -- SB2030 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT/ HUS/ then CPC then FIN

SB2045 SD1 (SSCR 2512)

RELATING TO CRIME.

Introduced by: Chun Oakland S, Tokuda J, Baker R, Kidani M

Establishes provisions relating to sexual human trafficking. Establishes sexual human trafficking and labor trafficking in the 1st and 2nd degrees. Establishes penalties. -- Establishes application for court order to intercept wire, oral, or electronic communication in offenses relating to sexual human trafficking and human trafficking for the purpose of forced labor or services. -- SB2045 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Single Referral to JUD

SB2050

RELATING TO VOCATIONAL REHABILITATION IN WORKERS' COMPENSATION LAW.

Introduced by: Takamine D, Chun Oakland S

Amends provisions relating to vocational rehabilitation under workers' compensation law. Requires the providers plan to include using the process of determining if modified work or other work with the same employer represents suitable gainful employment. -- SB2050

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB/ EBM/ then FIN

SENATE BILLS THAT PASSED THIRD READING

SB2052 SD2 (SSCR 2626)

RELATING TO FIREWORKS.
Introduced by: Espero W
Amends provisions relating to fireworks. Levies and assesses a fireworks tax against the wholesaler and retailer on every sale of consumer fireworks. Requires the tax collected to be equal to the value of the consumer fireworks, as shown by the gross proceeds derived from the sale by the wholesaler, multiplied by 8 per cent. -- Requires the consumer fireworks tax to be paid to the state beginning January 1, 2011, in the same manner as the return for the general excise tax. Provides that remittances of the tax shall be deposited into the state treasury as a state realization and _____ per cent shall be set aside in a separate account to be drawn upon by the department of the attorney general and the department of taxation for implementation and enforcement of the tax. -- Redefines cultural to include religious events. -- Changes permit fees. Provides that fees collected shall be credited to the county collecting the fees. Increases fines and requires all fines collected to be deposited into the general fund. Requires the department of taxation to report to the legislature on a plan to impose a tax on retail sales of fireworks, consumer fireworks, aerial devices, articles pyrotechnic, and display fireworks. -- SB2052 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TCI/ PBS/ then JUD then FIN

SB2054 SD2 (SSCR 2522)

RELATING TO CIVIL DEFENSE.
Introduced by: Espero W, Chun Oakland S
Establishes provisions relating to statewide communications interoperability coordinator; establishment; responsibilities. Creates the position within the civil defense agency exempt from civil service and requires the coordinator to establish and maintain a data base of subject matter experts and stakeholders; act as liaison among federal and state agencies; serve as a point of contact; attend national conferences; establish a statewide communications interoperability plan program management; coordinate with other elements of the civil defense board to monitor the state's interoperable communications grant opportunities; and have responsibility to measure the statewide communications interoperability plan. Authorizes a federal fund ceiling increase for the civil defense agency to accommodate federal funds received under the Homeland Security Grant Program. Appropriation out of the federal funds received to the department of defense for the statewide communications interoperability coordinator position. ($$) -- SB2054 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to PBS then FIN

SB2068 SD2 (SSCR 2625)

RELATING TO EARLY EDUCATION.
Introduced by: Chun Oakland S, Kidani M, Fukunaga C, Ige D
Repeals junior kindergarten programs. -- SB2068 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then FIN

SB2076

RELATING TO THE COMMISSION ON FATHERHOOD.
Introduced by: Chun Oakland S, Kidani M, Fukunaga C, Ige D
Amends provisions relating to findings and purpose. Prohibits a member to serve on the commission on fatherhood for more than 2 terms; provided that if a member fills a vacancy and serves for the remainder of an unexpired term that member shall be considered to have served 1 term. -- SB2076
Current Status: Feb-16 10 Introduction/Passed First Reading - House
Feb-17 10 Multiple Referral to HUS then FIN

SB2081 SD2 (SSCR 2428)

RELATING TO LITTER CONTROL.
Introduced by: Chun Oakland S, Kidani M, Baker R, Fukunaga C, Ige D
Amends provisions relating to penalties under the litter control law. Increase fines. Provides that fines issued by a county agency shall be deposited into the county's general fund and if the fines were issued by a state agency, the fine shall be deposited into a special account within the general fund for the use of the state law enforcement agency that issued the citation for littering. -- SB2081 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EEP then JUD then FIN

SB2083 SD1 (SSCR 2221)

RELATING TO EDUCATION.
Introduced by: Chun Oakland S, Kidani M, Ihara L, Baker R, Fukunaga C, Ige D
Amends provisions relating to objectives and policies for socio cultural advancement --

health. Provides that the policy foster awareness of the need for personal health maintenance and preventive health care through education, includes after school (after school, A+, A-plus, A plus) programs and prevention programs in schools and emphasizes after school programs, and includes prevention programs in schools to address sexual and emotional health issues. -- SB2083 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HLT/ HUS/ then EDN then FIN

SB2099 SD2 (SSCR 2553)

RELATING TO HEALTH.
Introduced by: Ige D, Chun Oakland S, Baker R
Amends provisions relating to competitive purchase of services. Prohibits a purchasing agency from soliciting proposals for any QUEST contract if the anticipated contract sum exceeds 1 million dollars and the commencement date of the contract will be after the term of the current head of the purchasing agency has expired. -- SB2099 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HLT/ HUS/ then FIN

SB2100 SD2 (SSCR 2603)

RELATING TO HEALTH CARE DATA.
Introduced by: Ige D, Chun Oakland S, Baker R
Establishes provisions relating to clinical laboratory test results. Allows a clinical laboratory test result to be provided to authorized persons for any purpose permitted under the Health Insurance Portability and Accountability Act (HIPPA) of 1996. -- SB2100 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then JUD

SB2102 SD2 (SSCR 2412)

RELATING TO PRESCRIPTION DRUGS.
Introduced by: Ige D, Baker R, Nishihara C
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by prohibiting an insurer to employ a drug formulary or prior authorization requirement for prescription drug coverage in Hawaii unless the formulary or authorization requirement has been developed by a drug formulary board. Requires at least a majority of the members of the drug formulary board to be licensed health care proividers residing and practicing in Hawaii. Requires each drug formulary board to establish a prescription drug formulary and prior authorization requirement for the insurer with which the drug formulary board is associated. -- SB2102 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC

SB2103 SD2 (SSCR 2456)

RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS.
Introduced by: Ige D, Baker R, English J, Chun Oakland S, Kokubun R
Amends Act 23, special session laws of 2009, relating to health, by changing the appropriation to the department of human services to match the federal disproportionate share hospital allowance allocated to the State, provided that some funds may be used to obtain matching federal disproportionate share hospital allowance for prior fiscal year expenditures to the 2009 - 2011 biennium. ($$) -- SB2103 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then FIN

SB2105 SD2 (SSCR 2523)

RELATING TO PARKING FOR DISABLED PERSONS.
Introduced by: Ige D, Kokubun R, Baker R, Chun Oakland S, Tsutsui S, English J
Amends provisions relating to parking for disabled persons. Authorizes the disability and communication access board to be the issuing agency for disabled removable windshield placard instead of an agency authorized by the county. Allows counties to retain any fees charged for the issuance of removable windshield placards. Permits a temporary removable windshield placard to last for at least 6 years after the date of its issuance. Requires the disability and communication access board to establish transaction fees for placards and reimbursement rates to counties. -- SB2105 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to TRN then HLT then FIN

SB2107 SD1 (SSCR 2047)

RELATING TO HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.
Introduced by: Ige D
Amends provisions relating to definition under the Hawaii employer union benefits trust fund. Redefines unmarried child with a disability as one who qualifies for medicare

benefits. -- SB2107 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then FIN

SB2108 SD1 (SSCR 2365)

RELATING TO HOUSING.
Introduced by: Sakamoto N, Chun Oakland S
Amends provisions relating to board; establishment functions, duties under the Hawaii public housing authority law. Increases the number of public members. -- SB2108 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to HSG

SB2109 SD2 (SSCR 2594)

RELATING TO LOW-INCOME HOUSING.
Introduced by: Sakamoto N, Chun Oakland S
Establishes provisions relating to low income housing tax credit loan. Authorizes the Hawaii housing finance and development corporation to provide no interest low income housing tax credit loans to an owner of a qualified low income building that has been awarded federal credits which are subject to the state housing credits under section 42(h)(3)(c) of the Internal Revenue Code. -- Amends provisions relating to low income housing income tax credit. Provides that a qualified low income building that has been awarded a subaward under section 1602 of the American Recovery and Reinvestment Act of 2009, shall also be eligible for the credit. Further provides that in lieu of the credit the owner may make a request to the corporation for a loan. Authorizes the issuance of taxable general obligation bonds for appropriation for the loans. ($$) -- SB2109 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HSG then FIN

SB2110 SD2 (SSCR 2425)

RELATING TO AFFORDABLE HOUSING.
Introduced by: Sakamoto N, Chun Oakland S, Kidani M, Hemmings F, Tsutsui S, Galuteria B
Establishes provisions relating to ministerial permits; state and county review deadline. Requires that state and county agencies issue any ministerial permits within 60 days from the time of approval by the legislative body of the applicable county, provided that the review procedure for ministerial permits performed by any state or county agency is limited to not more than 2 comprehensive reviews. Defines ministerial permits as any nondiscretionary permit for which the permit administrator needs to determine only conformity with applicable ordinances before approving the project. -- SB2110 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HSG/ WLO/ then JUD

SB2111 SD2 (SSCR 2426)

RELATING TO AFFORDABLE HOUSING.
Introduced by: Sakamoto N, Chun Oakland S
Amends provisions relating to infrastructure; dedication; affordable housing. Requires a county to accept or reject within 60 days a dedication request for affordable housing. -- SB2111 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to HSG/ WLO/

SB2115 SD1 (SSCR 2617)

RELATING TO PREAUDITS FOR PROPOSED PAYMENTS.
Introduced by: Sakamoto N, Kidani M
Amends provisions relating to comptroller to supervise account, etc. Changes date of exemption from June 30, 2011 to June 30, 2015 (sunset) for the university of Hawaii and the department of education from being supervised by the comptroller. Requires the university of Hawaii and the department of education to preaudit sample populations for proposed payments of less than 10,000 dollars to determine propriety of expenditures and compliance with applicable laws, executive orders, and rules. -- SB2115 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EDN/ HED/ then FIN

SB2116 SD2 (SSCR 2542)

RELATING TO INDEMNIFICATION OF COUNTY AGENCIES.
Introduced by: Sakamoto N, Kidani M, Chun Oakland S
Amends provisions relating to indemnification of county agencies. Allows the governor to delegate to the superintendent of education the authority to agree to indemnify, defend, and hold harmless a county agency, its officers, agents and employees when the use of the county property will be for a school purpose or a school function. Requires the governor to approve in writing. Requires the comptroller to obtain an insurance policy to cover the liability of the State. -- SB2116 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EDN then JUD then FIN

SB2117 SD1 (SSCR 2055)

RELATING TO EDUCATION.
Introduced by: Sakamoto N, Kidani M
Amends provisions relating to the school level minor repairs and maintenance special fund. Requires the department of education to report annually to the director of finance on a form prepared by the director that shall identify the total amount of funds in the account that shall carry over to the next fiscal year and requires a copy of the report to the legislature. -- Repeals the school level minor repair and maintenance account. Provides that remaining funds goes to the credit of the school level minor repairs and maintenance special fund. -- SB2117 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then FIN

SB2120 SD1 (SSCR 2366)

RELATING TO THE CERTIFICATION OF PRINCIPALS AND VICE-PRINCIPALS.
Introduced by: Sakamoto N, Chun Oakland S,
Amends provisions relating to principals and vice principals. Requires the department of education to establish alternative routes to certification. -- SB2120 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN/ LAB/ then FIN

SB2121

RELATING TO THE EARLY LEARNING COUNCIL.
Introduced by: Sakamoto N, Chun Oakland S, Kidani M
Establishes provisions relating to council meeting by teleconference. Allows the early learning council to meet by teleconference. -- SB2121
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EDN then JUD

SB2122 SD1 (SSCR 2395)

RELATING TO RESEARCH.
Introduced by: Sakamoto N, Chun Oakland S, Kidani M
Establishes provisions relating to departmental data sharing. Requires the department of education, university of Hawaii, and the department of labor and industrial relations, and any other state agency as appropriate to share data to support research that will improve educational and workforce outcomes and meet longitudinal data requirements of the federal American Recovery and Reinvestment Act of 2009. -- SB2122 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN/ HED/ LAB/ then FIN

SB2124 SD2 (SSCR 2485)

RELATING TO THE HAWAII HURRICANE RELIEF FUND.
Introduced by: Tokuda J, Tsutsui S, Sakamoto N, Baker R, Kidani M, Chun Oakland S, Fukunaga C, Nishihara C, Ige D, Gabbard M, Espero W, Galuteria B, English J, Ihara L, Hooser G
Appropriation out of the Hawaii hurricane relief fund to the department of education and the charter school administration office to restore all remaining lost instructional days for 2009 - 2010 and 2010 - 2011 school years that have been negotiated under the collective bargaining process. Requires completion of all negotiations necessary to execute the restoration of instructional days and that as part of the agreement the exclusive representative for bargaining unit 5 (teachers and other personnel of the department of education) relinquish at least 1 planning day for every 2 lost instructional days that are due to a furlough one the lost instructional days are restored. -- SB2124 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN/ LAB/ then CPC then FIN

SB2137 SD1 (SSCR 2211)

RELATING TO HEALTH CLUBS.
Introduced by: Espero W, Kidani M
Establishes provisions relating to military personnel; federal active duty deployment outside State; cancellation or suspension of contract. Allows any military personnel who is serving on federal active duty and deployed outside the State to cancel or suspend health club membership at any time during the contract term as long as they meet certain conditions. Requires that if the contract is suspended the health club shall not charge any fees to reinstate the contract and maintain the original payment obligation set forth in the original contract. Requires that if the contract is cancelled the health club shall immediately refund to the member, the entire consideration the member paid for the health club contract, less an amount computed by dividing the total contact price by

the number of weeks in the term of the contract and multiplying the result by the number of weeks elapsed at the time of cancellation or suspension. -- SB2137 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EBM then CPC

SB2139 SD2 (SSCR 2432)

RELATING TO VETERANS.
Introduced by: Espero W, Kidani M
Amends provisions relating to office of veterans' services; director. Requires the director to act on behalf of deceased veterans found to be indigent at the time of death and without surviving immediate family members to ensure the burial or cremation and interment of the veteran's remains in a state veterans cemetery. -- SB2139 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM then FIN

SB2141 SD1 (SSCR 2388)

RELATING TO MEDICAL CANNABIS.
Introduced by: Espero W
Amends provisions relating to medical use of marijuana law. Allows a registered qualifying patient or registered primary caregiver to provide usable cannabis or any part of the cannabis plant to other registered qualifying patients or registered primary caregivers whether or not they are connected by the department's registration process. Redefines adequate supply by replacing marijuana with cannabis and to not exceed 10 marijuana plants and 5 ounces of usable cannabis at any given time. Redefines written certification by replacing marijuana with cannabis and by adding that the form may not require that the signing physician be the qualifying patient's primary care physician. Provides that the form may request the address of the location where the cannabis is grown, and requires the information be confidential and not appear on the registry card issued by the department of public safety. Requires a physician who issues a written certification to provide in each certification, the name, address, patient identification number of the qualifying patient and information attestation that the patient has 1 of the qualifying debilitating medical conditions and if the physician issuing the written certification is not the qualifying patient's primary care physician, requires the issuing physician to send a copy of the written certification to the qualifying patient's primary care physician. Expands the number of patients a primary care giver can care for to no more than 4. Allows the department to require that registration to be based on information contained in a designated form completed by or on behalf of a qualifying patient and only require information from the applicant, primary caregiver, and certifying physician. Requires that upon inquiry by a law enforcement agency, the department shall certify whether the subject of the inquiry has registered with the department and provide reasonable access for official law enforcement purposes. -- SB2141 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to PBS/ HLT/ then JUD

SB2143 SD2 (SSCR 2627)

RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS.
Introduced by: Fukunaga C, Taniguchi B, Baker R, Ige D
Amends provisions relating to works of art special fund. Requires the works of art special fund to pay the personnel costs of administrative, grants, and contracts personnel of the foundation. Repeals the comptroller from the selection of and placement and acceptance of works of art. Requires the comptroller to provide each agency receiving capital improvement appropriations with information regarding items that shall be included in the 1 per cent amount. Annual report to the legislature and governor. Repealed June 30, 2013 (sunset). -- SB2143 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TCI then FIN

SB2144 SD2 (SSCR 2624)

RELATING TO ECONOMIC DEVELOPMENT.
Introduced by: Fukunaga C, Ige D
Establishes provisions relating to Hawaii film office. Establishes the office within the Hawaii tourism authority to coordinate film activities in the State. Establishes the Hawaii film office special fund for the operations of the office. -- Repeals the department of business economic development, and tourism as the central agency to coordinate film permit activities in the State and transfers all rights powers, functions, and duties relating to television and film development to the authority. Repeals the Hawaii television and film development board and the Hawaii television and film development special fund. -- Amends provisions relating to community based economic development revolving fund established by adding funding of community based economic development program staff, nonprofit community based organizations, and for profit entities in enterprise

zones. Appropriation out of the Hawaii film office special fund for the operation of the Hawaii film office. -- SB2144 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM/ TCI/ then FIN

SB2145 SD1 (SSCR 2149)

RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD.
Introduced by: Fukunaga C, Ige D
Amends provisions relating to the small business regulatory review board; powers. Transfers the board from the department of business, economic development and tourism to the department of commerce and consumer affairs. Allows the board to employ, exempt from civil service laws, and set the salary for, a small business advocate. Authorizes the expenses of the board be funded entirely from the compliance resolution fund. -- SB2145 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM/ CPC/ then FIN

SB2149

RELATING TO THE INTERMEDIATE APPELLATE COURT.
Introduced by: Hanabusa C (BR)
Amends Act 148, session laws of 2008, relating to the intermediate appellate court. Repeals the sunset date. -- SB2149
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to JUD

SB2150

RELATING TO APPELLATE JURISDICTION.
Introduced by: Hanabusa C (BR)
Amends Act 202, session laws of 2004, as amended by Act 94, session laws of 2006, relating to appellate jurisdiction by repealing the sunset date. -- SB2150
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to JUD then FIN

SB2151 SD1 (SSCR 2372)

RELATING TO APPELLATE JURISDICTION.
Introduced by: Hanabusa C (BR)
Amends provisions relating to application for transfer to the supreme court under the court of appeals law. -- Amends Act 202, session laws of 2004, as amended by Act 94, session laws of 2006, by repealing the sunset date. -- SB2151 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to JUD then FIN

SB2153 SD1 (SSCR 2288)

RELATING TO THE DNA ANALYSIS FEE.
Introduced by: Hanabusa C (BR)
Amends provisions relating to disposition of convicted defendants. Provides that in addition to any disposition authorized by the disposition of convicted defendants law or the criminal procedure: deferred acceptance of guilty plea, nolo contendere plea law, every defendant required to provide a DNA sample or specimen shall be ordered to pay a monetary assessment. -- Amends provisions relating to collections from persons accepted into Hawaii from other jurisdictions. Requires the offender to pay a monetary assessment equivalent to the actual cost of the DNA analysis of the blood specimen or bucal swab sample which shall be deposited into the DNA registry special fund. -- SB2153 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to JUD then FIN

SB2154 SD1 (SSCR 2514)

RELATING TO ADULT PROBATION RECORDS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to duties and powers of probation officers; adult probation records. Authorizes disclosure of defendant's risk assessment and need for treatment services relating to the defendant's past treatment and assessments, or the disclosure of which has therapeutic or rehabilitative benefit. Authorizes a copy of any adult probation case record to be provided to defendant's treating physician when probation drug test results may compromise the defendant's medical care or treatment. -- SB2154 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Single Referral to JUD

SB2155 SD1 (SSCR 2444)

RELATING TO JUDICIARY FEES.
Introduced by: Hanabusa C (BR)

Amends provisions relating to use of credit and debit cards to pay for court costs, fees, expenses, and other charges by adding fee for credit, debit, and other electronic payments. Allows a service fee to be paid by the judiciary for the use of electronic payment service and allows the judiciary to use the convenience fee collected to pay the service fee. -- SB2155 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to JUD then FIN

SB2156 SD2 (SSCR 2598)

RELATING TO THE JUDICIARY.
Introduced by: Hanabusa C (BR)
Amends provisions relating to the administrative director of the courts. Allows a judge or justice to serve as administrative director for no more than a 2 year period and at the conclusion of such service serve out the remainder of the judge or justice's judicial term. Provides that the salary of an administrative director who is a judge or justice be the salary provided under the judge or justice's judicial position. -- SB2156 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to JUD then FIN

SB2157 SD1 (SSCR 2284)

RELATING TO ADMINISTRATIVE LICENSE REVOCATION.
Introduced by: Hanabusa C (BR)
Amends provisions relating to administrative review; procedures; decision. Authorizes the director of transportation to mail a written review decision to the respondent to be accompanied by a form, no postage prepaid. Allows the director to authorize a hearing to be held with the consent of the respondent in a county other than the county in which the notice of administrative revocation was issued by telephonic, video, or other electronic means. Increases the fee that may be assessed to process request for hearing. -- SB2157 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to JUD then FIN

SB2159

RELATING TO TRAFFIC ABSTRACT FEE.
Introduced by: Hanabusa C (BR)
Amends provisions relating to furnishing of operating records. Increases the traffic abstract fee. -- SB2159

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to JUD then FIN

SB2162 SD2 (SSCR 2551)

RELATING TO THE RIGHTS OF VICTIMS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to contracts for facilities and services. Requires the director of health upon the unauthorized absence of any such person to notify the victim witness assistance division of the applicable county department of the prosecuting attorney within 1 hour of ascertaining that person's absence. Requires the victim witness assistance division of the applicable county department of the prosecuting attorney to give notice by the most reasonable and expedient means available to each victim, or surviving immediate family member of any unauthorized absence of any person placed in a facility or services contracted by or operated by the director. -- Amends provisions relating to rights of victims and witnesses in criminal proceedings. Defines major developments to include when the offender is acquitted or found unfit to proceed on the grounds of physical or mental disease, disorder, or defect; following an acquittal or finding of unfitness to proceed, the offender is released or discharged from custody, or committed to the custody of the director of health for placement in an appropriate public or private institution; or when the offender has regained fitness to proceed, including the date on which the penal proceedings are to be resumed. -- Amends provisions relating to basic bill of rights for victims and witnesses. Provides that if the offender is in the custody of the director of health, the director shall provide notification of major developments in an offender's case to the victim witness assistance division of the applicable county department of the prosecuting attorney, which shall directly notify the victim and surviving immediate family members and shall have the right to be informed of changes planned by the department of health in the custodial status of the offender that allows or results in the release of the offender into the community, including escape and final discharge. -- Amends provisions relating to intergovernmental cooperation by including the department of health. -- SB2162 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HLT then JUD

SENATE BILLS THAT PASSED THIRD READING

SB2163 SD2 (SSCR 2413)

RELATING TO THE PRACTICE OF NURSING.
Introduced by: Baker R, Ige D, Espero W, Nishihara C, Chun Oakland S, Sakamoto N
Establishes provisions relating to practice of nursing. Requires the state board of nursing to adopt the provisions of the National Council of State Boards of Nursing Model (NCSBN) Nursing Practice Act and Model Nursing Administrative Rules relating to the scope and standards of nursing practice for registered nurses, licensed practical nurses, and advanced practice registered nurses and to adopt any subsequent modifications adopted by the Delegate Assembly of the NCSBN. Redefines advanced practice registered nurse with prescriptive authority to not be authorized to request, receive, or sign for professional controlled substance samples. -- SB2163 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC

SB2164 SD1 (SSCR 2489)

RELATING TO CONDOMINIUMS.
Introduced by: Baker R, Chun Oakland S
Amends provisions relating to condominiums. Allows the declaration, bylaws, condominium map, public report, or designation of residential units of any condominium created after July 1, 2006 to be amended. Requires any amendment that affects a material change in the project to trigger a purchaser's right of rescission. -- Requires the developer to collect an amount equal to 1 per cent of the total sales price of each residential apartment in the condominium project to be set aside for deposit into the estimated replacement reserves to be held in escrow until it is conveyed to the association of apartment owners on the date of the 1st meeting of the association. Requires the association of apartment owners after that date to collect the amount designated for deposit into the estimated replacement reserve fund until any remaining apartments are sold. Requires developer to deposit into escrow an amount equal to 180 days of operating capital based on the calculation of annual maintenance fees and monthly estimated cost for each unit. -- SB2164 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HSG then CPC

SB2165 SD1 (SSCR 2490)

RELATING TO PRIVATE GUARDS.
Introduced by: Baker R, Espero W
Establishes provisions relating to guards; registration, instruction, training, testing, and continuing education require; renewal of registration. Effective July 1, 2013 requires all guards, agents, operatives, and assistants employed by a guard agency, private business entity, or government agency who act in a guard capacity to apply with the board of private detectives and guards and meet registration, instruction, and training requirements. Allows the board to adopt rules that mandate additional training, instruction, testing, and continuing education. Further allows the board to conduct random audit of registrants applying for renewal of a registration to determine whether the continuing education requirements of this subsection have been met. Changes provisions relating to guards and guard agencies qualifications for license to guard agencies; licensing; other requirements. Repeals provisions that allows the board to grant a guard license to any suitable individual. Repeals provisions that exempts a person employed exclusively and regularly by 1 employer in connection with the affairs of such employer only and where there exists an employer employee relationship. -- SB2165 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to CPC then FIN

SB2169 SD2 (SSCR 2566)

RELATING TO SHARK FINS.
Introduced by: Hee C
Establishes provisions relating to shark fins; prohibited. Prohibits any person to possess, sell, offer for sale, trade, or distribute shark fins. Establishes seizure and forfeiture of shark fins. Establishes fines. -- Repeals provisions relating to sharks; prohibitions; administrative penalties. -- SB2169 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM then WLO then JUD

SB2172 SD2 (SSCR 2588)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL.
Introduced by: Ihara L
Authorizes the issuance of special purpose revenue bonds to assist Kaimuki Christian School, 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. ($$) -- SB2172 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then FIN

SB2173 SD1 (SSCR 2346)

RELATING TO STATE BONDS.
Introduced by: Kim D
Establishes debt limit on general obligation bonds. Authorizes the issuance of general obligation bonds. Authorizes the issuance of general obligation bonds to refund any general obligation bonds. ($$) -- SB2173 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2174

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Hanabusa C (BR)
Amends provisions relating to the board of trustees of the employees' retirement system. Reduces the 3 citizen members of the board to 2 and adds a member appointed by the Hawaii council of mayors to represent the counties. -- SB2174
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then FIN

SB2175 SD1 (SSCR 2424)

RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.
Introduced by: Hanabusa C (BR)
Amends provisions relating to composition of the board of trustees of the employer union health benefits trust fund. Requires 4 of the 5 seats allocated to public employers be appointed by the governor, and 1 be appointed by the Hawaii council of mayors. -- SB2175 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then FIN

SB2177 SD1 (SSCR 2008)

RELATING TO COUNTIES.
Introduced by: Hanabusa C (BR)
Amends provisions relating to the chief of police. Repeals the provision that requires the chief of police to be appointed by the police commission and requires that the chief be appointed and removed as prescribed by the charter of each county. -- SB2177 SD1
Current Status: Feb-05 10 Introduction/Passed First Reading - House
Feb-09 10 Single Referral to PBS/ LAB/

SB2178 SD1 (SSCR 2009)

RELATING TO COUNTIES.
Introduced by: Hanabusa C (BR)
Amends provisions relating to personnel director. Requires that either the merit appeals board or the mayor of each county as prescribed by the charter of each county appoint and remove a personnel director. -- SB2178 SD1
Current Status: Feb-05 10 Introduction/Passed First Reading - House
Feb-09 10 Single Referral to LAB

SB2179 SD1 (SSCR 2005)

RELATING TO COUNTIES.
Introduced by: Hanabusa C (BR)
Amends provisions relating to liquor commission and board attorney by adding liquor administrator. Allows the liquor commission or liquor control adjudication board of each county to appoint and remove a liquor administrator. Allows the county mayor to remove the liquor administrator. -- SB2179 SD1
Current Status: Feb-04 10 Introduction/Passed First Reading - House
Feb-04 10 Multiple Referral to LAB then CPC

SB2182 SD1 (SSCR 2604)

RELATING TO PARKING SPACES RESERVED FOR PERSONS WITH DISABILITIES.
Introduced by: Hanabusa C (BR)
Amends provisions relating to parking spaces reserved for persons with disabilities; penalties. Changes person to driver or registered owner. Requires that when the registered owner of a vehicle is a lessor of a rental or U drive motor vehicle, then the registgered owner is responsible for the traffic infraction. Provides that a citation may be handed to a violator, mailed to a violator when citation is refused, or affixed to the vehicle if the vehicle is unattended. -- SB2182 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT/ TRN/ then JUD

SENATE BILLS THAT PASSED THIRD READING

SB2183 SD1 (SSCR 2371)

RELATING TO DOMESTIC ABUSE ORDERS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to domestic abuse protective orders. Provides that a temporary restraining order shall remain in effect 90 days from the date the order is granted or until the service of a protective order issued by the court, whichever occurs 1st. Orders orally stated in court shall be effective upon service upon the respondent. -- SB2183 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HUS then JUD

SB2187 SD1 (SSCR 2051)

RELATING TO THE HAWAII TOURISM AUTHORITY.
Introduced by: Nishihara C
Amends provisions relating to the Hawaii tourism authority. Allows the authority to withhold competitive sensitive information where public disclosure of the information gathered could place businesses at a competitive disadvantage and impair or frustrate the authority's ability to obtain information for a legitimate government function. -- Amends provisions relating to meetings of the board. Requires the meetings of the board of directors of the Hawaii tourism authority to be open except when information is proprietary or when the information is necessary to protect Hawaii's competitive advantage as a visitor destination. -- Amends provisions relating to the tourism marketing plan; measures of effectiveness. Requires the authority to include in the tourism marketing plan program performance goals and targets that can be monitored as market gauges and used as attributes to evaluate the authority's promotional programs. Requires the authority to periodically submit a report to the legislature and governor. Amends Act 58, session laws of 2004, as amended by Act 22, session laws of 2005, as amended by Act 306, session laws of 2009. -- SB2187 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TCI then FIN

SB2188

RELATING TO DENTISTRY.
Introduced by: Taniguchi B
Amends provisions relating to dentistry defined; exempted practices. Redefines dentistry to include the offer to perform or the performance of any phase of any operation incident to teeth whitening, including the instruction or application of teeth whitening material or procedures at any geographic location. -- SB2188
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC

SB2201 SD1 (SSCR 2010)

RELATING TO MOTOR VEHICLES.
Introduced by: Hanabusa C (BR)
Amends provisions relating to county vehicular taxes. Repeals requirement that the tax become due and payable on January 1 and must be paid before April 1, in each year. Repeals requirement that certificate of registration be renewed annually and requires rather than allows the certificate of registration to be renewed on a staggered basis established by each county. -- SB2201 SD1
Current Status: Feb-05 10 Introduction/Passed First Reading - House
Feb-09 10 Multiple Referral to TRN then FIN

SB2205 SD2 (SSCR 2453)

RELATING TO EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.
Introduced by: Green J
Establishes provisions relating to prescription drugs; opt out option. Allows individual beneficiaries enrolled in an employer union health benefits trust fund health benefits plan to be allowed to elect to opt out of a plan requirement that prescriptions be purchased by mail order, in which case prescriptions may be purchased from a retail pharmacy. -- SB2205 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then FIN

SB2213 SD2 (SSCR 2480)

RELATING TO COUNTIES.
Introduced by: Espero W
Establishes provisions relating to establishment of compassion centers. Allows a county to provide for the establishment of 1 or more compassion centers. -- Establishes a general excise tax of 30 dollars per ounce of marijuana sold by a compassion center. Requires the department of taxation to deposit 15 dollars for each ounce sold to the county general fund of the county that the sale occurred. -- Establishes provisions relating to compassion centers; establishment. Provides that the purpose of the center

shall be to sell marijuana or the marijuana plant to qualifying patients and their primary caregivers. Requires annual registration with the department of public safety with the fee to be split between the state and county. -- SB2213 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to PBS/ HLT/ then JUD then FIN

SB2220 SD1 (SSCR 2392)

RELATING TO CONSTRUCTION SITES.
Introduced by: Sakamoto N
Requires the director of commerce and consumer affairs to convene a construction site inspection task force to discuss, research, and report on sharing information necessary to combat unlicensed contracting, the use of undocumented workers, and workplace safety violations and on deterring tax evasion, unlicensed contractor activity, and workplace safety violations and to maximize recovery of penalties. Report to the legislature. -- SB2220 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to CPC then FIN

SB2222 SD1 (SSCR 2387)

RELATING TO PLANNED COMMUNITY ASSOCIATIONS.
Introduced by: Sakamoto N
Amends provision relating to proxies under planned community association law. Requires if only 1 of several owners of a unit is present at a meeting of the association, that owner is entitled to cast all the votes allocated to that unit only in accordance with the agreement of a majority in interest of the owners, unless the declaration or bylaws expressly provide otherwise. Prohibits votes allocated to a unit owned by the association be cast by proxy for the election or reelection of directors. Requires that if the board intends to use association funds to distribute proxies, including the standard proxy form to 1st post notice in prominent locations within the project of its intent to distribute proxies at least 21 days before its distribution of proxies. Allows the board to use association funds to solicit proxies as part of the distribution of proxies. Provides that an association may comply with making information available to unit owners, at the option of the owner and at no cost to the unit owner for reviewing or downloading the information through an internet site. -- SB2222 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HSG then CPC/ JUD/ then FIN

SB2226 SD2 (SSCR 2547)

RELATING TO SENIOR CITIZENS.
Introduced by: Gabbard M, Green J
Establishes a task force to be attached to the department of the attorney general to develop a system for finding missing senior citizens using facial recognition software being developed by the department. Requires the task force to assist the county police departments and all state law enforcement entities and work in conjunction with the department to further develop the facial recognition software, establish and implement policies and procedures regarding the use and maintenance of the facial recognition software, and determine the most efficient and effective way to use the program in conjunction with other tools to assist in locating lost or missing senior citizens. Report to the legislature. -- SB2226 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HUS then JUD then FIN

SB2231 SD1 (SSCR 2483)

RELATING TO ELECTRIC VEHICLES.
Introduced by: Gabbard M, Hooser G, Espero W
Establishes a general excise tax exemption of sales or lease of certain vehicles and infrastructure. Exempts gross proceeds from the sale or lease of electric vehicles and charging systems purchased or placed in service after July 1, 2015, and before January 1, 2020 (sunset). Act to be repealed on January 1, 2020 (sunset). -- SB2231 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EEP then FIN

SB2236 SD2 (SSCR 2465)

RELATING TO INVASIVE SPECIES.
Introduced by: Gabbard M, Green J
Establishes provisions relating to failure to pay or remit the inspection, quarantine, and eradication service fee; fines. Establishes fines which are to be deposited to the pest inspection, quarantine, and eradication fund. -- SB2236 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to AGR then JUD

SENATE BILLS THAT PASSED THIRD READING

SB2246 SD1 (SSCR 2334)

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. -- SB2246 SD1
Current Status: Mar-03 10 Received by the Governor

SB2249 SD1 (SSCR 2503)

RELATING TO THE PENAL CODE.
Introduced by: Hanabusa C (BR)
Amends provisions relating to assault against a water safety officer. Provides that a person commits the offense of assault against a water safety officer if the person intentionally or knowingly causes bodily injury to a water safety officer who is engaged in the performance of duty or recklessly causes, with a dangerous instrument, bodily injury to a water safety officer who is engaged in the performance of duty. Makes it a class C felony. -- SB2249 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to WLO then JUD

SB2251 SD1 (SSCR 2510)

RELATING TO CAMPAIGN FINANCING.
Introduced by: Hanabusa C (BR)
Repeals and replaces provisions relating to election campaign contributions and expenditures. -- SB2251 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to JUD then FIN

SB2252 SD1 (SSCR 2508)

RELATING TO CAMPAIGN FINANCING.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to ballot issue committee, contributions, and expenditures. Requires that a ballot issue committee receive contributions or make expenditures only for or against any issue appearing on the ballot at the next applicable election. Prohibits the ballot issue committee from receiving contributions or making expenditures to influence the nomination or election of a candidate to office. Requires the ballot issue committee to return all surplus funds to the contributors or donate the funds to a community service, educational, youth, recreational, charitable, scientific, or literary organization. Requires that surplus funds not returned or donated within 90 days after the election be escheat to the Hawaii election campaign fund. Requires every ballot issue committee to submit a request to terminate to the campaign spending commission within 90 days after the election for which the issue appeared on the ballot. -- Defines automated phone call to mean any outbound telephone call or electronic voice message that plays a recorded message that advocates, supports, or opposes the nomination or election of a candidate; or advocates, supports, or opposes a question or issue certified to be on the ballot in the next election. -- Amends provisions relating to the duties of the campaign spending commission. Repeals the requirement to adopt a code of fair campaign practices. -- Amends provisions relating to the campaign contributions, generally. Requires all monetary contributions to be promptly deposited in an account or accounts that are at an approved Hawaiian financial institution or branch that is physically located in the state. -- Amends provisions relating to the failure to file report; filing substantially defective or deficient report. Allows the campaign spending commission to assess a fine against a committee that is required to file a report by the due date or if the report is substantially defective or deficient. -- Amends provisions relating to advertising on the web. Requires web pages to contain the name and address of the candidate, committee, party, or person paying for the advertisement and whether the advertisement is with or without the approval and authority of the candidate and that this information to be stated at the beginning of an automated phone call. -- SB2252 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to JUD then FIN

SB2254 SD1 (SSCR 2488)

RELATING TO MORTGAGE LOAN ORIGINATORS.
Introduced by: Sakamoto N
Establishes provisions relating to exemption of qualified nonprofit connunity organizations under mortgage brokers and solicitors law. Allows any nonprofit

organization who demonstrates to the satisfaction of the commissioner of financial institutions that the organization is a bona fide nonprofit community organization and operates in the public interest to apply for an exemption from licensing as a mortgage loan originator company. Prohibits any employee of an exempt qualified nonprofit community organization who takes a residential loan application or offer or negotiate terms of a residential mortgage loan without receiving or expecting compensation or gain to be mortgage loan originators. -- SB2254 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to CPC/ JUD/

SB2256 SD1 (SSCR 2146)

RELATING TO THE DEPARTMENT OF EDUCATION.
Introduced by: Sakamoto N
Establishes provisions relating to parking; control by department. Allows the department of education to govern the traffic and parking conditions on roadways and other areas under the jurisdiction of the department and to assess fees for parking on roadways and in parking areas under their jurisdiction. Provides that parking fees collected shall be deposited to the credit of the respective school's non appropriated local school fund account. -- Amends provisions relating to use of school facilities for recreational and community purposes by changing it to use of school facilities and grounds. -- SB2256 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then FIN

SB2257 SD2 (SSCR 2580)

RELATING TO ELECTRONIC WARRANT VOUCHERS.
Introduced by: Sakamoto N
Amends provisions relating to warrants for supplies, incidentals. Allows the University of Hawaii and the department of education to accept an electronically mailed warrant voucher or other bill or supporting document as an original warrant voucher, bill, or supporting document. -- SB2257 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN/ HED/ then FIN

SB2266

RELATING TO DRIVER LICENSING.
Introduced by: Ige D, Chun Oakland S, English J
Establishes provisions relating to designation of blood type. Authorizes the examiner of drivers to design and implement a system to request information of an applicant's blood type from all applicants for a driver's license or license renewal, at the time of application, including a method of directly imprinting on a license an applicant's blood type. Requires the request to elicit whether the applicant wishes to have the blood type imprinted on the license. -- SB2266

Current Status: Feb-03 10 Introduction/Passed First Reading - House
Feb-03 10 Multiple Referral to HLT then TRN

SB2267 SD2 (SSCR 2455)

RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES.
Introduced by: Ige D, Chun Oakland S, Baker R
Amends provisions relating to building design to consider needs of persons with disabilities. Requires state and county agencies to seek advice and recommendations from the disability and communication access board on any construction plans prior to commencing with construction for which the board may establish reasonable tiered fees based upon estimated construction costs. Requires board to charge a fee for services to defray the expenses of the board. Requires board to report to the legislature. Establishes a temporary fee schedule based on estimated construction costs. -- SB2267 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then FIN

SB2268 SD1 (SSCR 2349)

RELATING TO SPECIAL FUNDS.
Introduced by: Ige D, Chun Oakland S
Amends provisions relating to the review of revolving and trust funds by adding special funds. Requires the state auditor to audit special funds every 5 years. Report to the legislature. -- SB2268 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LMG then FIN

SB2270 SD2 (SSCR 2484)

RELATING TO MEDICAID REIMBURSEMENTS.
Introduced by: Ige D, Baker R, English J, Chun Oakland S, Kokubun R

Establishes provisions relating to Medicaid reimbursements under department of human services law. Requires Medicaid reimbursements to hospital to be equal to the acute medical services payment for patients occupying acute licensed beds who are on a waitlist for long term care. Requires Medicaid reimbursements to facilities with long term care beds to be equal to the state reimbursement rate for sub acute care for patients with medically complex conditions who prior to admission to the facility were receiving acute care services in an acute care hospital. Appropriation. ($$) -- SB2270 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT/ HUS/ then FIN

SB2271 SD2 (SSCR 2419)

RELATING TO HEALTH INSURANCE PREMIUMS.

Introduced by: Ige D, Espero W, Baker R

Establishes the health insurance premium transparency law. Establishes a data clearinghouse administratively located within the insurance division of the department of commerce and consumer affairs to develop and maintain a centralized health repository. Report to the legislature and governor. Requires the division to prepare an annual guide to assist consumers in selecting health care providers and insurers. Report to the legislature and the governor. Further requires the division to prepare an annual report that summarizes utilization, charges, and quality data on patients treated by hospitals and ambulatory surgery centers during the most recent calendar year and to widely publicize and distribute the patient level data utilization, charges, and quality report electronically to consumers on the division's website. Report to the legislature and to the governor. -- Establishes provisions relating to medical expense threshold requirements. Requires insurers to spend a minimum of the health insurance premiums earned in a calendar year on medical expenses. Provides that in each case where the insurer fails to comply with the medical expense threshold requirement, the insurer is required to issue a dividend or credit toward future premiums for the policyholder that is not less than an amount that would meet the applicable minimum medical expense threshold requirement. Provides that prior to distributing any dividend or credit, an insurer shall provide the commissioner with its plan for distribution as part of the required annual medical expense threshold and distributions without prior approval from the commissioner. Establishes fines. -- Establishes provisions relating to annual premium transparency report. Requires insurers to submit an annual premium transparency report disclosing how accident and health or sickness insurance premiums are spent annually to the commissioner no later than March 1 of each year for the premiums earned for the immediately preceding calendar year. Provides any consumer, employer, or their representatives to be entitled to seek an injunction to enforce any obligation established. Repeals provisions relating to authority to offer death, sick, disability, or other benefits; restrictions on use of funds. -- SB2271 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC/ JUD/

SB2274 SD2 (SSCR 2457)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH.

Introduced by: Ige D, Chun Oakland S, Baker R, Espero W, Nishihara C

Authorizes the issuance of special purpose revenue bonds to assist Hawaii Pacific Health, a nonprofit corporation, the obligated group in which Hawaii Pacific Health is a member, 1 or more of its not for profit affiliates, or any combination thereof, in financing, refinancing, or reimbursing costs related to the acquisition or construction of health care facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. ($$) -- SB2274 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then FIN

SB2276 SD1 (SSCR 2161)

RELATING TO INTOXICATING LIQUOR.

Introduced by: Sakamoto N, Kidani M, Galuteria B, Chun Oakland S

Amends provisions relating to prohibitions under intoxicating liquor law. Prohibits a person to possess any open liquor container or consume any liquor on any public highway, public sidewalk, or public housing project area designated by the Hawaii public housing authority as prima facie evidence that the person is consuming liquor. -- SB2276 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HSG then JUD

SB2277 SD2 (SSCR 2449)

RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY.

Introduced by: Sakamoto N, Kidani M, Galuteria B, Chun Oakland S

Amends provisions relating to termination and eviction. Provides that when any tenant has been delinquent in payment of rent, the Hawaii public housing authority, either directly or through its managing agent shall provide the tenant written notice in accordance with requirements imposed under federal law. -- SB2277 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HSG then JUD

SB2278 SD2 (SSCR 2611)

RELATING TO PUBLIC HOUSING.
Introduced by: Sakamoto N, Kidani M, Galuteria B, Chun Oakland S
Amends provisions relating to criminal trespass in the 1st degree. Provides that a person commits the offense of criminal trespass if that person enters or remains unlawfully in the premises of any public or state low income housing project, after reasonable warning or request to leave by housing authority management or police. -- SB2278 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HSG then JUD

SB2286 SD1 (SSCR 2023)

RELATING TO LONG TERM CARE.
Introduced by: Ihara L, Chun Oakland S, Baker R, Hooser G, Espero W
Amends Act 224, session laws of 2008, relating to long term care by extending the sunset date of the long term care commission. -- SB2286 SD1
Current Status: Feb-09 10 Introduction/Passed First Reading - House
Feb-10 10 Multiple Referral to HLT/ HUS/ then FIN

SB2287

RELATING TO COUNTY ZONING FOR GROUP LIVING FACILITIES.
Introduced by: Ihara L, Chun Oakland S
Amends provisions relating to county zoning. Requires group living facilities to adhere to restrictions on traffic safety and congestion, noise, and commercial deliveries. -- SB2287
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HUS/ HLT/ then WLO

SB2290 SD2 (SSCR 2623)

RELATING TO ECONOMIC DEVELOPMENT.
Introduced by: Fukunaga C, Ige D, Baker R
Establishes provisions relating to the State private investment fund. Requires the Hawaii strategic development corporation to administer the state private investment fund and requires the fund to invest in private seed and venture capital partnerships to encourage the availability of equity and near equity capital for investment in a broad variety of venture capital partnerships in diversified industries, with an emphasis on the State's emerging high technology and performing arts products industries; retain the private sector culture of focusing on rate of return in the investing process; secure the services of high quality managers in the venture capital industry; and enhance the venture capital culture and infrastructure in the state so as to increase venture capital investment and promote venture capital investing within the State and accomplish the foregoing in a return driven manner while minimizing the transfer of tax credits. Requires the state private investment fund to provide equity interests for designated investors that provide for a scheduled rate of return and scheduled redemption; and loans by or the issuance of debt obligations to investors which provide for payments of principal, interest, or interest equivalent. Prohibits public money from being invested in the State private investment fund and that startup costs for the fund be funded by the corporation. Requires that the fund have all of the powers necessary to carry out its purposes including making contracts, executing any document, charging reasonable fees for services rendered, performing any act or entering into any financial or other transaction necessary to carry out its mission. Provides that the fund shall be governed by a board of directors. -- Amends provisions relating to the board of directors of the Hawaii strategic development corporation; composition. Requires that 3 pf the members of the board have knowledge or experience in venture or seed capital, or investment funds. Prohibits any board member from voting at any board meeting where the board member has any conflict of interest. -- Amends provisions relating to tax credits. Includes tax credits for insurers. Changes the amount of tax credits that are transferrable. Authorizes the fund to expend ____ dollars in tax credits. Requires an annual audit by an independent auditor instead of by the legislative auditor. -- SB2290 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EBM then FIN

SB2291 SD2 (SSCR 2607)

RELATING TO ECONOMIC DEVELOPMENT.

Introduced by: Fukunaga C, Baker R
Establishes provisions relating to reseller agreements. Requires the procurement office to authorize local reseller agreements as part of any multi state contracting agreement and to place orders directly with local resellers designated by original equipment manufacturers. -- SB2291 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM then FIN

SB2323

RELATING TO EMPLOYMENT SECURITY.
Introduced by: Takamine D
Establishes provision relating to requirement to post work availability online prohibited. Prohibits the department of labor and industrial relations to require an individual to register availability to work online. Requires an unemployed individual to report to an employment agency in order to be eligible to receive benefits. Exempts an individual who is partially unemployed to work search requirements. Repeals provisions relating to registered for work. -- SB2323
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then EBM then FIN

SB2324 SD2 (SSCR 2524)

RELATING TO UNEMPLOYMENT INSURANCE BENEFITS.
Introduced by: Takamine D
Amends provisions relating to partial unemployment; eligibility under employment security law. Prohibits an individual to be disqualified for benefits for any week in which the individual separates from an employer offering only part time employment and if the individual's wages from the regular employer to which the individual is attached is at least 75 per cent of the total wages in the base period of the current claim during which the separation from the employer offering part time employment occurred. Amends Act 170, Session Laws of 2009. -- SB2324 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to LAB then FIN

SB2325 SD1 (SSCR 2354)

RELATING TO CONTRACTORS.
Introduced by: Takamine D
Amends provisions relating to licensing of electrical or plumbing workers by adding elevator mechanics. Requires individuals licensed and who are employed on a construction job site by an electrical, plumbing, or elevator mechanic contractor to visibly display the license issued to them by the department of commerce and consumer affairs by wearing their license while on the job site. -- SB2325 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then CPC

SB2331 SD2 (SSCR 2521)

RELATING TO RENEWABLE ENERGY.
Introduced by: Gabbard M
Amends provisions relating to renewable portfolio standards. Beginning January 1, 2015 at least 2 per cent of net electrical power generation measured in kilowatts to be met from electrical power generated facilities that commercially produce biofuels or food, feed, or wood products in tandem with the production of electrical power. -- SB2331 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EEP/ AGR/ then CPC

SB2335 SD2 (SSCR 2526)

RELATING TO MILITARY AND OVERSEAS CIVILIAN ABSENTEE VOTERS.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to military and overseas civilian absentee voters. -- SB2335 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EBM then JUD then FIN

SB2336 SD2 (SSCR 2595)

RELATING TO THE DEPARTMENT OF EDUCATION.
Introduced by: Baker R, Chun Oakland S, Nishihara C, Espero W, Tsutsui S, Sakamoto N, Ige D, Ihara L, Fukunaga C, English J, Tokuda J, Green J
Establishes provisions relating to non core programs; reporting. Requires the department of education to conduct a periodic review of all non core programs under the department. Report to the legislature. -- Provides that prior to opening a new school the board of education shall close an existing school. -- SB2336 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then FIN

SENATE BILLS THAT PASSED THIRD READING

SB2339 SD1 (SSCR 2497)

RELATING TO WORKERS' COMPENSATION.
Introduced by: Takamine D, Chun Oakland S
Amends provisions relating to proceedings upon claim; hearings under workers' compensation law. Requires the director of labor and industrial relations to investigate the facts surrounding the claim for compensation and render a decision in writing. Requires an employer to submit a written report to the director and the claimant that describes the employer's internal investigation and supporting details that substantiate the employer's denial of, or indication to not accept, compensability within 30 calendar days and prohibits an employer's written report due date to be extended. -- SB2339 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then JUD then FIN

SB2340 SD1 (SSCR 2499)

RELATING TO KANEOHE BAY REGIONAL COUNCIL.
Introduced by: Tokuda J
Amends provisions relating to the Kaneohe Bay regional council; establishment. Provides that except for the participation of the council of 2 representatives from the department of land and natural resources as ex officio nonvoting members, the department shall not provide administrative support to the council, including providing staff, drafting, and other support for council meetings. -- Amends provisions relating to Kaneohe Bay regional council; meeting. Requires council to meet annually instead of quarterly and submit annual reports to the legislature and the governor. Repeals Act 68, session laws of 2009, by repealing the sunset of the council. -- SB2340 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to WLO then FIN

SB2341 SD1 (SSCR 2496)

RELATING TO EMPLOYMENT RELATIONS.
Introduced by: Baker R, Chun Oakland S, Kidani M, Tokuda J
Amends provisions relating to discriminatory practices made unlawful; offenses defined. Adds that it shall be unlawful discriminatory practice because of domestic abuse victim status. -- SB2341 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HUS/ LAB/ then JUD

SB2343 SD1 (SSCR 2068)

RELATING TO INSURANCE COVERAGE FOR MAMMOGRAMS.
Introduced by: Green J
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations (HMOs) act by prohibiting an insurer to require a covered person over the age of 40 to obtain a referral from a primary care provider or other physician for annual mammogram. Requires an insurer to provide full coverage for 1 mammogram per year depending on the results of the annual no referral mammogram, and a referral for follow up service shall be sent to the patient's primary care physician or other physician, as designated by the patient. -- SB2343 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC

SB2346 SD1 (SSCR 2367)

RELATING TO THE HAWAII TEACHER STANDARDS BOARD.
Introduced by: Sakamoto N
Amends provisions relating to powers and duties of the Hawaii teacher standards board. Authorizes the board to delegate any powers and duties of the board as it deems reasonable and proper to the executive director or other designee. -- SB2346 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN/ LAB/ then JUD

SB2349 SD2 (SSCR 2602)

RELATING TO EXTRACURRICULAR ACTIVITIES.
Introduced by: Sakamoto N
Establishes provisions relating to participation in extracurricular activities by home schooled children. Provides that a child who is home schooled is eligible to participate in extracurricular activities at the school that the child would be required to attend. -- Requires the department of education to consult with the Athletic Directors and Coaches Association of Hawaii and other agencies and organizations. -- SB2349 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then FIN

SB2350 SD1 (SSCR 2218)

PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION.
Introduced by: Sakamoto N

Proposes to amend the constitution. Requires the Hawaii state student council to conduct an election with all secondary schools participating, to select a public high school student to the board of education. Changes the public high school student member on the board of education to have full voting privileges except for matter relating to fiscal or personnel issues. -- SB2350 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EDN then JUD then FIN

SB2356 SD2 (SSCR 2544)

RELATING TO LEAF BLOWERS.

Introduced by: Gabbard M

Establishes provisions relating to leaf blower; restrictions. Prohibits any person to operate of a leaf blower within land zoned for residential use or within 100 feet of land zoned for residential use, except between the hours of 8:00 a.m. and 6:00 p.m. and prohibited on Sundays or state or federal holidays, provided that no leaf blower to be operated within a horizontal distance of 10 feet of any operable window, door, or mechanical air intake opening or duct of a building; leaf blowers shall not be operated for more than 30 minutes per day on parcels of less than 1 half acre, or for more than 1 hour per day on parcels of 1/2 acre or more but less than 1 acre; or for more than 2 hours per day on parcels of 1 acre or more; no more than 1 leaf blower to be operated simultaneously per 1/2 acre per parcel; and shall not exceed the maximum decibel level of 70 dba. -- Prohibits any person to use or operate a leaf blower to blow, dispel or make airborne, dust, leaves, grass cuttings, paper, trash or any other type of unattached debris or material, beyond the boundaries of the parcel of property being cleaned, unless the consent of the adjoining owner or person in possession of the adjoining property is obtained. -- Prohibits any person to use or operate a leaf blower to blow leaves dirt and other debris onto the public rights of way or onto private property not owned, leased, or controlled by the leaf blower operator or the employer or contractor to allow such debris to remain there in excess of 30 minutes. -- SB2356 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EEP then JUD

SB2357 SD2 (SSCR 2576)

RELATING TO RENEWABLE ENERGY.

Introduced by: Gabbard M, Espero W, Chun Oakland S

Establishes provisions relating to natural gas utility companies; renewable energy; reporting requirements. Requires each gas utility company to submit an annual report to the public utilities commission on or before June 30 of each year to include the ratio of petroleum or non petroleum feedstock to total feedstock used to produce natural gas, biogas, biofuels, or biofeedstocks sold in the state and the energy quantity in therms of natural gas, biogas, or gallons of biofuels or biofeedstocks sold in the state produced from petroleum or nonpetroleum feedstock energy. Provides that within 30 days of receipt of the report, requires the commission to submit the 1st report to the legislature no later than December 15, 2011 (sunset). -- SB2357 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EEP then CPC

SB2358 SD1 (SSCR 2363)

RELATING TO TRANSPORTATION ENERGY INITIATIVES.

Introduced by: Gabbard M, Green J, Chun Oakland S

Amends provisions relating to high occupancy vehicle lanes (HOV). Redefines a high occupancy vehicle lane as a designated lane to be used by electric vehicles capable of driving at least 55 miles per hour without regard to the number of occupants. Requires the director of transportation to develop the means to identify electric vehicles capable of driving at least 55 miles per hour, including but not limited to the use of decals. -- SB2358 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TRN then EEP then JUD

SB2368

RELATING TO CHILD VISITATION.

Introduced by: Taniguchi B (BR)

Amends provisions relating to grandparents' visitation rights; petition; notice; order. Provides that the court may award grandparents reasonable visitation rights if denial of reasonable visitation rights would cause significant harm to the child. Establishes that a rebuttable presumption is that the parent's decision regarding visitation is in the best interests of the child and that presumption may be rebutted by a preponderance of the evidence. -- SB2368

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HUS then JUD

SENATE BILLS THAT PASSED THIRD READING

SB2369 SD2 (SSCR 2628)

RELATING TO DOMESTIC VIOLENCE.
Introduced by: Bunda R
Establishes provisions relating to unemployment compensation personnel; domestic violence training. Requires unemployment compensation personnel to be trained in the nature and dynamics of domestic or sexual violence and how to identify potential cases; methods of determining whether domestic or sexual violence has occurred; and keeping information about possible or actual experiences of domestic or sexual violence confidential to ensure that requests for unemployment compensation based on separations stemming from domestic or sexual violence are reliably screened, identified, and adjudicated, and that the individual's claim and submitted documentation remain confidential. Amends provisions relating to separation for compelling family reason. Requires the department of labor and industrial relations to ensure that all applicants for unemployment compensation and individuals inquiring about insurance benefits for victims of domestic or sexual violence compensation are adequately notified. Establishes provisions relating to discrimination on the basis of domestic or sexual abuse; civil liability. Establishes provisions relating to employer violations of victims leave; civil liability. Amends provisions relating to discriminatory practices made unlawful; offenses defined to include domestic or sexual violence victim status. Provides that it shall be an unlawful discriminatory practice for any employer to refuse to provide an individual with a reasonable safety accommodation requested by a domestic or sexual violence victim, unless the employer can demonstrate that provision of the accommodation would impose an undue hardship on the employer in the operation of its business. Requires and employer to allow an employee to take 30 days of leave, either intermittently or on a reduced leave schedule, within a 12 month period. Allows an employee to elect to substitute any period of leave for an equivalent period of leave. Allows an employee who takes emergency leave to be eligible for nonrecurring short term emergency benefits for the period of time such leave is taken. Requires the department of human services to fund emergency leave benefits program from the spouse and child abuse special account. Prohibits public assistance recipient's benefits to be denied, reduced, terminated, or otherwise sanctioned, or be discriminated against with respect to the amount, terms, or conditions of the recipient's public assistance, including retaliation in any form or manner. Establishes provisions relating to public assistance; domestic violence training; notification. Requires the department of human services to ensure that case workers and other agency personnel responsible for administering the State public assistance program funded under the Social Security Act are adequately trained in the nature and dynamics of domestic or sexual violence and how to identify potential cases; State standards and procedures relating to the prevention of domestic and sexual violence and assistance for individuals who experience domestic or sexual violence; and methods of ascertaining and keeping confidential information about possible experiences of domestic or sexual violence. Establishes provisions relating to domestic abuse cases; enforcement. Prohibits the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) to terminate health coverage for a subject of domestic abuse because coverage was originally issued in the name of the abuser and the abuser has divorced, separated from, or lost custody of the subject of domestic abuse, or the abuser's coverage has terminated voluntarily or involuntarily and the subject of domestic abuse does not qualify for an extension of coverage. -- SB2369 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB/ HUS/ then CPC/ JUD/ then FIN

SB2371 SD2 (SSCR 2520)

RELATING TO LIMITED BENEFIT HEALTH INSURANCE.
Introduced by: Baker R
Amends the accident and sickness insurance contracts law. Prohibits any provision of the law enacted after July 1, 2010 to apply to an accident only, specified disease, hospital indemnity, long term care, medicare supplement, disability, dental, vision, or other limited benefit health insurance policy, other than a medicare supplement policy unless it expressly states that it applies to an accident only, specified disease, hospital indemnity, long term care, medicare supplement, disability, dental, vision, or other limited benefit health insurance policy. -- SB2371 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HLT then CPC

SB2372 SD2 (SSCR 2597)

RELATING TO SUNRISE REVIEWS.
Introduced by: Baker R, Chun Oakland S
Amends provisions relating to new regulatory measures. Requires the analysis by the

auditor be used by the legislature for advisory or informational purposes only. Allows the legislature to waive the requirements if the legislature finds that the auditor has been unable or unwilling to conduct a previously requested review of the proposed regulatory measure, immediate implementation of a proposed regulatory measure is necessary to serve the interest of public health, safety, or welfare, or an auditor's analysis is unnecessary because the legislature possesses sufficient information to assess the probable effects of a proposed regulatory measure to determine whether its enactment is consistent with the policies. -- SB2372 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to CPC then LMG then FIN

SB2373 SD2 (SSCR 2615)

RELATING TO PRIVATE TRANSFER FEES.
Introduced by: Baker R
Establishes provisions relating to prohibition of transfer fees. Prohibits a deed restriction or other covenant running with the land applicable to the transfer of real property that requires a transferee of real property or the transferee's heirs, successors, or assigns, to pay a fee in connection with a future transfer of the property to a declarant or other person imposing the deed restriction or covenant on the property or a 3rd party designated by a transferor of the property. Provides exception. Prohibits a deed restriction or other covenant running with the land filed after the effective date of this section, or any lien to the extent that it purports to secure the payment of a transfer fee prohibited by this section, shall not be binding on or enforceable against the subject real property or any subsequent owner, purchaser, or mortgagee of any interest in the real property. -- SB2373 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to WLO then CPC then JUD

SB2375 SD1 (SSCR 2112)

RELATING TO HIGHWAYS.
Introduced by: Baker R
Amends provisions relating to vending from highways prohibited by adding scenic lookouts. Prohibits a person to park or place a vehicle or structure wholly or partly on any scenic lookout for the purpose of selling the vehicle or structure or of selling from the vehicle. Provides that vending from a scenic lookout requires a vending concession permit from the department of land and natural resources. -- SB2375 SD1

Current Status: Feb-12 10 Introduction/Passed First Reading - House
Feb-12 10 Multiple Referral to TRN then JUD

SB2378 SD2 (SSCR 2605)

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.
Introduced by: Hee C, Green J
Amends provisions relating to election of the board. Requires that the members of the board of trustees of the office of Hawaiian affairs be nominated at a primary election and elected at the general election. -- SB2378 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HAW then JUD then FIN

SB2383

RELATING TO DISLOCATED WORKERS.
Introduced by: Takamine D
Amends provisions relating to notification; penalty. Authorizes the department of labor and industrial relations to enforce and impose penalties on an employer of a covered establishment who fails to provide to each employee and the director written notification of a closing, divestiture, partial closing, or relocation at least 60 days prior to its occurrence. -- SB2383

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to LAB then JUD then FIN

SB2385 SD1 (SSCR 2463)

RELATING TO THE UNIVERSITY OF HAWAII.
Introduced by: Tokuda J, Baker R, Tsutsui S, English J, Ige D, Chun Oakland S
Amends provisions relating to comptroller; powers and duties. Repeals the sunset provisions that relate to the university of Hawaii. -- Amends Act 58, session laws of 2004, as amended by Act 22, session laws of 2005, as amended by Act 306, session laws of 2006, as amended by Act 5, special session laws of 2009. -- SB2385 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HED then FIN

SB2386

RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND.

Introduced by: Tokuda J, Baker R, Tsutsui S, Chun Oakland S, English J
Establishes provisions relating to the university of Hawaii capital improvements program project assessment special fund. Requires the president of the university of Hawaii or the president's designee to make assessments on university capital improvements program projects, repair and maintenance projects, and major renovation projects managed by the university. Further requires the assessments to be deposited into the special fund and that the special fund be administered by the office of capital improvements. Provides that the special fund shall be used to defray the costs in carrying out capital improvements program projects; assessing, collecting, and distributing moneys for other expenses associated with capital improvements program projects, repair and maintenance projects, and major renovation projects; and managing the payment of expenses assessable against projects managed by or through the university. -- SB2386
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HED then FIN

SB2387 SD1 (SSCR 2472)

RELATING TO THE UNIVERSITY OF HAWAII.
Introduced by: Tokuda J, Baker R, Tsutsui S, Chun Oakland S, English J
Amends provisions relating to parking; control by board of regents of the university of Hawaii. Exempts the board from public notice, public hearing, and gubernatorial approval. -- SB2387 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HED/ JUD/ then FIN

SB2389

RELATING TO THE UNIVERSITY OF HAWAII.
Introduced by: Tokuda J, Baker R, Tsutsui S, Chun Oakland S, Ige D, English J, Espero W
Amends Act 106, session laws of 2008, as amend by Act 11, session laws of 2009, relating to the university of Hawaii commercial enterprises revolving fund by repealing the sunset date. -- SB2389
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HED then FIN

SB2390 SD2 (SSCR 2414)

RELATING TO PHARMACIST LICENSURE.
Introduced by: Tokuda J, Sakamoto N
Amends provisions relating to pharmacists and pharmacy law. Defines territory to mean Puerto Rico, the Northern Mariana Islands, the Virgin Islands, Guam, or American Samoa. Amends provisions relating to qualifications for license by allowing practical experience in a territory or the District of Columbia. Requires service and experience under the supervision of a pharmacist who is duly registered or licensed in the state, territory, or district where the experience is obtained. -- SB2390 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC

SB2391 SD2 (SSCR 2471)

RELATING TO STATE FINANCES.
Introduced by: Hanabusa C, Hee C, Kim D
Amends Act 140, session laws of 2009, relating to the budget of the office of Hawaiian affairs, for Hookulaiwi: Aha Hoonaauao Oiwi (the center for native Hawaiian and indigenous education), requires matching funds by the department of Hawaiian home lands; for increasing appropriations for beneficiary advocacy (OHA 175); to establish the achieving the dream initiative for native Hawaiian students at the Hawaii community college, including 9 (9.00 FTE) positions; and to increase appropriations to establish a research and training program for native Hawaiian students of the Hawaii institute of marine biology. ($$) -- SB2391 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HAW then FIN

SB2393 SD2 (SSCR 2450)

MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS.
Introduced by: Takamine D, Tsutsui S, Chun Oakland S, Tokuda J, Kidani M
Appropriation to the director of finance for Hawaii employer union health benefits trust fund costs for the employer to pay 60 per cent of the premiums for employees in collective bargaining unit 2 (supervisory blue collar employees), unit 3 (nonsupervisory white collar employees), unit 4 (supervisory white collar employees), unit 6 (educational officers and other personnel of the department of education), unit 8 (personnel of the university of Hawaii and community college system) unit 9 (registered professional nurses), and unit 13 (other professional and scientific employees) for fiscal biennium

2010 - 2011 and 2009 - 2010. ($$) -- SB2393 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then FIN

SB2394

RELATING TO THE BOARD OF TRUSTEES OF THE DEFERRED COMPENSATION PLAN.
Introduced by: Takamine D, Chun Oakland S, Kidani M
Amends provisions relating to the composition of the board of trustees of the deferred compensation plan. Changes the director of human resources development to allow a designated representative, ex officio. Requires 5 other persons who are not ex officio to be elected by the employee beneficiaries of the deferred compensation plan. Deletes the requirement that the board members be nominated by and with the advice and consent of the senate and appointed by the governor. -- SB2394
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then FIN

SB2395 SD2 (FLOOR AMENDMENT 4)

RELATING TO THE BUDGET.
Introduced by: Kim D, Galuteria B, Kidani M, Hooser G
Establishes provisions relating to budget acts; conflicts with statutory provisions; budget prevails. Requires that the budget prevail if any state statute relating to budget allocations, transfers, or restrictions or the establishment, transfer, or abolition of positions of powers or duties related thereto is in conflict with or contradictory to provisions or directives of the budget passed legislatively and enacted into law for the fiscal year. Requires the governor to report the actions taken to the legislature within 30 days of the enactment of the budget. -- SB2395 SD2
Current Status: Mar-04 10 Introduction/Passed First Reading - House
Mar-04 10 Single Referral to FIN

SB2399 SD1 (SSCR 2355)

RELATING TO MIXED MARTIAL ARTS.
Introduced by: Kim D
Establishes provisions relating to amateur mixed martial arts under mixed martial arts contest law. Allows amateur mixed martial arts contest to be placed under the control and supervision of any recognized national amateur mixed martial arts association and under rules determined by the director of commerce and consumer affairs. Exempts license requirement for amateur mixed martial arts contestants. Requires an amateur mixed martial arts contestant to pass a physical examination conducted by a person licensed to practice medicine prior to engaging in a mixed martial arts contest. -- SB2399 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to CPC then FIN

SB2400 SD1 (SSCR 2348)

RELATING TO FUNDS.
Introduced by: Kim D
Amends provisions relating to the transfers of non general funds to the general funds by changing funds to fund. -- SB2400 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2401 SD1 (SSCR 2347)

RELATING TO STATE FINANCES.
Introduced by: Kim D
Amends provisions relating to keep full records. Requires the director of finance to maintain a clear, distinct, and full record of all the transactions and business of the department of finance. -- SB2401 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2402 SD1 (SSCR 2344)

RELATING TO TAXATION.
Introduced by: Kim D
Amends provisions relating to comfort letters; authority to assess fees. Allows the department of taxation to assess and collect a fee for any comfort letter issued by the department. -- SB2402 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2405 SD2 (SSCR 2592)

RELATING TO TAXATION.
Introduced by: Chun Oakland S, Fukunaga C, Kidani M, Sakamoto N, Tokuda J, Baker

R, Ihara L
Establishes tax on wholesalers, service businesses, and contractors, tax on import of goods, services and contracting for resale, and insurance producer's tax. -- Establishes a committee to oversee the department of taxation's implementation and administration of, and compliance with the streamlined sales and use tax agreement. -- SB2405 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2408 SD2 (SSCR 2423)

RELATING TO HOUSING DEVELOPMENT.
Introduced by: Hee C, Sakamoto N, Kidani M
Amends provisions relating to powers; generally, of the Hawaii community development corporation. Changes any affordable housing requirements imposed by the authority to be constructed as substitute reserved housing to up to 33 per cent of the affordable housing requirements. Requires the substitute reserved housing units be located on lands located within the jurisdiction of the department of Hawaiian home lands and within the urban core of Honolulu. Requires the development of substitute reserved housing be undertaken only in accordance with a request for those substitute reserved housing units submitted by the department of Hawaii home lands. Also requires that all other substitute reserved housing units be constructed within the community development district where the proposed development project is located. -- SB2408 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to WLO/ HSG/

SB2409

RELATING TO MARINE LIFE CONSERVATION DISTRICTS.
Introduced by: Hee C, Kidani M
Amends provisions relating to permits under the marine life conservation program. Requires conditions on permits to be adopted pursuant to the administrative procedure law. -- SB2409
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM then WLO then JUD

SB2420 SD2 (SSCR 2529)

RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.
Introduced by: Gabbard M, English J
Amends provisions relating to definitions under the beverage container program. Redefines deposit beverage by adding hard spirits and wine and by repealing the exclusion of a liquid which is designed and consumed only as a dietary supplement and not as a beverage. -- SB2420 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EEP then FIN

SB2431 SD2 (SSCR 2596)

RELATING TO EDUCATION.
Introduced by: Sakamoto N
Establishes provisions relating to online reporting of student achievement and system accountability. Requires the department of education to develop and implement an internet based, publicly accessible system for reporting indices of student achievement and system accountability. Requires the information to be published on the publicly accessible portion of the department's website and to be organized and searchable by school name. -- SB2431 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then FIN

SB2432

RELATING TO HAWAII INSTITUTE FOR EDUCATIONAL PARTNERSHIPS.
Introduced by: Sakamoto N
Repeals the Hawaii institute for educational partnership. -- SB2432
Current Status: Feb-11 10 Introduction/Passed First Reading - House
Feb-12 10 Multiple Referral to HED/ EBM/ then FIN

SB2434 SD1 (SSCR 2143)

RELATING TO SALARIES.
Introduced by: Sakamoto N
Amends the provisions relating to department heads and executive officers. Repeals the cap on the salary of the superintendent of education an provides that it shall be no greater than the salary of the highest paid school, district, or state level administrator in the department of education. -- Amends provisions relating to the salary of the deputy superintendent, assistant superintendents, complex area superintendents. Requires the salary of the deputy superintendent to not exceed 90 per cent of the superintendent's salary; of assistant superintendents to not exceed 85 per cent of the superintendent's

salary, and the salary of complex area superintendents and the state librarian to not exceed 80 per cent of the superintendent's salary. -- SB2434 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN/ LAB/ then FIN

SB2440

RELATING TO THE BOARDS OF WATER SUPPLY.
Introduced by: Hooser G (BR)
Amends provisions relating to the disbursement of fund. Requires the county treasurer to disburse all moneys of the board of water supply only upon warrants issued by the county auditor or other authorized signatory of accounts payable vouchers signed by the chairperson or the acting chairperson of the board. Requires the manager and chief engineer to have the power and duties prescribed by the board regarding the disbursement of funds. -- SB2440
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to WLO then FIN

SB2441 SD2 (SSCR 2608)

RELATING TO ENDANGERED SPECIES.
Introduced by: Hooser G, Espero W, Green J
Amends provisions relating to penalty. Provides any person who intentionally or knowingly takes a Hawaiian monk seal is guilty of a class C felony. Penalty is a maximum fine of 50,000 dollars. -- SB2441 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to WLO then JUD

SB2449

RELATING TO DRIVER LICENSING.
Introduced by: English J, Chun Oakland S, Tokuda J
Amends Act 72, session laws of 2005, relating to provisional license for persons under the age of 18 by repealing the sunset date. -- SB2449
Current Status: Feb-09 10 Introduction/Passed First Reading - House
Feb-10 10 Multiple Referral to TRN then JUD

SB2450 SD1 (SSCR 2513)

RELATING TO MARIJUANA.
Introduced by: English J, Green J
Establishes provisions relating to possession of marijuana. Provides that intentional or knowing possession of 1 ounce or less of marijuana shall constitute a civil violation subject to a fine not to exceed 300 dollars for the 1st violation, and 500 dollars for every violation thereafter. Requires fines to be deposited into the early intervention special fund. -- Amends provisions relating to reporting of crime related incidents on school property. Includes crimes relating to more than 1 ounce of marijuana. -- Substance abuse treatment programs shall be for possession of more than 1 ounce of marijuana. Redefines detrimental drug to exclude 1 ounce or less of marijuana. Provides that promoting a detrimental drug in the 2nd or 3rd degree shall be for more than 1 ounce of marijuana. -- SB2450 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Single Referral to JUD

SB2451 SD2 (SSCR 2579)

RELATING TO EDUCATION.
Introduced by: English J, Tsutsui S, Baker R, Chun Oakland S, Takamine D, Green J, Gabbard M
Amends provisions relating to weighted school formula. Provides that remote schools and other schools designated shall be allocated operating funds by categorical allotments that guarantee the funding minimum number of instructional positions to ensure at least minimum course requirements are maintained. Defines remote school to mean any high school that is located at least a 1 hour drive away from the next nearest public high school or located on the island of Lanai, Molokai, or Niihau. -- SB2451 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then FIN

SB2452 SD2 (SSCR 2582)

RELATING TO TRANSPORTATION OF SCHOOL CHILDREN.
Introduced by: English J, Chun Oakland S, Green J, Tsutsui S, Baker R
Amends provisions relating to transportation of school children. Requires rather than allows the department of education to provide or subsidize the cost of suitable transportation to and from school for children in public schools except for public schools located within the 3rd departmental district (Honolulu). Repeals provision for educational field trips. -- Amends provisions relating to the school bus fare revolving

fund by changing it to the school transportation revolving fund which will include moneys appropriated for school transportation services. -- SB2452 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then FIN

SB2454 SD2 (SSCR 2445)

RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS.
Introduced by: Taniguchi B
Amends provisions relating to no fees for copies of pleadings, etc. Allows the fees to be established by court rules. Exempts state agencies from such fees. Allows court rules to establish limitation on the extent of the exemption. -- SB2454 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to JUD then FIN

SB2455 SD2 (SSCR 2421)

RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES.
Introduced by: English J, Green J
Amends provisions relating to regulation of motor vehicle sun screening devices; penalty. Allows use of transparent sun screening materials applied to the AS-1 (AS 1) portion of the windshield that meet the requirements of the Federal Motor Vehicle Safety Standards 205. -- SB2455 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TRN then JUD/ CPC/

SB2460 SD1 (SSCR 2515)

RELATING TO THE KAHO'OLAWE REHABILITATION TRUST FUND.
Introduced by: English J
Establishes provisions relating to the Molokini shoal marine life conservation district authority; permits for commercial use. Requires the Kaho'olawe (Kahoolawe) island reserve commission to exercise sole authority over the district and its waters. Transfers the department of land and natural resources, aquatic resources division appropriations, records, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personal property relating to the functions transferred to the commission, to the commission. Allows the commission to issue permits for the commercial use of the district and its waters and to establish users fees for each activity tour. Allows each permit holder to retain a percentage of the user fee to offset administrative expenses and to remit the rest to the Kahoolawe rehabilitation trust fund sub account. Requires the office of Hawaiian affairs to deposit a matching amount to the fund. Requires the sub account to be used for costs in the management of the district and its waters. -- SB2460 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HAW/ WLO/ then FIN

SB2461 SD2 (SSCR 2482)

RELATING TO TRANSPORTATION.
Introduced by: English J
Amends provisions relating to operation and use privileges under aeronautics law. Requires the department of transportation to provide a public information hearing prior to implementing any rental motor vehicle charges. Amends Act 226, session laws of 2008. As of September 1, 2010, increases the department of transportation rental motor vehicle customer facility charge. Provides that the 4.50 dollars per day rental motor vehicle customer facility charge shall not be reduced by the department of transportation for at least 20 years following September 1, 2010, or until such time as necessary to satisfy payment of any bonds issued or financial agreements entered into by the department. Appropriations out of the rental motor vehicle customer facility charge special fund to the department of transportation for planning, design, and temporary relocation of rental motor vehicle operations and related expenses; construction costs relating to temporary relocation of current rental motor vehicle operations during construction of a consolidated facility at the Honolulu international airport and related expenses; planning and design of rental motor vehicle facilities at the Honolulu international airport and related expenses; planning, design, and construction of an overflow storage lot at Kahului airport and related expenses; initial planning and design of consolidated facilities at Kahului airport and related expenses; Statewide development and program management of a car rental facilities program and related expenses; and construction of a consolidated rental motor facility at Honolulu international airport and related expenses. ($$) -- SB2461 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TRN then FIN

SB2466 SD2 (SSCR 2525)

MAKING AN APPROPRIATION FOR THE WOMEN AND INFANT CHILDREN

FARMERS' MARKET NUTRITION PROGRAM.
Introduced by: Chun Oakland S
Appropriation out of the healthy Hawaii initiative to the department of health to develop and administer the women and infant children farmers' market nutrition program, provided that the department develop and submit to the Food and Nutrition Service of the US Department of Agriculture a state plan. ($$) -- SB2466 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HLT/ AGR/ then FIN

SB2469 SD2 (SSCR 2586)

RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND.
Introduced by: Chun Oakland S, Ige D, Baker R, Hooser G
Appropriation out of the emergency and budget reserve fund (rainy day fund) to the department of health for respite services; to supplement the healthy start program; for grants to Catholic Charities Hawaii, Kapahulu center, Moiliili community center, and Waikiki community center; for maintaining kupuna care services; for the aging and disability resource center; for the developmental disabilities medicaid waiver program; for mental health services; for the partnerships in community living program; for direct health care to the uninsured, which may include primary medical, dental, and behavioral health care; as a substance abuse prevention and treatment block grant for substance abuse treatment; for the healthy aging partnerships program; for the Waianae Coast Comprehensive Health Center to support its emergency room services; and for HIV / AIDS (human immunodeficiency) related support. -- Appropriation out of the emergency and budget reserve fund to the department of human services for blueprint for change program for neighborhood place walk in centers; as a grant for the Hawaii immigrant health initiative program; for the Hawaii children's health care program; for domestic violence shelters; for the Hale Mahaolu adult program for personal care services; for disproportionate share hospital costs; for medicaid provider reimbursements; for outstationed eligibility worker services; for outreach services; for outreach services to locate uninsured children; for outreach services to locate uninsured adults; for housing placement services; for the shelter plus care program; for the Oahu safe house program; for adult dental services; for medicaid; for child care; and for general assistance. -- Appropriation out of the emergency and budget reserve fund to the judiciary for domestic violence services; for volunteer legal services Hawaii to provide pro bono legal services for indigent persons; for the legal aid society of Hawaii to provide general civil legal services; for the Hawaii family law clinic to provide services to obtain temporary restraining orders; for Catholic Charities Hawaii to provide intra familial sex assault services; and for the children's alliance of Hawaii to provide child sex assault services. -- Appropriation out of the emergency and budget reserve fund to the department of labor and industrial relations for the employment core services program; and for the weed and seed program in Ewa Beach. -- Appropriation out of the emergency and budget reserve fund to the department of the attorney general for the Kapiolani Medical Center's operation of the Women and Children Sex Abuse Treatment Center. -- Appropriation out of the emergency and budget reserve fund to the department of education or non school hours programs (after school, afterschool A+, A-plus, A plus). -- Appropriation out of the emergency and budget reserve fund to the department of health to provide additional funding for kupuna care program. -- Appropriation out of the emergency and budget reserve fund to the department of human services to restore the general assistance amount; and to support domestic violence shelters statewide. Appropriation out of the emergency and budget reserve fund and federal fund appropriations for QUEST health care payments to the department of human services for the restoration of adult dental care. Report to the legislature. -- Appropriation out of the emergency and budget reserve fund to the department of human services for child care subsidies.($$) -- SB2469 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HUS/ HLT/ then FIN

SB2470 SD2 (SSCR 2584)

RELATION TO EDUCATION.
Introduced by: Galuteria B, Espero W, Ihara L, Fukunaga C, Sakamoto N, Chun Oakland S
Establishes provisions relating to minimum number of classroom instruction days for public schools and charter schools. Requires schools to implement a school calendar that provides not less than 200 days of classroom instruction per school year. -- SB2470 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then FIN

SENATE BILLS THAT PASSED THIRD READING

SB2472 SD2 (SSCR 2609)

RELATING TO MORTGAGE FORECLOSURES.
Introduced by: Galuteria B
Establishes provisions relating to foreclosure counseling. Requires a foreclosing mortgagee, no later than 30 days prior to initiating any foreclosure, to provide a mortgagor that is an owner occupant of a mortgaged property that is held in fee simple and is subject to foreclosure, written notice of default and of the mortgagee's right to foreclosure through 1st class mail at the address of the mortgaged property at the address designated by the mortgagor by written notice to the mortgagee at the mortgagor's address for receipt of notice. Requires mortgagee to advise the mortgagor of the availability of counseling. Requires the mortgagee, upon the request of the mortgagor, to not commence foreclosure proceedings until the mortgagee has mailed to the mortgagor, by way of registered or certified mail, a copy of the promissory note and mortgage document. Requires the mortgagee, within 30 days after selling the property in pursuance of the power of sale, to file a copy of the notice of sale and the mortgagee's affidavit, setting forth the mortgagee's acts in the premises fully and particularly, in the bureau of conveyances. Provides that a public sale price of 70 per cent of the fair market value of the mortgaged property owned and occupied by a consumer, as established by an appraisal or broker's price opinion, shall be fair and reasonable. -- SB2472 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to CPC/ JUD/

SB2473 SD1 (SSCR 2368)

RELATING TO HOUSING.
Introduced by: Galuteria B, Chun Oakland S, Espero W, Kidani M, Ihara L, Fukunaga C, Tokuda J, English J, Baker R, Sakamoto N
Amends provisions relating to resident selection; dwelling units; rental. Requires the Hawaii housing authority to allow a minor grandchild to live with a resident of an elderly housing project, on a temporary basis, if the authority determines the minor grandchild is without appropriate care due or a family crisis. Provides that if a grandparent resident has been evicted by the authority solely because the resident allowed a minor grandchild or grand children to reside in the resident's unit due to a family crisis shall be given 1st priority to be accepted in the elderly housing projects on the same island upon abatement of the family crisis. Further provides that federal family housing units may be used as a substitute for state family housing units whenever they may be available. Allows the authority to use its discretion to determine if other situations constitute a family crisis. -- SB2473 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HSG then FIN

SB2474 SD1 (SSCR 2550)

RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS.
Introduced by: Galuteria B, Chun Oakland S, English J
Amends provisions relating to prohibitions involving minors; penalty. Provides immunity from prosecution for a minor and the minor who has received treatment if the minor summons medical treatment for another minor who requires such treatment as a result of consuming liquor, remains at the scene, provides their name and the name of the minor needing treatment, and cooperates with medical assistance and law enforcement personnel on the scene. Further provides immunity to 1 or 2 other minors acting in concert with the minor summoning medical treatment. -- SB2474 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HLT then JUD/ CPC/

SB2487 SD1 (SSCR 2361)

RELATING TO HISTORIC PRESERVATION.
Introduced by: Galuteria B, Tokuda J, Chun Oakland S, English J
Amends provisions relating to state historic preservation officer. Requires the governor to appoint the state historic preservation officer from a list of not less than 3 nominees submitted by the board of land and natural resources. Requires the nominees to meet the professional qualification standards established by the US Secretary of the Interior standards for historic preservation professionals in history, archaeology, architecture, architectural history, or a closely related field. -- SB2487 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to WLO then FIN

SB2488 SD2 (SSCR 2577)

RELATING TO RENEWABLE ENERGY.
Introduced by: Hee C, Hemmings F, Gabbard M
Amends provisions relating to the public utilities law. Prohibits a electric utility to unreasonable deny, burden, or delay net energy metering services that is requested by

an eligible customer generator. Increases the eligible customer generator maximum allowable capacity. Requires every electric utility to develop a standard contract of tariff and to make the contract available until the total rated generating capacity produced by the eligible customer generator on a distribution feeder reaches 15 per cent of that distribution feeder's penetration level or the penetration level that triggers additional technical study, as determined by the public utilities commission. Increases the last monthly bill for billing periods and month reconcilaiation period provided by the electric utility. Requires the electric utility to compensate the net surplus customer generator at the net surplus electricity rate compensation rate established by the public utilities commission for any any credits for excess electricity credits from surplus customer generator that remains unused after each 36 month reconciliation period. Changes provisions relating to termination by eligible customer generators to eligible customer generators; termination; alternative credits or compensation mechanisms. Provides that if the commission establishes alternative mechanisms for crediting or otherwise compensating eligible customer generators for exported power, eligible customer generators with existing net energy metering contracts shall have the option of maintaining those existing net energy metering contracts rather than converting to new alternative credits or compensation mechanisms. Requires the commission to set safety, performance, and reliability standards for eligible customer generator systems of ____ kilowatts on the island of Oahu, ___ kilowatts on the island of Hawaii and Maui, and up to ____ kilowatts on the islands of Molokai and Lanai. Requires the commission initiate a rulemaking proceeding by August 1, 2010 to adopt best practices interconnecting standards for solar, wind turbine, biomass, and hydroelectric energy generating facilities no later than December 31, 2010 and establish the net surplus electricity compensation rate no later than January 1, 2011. -- SB2488 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EEP then CPC

SB2490 SD2 (SSCR 2478)

RELATING TO COMMUNITY HEALTH CENTERS.
Introduced by: Ige D, Baker R, Green J, Nishihara C
Appropriation out of the community health centers special fund to the department of health for funding operations of community health centers in Hawaii. Requires the governor to release funds from the community health centers special fund, including all moneys deposited into the special fund from revenue generated by the cigarette tax, to operate community health centers that provide health services to eligible low income and underserved populations throughout the State. ($$) -- SB2490 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then FIN

SB2491 SD2 (SSCR 2418)

RELATING TO TELEMEDICINE.
Introduced by: Ige D
Amends provisions relating to general casualty insurance defined. Requires liability insurance covering the professional services of a physician or surgeon that includes coverage for claims or losses relating to the practice of telemedicine meeting. -- SB2491 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC/ JUD/

SB2493 SD2 (SSCR 2433)

RELATING TO USE OF TOBACCO SETTLEMENT FUNDS.
Introduced by: Ige D
Amends Act 264, session laws of 2007, as amended by Act 16, session laws of 2008, allowing the university of Hawaii to use tobacco settlement special fund revenues to pay for the new medical school expenses by extending the sunset date to June 30, 2015. -- Amends provisions relating to the Hawaii tobacco settlement special fund. Increases the allocation to the emergency and budget reserve fund (rainy day fund), to the department of human services for the children's health insurance program and the department for health promotion and disease prevention programs, and to the Hawaii tobacco prevention and control trust fund. Provides that that of excess funds appropriated to the university revenue undertaking fund shall 80 per cent shall be transferred to the emergency and budget reserve fund and 20 percent shall be transferred to the Hawaii tobacco prevention and control trust fund. Repeals deposit into the general fund. Requires the university to annually report to the legislature on the status of all debts to which Hawaii tobacco settlement funds are being applied. -- SB2493 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT/ HED/ then FIN

SENATE BILLS THAT PASSED THIRD READING

SB2494 SD2 (SSCR 2417)

RELATING TO INSURANCE.
Introduced by: Ige D
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring insurers who issues a policy that it is in the best interest of the insured to continue to have coverage for a certain prescription medication that the physician determines to be life saving, any insurer that issues a policy that offers coverage for prescription drug benefits shall continue coverage for that prescription medication under any policy entered into by the insured and the insurer on or after July 1, 2010. -- SB2494 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC then FIN

SB2500 SD2 (SSCR 2461)

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.
Introduced by: Slom S
Requires the legislative auditor to conduct a financial and management audit of the office of Hawaiian affairs. Report to the legislature and governor. Requires the office to reimburse the auditor. -- SB2500 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HAW then LMG then FIN

SB2501 SD1 (SSCR 2391)

RELATING TO PUBLIC ACCOUNTANCY.
Introduced by: Espero W
Amends provisions relating to quality review committee by changing it to peer review committee. Requires every firm, including the Hawaii offices and Hawaii engagements of foreign or multistate firms to obtain a firm permit to practice and to undergo peer review on the firm's attest work at the time of the renewal of the firm's permit to practice. Requires rather than allows the board of public accountancy to appoint a peer review committee to review attest work of firms on periodic basis, in connection with the renewal of such firms' permits to practice. Requires the board to establish requirements and procedures for an organization qualification to conduct peer reviews. Prohibits peer review committee proceedings or the records of to be subject to discovery. Report to the legislature. -- SB2501 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to CPC then FIN

SB2502 SD1 (SSCR 2431)

MAKING AN APPROPRIATION TO THE HAWAII CIVIL AIR PATROL FOR OPERATING EXPENSES.
Introduced by: Espero W, Hooser G, Gabbard M
Appropriation to the department of defense for the Hawaii civil air patrol to continue its missions in the State of Hawaii, including its tsunami warning operations. ($$) -- SB2502 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to PBS then FIN

SB2520 SD1 (SSCR 2352)

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.
Introduced by: Hee C
Amends provisions relating to the Hawaiian homes commission act of 1920. Allows lessee to enter into a sublease agreement with a renewable energy producer. -- SB2520 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HAW then EEP

SB2523 SD2 (SSCR 2466)

RELATING TO AGRICULTURAL INSPECTIONS.
Introduced by: Hee C
Amends provisions relating to inspection, quarantine, and eradication service fee and charge. Prohibits fee to be imposed for the inspection, quarantine, and eradication of invasive species for the liquid bulk freight, cement bulk freight, coal bulk freight, and aggregate build freight. -- SB2523 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to AGR then FIN

SB2524 SD1 (SSCR 2113)

RELATING TO ISLAND BURIAL COUNCILS.
Introduced by: Hee C
Amends provisions relating to island burial councils; creation; appointment; compositions; duties. Provides that if after a good faith effort a qualified candidate is not available for the island of Molokai, the governor, upon the recommendation of the

department of Hawaii home lands, may waive the requirements; and provided that if the governor waives the geographic region requirements, the ratio of not more than 3 to 1 and no less than 2 to 1 shall not apply. -- SB2524 SD1
Current Status: Feb-12 10 Introduction/Passed First Reading - House
Feb-12 10 Multiple Referral to HAW then WLO

SB2526 SD1 (SSCR 2495)

RELATING TO WIND ENERGY FACILITIES.
Introduced by: Hee C
Amends provisions relating to permissible uses within the agricultural districts with soil classification A or B. Allows wind energy facilities provided that any wind energy facility utilizing wind turbine generators with the capacity to generate 1 megawatt or more shall be located no less than 1000 feet from the nearest off site residential dwelling unit -- SB2526 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EEP/ WLO/ then AGR

SB2527 SD2 (FLOOR AMENDMENT 2)

RELATING TO AGRICULTURE.
Introduced by: Hee C
Amends provisions relating to grades and standards. Redefines agricultural commodity to include milk, poultry eggs or poultry carcass or meat to be consumed in the state, and any animal or its carcass or meat, whether produced in the state or imported. -- SB2527 SD2
Current Status: Mar-04 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to AGR then FIN

SB2529 SD2 (SSCR 2454)

RELATING TO HEALTHCARE CLAIMS.
Introduced by: Ige D
Establishes provisions relating to establishment of the Hawaii healthcare claims uniform reporting and evaluation system. Requires health insurers to register with the insurance commissioner or designee yearly. Requires health care claims data for all members who received covered services provided by Hawaii health care providers or facilities to be reported to the commissioner or designee. Establishes provisions for the release of data which includes an annual public use file and limited use research health care claims data sets at a cost. Assess a 2 cents per claim fee fore every claim submitted and paid to the insurance division. Establishes penalties. Establishes the healthcare claims special fund to be used to operate and improve the healthcare claims uniform reporting and evaluation system. Annual report to the legislature. Establishes a health care claims uniform reporting and evaluation task force within the department of commerce and consumer affairs to review the policies and procedures of the healthcare claims uniform reporting and evaluation system and make recommendations to improve it and to make it consistent with national claims reporting and evaluation standards. Report to the legislature. Task force to cease to exist on June 30, 2011 (sunset). -- SB2529 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC/ JUD/ then FIN

SB2531 SD2 (SSCR 2467)

RELATING TO ARCHAEOLOGISTS.
Introduced by: Hee C
Requires the state historic preservation division to reconvene the 2006 state historic preservation division's archaeological working group and to expand the membership of the working group for the purposes of improving the quality of documents submitted to the department of land and natural resources to consider the necessity of instituting a requirement for the licensing of archaeologists acting as principal investigators in the State. Report to the legislature. -- SB2531 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to WLO then CPC then FIN

SB2532

RELATING TO SUSTAINABILITY.
Introduced by: Kokubun R, Sakamoto N, Chun Oakland S, Galuteria B, English J, Tokuda J, Hooser G, Baker R
Establishes the 2050 sustainability policy under the Hawaii state planning act. -- SB2532
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to WLO/ EEP/ then TCI/ EBM/ AGR/ then FIN

SB2533 SD1 (SSCR 2479)

RELATING TO AN AUDIT OF CONTRACTS OF THE DEPARTMENT OF PUBLIC

SAFETY WITH THE CORRECTIONS CORPORATION OF AMERICA AND THE FEDERAL DETENTION CENTER.
Introduced by: Kokubun R, Chun Oakland S, Galuteria B, Tokuda J, Kim D, Hooser G, Baker R, Espero W
Directs the legislative auditor to conduct a financial and management audit of the department of public safety's contracts with the Corrections Corporation of America and the federal detention center in Honolulu. Report to the legislature. -- SB2533 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to PBS then LMG then FIN

SB2534 SD2 (SSCR 2632)

RELATING TO BAIL.
Introduced by: Taniguchi B
Establishes provisions relating to bond filing fee. Requires the payment of a bond to a law enforcement agency to be accompanied by a bond filing fee of 20 dollars for each bond issued per defendant. -- Amends provisions relating to release after bail by adding procedure when court closed. Requires the prisoner to be promptly discharged from custody when bail is offered and taken. Requires law enforcement agency to accept cash bonds, surety bonds, and own recognizance bonds when the court with jurisdiction is closed and shall accept cash and certified copies of bonds pre filed with the court from any person; and an original surety bond or own recognizance bond only from a person licensed as a bail agent or to sell, solicit, and negotiate surety insurance. -- SB2534 SD2
Current Status: Mar-04 10 Introduction/Passed First Reading - House

SB2543 SD2 (SSCR 2601)

RELATING TO TECHNOLOGY.
Introduced by: Fukunaga C, Baker R, Tokuda J, English J, Ihara L, Gabbard M
Establishes provisions relating to other duties of the director; digital cable programming and services. Provides that in conjunction with expanded digital cable programming and service the director of commerce and consumer affairs shall promote and encourage use of telework alternatives for public and private employees; advise and assist state agencies, and upon request of the counties, advise and assist the counties, in planning, developing, and administering programs, projects, plans, policies, and other activities to promote telecommuting by employees of state and county agencies; support the efforts of both public and private entities in Hawaii to enhance or facilitate the deployment of, and access to competitively priced, advanced electronic communications services, including digital cable programming and services, and internet access services of general application throughout Hawaii; make recommendations to establish affordable, accessible broadband services to unserved and underserved areas of Hawaii and monitor advancements in communication that will facilitate this goal; advocate for, and facilitate the development and deployment of, expanded digital cable programming and applications, programs, and services including, but not limited to telework, telemedicine, and e-learning that will bolster the usage of and demand for broadband level telecommunications; and serve as a broadband information and applications clearinghouse for the State and a coordination point for federal American Recovery and Reinvestment Act of 2009 broadband related services and programs. Report to the legislature. -- Establishes within the department of commerce and consumer affairs for administrative purposes, the broadband advisory council to advise on policy and funding priorities to promote and encourage use of telework alternatives for public and private employees, and expedite deployment of affordable and accessible broadband services. -- Requires the director to convene a work group to develop procedures for streamlined permitting functions. Report to the legislature. -- Requires department to annually report to the legislature on the receipt and expenditure of federal moneys from the American Recovery and Reinventing Act of 2009 and other federal moneys for the purposes of purchasing broadband facilities, services, or equipment or for entering into contracts for broadband projects. -- SB2543 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM/ CPC/ then FIN

SB2544 SD2 (SSCR 2481)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU.
Introduced by: Fukunaga C, Baker R
Amends Act 79, session laws of 2005, by extending the sunset date to June 28, 2015. -- SB2544 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EEP then FIN

SENATE BILLS THAT PASSED THIRD READING

SB2545 SD2 (SSCR 2630)

RELATING TO INTOXICATING LIQUOR.
Introduced by: Fukunaga C
Amends provisions relating to liquor consumption on unlicensed premises prohibited, when. Prohibits any person who is not a licensee of the commission to promote encourage, aid, or permit the consumption of liquor on the premises, except during the hours between 6:00 a.m. and 12:00 a.m. Authorizes a class 17 liquor license establishment to operate between the hours of 12:00 a.m. and 2:00 a.m. Amends provisions relating to licenses, classes. Authorizes a class 3 wholesale dealer license to resell liquor samples back to the manufacturer. Requires Class 9 tour or cruise vessel license to be issuable in the county where the home port of the vessel is situated. Allows transfer of a class 11 cabaret license upon approval by the liquor commission. Allows licensee holding a class 12 license on May 1, 2007 who would otherwise qualify for a class 15 license to apply to the liquor commission of the county in which the licensee is seeking a change. Authorizes class 14 brewpub license to sell malt beverages manufactured on the licensee's premises in recyclable container, provided by the licensee or by the consumer to not exceed 1 gallon per container and are securely sealed on the licensee's premises, to consumers for off premises consumption. Requires any licensee who meets the criteria for the condominium hotel license class but holds a different class of license to apply for a condominium hotel license. Authorizes class 17 bring your own beverage establishment licensee to permit the consumption on the premises between the hours of 12:00 a.m. and 2:00 a.m. of liquor brought in by patrons or guest and shall be issued a license according to the kind of liquor permitted for consumption. Amends provisions relating to no license issued, when. Prohibits a license to be issued to any other person not deemed by the commission to be a fit and proper person to have a license. -- SB2545 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM then CPC/ JUD/

SB2547 SD1 (SSCR 2374)

RELATING TO SMALL BOAT HARBORS.
Introduced by: Fukunaga C
Amends provisions relating to permits and fees for state small boat harbors. Requires a permittee to be compliant with all laws and rules applicable to such areas when providing an excursion between state boating facilities and disembarks fare paying passengers with the expectation that they will enter upon any public or quasi public real property during the course of the excursion. -- SB2547 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to WLO

SB2548 SD2 (SSCR 2578)

RELATING TO INFORMATION TECHNOLOGY.
Introduced by: Fukunaga C, Baker R, Ige D, Espero W
Establishes provisions relating to information technology; chief information officer; information technology steering committee; establishment; responsibilities. Establishes a position for a chief information officer within the office of the governor to oversee statewide information technology governance including the supervision and oversight of the information and communication services division of the department of accounting and general services. Requires the chief information officer to report directly to the governor and in conjunction with the information technology steering committee to develop, implement, and manage statewide information technology governance; develop, implement, and manage the State's information technology strategic plans; develop and implement statewide technology standards; and report annually to the governor and report to the legislature on the status and implementation of the information technology strategic plan. Establishes an information technology steering committee to assist the chief information officer in developing and implementing the state information technology strategic plans; assessing the executive branch departments' progress in meeting the objectives defined in the state information technology strategic plans and identifying best practices for shared or consolidated services; ensuring technology projects are selected based on their potential impact and risk to the State, as well as their strategic value; ensuring that state executive branch departments maintain sufficient tools to assess the value and benefits of technology initiatives; assisting the chief information officer in developing state information technology standards and policies; and clarifying the roles, responsibilities, and authority of the information and communication services division within the department of accounting and general services, specifically as it relates to its statewide duties. -- Establishes the shared services technology special fund administered and expended by the officer within the department of budget and finance a special fund, to fund the operations of the chief information officer and the information technology steering

committee, including the employment and training of staff. -- SB2548 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM then FIN

SB2549 SD1 (SSCR 2317)

RELATING TO EMPLOYMENT SECURITY.
Introduced by: Takamine D
Amends Act 190, session laws of 2006, as amended by Act 123, session laws of 2007, relating to employment security, by deleting appropriation amounts and deleting appropriation for administrative expenses. ($$) -- SB2549 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then FIN

SB2551 SD1 (SSCR 2494)

RELATING TO NET ZERO ENERGY BUILDING PERMITTING.
Introduced by: Gabbard M
Amends provisions relating to net zero energy building design. Requires the state building code council to adopt by January 1, 2012 rules implementing a prescriptive design alternative for net zero energy buildings that is equivalent to 35 per cent more energy efficient than is required under the 2006 international energy. Requires that net zero energy building projects be given priority by agencies that provide handling and processing for all county permits if the permit applications are accompanied by a certificate from an architect or mechanical engineer, licensed in the state, verifying that the project is a net zero energy building. -- SB2551 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EEP then FIN

SB2559 SD2 (SSCR 2545)

RELATING TO ENVIRONMENTAL PROTECTION.
Introduced by: Gabbard M, Espero W
Establishes provisions relating to use of recyclable plastic bag under the solid waste pollution law. Prohibits businesses with an annual gross sales over 300,000 dollars to distribute non biodegradable single use plastic checkout bags to their customers at the point of sale. Allows the director of health to impose administrative penalties for violations and institute a civil action in any court of competent jurisdiction for injunctive relief. -- SB2559 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EEP/ EBM/ then CPC/ JUD/ then FIN

SB2563 SD1 (SSCR 2437)

RELATING TO ENERGY EFFICIENCY.
Introduced by: Gabbard M, English J
Amends provisions relating to state support for achieving alternate fuels standards. Requires the state to facilitate the development of alternate fuels and support the attainment of a statewide alternate fuel standard of 30 per cent by 2030. -- SB2563 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EEP then FIN

SB2564 SD1 (SSCR 2370)

RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION.
Introduced by: Takamine D
Amends provisions relating to records; confidentiality; disclosure; reporting requirements by adding use. Adds that documents received from witnesses, and correspondence with parties and witnesses to be disclosed as required by order of a hearings examiner with jurisdiction in a case arising from a complaint filed with the civil rights commission or to be used as evidence in the investigation, conciliation, and litigation of complaints filed with the commission, or as ordered by a court or hearings examiner. Defines confidential witness to mean a person who is not a complainant or respondent to a complaint filed with the commission and who requests that the person's identity or statement be kept confidential, subject to a determination by the commission. -- SB2564 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then JUD then FIN

SB2565 SD1 (SSCR 2501)

RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION.
Introduced by: Takamine D
Amends Act 30, session laws of 2009, requiring the Hawaii civil rights commission to adopt rules to conform state law protections against disability discrimination to the Americans with Disabilities Act Amendment Act of 2008, by extending the deadline to 6 months after the US Equal Employment Opportunities Commission publishes final rules in the Federal Register interpreting Act. -- SB2565 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then JUD

SB2566

RELATING TO MEDICAL AND REHABILITATION BENEFITS.
Introduced by: Takamine D
Amends provisions relating to medical care, services and supplies under workers' compensation law. Allows the physician or surgeon to conduct diagnostic testing or engage in a 1 time consultation for a subspecialty diagnostic evaluation and treatment recommendations for the board certified or licensed specialist; and the request for or provision of such diagnostic services shall be subject to contest by an insurer or employer. -- SB2566
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then CPC then FIN

SB2567 SD1 (SSCR 2324)

RELATING TO EDUCATION.
Introduced by: Sakamoto N
Establishes provisions relating to teaching materials; standards and assessments. Requires the department of education to approve 1 standard set of teaching materials to meet the US Department of Education's regulations determining selection criteria on standards and assessments for state application for Race to the Top fund allocations. Requires the department of education to initiate a collaborative effort with the Joint Venture Education Forum and the Department of Defense Education Activity toward the selection and approval of a standard set of teaching materials for all schools. Report to the legislature. -- SB2567 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then FIN

SB2570 SD1 (SSCR 2265)

PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII CONSTITUTION, TO CHANGE THE BOARD OF EDUCATION FROM AN ELECTED BOARD TO AN APPOINTED BOARD.
Introduced by: Sakamoto N
Proposes to amend the constitution. Requires the voting members of the board of education to be appointed by the governor with the advice and consent of the senate, from a list of candidates presented to the governor by the board of education candidate nomination commission. -- SB2570 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EDN then JUD then FIN

SB2571 SD2 (SSCR 2629)

RELATING TO THE BOARD OF EDUCATION.
Introduced by: Sakamoto N
Repeals and replaces the board of education. Provides that the board shall consist of 13 voting members who shall be appointed by the governor with the advice and consent of the senate from pools of qualified candidates presented to the governor by the board of education candidate nomination commission. Repeals the election of the board of education. Establishes the commission. Provides that the terms of members of the board that expire on November 4, 2014 shall expire on June 30, 2012. -- SB2571 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then JUD then FIN

SB2575 SD2 (SSCR 2587)

RELATING TO HOUSING.
Introduced by: Sakamoto N
Establishes an anti speculation capital gains tax on real property. Provides that if the real property was held by the seller for less than 6 months prior to the sale, the tax shall be 60 per cent of the capital gains owned; if the real property was held by the seller for 6 months but less than 12 months prior to the sale, the tax shall be 30 per cent of the capital gains owned; or if the real property was held by the seller for 12 months up to and including 24 months, the tax shall be 15 per cent of the capital gains owed. Provides that the tax shall not apply to real property sold to provide affordable rental housing for a period of not less than 10 years to a resident earning less than 140 per cent of the median Hawaii income, as determined by the department of taxation; a principal residence sold by reasons of a change in a place of employment, health, or unforeseen circumstances; or amounts realized from properties that are involuntarily converted (destroyed, stolen, seized, requisitioned, or condemned) Provides that 50 per cent of the revenues from the tax shall be deposited into the general fund and 50 per cent into the rental housing trust fund. -- SB2575 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House

Mar-03 10 Multiple Referral to HSG then FIN

SB2576 SD2 (SSCR 2590)

RELATING TO HOUSING.
Introduced by: Sakamoto N
Amends provisions relating to housing development; exemption from statutes, ordinances, charter provision, and rules. Provides that the if the housing project is a new residential development located in a school impact district the housing project shall be subject to statutes, ordinances, charter provisions, and rules relating to school impact fees and school impact district. -- SB2576 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HSG/ WLO/ then EDN then FIN

SB2578 SD1 (SSCR 2459)

RELATING TO TAXATION.
Introduced by: Sakamoto N
Provides the Hawaii residential housing income tax credit for a taxpayer who signs a binding contract to purchase a newly constructed principal residence on or after April 1, 2010, and before January 1, 2012 (sunset). -- SB2578 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HSG then FIN

SB2589 SD2 (SSCR 2619)

RELATING TO CHARTER SCHOOLS.
Introduced by: Sakamoto N
Establishes provisions relating to use of vacant public school facilities by charter schools. Requires the department of education to submit a notice of possible availability of a public school and if a vacancy is established a notice of vacancy shall be submitted to the charter school review panel and allows the department and the panel to enter into agreements to use the vacant school facility. -- Establishes provisions relating to over appropriation special fund. Establishes the special fund into which shall be deposited moneys collected under charter school funding and finance provisions. -- Prohibits the sale of a vacant school facility or portion of a school facility before the facility is made available to charter schools. -- Amends provisions relating to charter school review panel. Requires the panel to compile and submit prioritized lists of charter schools to use vacant school facilities and to enter into agreements with the department of education to use the facilities; adopt criteria for the reauthorization of charter schools; and to reauthorize each charter school no later than 4 years following the initial issue of a charter and every 4 years thereafter. -- Amends provisions relating to charter school administrative office. Requires the office to withhold funds for its operational expenses including salaries of the executive director and staff from the annual charter school general fund appropriation. Requires the office to annually report to the review panel individual and aggregate expenditures of charter schools, distinguishing between operational and instructional purposes. -- Requires the governor to withhold 10 per cent of the charter school's annual allocation until at least December 31 and after the department of budget and finance updates the comparable per pupil funding level. Annual report to the legislature. -- Repeals limits on charter schools. -- SB2589 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EDN then FIN

SB2591 SD2 (SSCR 2585)

RELATING TO THE HAWAII TEACHER STANDARDS BOARD.
Introduced by: Sakamoto N
Amends provisions relating to investigative panel for the Hawaii teacher standards board; established. Authorizes the board to delegate any of its powers and duties as it deems reasonable and proper to the executive director or other designee except adopting, amending, or repealing rules; ordering disciplinary action against a licensee; or granting or denying, or conditioning license applications. Requires applicants for licensure to submit verification that the individual has completed activities specified by the board in fulfillment of each of the teacher performance standards established by the board; show evidence of successful teaching in the previous 5 years through verification by a supervisor; and meet the professional fitness requirements established by the board. -- Requires the board to review implementation of the revised fee collections and determine if the changes result in sufficient income and if not, to submit a report to the legislature, a plan and timetable for increasing fees. -- Further requires the board to review its license renewal process. Report to the legislature. -- Requires the board and the department of education to clarify their respective powers, duties, responsibilities, and relationship for the sharing of data necessary for licensing and verifying the status of teachers. Report to the legislature. -- SB2591 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House

Mar-03 10 Multiple Referral to EDN/ LAB/ then JUD

SB2592 SD2 (SSCR 2600)

RELATING TO THE GENERAL EXCISE TAX.
Introduced by: Sakamoto N
Amends provisions relating to the Hawaii housing finance and development corporation and general excise tax to define qualified person or firm to include having necessary licenses to plan, design, finance, construct, moderate rehabilitation, and substantial rehabilitation, sale, or rental of eligible housing projects. Provides that the general excise tax exemption granted to qualified persons and firms shall apply to only that portion of rental income received from households that meet the residency and gross annual income requirements. -- SB2592 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HSG then FIN

SB2593 SD1 (SSCR 2329)

RELATING TO THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION.
Introduced by: Sakamoto N
Amends provisions relating to exemption from general excise taxes under the Hawaii housing finance and development corporation law. Requires the corporation to conduct a periodic review of all housing projects for which a claimant has received a general excise tax exemption. -- SB2593 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HSG then FIN

SB2594 SD1 (SSCR 2330)

RELATING TO HOUSING.
Introduced by: Sakamoto N
Amends provisions relating to the Hawaii housing finance and development corporation and general excise tax to define qualified person or firm to include having necessary licenses to plan, design, finance, construct, moderate rehabilitation, and substantial rehabilitation, sale, or rental of eligible housing projects. Provides that the general excise tax exemption granted to qualified persons and firms shall apply to only that portion of rental income received from households that meet the residency and gross annual income requirements. -- SB2594 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HSG then FIN

SB2595 SD1 (SSCR 2225)

RELATING TO HOUSING.
Introduced by: Sakamoto N
Amends provisions relating to the Hawaii housing finance and development corporation and general excise tax to define qualified person or firm to include having necessary licenses to plan, design, finance, construct, moderate rehabilitation, and substantial rehabilitation, sale, or rental of eligible housing projects. Provides that the general excise tax exemption granted to qualified persons and firms shall apply to only that portion of rental income received from households that meet the residency and gross annual income requirements. Provides that gross annual income shall be the income as calculated by the US Department of Housing and Urban Development in determining eligibility for the federal housing choice voucher. -- SB2595 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HSG then FIN

SB2596 SD1 (SSCR 2110)

RELATING TO GROUP LIFE INSURANCE.
Introduced by: Baker R
Establishes provisions relating to other groups; limits. Prohibits group life insurance offered to a resident of this State under a group life insurance policy issued to a group other than employee groups; debtor group; labor union groups; trustee groups; agent groups; public employee association groups; mutual benefit society groups; professional association groups; occupation, industry, or trade association groups; and to credit union groups to be delivered in this State unless the insurance commissioner finds that the issuance of the group policy is not contrary to the best interest of the public; the issuance of the group policy will result in economies of acquisition or administration; and the benefits are reasonable in relation to the premiums charged. -- Prohibits group life insurance coverage to be offered in this State by an insurer under a policy issued in another state unless the commissioner finds that the state under which the policy was issued had requirements substantially similar and those requirements have been met. Provides that premiums for the policy to be paid either from the policyholder's fund or from funds contributed by the covered person, or from both and allows insurer to exclude

or limit the coverage on any person provided that evidence of individual insurability is not satisfactory to the insurer. -- SB2596 SD1
Current Status: Feb-12 10 Introduction/Passed First Reading - House
Feb-12 10 Single Referral to CPC

SB2597

RELATING TO THE HAWAII EMPLOYERS' MUTUAL INSURANCE COMPANY.
Introduced by: Baker R
Amends provisions relating the Hawaii employers' mutual insurance company. Prohibits any implied 3rd party duty or impose additional legal liability for the company toward its members or beneficiaries beyond that explicitly created purpose and generally applicable to all issuers of workers' compensation insurance in this State. Prohibits a person to serve more than 2 consecutive full terms as director. Repeals provisions requiring the administrator to be the president of the company. Requires the company to promote safety program to policyholders through programs and activities and provides that where the company finds, upon the completion of a detailed inspection that an insured has policies and practices in place that demonstrate a high regard for employee work safety, allows the company to apply a deviation to the insured's rate structure. -- SB2597
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then CPC/ JUD/

SB2598 SD2 (SSCR 2420)

RELATING TO INSURANCE.
Introduced by: Baker R, Ige D, Espero W, Chun Oakland S, Sakamoto N, Ihara L, Nishihara C, Fukunaga C, Hooser G, English J, Tsutsui S
Establishes provisions relating to medicaid payments. Requires the State to pay a health plan with which it has contracted under the State's medicaid program according to the terms of the contract and provides that if circumstances prevent the State from complying, the State shall pay the health plan interest on any amounts remaining unpaid at a rate equal to 15 per cent per year, commencing on the day after payment is due and ending on the date of payment. Requires accrual of interest to be suspended automatically if the entity's failure to pay a claim within the applicable time limitations is the result of late payment to the entity by the state or federal government for services provided to beneficiaries of a government program. Redefines clean claim by repealing the exclusion of medicaid or medigap claims. -- SB2598 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT/ HUS/ then CPC then FIN

SB2599 SD2 (SSCR 2427)

RELATING TO HEALTH INSURANCE.
Introduced by: Baker R, Fukunaga C, Green J
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring coverage for the screening of colorectal cancer by colonoscopy and any other screening modalities that have received a grade of A or B from the US Preventative Service Task Force. -- SB2599 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC then FIN

SB2600 SD2 (SSCR 2434)

RELATING TO HEALTHCARE.
Introduced by: Baker R, Green J, Chun Oakland S
Establishes the respiratory therapists law. Prohibits person to engage in the practice of respiratory care without a valid license from the director of commerce and consumer affairs. Establishes the sunset date for the law. Appropriation out of the compliance resolution fund. ($$) -- SB2600 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC then FIN

SB2601 SD1 (SSCR 2390)

RELATING TO ATHLETIC TRAINERS.
Introduced by: Baker R
Establishes the athletic trainers law. Prohibits person to represent, advertise, or announce oneself as an athletic trainer unless the person has registered with the department of commerce and consumer affairs. -- SB2601 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TCI then CPC then FIN

SB2602 HD1 (HSCR 678-10)

RELATING TO REAL ESTATE LICENSEES.
Introduced by: Baker R

Amends provisions relating to real estate brokers and salespersons. Requires a real estate broker or real estate salesperson to provide the real estate commission with proof of having attended at least 20 hours of continuing education prior to license renewal. -- SB2602 HD1
Current Status: Mar-03 10 Passed Second Reading House as amended (HD1)

SB2603 SD2 (SSCR 2527)

RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT.
Introduced by: Baker R
Repeals the mortgage brokers and solicitors law. -- Amends the financial services loan companies law. Provides that a nondepository financial services loan company must register with the Nationwide Mortgage Licensing System and Registry if any employee acts as a mortgage loan originator as defined under the secure and fair enforcement for mortgage licensing act. -- Amends the secure and fair enforcement for mortgage licensing act to include the licensing of mortgage loan originator, a mortgage loan originator company. -- Amends Act 32, session laws of 2009. Appropriation out of the compliance resolution fund to the department of commerce and consumer affairs. ($$) -- SB2603 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to CPC/ JUD/ then FIN

SB2604 SD2 (SSCR 2474)

RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND.
Introduced by: Baker R, Green J, Fukunaga C
Amends provisions relating to use of funds appropriate to the department. Repeals provision requiring the director to convene an advisory group. Amends provisions relating to Hawaii tobacco prevention and control trust fund. Authorizes the tobacco prevention and control advisory board to specify the expediture of funds. Decreases the members of the tobacco prevention and control advisory board and requires the governor to appoint from a list of at least 4 names submitted by the speaker of the house of representatives and by the president of the senate. Act to be repealed on June 30, 2015 (sunset). -- SB2604 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then FIN

SB2607 SD2 (SSCR 2422)

RELATING TO ACTIVITY DESKS.
Introduced by: Baker R
Establishes provisions relating to record keeping requirements for client trust accounts. Prohibits an activity desk from advertising without identifying the activity desk by registration number. Prohibits failing to obtain full payment for activities prior to or at the time activity reservations are booked or placed with the activity provider or within 3 business days. -- Amends provisions relating to client trust accounts; maintenance of and withdrawal from such accounts. Requires the activity provider to hold all sums paid by any person in trust for the benefit of the person. -- Repeals provisions that allows the director of commerce and consumer affairs by rule to the use of other types of funds or accounts for client trust accounts. Increases maximum amount of coverage of the bond or irrevocable letter of credit. -- SB2607 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TCI then CPC/ JUD/

SB2610

RELATING TO CONVEYANCE TAX.
Introduced by: Baker R
Amends provisions relating to certificate of conveyance required. Requires the director of taxation to provide an image of all certificates of conveyance that were filed to the administrator of each county's real property assessment division within 10 days after the end of each week, without charge. -- SB2610
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to WLO then FIN

SB2611 SD2 (SSCR 2439)

RELATING TO VITAL STATISTICS.
Introduced by: Baker R, Tsutsui S, Kidani M
Amends provisions relating to deaths reported to county clerks to include real property assessment divisions. Requires the county clerk of each county, at agreed upon intervals, to send to the department of health an electronic list of the names of all persons who are registered to vote in the state. Requires the department of health to provide electronic verification of death, including the date of death to the clerk of applicable county, with respect to any name on the list that matches the death records

kept by the department of health. Requires the real property assessment division of each county to send to the department of health, at agreed upon intervals, an electronic list of names of all persons who are real property owners with homeowners' tax exemptions in the State. Requires the department to provide electronic verification of death, including the date of death, to the real property assessment divisions of the applicable county, with respect to any name on the list that matches the death records kept by the department of health. Authorizes the department to charge for verification fees to be deposited into the vital statistics improvement special fund. Repeals provision that require special fund proceeds to not be used to supplant any other moneys previously allocated to the program. -- SB2611 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then FIN

SB2614

RELATING TO EXCESSIVE SPEEDING.
Introduced by: Kidani M
Amends provisions relating to excessive speeding. Provides that a vehicle owned by the defendant, used in the commission of the offense, and used by the defendant in at least 2 prior convictions for offenses may be ordered by the court to be subject to criminal forfeiture. -- SB2614

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TRN then JUD

SB2617 SD1 (SSCR 2509)

RELATING TO PUBLIC AGENCY MEETINGS.
Introduced by: Kidani M, Ihara L, Hooser G, Sakamoto N, Espero W, Baker R, Kim D
Amends provisions relating to executive meetings. Prohibits an executive meeting from being held unless properly noticed in advanced. -- Amends provisions relating to notice. Requires the board to maintain a list of names, and electronic and postal mail addresses of persons who request notification and to transmit a copy of the notice to their electronic mail. Requires that if no electronic mail address is listed, then the copy of the notice be mailed to such persons at their last recorded postal address no later than the time the agenda is filed with the office of the lieutenant governor or the appropriate county clerk's office. -- Amends provisions relating to emergency meetings. Amends provisions relating to emergency meetings. Requires a board to obtain concurrence from the director of the office of information practices to be able to hold an emergency meeting. -- Amends provisions relating to minutes. Allows the board, upon request, to electronically mail minutes that have become public record, or if the requestor does not have an electronic mail address, then the minutes may be mailed to the requestor at the requestor's last recorded postal address. -- SB2617 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to JUD then FIN

SB2625 SD2 (SSCR 2530)

RELATING TO OUT-OF-STATE OFFICES.
Introduced by: Kim D, Sakamoto N, Nishihara C, Kidani M
Establishes provisions relating to audits; frequency. Requires the department of business, economic development, and tourism to conduct at least every 2 years a financial audit of the out of state offices. Report to the legislature. -- Requires the department to cease expending or transferring any of its remaining federal reimbursement marketing development cooperator program funds until it consults with the legislature and the department of budget and finance to determine whether the funds should remain in the possession of the department or be deposited in the state treasury. -- Requires the state procurement office to review all fiscal materials related to the 2005 trade mission, in consultation with the Pacific and Asian Affairs Council and the Hawaii Pacific Export Council, to determine whether the department of business, economic development, and tourism directly influenced or engaged in the expenditure of the mission funds and was subject to procurement laws. Report to the legislature. -- SB2625 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EBM then LMG then FIN

SB2626 SD1 (SSCR 2616)

RELATING TO PUBLIC SERVICE.
Introduced by: Kim D, Kidani M, Espero W
Establishes provisions relating to non civil service, temporary employees; report by state agencies. Requires every state agency to report to the legislature all non civil service, temporary employees employed by the agency each quarterly period of the fiscal year. -- Amends provisions relating to probationary service and other requirements for membership in the civil service. Provides that a person occupying a position exempt

from civil service has an initial probation period of not less than 12 months commencing from the person's initial appointment to the civil service position that the person is transferring or being hired into. Act to be repealed on December 31, 2012 (sunset).-- SB2626 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to LAB then FIN

SB2643 SD1 (SSCR 2267)

RELATING TO GENERAL EXCISE TAX.
Introduced by: Nishihara C
Amends Act 239, session laws of 2007, as amended by Act 196, session laws of 2009, which provides that the general excise tax exemption includes amounts received by a submanager of an association of apartment owners of a condominium property regime or a nonprofit homeowners or community association in reimbursement for sums paid for common expenses and further provides a general excise tax exemption for amounts received by the operator of a hotel from the owner of the hotel to include amounts from a timeshare association and amounts received by the suboperator of a hotel from the owner of the hotel, from a timeshare association, or from the operator of the hotel, by repealing the sunset date. -- Amends Act 196 session laws of 2009, by clarifying that the aggregate amount of the tax exemption shall not exceed 400,000 dollars per calendar year. -- SB2643 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2646 SD1 (SSCR 2360)

RELATING TO HAWAII SURFING RESERVES.
Introduced by: Hemmings F, Bunda R, Galuteria B, Slom S, Chun Oakland S, Green J
Establishes provisions relating to Hawaii surfing reserves. Establishes the Waikiki Hawaii surfing reserve which includes the Waikiki area and the north shore Hawaii surfing reserve and certain areas of the north shore. -- SB2646 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM/ TCI/ then WLO

SB2649 SD2 (SSCR 2460)

RELATING TO UNIVERSITY OF HAWAII PROJECTS.
Introduced by: Tokuda J, Tsutsui S
Amends Act 138, session laws of 2005, relating to appropriation for the construction and repair of university housing units by extending the appropriation to June 30, 2012 (sunset). ($$) -- SB2649 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HED then FIN

SB2650 SD2 (SSCR 2581)

RELATING TO THE DEPARTMENT OF HUMAN SERVICES.
Introduced by: Bunda R
Establishes provisions relating to medicaid contracts; health care insurance plan contractors; reimbursements to home and community based case management agencies. Requires that in any contract entered into with a medicaid healthcare insurance plan contractor that provides reimbursement to home and community based case management agencies, the department of human services shall include contract provisions that specify the duties and obligations of the medicaid health care insurance plan contractor to the home and community based case management agency. -- Prohibits a medicaid healthcare insurance plan contractor to reduce reimbursement rates to the home and community based case management agency in excess of 10 per cent. -- Prohibits a plan contractor to enter into, or renew, any policy with a home and community based case management agency unless the policy contains maximum reimbursement levels for chore services and non emergency medical transportation. -- SB2650 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HUS/ HLT/ then FIN

SB2659 SD2 (SSCR 2446)

RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to preference for recycled oil products. Allows any procurement officer that purchases lubricating oil and industrial oil to purchase the oil from the seller who certifies the oil product containing the greatest percentage of recycled oil. Allows each procurement officer to establish and maintain an affirmative program for procuring oils containing the maximum content of recycled oil. -- Repeals provisions relating to governmental relations and cooperative purchasing. -- SB2659

SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM then EEP then FIN

SB2661 SD2 (SSCR 2438)

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 for claims against the State for the overpayment of taxes, refunds, reimbursements, payments of judgments or settlements, or other liabilities. ($$) -- SB2661 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to JUD then FIN

SB2662 SD2 (SSCR 2548)

RELATING TO PORNOGRAPHY OFFENSES AGAINST CHILDREN.
Introduced by: Hanabusa C (BR)
Amends provisions relating to promoting pornography for minors. A person commits the offense of promoting pornography for minors if the person knows its character and content and disseminates the material to a minor known by the person to be under the age of 18 years; or another person who represents that person to be under the age of 18 years. -- Amends provisions relating to felonies for which criminal charges may be instituted by written information by adding promoting child abuse in the 3rd degree. -- SB2662 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Single Referral to JUD

SB2669 SD2 (SSCR 2534)

RELATING TO THE SOLICITATION OF FUNDS FROM THE PUBLIC.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to service of process; substituted service. Requires a charitable organization, professional fundraising counsel, or professional solicitor that either has its principal place of business outside of the State or is organized under the laws of another state, and does not have a registered agent with the department of commerce and consumer affairs, is considered to have irrevocably appointed the department of the attorney general as its agent for the service of a summons, subpoena, or other process directed to the charitable organization, professional fundraising counsel, or professional solicitor, or to a director, officer, partner, or principal of the charitable organization, professional fundraising counsel, or professional solicitor in an investigation, action, or other proceeding. -- Provides that if the charitable organization files an IRS Form 990 or 990EZ with the Internal Revenue Service, the annual report shall be the IRS Form 990 or 990EZ. In the case of a charitable organization that is not required to file an IRS Form 990 or 990EZ, the annual report shall contain information prescribed by law and by rule adopted by the department. -- Provides that charitable organizations exempted from registration and financial disclosure requirements include educational institutions accredited by the Hawaii association of independent schools; the Hawaii council of private schools; the western association of schools and colleges; or the national association for the education of young children or any corporation established by an act of Congress that is required to submit an annual report to Congress, fully audited by the US Department of Defense, of its activities including itemized accounts of all receipts and expenditures. -- SB2669 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to JUD/ CPC/ then FIN

SB2676 SD1 (SSCR 2470)

RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION.
Introduced by: Hanabusa C (BR)
Appropriation out of the aloha tower fund to the aloha tower development corporation for the settlement of a claim with Kenneth H. Hughes, Inc. ($$) -- SB2676 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2685 SD1 (SSCR 2443)

RELATING TO UNCLAIMED PROPERTY.
Introduced by: Hanabusa C (BR)
Amends provisions relating to unclaimed property. Repeals specific number of days in which claims must be acted upon. -- SB2685 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SENATE BILLS THAT PASSED THIRD READING

SB2691 SD1 (SSCR 2130)

RELATING TO THE PAYMENT OF EMPLOYEES' RETIREMENT SYSTEM BENEFITS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to the payment of refunds and retirement benefits. Provides for the payment of state retirement system benefits on a monthly basis by direct deposit to a financial institution account. -- SB2691 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then FIN

SB2695 SD1 (SSCR 2341)

RELATING TO NON-GENERAL FUNDS.
Introduced by: Hanabusa C (BR)
Authorizes the director of finance to transfer from the wireless enhanced 911 fund, the state motor pool revolving fund, the state risk management revolving fund, the medicaid investigations recovery fund, and the university of Hawaii housing assistance revolving fund to the general fund. ($$) -- SB2695 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2697 SD1 (SSCR 2389)

RELATING TO INSURANCE.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to statement of actuarial option; property and casualty insurance; confidentiality. Provides that the statement of actuarial opinion shall be provided with the annual statement in accordance with the property and casualty annual statement instruction as adopted by the national association of insurance commissioners and shall be treated as a public document. Amends provisions relating to the insurance code. Requires licensed agents, brokers, solicitors, adjusters, and bill reviewers to report to the insurance commissioner any civil or administrative action taken against them or any criminal prosecution against them. Amends provisions relating to confidentiality of documents, materials or other information in possession or control of the commissioner. -- Repeals provisions requiring the managing agent to be bonded from licensing provisions but establishes bonding requirements for contracts between a managing agent and the insurer. -- Requires insurers to keep the bond and errors and omissions policy on file for review by any applicable commissioner. -- Provides that failure to satisfy, pay, or discharge a final, non appealable bail forfeiture judgment within 60 days following notice of entry of judgment is grounds for the commissioner to deny, place on probation, suspend, revoke, or refuse to issue or renew a bail agent's license and allow for a civil fine or penalty. -- Amends provisions relating to accident and health or sickness insurance to require changes to wording in policies to be certified by an officer of the insurer instead of the commissioner and for the officer and for the office to certify conformity with requirements of state statutes. -- Amends provisions relating to motor vehicle to require the commissioner to public notice of the availability of a list of insurers. Requires insurers to make available and submit a report of claims at the requests of the commissioner. -- Amends provisions relating to the interstate insurance product regulation compact by providing that the State has opted out of all uniform standards involving long term care insurance products. Repeals the governor authority to appoint with the advice and consent of the senate, the member of the interstate insurance product regulation commission. -- SB2697 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to CPC/ JUD/

SB2698 SD2 (SSCR 2415)

RELATING TO INSURANCE.
Introduced by: Hanabusa C (BR)
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) to require coverage for any qualified child at the option of the principal enrollee. -- SB2698 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC

SB2699 SD1 (SSCR 2108)

RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES.
Introduced by: Hanabusa C (BR)
Amends provisions relating to biennial renewal; fees; failure to renew under chiropractic law. Allows for the restoration of license within 2 years of forfeiture upon compliance with licensing renewal requirements. -- Amends provisions relating to fees; original license and biennial renewals under real estate brokers and salespersons law. Allows for the restoration of license upon compliance with licensing renewal requirements. -- SB2699 SD1

Current Status: Feb-12 10 Introduction/Passed First Reading - House
Feb-12 10 Single Referral to CPC/ JUD/

SB2700 SD1 (SSCR 2356)

RELATING TO THE DENTAL LICENSURE EXAMINATION.
Introduced by: Hanabusa C (BR)
Amends provisions relating to American Board of Dental Examiners (ADEX) examination; regional examinations by changing it to dental licensure examination. Requires and applicant to take and pass the American board of dental examiners (ADEX) or the central regional dental testing service (CRDTS) national dental examination. -- SB2700 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC

SB2701 SD1 (SSCR 2357)

RELATING TO CONSUMER PROTECTION.
Introduced by: Hanabusa C (BR)
Amends provisions relating to prepaid legal services. Requires the plan administrator to have responsibilities of a trustee for all funds received or collected. Requires the plan administrator to obtain a bond in an amount and form approved by the insurance commissioner. Provides for penalties if the plan administrator diverts or appropriates funds to the administrator's own use. Requires the plan to be filed with the insurance commissioner within 60 days after the end of its fiscal year. Allows the commissioner to deny, suspend, revoke or refuse to approve any plan or plan amendments and may levy civil penalties for any violation. -- SB2701 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to CPC then JUD

SB2702 SD2 (SSCR 2430)

RELATING TO A MAJOR DISASTER TRUST ACCOUNT.
Introduced by: Hanabusa C (BR)
Amends provisions relating to major disaster fund. Requires federal reimbursement moneys for disaster relief to be deemed to be trust moneys and may be deposited into a trust account with and under the control of the department of defense. Requires the moneys and any interest earned to be used for any major disaster and prohibits the moneys from lapsing into the general fund. Appropriation into the trust account. ($$) -- SB2702 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to PBS then FIN

SB2709 SD1 (SSCR 2141)

RELATING TO ENVIRONMENTALLY SENSITIVE PRODUCTS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to environmentally sensitive cleaning and maintenance products for use in public schools. Adds products that have been approved by the design for the environment program of the US Environmental Protection Agency or the EcoLogo program administered by TerraChoice Environmental Marketing Inc. -- SB2709 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EDN then EEP then FIN

SB2710 SD2 (SSCR 2606)

RELATING TO BOARD MEETINGS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to meeting by videoconference; notice; quorum by changing it to meeting by interactive conference technology; notice; quorum. Allows a board to hold a meeting by interactive conference technology provided that there is audio, or audio and visual interaction between all members. -- SB2710 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to JUD then FIN

SB2715

RELATING TO PETROLEUM INDUSTRY REPORTING.
Introduced by: Hanabusa C (BR)
Suspends the petroleum industry monitoring, analysis and reporting program. Transfers to the general fund all unexpended and unencumbered moneys remaining in the petroleum industry monitoring, analysis, and reporting fund at the close of fiscal year 2009 - 2010. -- SB2715
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EEP then CPC then FIN

SB2716 SD2 (SSCR 2613)

RELATING TO CHILD PROTECTIVE ACT.

Introduced by: Hanabusa C (BR)
Repeals and replaces the child protective act. -- SB2716 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HUS then JUD then FIN

SB2726 SD2 (SSCR 2554)

RELATING TO TIME FRAMES TO REGAIN FITNESS TO PROCEED.
Introduced by: Hanabusa C (BR)
Amends provisions relating to effect of finding of unfitness to proceed. Requires the commitment to be limited to no longer than 60 days from the date the court determines the defendant lacks fitness to proceed when charged with a petty misdemeanor not involving violence or attempted violence. Requires the commitment to be limited to no longer than 120 days from the date the court determines the defendant lacks fitness to proceed when the defendant is charged with a misdemeanor not involving violence or attempted violence. -- Requires the release of a defendant charged with a petty misdemeanor not involving violence or attempted violence to continue for 60 days and the release of a defendant charged with a misdemeanor not involving violence or attempted violence to continue for 120 days. -- Requires that if a defendant is not found fit to proceed prior to the expiration of the commitment, the charge for which the defendant was committed shall be dismissed and released from custody unless the defendant is subject to prosecution for other charges or subject to involuntary civil commitment. -- SB2726 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HLT then JUD then FIN

SB2728 SD2 (SSCR 2555)

RELATING TO TRAUMA.
Introduced by: Hanabusa C (BR)
Amends provisions relating to technical assistance, data collection, evaluation under the state comprehensive emergency medical services system. Authorizes the department of health to form multidisciplinary and multiagency advisory committees to analyze, evaluate, and recommend improvements to the statewide trauma system and the services it provides to the public. Allows that within any advisory committee, a system performance review subcommittees may be created for the express purpose of reviewing confidential patient care records and related document in order to make recommendations on improvements to the trauma care system and quality care of providers. Prohibits members to be compelled to testify in any civil or criminal proceedings. -- SB2728 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HLT then JUD

SB2729 SD2 (SSCR 2440)

RELATING TO IMMUNIZATION.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to immunization registry. Requires the department of health to establish and maintain an immunization information system to be designated as the Hawaii immunization registry to maintain a single statewide repository of immunization records to aid, coordinate, and help promote efficient and cost effective screening, prevention, and control of vaccine preventable diseases. -- SB2729 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then FIN

SB2738 SD2 (FLOOR AMENDMENT 3)

RELATING TO THE LEGACY LAND CONSERVATION COMMISSION.
Introduced by: Hanabusa C (BR)
Amends provisions relating to acquisition of resource value land. Defines the commission to mean the legacy land conservation commission. Requires the chairperson of the natural area reserves system commission or chairperson's designated representative to serve as an ex officio voting member and the members of the commission tp elect the chairperson of the commission. -- Requires the legacy land conservation commission to advise the department of land and natural resources and the board on any requests for grants from the fund to a qualifying state or county agency or nonprofit land conservation organization for the protection of the environment and lands from harmful invasive species infestations and any costs related to harmful invasive species eradication efforts throughout the state. -- Requires the fund to be used for costs related to the control and eradication of harmful invasive species infestations throughout the state and related efforts of the invasive species council. -- SB2738 SD2
Current Status: Mar-04 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to WLO/ EEP/ then FIN

SENATE BILLS THAT PASSED THIRD READING

SB2740

RELATING TO SAINT DAMIEN DE VEUSTER DAY.
Introduced by: Hanabusa C (BR)
Amends the Father Damien DeVeuster Day on April 15 to the Saint Damien de Veuster Day on May 10 of each year. -- SB2740
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to TCI

SB2745 SD2 (SSCR 2610)

RELATING TO CONTROLLED SUBSTANCES.
Introduced by: Hanabusa C (BR)
Amends provisions relating to the uniformed controlled substances act. Amends schedule I to include salvia divinorum, salvinorin A, divinorin A, and tapentadol. Amends schedule IV to include fospropofol (lusedra). Amends schedule V to include lacosamide [(R) 2 acetoamido N benzyl 3 methoxy propionamide], (vimpat). -- Amends provisions relating to order to show cause. Provides that if, upon examination of the application for registration or registrant, and other information gathered by the department of health regarding the applicant or regarding any registrant, and the administrator is unable to make a determination required by the applicable provisions and rule, allows the administrator to serve upon the applicant an order to show cause why the application or registration should not be denied, revoked or suspended. Repeals provisions requiring the circuit court in which the hearing is held to enforce by appropriate order the attendance and testimony of witnesses so subpoenaed. Provides that intentional or knowing failure to transmit any information including a request by the designated state agency for data collection, shall be a misdemeanor and may incur administrative fines. Repeals the exemption for dietary supplements to be regulated by proper identification. Repeals provisions that allow access to the information shall be limited to the drug enforcement administration division group supervisor. Allows the administrator to disclose investigative information to include the US attorneys and county prosecuting attorneys. Increases the number of years after which a designated state agency is required to purge patient prescription data. -- SB2745 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HLT then JUD

SB2747 SD2 (SSCR 2500)

RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.
Introduced by: Hanabusa C (BR)
Amends income tax provisions to conform the Hawaii income tax law to the Federal Internal Revenue Code. Provides that section 139C (with respect to COBRA premium assistance), section 853A (with respect to credits from tax credit bonds allowed to shareholders), section 1400U-1 (with respect to allocation of recovery zone bonds), section 1400U-2 (with respect to recovery zone economic development bonds), section 1400U-3 (with respect to recovery zone facility bonds), 63(c)(1)(E) (relating to the motor vehicle sales tax deduction), and 63(c)(9) (defining the motor vehicle sales tax deduction) shall not be operative for income tax purposes. Provides that section 85 (with respect to unemployment compensation) shall be operative except that Section 85(c) shall not be operative. Provides that section 108 (with respect to income from discharge of indebtedness) shall be operative except that section 108(i) (relating to deferral and ratable inclusion of income arising from business indebtedness discharged by the reacquisition of a debt instrument) shall not be operative. Provides that (f) Section 132 (with respect to certain fringe benefits) shall be operative except that the provision in Section 132(f)(2) that equalizes the dollar amounts for Sections 132(f)(2)(A) and (B) after February 17, 2009, until January 1, 2011, shall not be operative and except that Section 132(n) shall not apply to US Department of Defense Homeowners Assistance program payments authorized by the American Recovery and Reinvestment Act of 2009. Provides that Section 163(e)(5)(F) (suspension of applicable high-yield discount obligation (AHYDO) rules) and Section 163(i)(1) as it applies to debt instruments issued after January 1, 2010, (defining AHYDO) shall not be operative. Provides that section 164 (with respect to taxes) shall be operative except that Sections 164(a)(6) and 164(b)(6) shall not be operative. Provides that section 382 (with respect to limitation on net operating loss carryforwards and certain built in losses following ownership change) shall be operative except that Section 382(n) shall not be operative. Provides that Section 408A (with respect to Roth Individual Retirement Accounts) shall be operative including section 408A(d)(3)(A)(iii), except that the inclusion of income shall be for a 2 year period (sunset). Provides that section 529 (with respect to qualified tuition programs) shall be operative except that sections 529(c)(6) and 529(e)(3)(A)(iii) shall not be operative. Provides that Section 1202 (with respect to partial exclusion for gain from certain small business stock) shall be operative for purposes except that

section 1202(a)(3) shall not be operative. Provides that subchapter s(sections 1361 to 1379) (with respect to tax treatment of s corporations and their shareholders) shall be operative except that sections 1374(d)(7)(B) and 1374(d)(7)(C) shall not be operative. Provides that the election for the carryback for 2008 or 2009 net operating losses of small businesses as provided in Section 172(b)(1)(H) shall not be operative. -- SB2747 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2749 SD1 (SSCR 2343)

RELATING TO TAX CREDITS.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to income tax credits; priority; tax of credit claims. Provides that with respect to offsetting income tax credits against a taxpayer's income tax liability, tax credits that may be refunded or paid to the taxpayer who has no income tax liability shall be claimed 1st, followed by non refundable tax credits that may be used as credit against taxes in subsequent years until exhausted. -- SB2749 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2752 SD1 (SSCR 2618)

RELATING TO TAX ADMINISTRATION.
Introduced by: Hanabusa C (BR)
Establishes provisions relating to criminal tax penalties; assessment for cost of investigation. Provides that any person who is convicted or is granted a deferred acceptance of guilty plea of an offense for failure to file tax returns or fraudulent returns shall be assessed by the court the reasonable cost of investigating the violation which shall be deposited into the tax administration special fund. -- SB2752 SD1

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to JUD then FIN

SB2754

RELATING TO COMMERCIAL DRIVER LICENSING.
Introduced by: Hanabusa C (BR)
Amends provisions relating to commercial driver's license. Requires the examiner of drivers to disqualify any person from driving a commercial motor vehicle for a period of not less than 180 days and not more than 1 year for a 1st violation, or for at least 2 years and not more than 5 years for a 2nd violation committed in a commercial motor vehicle transporting non hazardous materials. -- Requires the examiner of drivers to disqualify any person from driving a commercial motor vehicle for a period of not more than 2 years for a 1st violation committed in a vehicle transporting hazardous materials required to be placarded. -- SB2754

Current Status: Feb-11 10 Introduction/Passed First Reading - House
Feb-12 10 Multiple Referral to TRN then JUD

SB2756 SD2 (SSCR 2486)

RELATING TO COST SHARING IN THE RELOCATION AND UNDERGROUNDING OF UTILITY FACILITIES.
Introduced by: Hanabusa C (BR)
Amends provisions relating to relocation of utility facilities. Provides that whenever, as the result of the work of construction, reconstruction, or maintenance of any state highway or state or county federal aid highway, it is necessary to provide for or require the removal, relocation, replacement, or reconstruction of any utility facility, and the expense of removal, relocation, replacement, or reconstruction exceeds 10,000 dollars, 1/2 of this excess expense shall be a proper charge against the state or county funds available for the construction or maintenance of state or county highways and the balance of costs shall be borne by the utility. Provides that when federal highway funds are available to pay for federal share of the cost, the federal highway funds shall be appropriated toward 80 per cent of the total cost to underground existing utility facilities and 10 per cent of the total cost to underground shall constitute the state or county highway agency's share and the remaining 10 per cent of the total cost shall constitute the utility's share. Prohibits the federal highway funds to be used for telecommunications carrier utility owner. -- SB2756 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TRN then CPC then FIN

SB2757 SD2 (SSCR 2464)

RELATING TO COMMERCIAL DRIVER LICENSING.
Introduced by: Hanabusa C (BR)
Amends provisions relating to commercial driver's license. Requires commercial driver licenses for drivers less than 72 years of age to be for 8 years. Appropriation out of the

state highway fund to prepare for the REAL ID Act. ($$) -- SB2757 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TRN then FIN

SB2758

RELATING TO SAFETY INSPECTION OF MOTOR CARRIER VEHICLES.
Introduced by: Hanabusa C (BR)
Amends provisions relating to exemptions, certain vehicles. Clarifies the exemption of certain vehicles if such vehicles are in compliance with safety ordinances and rules of the county in which they operate and other applicable state safety laws except vehicles used in transporting material found by the US Secretary of Transportation to be hazardous and transporting in a quantity requiring placarding. -- SB2758
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TRN then FIN

SB2759

RELATING TO DRIVER LICENSING.
Introduced by: Hanabusa C (BR)
Amends provisions relating to licenses. Requires that any person operating a vehicle that is not a commercial motor vehicle shall be examined by a duly licensed examiner of drivers. -- SB2759
Current Status: Feb-11 10 Introduction/Passed First Reading - House
Feb-12 10 Multiple Referral to TRN then JUD

SB2768 SD2 (SSCR 2561)

RELATING TO PAROLE.
Introduced by: Espero W
Establishes provisions relating to continuum of administrative sanctions. Allows the Hawaii paroling authority to utilize a continuum of administrative sanctions for violations of terms and conditions of parole including modifications or additions to the terms and conditions of parole. -- SB2768 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to PBS then FIN

SB2770 SD1 (SSCR 2303)

RELATING TO REMOTE DISPENSING PHARMACY.
Introduced by: Espero W, English J
Amends provisions relating to definitions under pharmacist and pharmacy law. Redefines remote dispensing machine to mean a device used for dispensing unit of use drugs that is operated using information technologies and is located in a remote dispensing pharmacy. Defines remote dispensing pharmacy to mean the area in an institutional facility, including a federally qualified health center that provides outpatient medical care in any county, where prescription drugs are dispensed through the use of a remote dispensing machine. -- SB2770 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HLT then CPC

SB2771 SD1 (SSCR 2353)

RELATING TO KALAUPAPA.
Introduced by: English J, Hanabusa C
Amends provision relating to department of health; department of land and natural resources; transfer of lands under Hansen's disease law. Provides that when there is no longer any person receiving care for Hansen's disease at the Kalaupapa settlement, the department of health and the department of land and natural resources shall transfer respective control of all parcels of land in Kalawao county and any administrative authority over Kalawao county to the department of Hawaiian home lands. -- Amends provisions relating to the Hawaiian homes commission act of 1920. Provides that if a sovereign native Hawaiian entity is recognized all transfers shall be to that sovereign native Hawaiian entity. Provides that the county of Maui shall have no authority in the county of Kalawao. -- Repeals provisions relating to a sheriff in Kalawao county. -- SB2771 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HAW/ HLT/ then WLO then FIN

SB2772 SD2 (SSCR 2535)

RELATING TO VETERINARY MEDICINE.
Introduced by: Hee C
Amends provisions relating to refusal to grant and revocation or suspension of license. Allows the board of veterinary examiners to revoke or suspend the license of a veterinarian, or fine the licensee, or both, for cause, including conviction of or pea of nolo contender to a penal offense substantially related to the qualification, function, or duties of a veterinarian, or conduct or practice contrary to the recognized principles of

medical ethics of veterinary profession adopted by the Hawaii veterinary medical association and the American veterinary medical association. -- SB2772 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to CPC then JUD

SB2775 SD1 (SSCR 2133)

RELATING TO PUBLICITY RIGHTS NAMES AS DISTINGUISHED FROM TRADE NAMES AND SPECIFYING REGISTRATION PROCEDURES FOR PUBLICITY RIGHTS NAMES BY AMENDING CHAPTER 482P.
Introduced by: Fukunaga C
Establishes the recording, issuance, and effect of certificate. Allows any person desiring to register a publicity rights name to obtain a certificate of registration of the publicity rights name by filing in the office of the director of commerce and consumer affairs and paying a fee. Changes publicity rights trade name registration to publicity rights name registration. -- SB2775 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to TCI/ EBM/ then CPC/ JUD/

SB2779

RELATING TO MEDICAL PROCEDURES.
Introduced by: Fukunaga C
Amends provisions relating to informed consent. Requires the patient or patient's guardian or legal surrogate to be informed of the amount of radiation exposure to the patient and the attendant health risks, if any, from such exposure prior to obtaining consent to a proposed medical or surgical treatment or a diagnostic or therapeutic procedure for x rays and computed tomography scans. -- SB2779
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then JUD

SB2780 SD2 (SSCR 2469)

RELATING TO AGRICULTURAL LANDS.
Introduced by: Hee C
Establishes provisions relating to agricultural leases of real property. Provides that whenever any agreement or document for the lease of private agricultural lands with soil classified by the land study bureau's detailed land classification as productivity rating class A or B for agricultural use in counties with populations of over 500,000 is entered into after July 1, 2010 and provides for the renegotiation of the rental amount and the term of the lease, and the lessee has made improvements or is seeking to make improvements on the land, the renegotiated term of the lease shall include extension of the lease for a period of not less than 75 per cent of the original term of the lease; provided that the lessor may agree to a shorter term or to termination of the agreement only if so offered by the lessee; provided further that any additional terms and conditions is to be mutually agreed upon by the lessor and lessee and is to be reasonable. -- Provides that for a boundary amendment for agricultural lands with soil classified by the land study bureau's detailed land clasification as overall (master) productivity rating Class A or B, no amendment of a land use district boundary shall be approved in counties with a population of over 500,000, under certain conditions. -- SB2780 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to WLO/ AGR/ then JUD

SB2786 SD2 (SSCR 2447)

RELATING TO THE DEPARTMENT OF EDUCATION.
Introduced by: Ihara L, Hemmings F, Slom S, Chun Oakland S
Establishes provisions relating to searchable budget database. Requires the department of education to develop, maintain, and make available, a searchable budget database website. -- SB2786 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then FIN

SB2788 SD1 (SSCR 2358)

RELATING TO CABLE TELEVISION SYSTEMS.
Introduced by: Nishihara C, Fukunaga C
Amends provisions relating to issuance of cable franchise authority; criteria; content. Allows the director of commerce and consumer affairs to conduct reviews and develop a technology upgrade plan for its cable system after every 5 years period during the franchise term if the director determines that substantial technological or regulatory changes necessitate a review. -- SB2788 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to CPC/ JUD/ then FIN

SB2790 SD1 (SSCR 2492)

RELATING TO EDUCATION.

Introduced by: Sakamoto N, Tsutsui S, Kidani M
Establishes provisions relating to potentially harmful situations. Provides that after the occurrence of a situation that may have caused physical, psychological, or emotional harm to a child during a school activity, the appropriate teachers, educational officers, and school administrators are required to consider the health, safety, and well being of any child involved in the situation and provide as much information as the school authority deems necessary to prevent or mitigate harm to the child or children as a result of the situation. Requires the department of education to provide training for communicating information. -- SB2790 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN/ LAB/ then JUD then FIN

SB2797 SD2 (SSCR 2599)

RELATING TO VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION TRUSTS.
Introduced by: Takamine D, Hooser G, Fukunaga C, Chun Oakland S
Amends Act 245, session laws of 2005, as amended by Act 294, session laws of 2007, Act 16, session laws of Hawaii 2008, and Act 5, special session laws of 2008. Allows retirees and future retirees who are members of an employee organization that establishes a voluntary employees' beneficiary association (VEBA) to be provided the opportunity to join this trust once it is established. Participants may transfer from the Hawaii employer union health benefits trust fund to VEBA trust fund. Extends the sunset date to July 1, 2012. -- SB2797 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB/ EDN/ then FIN

SB2799 SD2 (SSCR 2537)

RELATING TO UNIFORM REAL PROPERTY TRANSFER ON DEATH.
Introduced by: Takamine D
Establishes provisions relating to uniform real property transfer on death act. Establishes that an individual may transfer property to 1 or more beneficiaries effective at the transferor's death by a transfer on death deed. Allows transfer on death deed to be revocable even if the deed or another instrument contains a contrary provision and it is nontestamentary. -- Requires the disclaimer of an interest in real property to be recorded in the bureau of conveyances or filed in the office of the assistant registrar of the land court, as applicable. -- SB2799 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to JUD then FIN

SB2800 SD1 (SSCR 2511)

RELATING TO OFFENSES AGAINST PUBLIC ORDER.
Introduced by: Taniguchi B
Amends provisions relating to offenses against public order; definition. Defines primary pet enclosure definition to mean any kennel, cage, or structure used to restrict an animal to a limited area of space. Redefines necessary sustenance to expand area of confinement in a primary pet enclosure. -- SB2800 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Single Referral to JUD

SB2803 SD1 (SSCR 2369)

RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL.
Introduced by: Tokuda J
Amends provisions relating to regents candidate advisory council for the board of regents of the university of Hawaii. Requires the council to ensure student involvement in the recruitment and evaluation of candidates for the student member of the board of regents by establishing a student advisory group. Prohibits anyone from being appointed as a member of the regents candidate advisory council if within the 5 years immediately preceding that appointment, the person served on the all campus council of faculty senate chairs of the university of Hawaii. Prohibits anyone from being appointed beginning on July 1, 2010, as a member of the council if within 1 year immediately preceding that appointment, the person served on the executive council of the university of Hawaii student caucus. -- SB2803 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to HED

SB2806 SD2 (SSCR 2622)

RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND.
Introduced by: Tsutsui S, Sakamoto N, Chun Oakland S, Nishihara C, Hooser G, Kidani M, Tokuda J, Galuteria B
Amends provisions relating to the emergency and budget reserve fund (rainy day fund). Requires the director of finance to deposit 5 per cent of the state general fund balance at the close of the fiscal year, whenever state general fund revenues for each of 2

successive fiscal years exceeds revenues for each fiscal years by 5 per cent. Prohibits transfers to be made to the fund whenever the balance of the fund is equal to or more than 10 per cent of general fund revenues for the preceding fiscal year. Requires all interest earned from moneys in the fund to be credited to the fund instead of the general fund. Amends Act 119, session laws of 2009. -- SB2806 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Single Referral to FIN

SB2807 SD2 (SSCR 2567)

PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE TAX REBATE REQUIREMENT.

Introduced by: Tsutsui S, Sakamoto N, Kim D, Chun Oakland S, Hooser G, Tokuda J, Kidani M, Nishihara C

Proposes to amend the constitution. Amends the provision that whenever the state general fund balance at the close of each of 2 successive fiscal years exceeds 5 per cent of general fund revenues for each of the 2 fiscal years, the legislature in the next regular session shall provide for a tax refund or tax credit by allowing deposit of the excess moneys into the emergency and budget reserve fund (rainy day fund). -- SB2807 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to JUD then FIN

SB2809 SD2 (SSCR 2477)

RELATING TO UTILITIES REGULATION.

Introduced by: Baker R

Appropriation out of the public utilities commission special fund to the public utilities commission for operations of the commission, including funding positions and expenses related to relocation. Requires other state and county agencies to assist the commission. Requires the department of human resources development to work with the commission on job descriptions. -- Appropriation out of the public utilities commission special fund to the department of commerce and consumer affairs for the operations of the division of consumer advocacy, including funding positions and training. ($$) -- SB2809 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to CPC then FIN

SB2810 SD2 (SSCR 2441)

RELATING TO PRESCRIPTION DRUGS.

Introduced by: Baker R

Establishes provisions relating to medication therapy management. Requires each pharmacy in the State that provides pharmacy services to qualified patients to maintain the capacity to offer medication therapy management services and to have on file at the pharmacist's place of practice a written collaborative pharmacy practice agreement. Requires rather than allows prescription records to be electronically maintained using an appropriate prescription information processing system. Requires records to be maintained electronically such that the information contained in the records is readily retrievable during the pharmacy's normal operating hours. -- SB2810 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT/ HUS/ then CPC then FIN

SB2811 SD2 (SSCR 2416)

RELATING TO PHARMACIES.

Introduced by: Baker R, Espero W, Kidani M, English J

Establishes provisions relating to electronic prescription; capacity required. Requires every pharmacy and remote dispensing pharmacy operating under a permit or prior notification issued to have the capacity to maintain prescription records electronically and to accept and transmit prescription information electronically or by facsimile. -- SB2811 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC

SB2812 SD1 (SSCR 2109)

RELATING TO CAPTIVE INSURANCE COMPANIES.

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

Amends provisions relating to examinations and investigations under captive insurance companies law. Allows the insurance commissioner or any authorized examiner to conduct an examination of any captive insurance company, unless the commissioner requires otherwise. Requires an examination to be conducted at least once every 5 years for all captive insurance companies; and an examination of a class 3 risk retention captive insurance company to be conducted no later than 3 years after its formation; and at least once every 5 years thereafter. Requires a sponsored captive insurance

company formed and licensed to establish and maintain 1 or more protected cells, requires the protected cell to be organized and operated in only those forms of business organization authorized by the commissioner, including an association, corporation, limited liability company, partnership, or trust. -- SB2812 SD1
Current Status: Mar-04 10 Passed Legislature

SB2817 SD1 (SSCR 2078)

RELATING TO SOLAR ENERGY DEVICES.
Introduced by: Gabbard M, Espero W
Amends provisions relating to placement of solar energy devices. Requires the rules to facilitate the placement of solar energy devices and to not render the device more than 25 per cent less efficient or increase the cost of installation, maintenance, or removal of the device by more than 15 per cent. Prohibits private entity from assessing or charging any homeowner any fees for the placement of any solar energy or require an encumbrance on title. -- SB2817 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EEP/ HSG/ then JUD

SB2818 SD2 (SSCR 2621)

RELATING TO ENVIRONMENTAL PROTECTION.
Introduced by: Gabbard M, Kidani M, Kokubun R
Amends provisions relating to office of environmental quality control. Decreases the number of members on the environmental council. Annual report to the governor and legislature. Establishes the environmental review special fund. Requires moneys in the environmental review special fund to be used to fund the activities of the office and the council; support outreach, training, education, and research programs. Establishes provisions relating to significance criteria to be used in determining whether a proposed action will have a significant adverse effect in the environment to consider. Establishes provisions relating to record of decision; mitigation which requires a public record of decisions. Amends provisions relating to fishponds; rules. Provides that repairs, strengthening, reinforcement, and maintenance and emergency repair of fishponds shall not be construed as actions requiring an environmental assessment or an environmental impact statement. Amends provisions relating to public records, and notice to include participation. Requires the office to create and maintain an electronic communication system. Establishes fees. Changes provisions relating to applicability and requirements to agency and applicant requirement. Amends provisions relating to rules under state environmental policy. Allows rules to be issued as interim rules by adoption and filing with the lieutenant governor or by posting the interim rules on the lieutenant governor's website and shall not continue in effect beyond June 30, 2012 unless the council adopts rules in conformance with the requirements. -- SB2818 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EEP/ WLO/ EBM/ then JUD then FIN

SB2819 SD2 (SSCR 2475)

RELATING TO ELECTIONS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to primary held when; candidates only those nominated. Changes the date of the primary from the 2nd to the last Saturday of September to the 2nd to the last Saturday of August. -- Amends provisions relating to nomination papers: time for filing; fees. Requires that members of Congress, state offices, county office, and board of trustees for the office Hawaiian affairs the nomination papers be filed with the chief election officer, or the county clerk, not later than 4:30 p. m. on the 1st Tuesday in June. Requires for special primary or special election that the filing deadline be determined in the proclamation that is issued calling for the election. -- SB2819 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to JUD then FIN

SB2825 SD1 (SSCR 2350)

RELATING TO STATE FUNDS.
Introduced by: Hanabusa C (BR)
Amends provisions relating to short term investment of state moneys. Adds that securities of investments are also due to mature no more than 5 years from the date of investment. -- SB2825 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2828 SD1 (SSCR 2229)

RELATING TO EDUCATION.
Introduced by: Sakamoto N
Establishes provisions relating to use of data reflecting recent conditions in impact fee

calculations. Requires school impact fees to be updated every 3 years. Amends provisions relating to school impact fees. Adds construction cost component impact fee and land component impact fees. Also adds formula to determine school area requirements. -- SB2828 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then WLO then FIN

SB2831 SD1 (SSCR 2502)

RELATING TO THE PROCUREMENT CODE.
Introduced by: Sakamoto N
Amends Act 175, session laws 2009, relating to competitive sealed bid by repealing the sunset of the amendments made to contractors provisions for retainage; subcontractors. -- SB2831 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM then FIN

SB2834 SD1 (SSCR 2335)

RELATING TO TAXATION.
Introduced by: Tsutsui S, Baker R, English J, Hooser G, Tokuda J, Sakamoto N, Hee C, Chun Oakland S, Kidani M
Amends the standard deduction for income tax purposes as provided by section 165 (with respect to losses) of the Federal Internal Revenue Code by repealing the exception that section 165 (d) (with respect to wagering losses) shall not be operative. -- SB2834 SD1
Current Status: Mar-02 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2837 SD1 (SSCR 2487)

RELATING TO LICENSING.
Introduced by: Tsutsui S
Amends provisions relating to minimum requirements under electrician and plumbers. Changes minimum qualifications for journey worker electrician; journey worker specialty electrician; supervising electrician; supervising specialty electrician; journey worker plumber; master plumber; maintenance electrician; journey worker industrial electrician and supervising industrial electrician to be licensed. -- SB2837 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HED then CPC

SB2840 SD2 (SSCR 2473)

RELATING TO PUBLIC PROCUREMENT.
Introduced by: Bunda R, Espero W
Establishes the employment of state residents on public works projects and construction procurement contracts law. Requires a contractor awarded any contract work to ensure that Hawaii residents comprise at least 80 per cent of the workforce employed to perform the contract. -- SB2840 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EBM/ LAB/ then FIN

SB2842 SD2 (SSCR 2476)

RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT.
Introduced by: Bunda R, Baker R, Fukunaga C, Chun Oakland S, Espero W, Ihara L
Establishes the permitted transfers in trust law. Provides for the transfer of permitted property by or from a transferor to a permitted trustee by means of a trust instrument. Levies a 1 per cent tax on all permitted transfers. -- SB2842 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to CPC then FIN

SB2843 SD2 (SSCR 2558)

RELATING TO FLAGS.
Introduced by: Espero W
Establishes provisions relating to prisoner of war and missing in action flag; recognition; use. Recognizes the National League of Families' Prisoner of War and Missing in Action flag in PL 101-355. Requires that if a building is under the jurisdiction of the department of defense and the Hawaiian flag is flown under the same or a separate halyard as the flag of the US the flag shall be flown under the flag of the US. -- SB2843 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EBM then JUD

SB2844 SD1 (SSCR 2519)

RELATING TO ANATOMICAL TRANSPLANTS.
Introduced by: Espero W
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations (HMOs) act by prohibiting a policy, contract, plan

or agreement that provides coverage for the cost of solid organ or other tissue transplantation services to deny or limit coverage on the basis that the individual to be insured is infected with the human immunodeficiency virus (HIV). -- SB2844 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to HLT then CPC

SB2849 SD2 (SSCR 2589)

RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.
Introduced by: Takamine D
Amends provisions relating to the Hawaii employer union health benefits trust fund. Establishes provisions relating to the selection of benefit plan carriers, 3rd party administrators, consultants, actuaries, auditors or administrator, which are to be exempt from the Hawaii public procurement code. Establishes provisions relating to fiduciary duties; prohibited transactions and relating to the liability for breach of fiduciary duty. Changes the composition of the board of trustees of the employer union health benefits trust fund to 6 trustees to represent employee beneficiaries, 5 to represent public employees and 1 to represent retiree beneficiaries. -- Amends provisions relating to the term of a trustee; vacancy. Allows the term of office of each trustee to be at the pleasure of the nominating or appointing authority. Allows the board to appoint or retain by contract an attorney who is independent of the attorney general. Requires that health and other benefit plans be provided for collective bargaining units based on the collectively bargained contributions from both the employers and the employees; for retirees within the appropriation adopted by the State legislature and the respective counties; and for all other eligible beneficiaries based on the contribution from both the employer and employees. -- Amends provisions relation to the Hawaii employer-union health benefits trust fund; establishment. Transfers the fund from the department of budget and finance to the department of human resources development. Reports to the legislature. -- SB2849 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then FIN

SB2858 SD2 (SSCR 2518)

RELATING TO RETAIL WHEELING.
Introduced by: Hooser G
Establishes provisions relating to retail wheeling; rules and procedures; intra-governmental. Requires the public utilities commission to establish necessary policies, and rules issue orders for the deployment of retail wheeling to enable power producers to sell electricity directly to state government entities located on the same island as the power producer. -- SB2858 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EEP then CPC then FIN

SB2859 SD2 (SSCR 2631)

RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT.
Introduced by: Baker R, Espero W, Sakamoto N, Fukunaga C, Ige D, Tsutsui S
Amends provisions relating to the motor vehicle industry licensing act. Establishes provisions relating to dispute resolution. Provides that in any dispute among a manufacturer, distributor, and dealer on matters governed by the motor vehicle industry licensing act, the manufacturer, distributor, or dealer may seek a hearing from the department of commerce and consumer affairs. Requires the director to appoint a hearing officer to have jurisdiction to review any request for hearing file and who has the power to issue subpoenas, administer oaths, hear testimony, find facts, make conclusion of law, and issue written decision that shall be final and conclusive, unless a party adversely affected by the decision files an appeal in the circuit court. Establishes reciprocal rights and obligations among dealers, manufacturers and distributors of motor vehicle industry. Defines relevant market area for counties with a population less than 500,000 and counties with a population greater than 500,000. Establishes more provisions to suspend, revoke, fine, or deny the issuance of licenses. Redefines the term dealer that excludes a person who sells or purchases motor vehicle in the capacity of by repealing being a manufacturer or distributor. Amends provisions relating to procedures, protections, rights, and remedies made available to licensees. Provides the same procedures, protection, rights, and remedies upon cancellation or failure to renew a franchise agreement, without good cause and good faith, shall include compensation related to the distributor's dealer operations and franchise agreements with other dealers. Allows rather than requires any person that brings or defends against a civil action to be entitled to recover reasonable attorney's fees as part of any damages or injunction; provided that the person substantially prevail in establishing or defending against a violation. -- SB2859 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House

Mar-03 10 Multiple Referral to CPC then JUD

SB2863 SD2 (SSCR 2468)

RELATING TO THE TAX LIEN AND ENCUMBRANCE RECORD.
Introduced by: Chun Oakland S
Amends provisions relating to tax lien and encumbrance record under the highway safety law. Adds notices of judgments payable to the state or county. Requires payment of delinquent judgments to the state or county as a conditions for motor vehicle registration or transfer of ownership. Prohibits the state or county to be charged a fee for entry in the tax lien and encumbrance record. -- SB2863 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TRN then JUD then FIN

SB2866 SD1 (SSCR 2351)

RELATING TO SPECIAL PURPOSE REVENUE BONDS.
Introduced by: Gabbard M
Establishes provisions relating to pre authorization certification. Requires a project party to seek a pre authorization certification from the department of budget and finance no later than 3 months prior to the beginning of the legislative session in which a project party intends to seek a special purpose revenue bond authorization from the legislature. Requires the department to make the determination of whether the applicant qualifies as a responsible party and shall issue the pre authorization certification of the project party. -- SB2866 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2873 SD1 (SSCR 2541)

RELATING TO CODE OF ETHICS.
Introduced by: Kidani M
Establishes provisions relating to exemption for teachers. Allows a teacher employed by the department of education to provide private instruction or tutoring to any student, including current, future, or former students, for compensation when there are special circumstances beyond the control of the teacher or student, such as furlough of public school teachers or the lengthy illness of a student. Act to be repealed on July 1, 2012 (sunset). -- SB2873 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EDN/ LAB/ then JUD

SB2874 SD1 (SSCR 2531)

RELATING TO TAXATION.
Introduced by: Kidani M, Sakamoto N, Galuteria B, Hooser G, Chun Oakland S, Nishihara C, Espero W, Baker R, Tokuda J
Amends provisions relating to income check off authorized by providing that an individual may write in a dollar amount higher than the 2 dollar amount specified on the tax return for deposit into the the school level minor repairs and maintenance special fund and libraries special fund. -- SB2874 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EDN then FIN

SB2877 SD1 (SSCR 2504)

RELATING TO OFFENSES AGAINST PUBLIC ORDER.
Introduced by: Taniguchi B
Establishes provisions relating to confinement of a dog by tethering; violation. A person commits the offense of confinement of a dog by tethering if the person intentionally, knowingly, or recklessly tethers, fastens, ties, or restrains a dog to a doghouse, tree, fence, or any other stationary object or to a cable trolley system. Establishes fines. -- SB2877 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Single Referral to JUD

SB2878 SD1 (SSCR 2505)

RELATING TO TRUSTEES.
Introduced by: Taniguchi B (BR)
Amends provisions relating to fees and expenses of trustees. Authorizes trustees of revocable living trusts to base their reasonable compensation for services on levels allowed for the trustees of estates. -- SB2878 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to CPC then JUD

SB2879 SD1 (SSCR 2506)

RELATING TO COURT REPORTERS.
Introduced by: Taniguchi B (BR)
Established provisions relating to certified shorthand reporter; administration of oaths

or affirmations. Allows a certified shorthand reporter to administer oaths or affirmations and to perform the duties of a deposition officer. -- SB2879 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Single Referral to JUD

SB2883 SD1 (SSCR 2266)

RELATING TO EMPLOYMENT PRACTICES.
Introduced by: Takamine D
Establishes provisions relating to accrued and available sick leave. Provides that whenever there is a conflict between collective bargaining agreement and an employers' sick leave benefits, policies, or provisions, or any of the house rules or policies adopted by the employer, the terms of the collective bargaining agreement shall prevail. -- SB2883 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to LAB then FIN

SB2884 SD2 (SSCR 2451)

MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS.
Introduced by: Takamine D
Appropriation to the director of finance for Hawaii employer union health benefits trust fund costs for the employer to pay 60 per cent of the premiums for employees in collective bargaining unit 10 (nonprofessional hospital and institutional workers) for fiscal biennium 2010 - 2011 and 2009 - 2010. ($$) -- SB2884 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to LAB then FIN

SB2885 SD2 (SSCR 2436)

RELATING TO HEALTH SAVINGS ACCOUNTS.
Introduced by: Ige D
Establishes the health savings accounts assessment task force within the department of labor and industrial relations to study the current state of health savings accounts options in Hawaii's health insurance market; establish a plan of action to encourage and expand the use of health savings accounts in Hawaii; identify and recruit health plans that may help expand the availability of health saving accounts in Hawaii; and assess the potential economic impact, in cost and benefits, of expanding health savings accounts options in Hawaii. Report to the legislature. Task force to cease to exist on June 2011 (sunset). -- SB2885 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then LAB then FIN

SB2887 SD2 (SSCR 2593)

RELATING TO TAXATION.
Introduced by: Kim D
Amends provisions relating to withholdings of income tax on the disposition of real property by nonresident persons. Prohibits a person to be required to deduct and withhold any amount if the transferee furnishes an affidavit to the department of taxation that the transferee acquired the real property pursuant to foreclosure or a deed in lieu of foreclosure or if the amount realized by the transferor includes real property located in Hawaii the fair market value of which is equal to or greater than the fair market value of the real property acquired by the transferee. -- SB2887 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Single Referral to FIN

SB2889

RELATING TO EDUCATION.
Introduced by: Kokubun R, Tokuda J
Transfers all lands and facilities that is controlled and used by the department of education for the operation of the Keakealani outdoor education center to be transferred to the Volcano school of arts and sciences. -- SB2889
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then WLO then FIN

SB2897 SD2 (SSCR 2633)

RELATING TO HIGHWAY SAFETY.
Introduced by: Hanabusa C (BR)
Establishes the circumvention of, or tampering with, an ignition interlock device by a person who has been restricted to operating a vehicle equipped with an ignition interlock device; penalties. Prohibits a person whose driving privileges have been restricted to operate a vehicle equipped with an ignition interlock device to request, solicit, direct, or authorize another person to blow into an ignition interlock device or start a vehicle equipped with the device; or tamper with an ignition interlock device with intent to render it inaccurate or inoperable. Establishes penalties. -- Prohibits a person to blow into or

start a vehicle equipped with an ignition interlock device; tamper with an ignition interlock device with intent to render it inaccurate or inoperable to permit another person restricted by law to operate the vehicle; or rent, lease, or lend a vehicle to a person who has been restricted by law to operate only vehicles equipped with an ignition interlock device, when the rented, leased, or loaned vehicle is not equipped with a functioning certified ignition interlock device. Establishes fines. -- Repeals the definition of highly intoxicated driver. -- Repeals the ignition interlock special fund; surcharge and establishes provisions relating to ignition interlock installation and maintenance; indigents. Requires the director to contract with the selected ignition interlock vendor to provide partial financial relief for the installation and maintenance cost for indigent persons. -- Requires notification to the respondent that the respondent is to keep an ignition interlock device installed and operating in any vehicle the respondent operates during the revocation period if the respondent had a valid license at the time of arrest. -- Requires, if applicable, the date by which any outstanding motor vehicle number plates issued to the respondent must be surrendered to the director. Makes it a misdemeanor. -- Requires installation of ignition interlock device to be at the expense of the respondent. -- Requires the director to revoke electronically into the motor vehicle registration file of the respondent whenever a motor vehicle registration is revoked. Requires the director to not issue an ignition interlock permit to a respondent who does not hold a valid license at the time of arrest. -- Requires the person to present a certified statement to the appropriate county agency after a period of administrative revocation has expired. -- Requires a person committing the offense of operating a vehicle under the influence of an intoxicant be sentenced without possibility of probation or suspension of sentence. Establishes penalties. -- Requires the court to issue an ignition interlock permit when the defendant shows proof of an installation of an ignition interlock device in any vehicle the defendant operates and motor vehicle insurance or self insurance that complies with the requirements. Repeals requirement to provide proof of financial responsibility. -- Requires that the applicable period of revocation is to commence upon the release of the person from the period of imprisonment imposed. -- SB2897 SD2
Current Status: Mar-04 10 Introduction/Passed First Reading - House

SB2898 SD1 (SSCR 2394)

RELATING TO DIVERSION PROGRAM FOR CHEMICALLY DEPENDANT NURSES.
Introduced by: Baker R, Chun Oakland S, Fukunaga C, Green J, Ige D
Amends provisions relating to the program for chemically dependent nurses. Provides that the function of the diversion program shall be to assess and, where appropriate, rehabilitate nurses whose competencies may be impaired because of abuse of drugs or alcohol and to provide treatment so that nurses are able to return to or continue the practice of nursing in a manner that is beneficial to the public. Requires nurses who participate in the diversion program to provide evidence verified by licensed professional health care providers of successful completion of all terms and conditions of the program and of sufficient rehabilitation to safely practice nursing and shall not be subject to further disciplinary action by the board upon full compliance and requirement of the diversion program. Requires all records of a nurse participating in a diversion program that are not required by law to be reported to the board or the regulated industries complaints office and do not involve disciplinary action by those entities to be privileged and to not be subject to discovery or subpoena by any person or entity other than the board and the regulated industries complaints office. -- SB2898 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then CPC

SB2903 SD2 (SSCR 2462)

RELATING TO THE HAWAIIAN LANGUAGE COLLEGE.
Introduced by: Hee C, Sakamoto N, Hooser G, Green J, Gabbard M, Galuteria B, Chun Oakland S, Tsutsui S
Requires the Hawaiian language college at the university of Hawaii at Hilo, the department of education, and the charter school administrative office to enter into an agreement regarding the Hawaiian language college's functions related to Nawahiokalani'opu'u (Nawahiokalaniopuu) school and other schools, as appropriate, as laboratory schools. Agreement to continue for 5 years (sunset). -- SB2903 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HED/ EDN/ then HAW then FIN

SB2910

RELATING TO REAL PROPERTY.
Introduced by: Taniguchi B (BR)
Establishes provisions relating to buyer's choice of title insurer and escrow agent. Prohibits foreclosing mortgagee or mortgagee who acquires the property through a foreclosure proceeding be required, as a condition of selling the property that title

insurance covering the property or escrow service in connection with the sale of the property be purchased by the buyer from a particular title insurer or escrow depository. -- SB2910
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to CPC then JUD

SB2911 SD2 (SSCR 2612)

RELATING TO THE POWER OF ARREST.
Introduced by: Taniguchi B
Amends provisions relating to officer of Customs Enforcement, Customs and Border Protective Service and the citizenship and immigration services; arrest powers. Includes Federal Bureau of Investigation, and Customs or citizenship and immigration services. Also allows Special Agent in Charge, Honolulu Division, Federal Bureau of Investigation; or the Port Director, area port of Honolulu, and US customs and Border Protection Service to make arrests, provided that no evidence obtained as a result of an arrest without a warrant is to be admissible in judicial proceedings in state court. -- SB2911 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Single Referral to JUD

SB2919 SD1 (SSCR 2442)

RELATING TO THE HAWAII STATE HOSPITAL.
Introduced by: Tokuda J, Baker R, Espero W
Amends provisions relating to department of public safety. Requires the department to be responsible for the State's secure psychiatric rehabilitation facility. Beginning September 1, 2010 requires the director of public safety to provide security for the secure psychiatric rehabilitation facility and allows the department of health to provide the department with appropriate level of security. Requires the department of health, in collaboration with the department of public safety to report to the legislature. -- SB2919 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to HLT then PBS then FIN

SB2921 SD1 (SSCR 2359)

RELATING TO ESCROW DEPOSITORIES.
Introduced by: Taniguchi B (BR)
Amends provisions relating to license required to act as escrow depository. Prohibits a person to act as an escrow depository in this State unless licensed to so by the commissioner of financial institutions. Prohibits a person to act from an out of state location for property located in this State unless licensed to act as a Hawaii escrow depository by the commissioner. -- SB2921 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to CPC then JUD

SB2926 SD2 (SSCR 2528)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS.
Introduced by: Hanabusa C (BR)
Authorizes the issuance of special purpose revenue bonds to assist Carbon Bio Engineers Inc, or a partnership in which Carbon Diversion Inc. is a general partner, for the establishment of a cogeneration and related energy production facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. ($$) -- SB2926 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to EEP then FIN

SB2927 SD1 (SSCR 2493)

RELATING TO TRANSPORTATION ENERGY INITIATIVES.
Introduced by: Hanabusa C (BR)
Amends provisions relating to designation of parking spaces for electric vehicles; charging units by changing electric vehicles to green vehicles and specifying charging units for electric vehicles. -- Requires all public, private, and government parking facilities that have more than 99 and less than 1,000 parking spaces available for use by the general public to designate 1 percent of parking spaces exclusively for green vehicles, including electric vehicles, by December 31, 2012. Requires all public, private and government parking facilities that have more than 99 parking spaces to provide at least 1 electric vehicle parking space that is equipped with an electric vehicle charging unit and is located near the building entrance. -- Establishes penalties and fines. -- SB2927 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EEP/ TRN/ then FIN

SENATE BILLS THAT PASSED THIRD READING

SB2936 SD1 (SSCR 2373)

RELATING TO SHIPPING CONTAINER INSPECTIONS.
Introduced by: Espero W
Establishes provisions relating to power to inspect shipping containers. Authorizes the department of the department of defense, the department of agriculture and the department of transportation to inspect any shipping container situated anywhere at any commercial harbor to detect and confiscate explosives. Authorizes the department of defense, the department of agriculture and the department of transportation to collaborate with any federal agency, including the US armed services, and state and county agencies. -- SB2936 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TRN/ PBS/ then AGR then JUD

SB2937 SD1 (SSCR 2507)

RELATING TO INFORMATION PRACTICES.
Introduced by: Espero W
Establishes provisions relating to abuse of process. Allows the office of information practices to declare that a person is a vexatious requester if it determines that the person has established a pattern of conduct that amounts to an abuse of a process. -- SB2937 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Single Referral to JUD

SB2942 SD2 (SSCR 2583)

RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION.
Introduced by: Kim D
Repeals the Aloha tower development corporation and transfers all rights, powers, functions, and duties to the Hawaiian community development authority, except with respect to harbors modernization functions which will be transferred to the department of transportation. Establishes provisions relating to Aloha tower fund. Creates the Aloha tower fund to be administered by the Hawaii community development authority in the department of business, economic development and tourism. Establishes provisions relating to Aloha tower. Requires the authority to be responsible for the development, planning, construction, improvement, repair, and reconstruction of projects within the Aloha tower complex. Allows the authority with the approval of the governor to issue bonds. Adds 2 additional members to the authority who may vote only on issues relating to Aloha Tower. -- Establishes provisions relating to harbors modernization group; commercial harbors modernization plan. Requires the harbors modernization group to be administratively placed under the department of transportation. Requires the department of transportation to seek the input and guidance of the US Department of Transportation, Maritime Administration, in the management of the harbors modernization project; provided that the department of transportation may enter into an agreement with the US Department of Transportation Maritime Administration for the purpose of infrastructure improvements of harbors statewide. Requires the harbor modernization group to have jurisdiction over harbors projects known as the commercial harbors modernization plan to be completed no later than June 30, 2017 (sunset). Requires the projects to be the Honolulu harbor, the Kahului harbor, the Hana harbor, the Hilo harbor, the Kawaihae harbor, the Kalaeloa harbor, the Nawiliwili harbor, and land disposition matters in projects identified in the commercial harbors modernization plan. Provides that the harbors modernization group shall cease to exist when the project is complete (sunset). Appropriation. ($$) -- SB2942 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TRN then WLO then FIN

SB2951 SD2 (SSCR 2620)

RELATING TO AGRICULTURE.
Introduced by: Takamine D
Establishes provisions relating to withdrawal of leased land; fair compensation; lease extension. Provides that upon the withdrawal, or upon the taking which causes any portion of the land to become unusable for the specific use or uses for which it was intended, the rent shall be reduced in proportion to the value of the land withdrawn or made unusable, and if any permanent improvement constructed upon the land by the lessee is destroyed or made unusable in the process of the withdrawal or taking, the proportionate value thereof shall be paid to the lessee based on the unexpired term of the lease. Prohibits withdrawal or taking of land that is under cultivation until the crops are harvested, unless the board of land and natural resources pays the lessee the residual value of the crops. Further provides that any person with a long term lease shall be compensated for the present value of all permanent improvements. Entitles a lessee to compensation for costs attributable to the diminished use of the leased land. -- SB2951 SD2

Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-04 10 Multiple Referral to WLO/ AGR/ then FIN

SB2954 SD2 (SSCR 2429)

RELATING TO TRANSFER OF STATE HIGHWAYS.
Introduced by: English J, Tsutsui S, Kim D, Baker R, Tokuda J, Kidani M
Establishes a pilot project to transfer all state highway maintenance functions relating to state highways located on Maui, Molokai, and Lanai to the county of Maui, and to transfer applicable funding, including federal aid, for state highways from the State to Maui county. Report to the legislature by the department of transportation and the Maui department of public works. Reverts the functions back to the state department of transportation on December 31, 2016. Act to be repealed on December 31, 2016 (sunset). -- SB2954 SD2
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to TRN then FIN

SB2957 SD1 (SSCR 2364)

RELATING TO THE ENVIRONMENT.
Introduced by: Kim D, Sakamoto N
Establishes provisions relating to exemption; protection of native species, habitat, and ecosystems. Provides that an environmental assessment shall not be required for any action approved by the department of land and natural resources that protects, preserves, or enhances native species, native habitat, or native ecosystem function. Requires each party or agency proposing to qualify for the exemption shall submit a request to the department detailing the proposed action and describing any potential impacts. Requires the department to publish an exemption request in the department's bulletin for inspection, review, and comments from the public. -- SB2957 SD1
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EEP/ WLO/ then JUD

SB2960

RELATING TO THE DEPARTMENT OF EDUCATION.
Introduced by: Kim D, Sakamoto N, Kidani M
Establishes provisions relating to the duties of senior deputy superintendent for academic achievement. Establishes provisions relating to the duties of senior deputy superintendent for administration. Changes the department of education to consist of 2 division, the academic achievement divisions and the administration division headed by the respective senior deputy superintendents. -- SB2960
Current Status: Mar-03 10 Introduction/Passed First Reading - House
Mar-03 10 Multiple Referral to EDN then FIN

HOUSE BILLS THAT PASSED THIRD READING

HB0029 HD1 (HSCR 375)

RELATING TO DEAD HUMAN BODIES.
Introduced by: Oshiro M
Establishes provisions relating to commercial display of dead human bodies under medical and research use of bodies law. Prohibits public commercial display of a dead human body unless, a permit for the display has been issued by the department of health. -- HB0029 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HTH then WAM

HB0039 HD2 SD1 (SSCR 1203)

RELATING TO STATE REVENUES.
Introduced by: Oshiro M
Amends provisions relating to transfers from special funds for central service expenses. Repeals the exemption for certain special funds except for the Hawaii hurricane relief fund, the convention center enterprise special fund, the tourism special fund established, the state educational facilities improvement special fund established, the health systems special fund, funds of the employees' retirement system, and the special funds of the University of Hawaii. -- Amends provisions relating to special fund reimbursements for departmental administrative expenses. Repeals the exemption for all special funds except the Hawaii hurricane relief fund. -- Requires the director of finance to deposit interest earned on the short term investment of moneys of certain special funds, revolving funds, and special accounts from July 1, 2009, until June 30, 2015 (sunset). Requires the chief justice to transfer to the director of finance any interest earned on the short term investment of moneys of certain special and revolving funds from July 1, 2009, until June 30, 2011 (sunset). -- Amends provisions relating to the disability and communication access board. Authorizes the board to set and charge a fee for its review of state and county facilities and to deposit fees and revenues into the disability and communication access board special fund. -- Requires the director of finance to transfer funds from the agricultural loan revolving fund, the wireless enhanced 911 fund, the state risk management revolving fund, the medicaid investigations recovery fund, the state identification revolving fund, the hydrogen investment capital special fund, the dwelling unit revolving fund, the Hawaii community development revolving fund, the compliance resolution fund, the deposit beverage container deposit special fund, the environmental management special fund, the drug demand reduction assessments special fund, the Hawaii tobacco settlement special fund, the university of Hawaii research and training revolving fund, and the Hawaii election campaign fund to the general fund. -- HB0039 SD1
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Oshiro M -- Chong P, Lee M, Ward G
Apr=17 09 Conference Committee: Senate Members: Kim D -- Hooser G, Kokubun R, Tsutsui S

HB0040 HD1 (HSCR 429-10)

RELATING TO STATE BONDS.
Introduced by: Oshiro M
Repeals Act 112, session laws of 2009, authorizing the issuance of special purpose revenue bonds to assist Carbon Diversion Incorporated. ($$) -- HB0040 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to ENE then WAM

HB0087 HD2 (HSCR 588)

RELATING TO EDUCATION.
Introduced by: Takumi R
Amends provisions relating to administrative hearing procedures and subpoena power relating to the education of children with disability. Provides that the department of education shall have the authority and obligation for oversight and monitoring of students eligible for special education who are placed in a private school or facility at public expense. -- HB0087 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to EDH then WAM

HB0123 HD2 (HSCR 798)

RELATING TO THE UNIVERSITY OF HAWAII.
Introduced by: Chang J, Evans C, Manahan J, Sagum R
Amends Act 161, session laws of 2007, relating to university of Hawaii projects and purposes. Changes the principal amount of revenue bonds authorized. Appropriation out of the revenue bond proceeds to the board of regents of the university of Hawaii. ($$) -- HB0123 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate

Mar=12 09 Multiple Referral to HRE then WAM

HB0124 HD1 (HSCR 5)

RELATING TO HEALTH PROFESSIONAL EDUCATION.
Introduced by: Chang J, Manahan J, Berg L, Sagum R, Evans C, Ito K
Appropriation to the university of Hawaii to support the Hawaii Quentin Burdick rural health interdisciplinary training program. ($$) -- HB0124 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HRE/ HTH/ then WAM

HB0130 HD1 (HSCR 676)

RELATING TO JUDGMENTS.
Introduced by: Oshiro B, Manahan J, Karamatsu J
Establishes provisions relating to foreign defamation judgment. Provides that courts of this State shall have personal jurisdiction over any person who obtains a foreign judgment for defamation against any person who is a resident of Hawaii or is a person or entity amenable to jurisdiction in Hawaii where the communication was published in Hawaii and the resident or person amenable to jurisdiction in Hawaii either has assets in Hawaii or may have to take action in Hawaii to comply with the foreign defamation judgment. Amends provisions relating to uniform foreign money judgment recognition act. Establishes that a foreign judgment shall not be conclusive if the cause of action resulted in a defamation judgment obtained outside the US unless the court before which the matter is brought sitting in this State 1st determines that the defamation law applied in the foreign court's adjudication provided at least as much protection for freedom of speech and press in that case as would be provided by both the US and Hawaii constitutions. Establishes that persons who obtain judgments in defamation proceedings outside the US shall be afforded free speech and free press protections. -- HB0130 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to JGO

HB0134 HD2 (HSCR 196-10)

RELATING TO MOTOR VEHICLE DRIVER LICENSING.
Introduced by: Oshiro B
Amends provisions relating to motor vehicle drivers; license. Requires applicants for a license to submit proof that the applicant is legally in the US. Requires the director of transportation to adopt rules that provide for standards of proof and for exemptions of proof. Requires that if a licensee is a legal nonimmigrant, the license will expire no later than the licensee's authorized period of stay in the US. Allows the director of transportation to adopt rules that provide for exemptions. Requires the director to establish a fee for all driver license applicants who require verification through the federal system that their presence in the US is authorized by federal law. -- HB0134 HD2
Current Status: Feb=11 10 Introduction/Passed First Reading - Senate
Feb=18 10 Multiple Referral to TIA then JGO

HB0139 HD2 (HSCR 882)

RELATING TO TRANSPORTATION.
Introduced by: Cabanilla R
Establishes the Hawaii public private partnership in transportation law. Authorizes the department of transportation to provide for the development or operation of eligible facilities using a variety of project delivery methods and forms of agreement. Establishes provisions for public private partnership agreements. Defines eligible facility to mean any new facility developed, operated, used or useful for the safe transport of people or goods via 1 or more modes of transport, whether involving highways, boats, vessels, inter modal or multi modal systems, or any other mode of transport, as well as facilities, structures, parking, rail yards or storage facilities, vehicles, rolling stock or other equipment, items or property. -- HB0139 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to TIA then WAM

HB0142 HD1 SD1 (SSCR 1307)

RELATING TO INTRA-STATE AVIATION.
Introduced by: Souki J, Yamashita K, McKelvey A
Establishes provisions relating to aviation fuel for air transportation. Provides that general excise tax provisions shall not apply to amounts received from the sales of aviation fuel categorized as privileged foreign merchandise, non privileged foreign merchandise, domestic merchandise, or zone restricted merchandise, that is admitted into foreign trade zone and is purchased by a common carrier for consumption or use in air transportation between 2 points in the state. -- Provides that use does not include use of aviation fuel categorized as privileged foreign merchandise, non privileged foreign merchandise, domestic merchandise, or zone restricted merchandise, that is admitted

into foreign trade zone and used by a common carrier for consumption or use in air transportation between 2 points in the state, for use tax purposes. -- HB0142 SD1
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Souki J, Oshiro M -- Awana K, Pine K
Apr=17 09 Conference Committee: Senate Members: English J, Kim D -- Slom S

HB0145 HD2 (HSCR 884)

RELATING TO HIGHWAY SAFETY.
Introduced by: Souki J, Awana K, Chong P, McKelvey A, Har S, Yamashita K, Ito K, Tsuji C
Establishes the photo red light imaging detector system program (photo red light imaging system). Authorizes any county to implement the program to impose monetary liability on the operator of a motor vehicle for failure to comply with traffic signal laws. Requires fines and forfeitures to be distributed to the county where the fine was imposed and which shall be used for the establishment, operation, management, and maintenance of the system. Establishes procedures for summons or citations. Appropriation to the counties. ($$) -- HB0145 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to TIA/ JGO/ then WAM

HB0147 HD1 (HSCR 671)

RELATING TO THEFT IN THE SECOND DEGREE.
Introduced by: Say C
Amends provisions relating to theft in the 2nd degree. Increases the value of stolen property or service constituting theft in the 2nd degree to ____ dollars. -- HB0147 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to JGO

HB0172 HD2 (HSCR 837)

RELATING TO RECONSTITUTING SCHOOLS.
Introduced by: Takumi R
Establishes provisions relating to reconstituting schools. Authorizes the superintendent of education to reconstitute a school which has been in restructuring as defined by the No Child Left Behind Act, including replacing staff, entering into contracts to manage schools, and changing the membership of the school community council. Further authorizes the superintendent to recommend to the charter school review panel actions that should be taken to reconstitute a charter school. -- HB0172 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to EDH/ LBR/ then WAM

HB0180 HD1 (HSCR 838)

RELATING TO EDUCATION.
Introduced by: Takumi R, Berg L
Amends provisions relating to performance standards. Repeals the performance standards review commission. -- HB0180 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to EDH

HB0197 HD1 (HSCR 713)

RELATING TO CONDOMINIUMS.
Introduced by: Oshiro B
Amends provisions relating to additions to and alterations of condominiums; placement of solar energy devices. Allows the board of directors of an association to install or permit the installation of solar energy devices and wind energy devices on the common elements of the project, including leasing or licensing the common elements for such installations. -- HB0197 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to ENE then CPN

HB0214 HD1 SD1 (SSCR 924)

AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR WAILUA EMERGENCY BYPASS ROAD REPAIR AND RESURFACING, AND WAIMEA WASTEWATER TREATMENT PLANT UPGRADES FOR THE COUNTY OF KAUA'I.
Introduced by: Say C (BR)
Authorizes the issuance of general obligation bonds for appropriation to the department of public works, county of Kauai, for Wailua emergency bypass road and Waimea wastewater treatment plant. ($$) -- HB0214 SD1
Current Status: Mar=25 09 Passed Second Reading Senate as amended (SD1)
Mar=25 09 Referred to WAM

HOUSE BILLS THAT PASSED THIRD READING

HB0233 HD1 (HSCR 678)

RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT.
Introduced by: Herkes R
Amends provisions relating to revocation, suspension, and fine under real estate brokers and sales persons law. Allows the real estate commission to revoke or suspend a real estate licensee acquiring an ownership interest, directly or indirectly, or by means of a subsidiary or affiliate, in any distressed property that is listed with the licensee or within 365 days after the licensee's listing agreement for the distressed property is terminated. Redefines distressed property consultant to exclude a person licensed as a real estate broker or real estate sales person in Hawaii when acting in the capacity of a real estate broker or real estate salesperson; or a person with a license or permit to practice certified public accountancy when acting as a certified public accountant. -- HB0233 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to CPN then JGO

HB0242 HD1 SD2 (SSCR 1253)

RELATING TO AGRICULTURE.
Introduced by: Tsuji C, Ito K, Magaoay M, Yamashita K, Wooley J, McKelvey A, Chang J, Morita H, Manahan J
Amends provisions relating to grades and standards. Redefines agricultural commodity to include live animals of the bovine, equine, swine, sheep, or goat species, or the carcass or meat of those species, whether produced in the state or imported. -- Authorizes the issuance of general obligation bonds for appropriation to the department of agriculture for the planning, repair and modification of the Del Monte and Maui community college facilities to further the value added agricultural industry. Requires dollar for dollar match for federal funds in cash, or by in kind donations by the private sector. ($$) -- HB0242 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Tsuji C, Chang J, Wooley J -- Marumoto B, Yamashita K
Apr=17 09 Conference Committee: Senate Members: Hee C, Tokuda J, Kim D -- Slom S

HB0243 HD2 (HSCR 902)

RELATING TO IRRIGATION SYSTEMS.
Introduced by: Tsuji C, Ito K, Magaoay M, Nakashima M, McKelvey A, Yamashita K, Evans C, Tokioka J, Berg L, Herkes R, Wooley J, Chang J, Wakai G, Manahan J, Morita H
Amends provisions relating to the irrigation repair and maintenance special fund to the agricultural infrastructure improvement special fund. Adds that moneys in the special fund be used for taro farmers' irrigation system in Hanalei, Kauai and for agricultural water and land planning. Authorizes the issuance of general obligation bonds for appropriation to the department of agriculture to be deposited into the agricultural infrastructure improvement special fund for the repair and maintenance of west Kauai irrigation system, east Kauai irrigation system, Waimanalo irrigation system, Molokai irrigation system, upcountry Maui irrigation system, lower Hamakua ditch irrigation system, Waimea irrigation system, taro farmers' irrigation system in Hanalei, Kauai, and the agricultural water use development plan. These projects are deemed necessary to qualify for federal aid financing or reimbursement ($$) -- HB0243 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to WTL then WAM

HB0244 HD1 (HSCR 714)

RELATING TO PUBLIC UTILITIES.
Introduced by: Tsuji C, Ito K, Evans C, Nakashima M, Herkes R, Yamashita K, Wakai G, Tokioka J, Manahan J, Morita H, McKelvey A
Amends provisions relating to preferential water rates for agricultural activities by repealing water. Authorizes the public utilities commission to establish preferential rates for ratepayers that engage in agricultural activities on lands within an agricultural district. Provides rates approved by the public utilities commission shall be for any public utility service including but not limited to potable water, electricity, and freight transport to be used only for qualified agricultural activities. Allows the public utilities commission, in consultation with the department of agriculture to establish additional criteria to qualify bona fide agribusinesses for public utility service used solely for agricultural activities. -- HB0244 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to WTL then CPN

HB0245 HD1 SD1 (SSCR 993)

RELATING TO RENEWABLE ENERGY FACILITIES.

Introduced by: Tsuji C, Ito K, Magaoay M, Yamashita K, Evans C, Nakashima M, Chang J, Wakai G, Manahan J, McKelvey A
Establishes provisions relating to conservation and agricultural districts; special management areas; allowed use. Allows a renewable energy facility within a conservation or agricultural district or special management area. Requires all agencies and authorities that issue permits or approvals for renewable energy facilities to adopt rules about the type, criteria for the appropriate siting, and mitigating protective measures of renewable energy facilities. Allows the energy resources coordinator to give priority to applications for this section. Defines renewable energy facilities to be facilities for wind energy, bio fuel processing, agricultural energy, and solar energy. -- HB0245 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WTL

HB0254 HD1 SD1 (SSCR 1037)

RELATING TO PUBLIC UTILITIES.
Introduced by: Herkes R
Establishes provisions relating to local exchange intrastate services; fully competitive. Requires the public utilities commission to classify the State's local exchange intrastate telecommunications services as fully competitive under the commission's classifications of services related to costs rates, and pricing. -- HB0254 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to CPN

HB0268 HD1 SD1 (SSCR 1003)

RELATING TO LAND COURT.
Introduced by: Herkes R
Amends provisions relating to entry record; duplicates and certified copies. Requires that the assistant registrar provide the county designated to act as a central clearinghouse, without charge, an image and index of all instruments and documents that have been recorded in the registrar's office during each week, within 10 days after the end of each week. Requires that the real property assessment administrator of the county designated to act as a central clearinghouse shall provide copies of the images, without charge, to the real property assessment administrators of the other counties. -- HB0268 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB0269 HD1 SD1 (SSCR 958)

RELATING TO REAL PROPERTY.
Introduced by: Herkes R
Amends provisions relating to copies of instruments, certificates. Requires that the assistant registrar of the bureau of conveyances provide the real property assessment administrator of the country designated to act as a central clearinghouse without charge, an image and index of all instruments and documents that have been recorded in the registrar's office during each week within 10 days after the end of each week. Requires that the real property assessment administrator of the country designated to act as a central clearinghouse shall provide copies of the images, without charge, to the real property assessment administrators of the other counties. -- HB0269 SD1
Current Status: Mar=25 09 Passed Second Reading Senate as amended (SD1)
Mar=25 09 Referred to WAM

HB0272 HD1 (HSCR 834)

RELATING TO THE HAWAII REGISTERED AGENTS ACT.
Introduced by: Herkes R
Establishes the Hawaii registered agents act. Allows any individual or a domestic or foreign entity to become listed as a commercial registered agent by filing with the department of commerce and consumer affairs. -- HB0272 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to CPN then WAM

HB0279 HD2 SD1 (SSCR 948)

RELATING TO ENERGY.
Introduced by: Morita H
Establishes provisions relating to a renewable energy branch; establishment. Establishes the branch within the department of business, economic development, and tourism to coordinate renewable energy initiatives. -- Amends provisions relating to power and duties of the energy resource coordinator. Subject to approval from the governor, requires the energy resource coordinator to formulate a systematic process, development of requirements to identify geographic areas with renewable energy resource; develop and recommend incentive plans and programs to encourage the

development of renewable energy resources projects; assist public and private agencies in identifying the utility transmission projects or infrastructure for renewable energy resources; assist public and private agencies in coordination with the department of budget and finance in accessing the use of revenue bonds; and develop the criteria or requirements for identifying and qualifying transmission projects or infrastructure. -- Authorizes the governor to establish positions necessary to accomplish the management of projects funded by federal grants provided that the positions shall be exempt from civil service. The governor shall submit a report to the legislature. Appropriation to the energy security special fund and out of fund to pay for the 7 full time, temporary positions. ($$) -- HB0279 SD1

Current Status: Mar=25 09 Passed Second Reading Senate as amended (SD1)
Mar=25 09 Referred to WAM

HB0281 HD3 SD1 (SSCR 1004)

RELATING TO ENVIRONMENT.
Introduced by: Morita H
Directs the department of business, economic development, and tourism to identify and develop a policy framework for action to establish partnerships and seek opportunities to develop the highly skilled and well trained "green collar" workforce for an emerging "green economy" sector. Establishes the emergency environmental workforce attached to the research corporation of the university of Hawaii. Requires the workforce to provide support and prevent layoffs in existing environmental programs; employ individuals as short term employees who have been terminated or laid off as a result of the local economic downturn; and deploy employees to state or county agencies who have a need for environmental clearance and eradication services for the eradication of invasive species or other ongoing environmental improvement programs. Requires the corporation together with the Pacific cooperative studies unit to develop a planning, administration, implementation, and evaluation strategy. Appropriation out of federal funds received by the State from the American Recovery and Reinvestment Act of 2009 to the department of business, economic development, and tourism and the research corporation. ($$) -- HB0281 SD1

Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB0310 HD2 (HSCR 925)

RELATING TO MEDICAL TORTS.
Introduced by: Herkes R, McKelvey A, Yamane R
Amends provisions relating to subsequent litigation; excluded evidence. Provides that a claimant who rejects the decision of a medical claim conciliation panel on a claim and subsequently institutes litigation based upon the claim, shall be liable for the health care provider's attorneys' fees and costs and the provider's time in preparing for and attending any court hearings, unless the litigation results in an award of more than 200 per cent of the damages awarded by the medical claim conciliation panel. Provides that a claimant who rejects the panels' finding that the health care provider was not negligent and institutes litigation shall be liable for the attorney's fees and costs of all defendants to the action unless the litigation results in a judgment in favor of the claimant. -- HB0310 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HTH then JGO

HB0311 HD1 (HSCR 947)

RELATING TO LIQUOR.
Introduced by: Herkes R
Amends provisions relating to notification of hearing, service; tax clearance before procuring liquor licenses; and intoxicating liquor laws. -- HB0311 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to TIA then CPN

HB0317 HD1 SD2 (SSCR 1270)

RELATING TO MOBILE MEDICAL CARE.
Introduced by: Herkes R, Evans C, Tsuji C, Nakashima M, Hanohano F, Coffman D, Chang J
Requires the Kona community hospital to acquire a mobile medical van to be based at the hospital to provide basic medical clinical services to the South Kona, Ka 'u (Kau), and upper Puna areas of the county of Hawaii. Authorizes a federal fund ceiling increase for the department of land and natural resources to accommodate federal funds received under the Homeland Security Grant Program. Appropriation out of the federal funds received under the Homeland Security Grant Program to the department of health. Requires an agreement to be established with an appropriate funding agency, public or private, to provide the hospital with funding to continue the program for not less than 2

additional years. ($$) -- HB0317 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Yamane R, Hanohano F, Nishimoto S -- Finnegan L, Tsuji C
Apr=20 09 Conference Committee: Senate Members: Ige D, Espero W, Tsutsui S -- Hemmings F

HB0318 HD1 (HSCR 843)

RELATING TO VOG.
Introduced by: Herkes R, Evans C, Tsuji C, Nakashima M, Hanohano F, Coffman D, Chang J
Requires the department of agriculture in consultation with the university of Hawaii college of tropical agriculture and human resources to conduct comprehensive research to determine the best methods for employing vog treatments to prevent vog damage to plants and find specific varieties of crops more resistant to the effects of vog. -- Authorizes a federal fund ceiling increase for the department of agriculture to accommodate federal funds received under the Homeland Security Grant Program. Appropriation out of federal funds received under the Homeland Security Grant Program. ($$) -- HB0318 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to WTL/ HRE/ then WAM

HB0332 HD2 SD1 (SSCR 1192)

RELATING TO EMPLOYMENT SECURITY.
Introduced by: Lee M, Marumoto B, Morita H, Hanohano F, Luke S, Berg L, Shimabukuro M, Carroll M, Pine K, Wooley J, Thielen C, Belatti D, Finnegan L
Establishes provisions relating to worker retention in the event of divestiture. Requires that in the event of a divestiture of a covered establishment, the successor employer shall hire all incumbent nonsupervisory and nonconfidential employees, shall not require incumbent employees to file employment applications with the successor employer to be considered for hire unless existing employee files are incomplete, may conduct pre hire screening of the incumbent employees not prohibited by law, and may retain less than 100 per cent of incumbent employees if the nature of the successor establishment is substantially dissimilar or the human resources needs are reduced. Requires an employer found in violation to pay to compensate the dislocated worker for the difference between the employee's salary or wages earned under the employee's former employer and the dislocated employee's unemployment insurance benefits received for the covered period. -- HB0332 SD1
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Rhoads K, Mizuno J, McKelvey A, Oshiro M -- Lee M, Pine K, Yamashita K
Apr=20 09 Conference Committee: Senate Members: Takamine D, Chun Oakland S -- Taniguchi B

HB0333 HD2 SD2 (SSCR 1298)

RELATING TO TAXATION.
Introduced by: Lee M, Morita H, Pine K, Wooley J, Hanohano F, Shimabukuro M, Berg L, Thielen C, Belatti D, Luke S
Establishes provisions relating to tax preparation; earned income tax credit. Prohibits person in the business of preparing or providing services for preparing tax returns to charge more than ___ per cent interest for any tax preparation service to clients who are recipients of state earned income tax credit. -- Provides an earned income tax credit of ____ per cent of the federal earned income tax credit determined under section 32 of the Federal Internal Revenue Code. Requires the director of taxation with the director of human services to calculate the value of the tax credit and requires the director of human services to transfer temporary assistance for needy families funds to the director of taxation to pay for the refundable tax credits. Requires the director of taxation to annually report to the legislature and the governor. Appropriation out of the temporary assistance for needy families funds (TANF) to pay the tax credit. Appropriation from federal funds allocated by the American Recovery and Reinvestment Act of 2009 to the department of taxation to pay for public service announcements to inform the public about the tax credit. ($$) -- HB0333 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Mizuno J, Oshiro M -- Brower T, Choy I, Ward G
Apr=17 09 Conference Committee: Senate Members: Chun Oakland S, Tsutsui S -- Hooser G

HB0345

RELATING TO CAMPAIGN SPENDING.

Introduced by: Chang J, Bertram J, Tsuji C, Coffman D, Herkes R, Evans C
Amends Act 244, session laws of 2008, relating to comprehensive public funding of Hawaii county council elections. Delays starting date from 2010 to 2014. -- HB0345
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to JGO then WAM

HB0347 HD2 SD1 (SSCR 1050)

RELATING TO THE UNIVERSITY OF HAWAII.
Introduced by: Chang J, Nakashima M, Tsuji C, Magaoay M, Bertram J, Hanohano F, McKelvey A
Amends provisions relating to public procurement code. Provides that the ceiling for small purchases for procurements of the university of Hawaii or the board of regents of the university of Hawaii shall be for a value less than 250,000 dollars. Requires the implementation of an electronic procurement system for procurements in excess of 25,000 dollars. -- Amends provisions relating to powers of regents; official name. Exempts the board of regents of the university of Hawaii from the Hawaii public procurement code provisions. Act to be repealed on July 1, 2012 (sunset). -- HB0347 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to JGO

HB0349 HD1 SD1 (SSCR 1202)

RELATING TO THE HAWAII RULES OF EVIDENCE.
Introduced by: Tsuji C
Amends provisions relating to rules of evidence; character evidence. Provides that when an alleged victim's trait of character for aggressiveness is introduced and admitted in trial by the defense, the prosecution may admit evidence of the same trait of character in the accused. -- HB0349 SD1
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Karamatsu J -- Oshiro B, Thielen C, Tsuji C
Apr=17 09 Conference Committee: Senate Members: Taniguchi B -- Bunda R, Slom S, Takamine D

HB0355 HD1 (HSCR 295)

RELATING TO CONDOMINIUMS.
Introduced by: Cabanilla R
Amends provisions relating to condominiums law. Provides that any late fee for past due common expenses shall not exceed 20 per cent of the monthly maintenance fee. Requires the late fee to be assessed monthly and may be charged for every month that any past due common expense assessment remains unpaid. Requires the association give the delinquent owner written notice of any delinquency at least 10 days before taking any action for which attorney fees may be assessed. -- HB0355 HD1
Current Status: Mar=10 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to CPN

HB0361 HD1 (HSCR 667)

RELATING TO AFFORDABLE HOUSING.
Introduced by: Cabanilla R, Herkes R, Chong P, Thielen C, Har S
Amends provisions relating to housing development; exemption from statutes, ordinances, charter provision, and rules. Requires that state and county agencies issue any ministerial permits within 45 days from the time of application, provided that the review procedure for ministerial permits performed by any state or county agency is limited to not more than 2 comprehensive reviews. Defines ministerial permits as any nondiscretionary permit for which the permit administrator needs to determine only conformity with applicable ordinances before approving the project. -- HB0361 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to EDH/ TIA/ then WTL

HB0363 HD2 SD1 (SSCR 942)

RELATING TO AFFORDABLE HOUSING.
Introduced by: Cabanilla R
Establishes the commission on transit oriented development law. Establishes the commission on transit oriented development within the department of business, economic development, and tourism. Requires the commission to identify regulatory barriers to housing near transit stations, identify ways to improve coordination of housing and transportation planning, identify strategies for addressing area housing and transportation needs, identify ways to improve the leveraging of housing and transportation funds, identify financial incentives for funding mixed income and affordable housing near transit, identify tax incentives for the development or rehabilitation of community health care facilities within mixed use transit oriented

development projects, monitor outcomes and update goals and objectives, and serve in an advisory capacity to ensure a joint planning process between county and the State, and advise the state legislature, and the legislature of each county. -- Establishes provisions relating to jurisdictional responsibilities. Appropriation to the Hawaii housing finance and development corporation. -- Amends provisions relating to land use density and infrastructure; low income rental units by changing it to incentives and infrastructure. Requires the counties to provide incentives for the development of affordable housing that may include, but not limited to, density bonuses, height waivers, cluster zoning, greater design flexibility, waiving, waiving water and sewer connection fees, waiving public facilities set asides and fees, priority infrastructure financing, and site flexibility. ($$) -- HB0363 SD1

Current Status: Mar=25 09 Passed Second Reading Senate as amended (SD1)
Mar=25 09 Referred to TIA

HB0365 HD1 (HSCR 648)

RELATING TO CONTRACTORS.
Introduced by: Coffman D, Herkes R, Evans C, Say C, Oshiro B
Amends provisions relating to exemptions under contractors law. Exempts any project or operation for which the contract price for labor does not exceed more than 1,000 dollars, exclusive of materials, taxes, and all other items. -- HB0365 HD1

Current Status: Mar=06 09 Introduction/Passed First Reading - Senate
Mar=10 09 Multiple Referral to LBR then CPN

HB0370 HD2 SD1 (SSCR 946)

RELATING TO TAXATION.
Introduced by: Tokioka J, Nakashima M, Evans C, Tsuji C, Chang J, Morita H, Hanohano F, Herkes R, Carroll M, McKelvey A
Amends provisions relating to fuel tax. Reduces the tax for diesel oil sold for use in electric power generation by a power generating facility regulated by the public utilities commission to 1 cent. -- HB0370 SD1

Current Status: Mar=25 09 Passed Second Reading Senate as amended (SD1)
Mar=25 09 Referred to WAM

HB0378 HD1 (HSCR 289)

RELATING TO TRANSPORTATION.
Introduced by: Souki J, Awana K
Amends provisions relating to contracts for concessions; bid required, exception. Allows the department of transportation to award its security contracts by negotiations rather than by bidding for security concessions or security operations at airports. -- HB0378 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to TIA then JGO/ WAM/

HB0382 HD1 (HSCR 669)

RELATING TO STATE TORT LIABILITY.
Introduced by: Oshiro M
Establishes provisions relating to notification of class action. Prohibits filing unless written notification of a class action or de facto class action law suit is provided to the governor, president of the senate, speaker of the house of representatives prior to filing. -- HB0382 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to JGO

HB0395 HD1 SD2 (SSCR 1290)

RELATING TO EARLY LEARNING.
Introduced by: Wooley J, Berg L, Takumi R, Ito K, Tsuji C, Evans C, McKelvey A, Magaoay M, Manahan J, Pine K, Nishimoto S, Yamashita K, Morita H, Carroll M, Takai K, Belatti D, Lee C, Brower T, Nakashima M, Wakai G, Shimabukuro M, Luke S, Hanohano F, Mizuno J
Amends provisions relating to junior kindergartens and kindergarten programs. Prohibits schools to move students between junior kindergarten and kindergarten except in cases where the movement is based on assessments determined by a qualified teacher with early childhood education background and experience and the formative and summative assessment of a student's academic, physical, social, and emotional abilities. Requires the department of education to use assessment tools and protocols for determining a student's initial placement and for decision making about a student's movement between tiers and into grade 1. -- Amends provisions relating to the early learning system law. Changes the early learning council to allow representative's designees for center based program providers, family child care program providers, family child interaction learning program providers, and philanthropic organizations that support early learning, and allows 2 representatives of the Hawaii Council of Mayors or designees. Changes the

Keiki 1st steps trust fund to the early learning trust fund. -- HB0395 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Takumi R, Oshiro M -- Finnegan L, Nakashima M, Wooley J
Apr=17 09 Conference Committee: Senate Members: Sakamoto N, Chun Oakland S, Tsutsui S -- none

HB0413 HD1 SD1 (SSCR 1022)

RELATING TO PUBLIC SAFETY.
Introduced by: Hanohano F, Aquino H, Takumi R, Lee M
Establishes provisions relating to residential drug abuse program. Requires the department of public safety to establish a residential drug abuse program for the treatment and community reintegration of nonviolent offenders who have a history of drug or alcohol abuse, are in the custody of the State, and have been certified as graduates of the in facility phase of a residential drug abuse program. Provides that if an inmate fails to fulfill the requirements as established, the inmate shall be immediately terminated from the program; and returned to prison where the inmate was incarcerated prior to admission to the program. -- HB0413 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB0415 HD2 (HSCR 490-10)

RELATING TO PUBLIC SAFETY.
Introduced by: Hanohano F
Requires the legislative auditor to conduct a financial and management audit of the department of public safety's contracts with the corrections corporation of America and the federal detention center in Honolulu. Further requires the auditor to address the closure of the Kulani correctional facility and make a recommendation on whether the continued housing of Hawaii inmates in mainland facilities and in federal detention center in Honolulu is advisable. Report to the legislature. -- HB0415 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to PSM then WAM

HB0425 HD1 (HSCR 475)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING, LLC PROJECTS ON OAHU.
Introduced by: Morita H, Thielen C, Chong P, Lee C, Coffman D
Amends Act 111, session laws of 2004, by changing the sunset date to June 30, 2014. -- HB0425 HD1
Current Status: Mar=24 09 Passed Second Reading Senate
Mar=24 09 Referred to WAM

HB0444 HD1 SD1 (FLOOR AMENDMENT 20)

RELATING TO CIVIL UNIONS.
Introduced by: Oshiro B, Say C, Karamatsu J, Chong P, Lee C, Coffman D, Thielen C, Takumi R, Carroll M, Berg L, Bertram J, Saiki S, Luke S, Nishimoto S, Belatti D, Tsuji C, Yamashita K, Yamane R, Keith-Agaran G, Takai K, Morita H, Wakai G, Hanohano F, Nakashima M, Rhoads K, Brower T, Oshiro M, Lee M
Establishes the civil union law. Provides that a person shall be eligible to enter into a civil union if they are not a partner in another civil union, a spouse in a marriage, or a party to a reciprocal beneficiary relationship; at least 18 years of age; and not related to the other partner. Provides that partners in a civil union shall have the same rights, benefits, protections, and responsibilities as are granted to those who contract, obtain a license, and are solemnized pursuant to the marriage law. Provides that a party to a civil union shall be included in any definition or use of the term spouse, family, immediate family, dependent, next of kin, and any other term that denote the spousal relationship. -- HB0444 SD1
Current Status: Jan=22 10 Passed Third Reading Senate
Jan-29 10 Postponed Indefinitely (Voice Vote)

HB0447 HD1 (HSCR 480)

RELATING TO PAYDAY LENDING.
Introduced by: Belatti D, Luke S, Wakai G, Brower T, Lee C, Lee M
Establishes provisions relating to check cashing payment plans. Allows a check casher to enter into a payment plan for 90 days with a customer who is not in default where no interest may be charged. Provides that deferred deposit agreement with a customer shall commence within 30 days after the completion of any other payment plan. Requires a check casher to offer interest free payment plan with a minimum term of 60 days to any customer who is in default. Amends provisions relating to the posting and notice of fees charged by adding the fees and annual percentage rate for deferred deposits. Repeals exemption for any person who is principally engaged in retail sale of

goods or services. -- HB0447 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to CPN

HB0519 HD1 SD2 (SSCR 1274)

RELATING TO INMATES.
Introduced by: Say C, Hanohano F
Amends provisions relating to development or expansion of in state correctional facilities. Requires the department of public safety to develop or expand in state facilities sufficient to meet requirements to return all out of state inmates to Hawaii prisons. Requires the director to return all women inmates that are detained or incarcerated in out of state prison or correctional facilities by December 31, 2011; provided that there exists sufficient capacity and bed space in Hawaii's prisons and correctional facilities to accommodate those additional inmates. Requires that the director permit no more than a total of 500 inmates from Hawaii, at any 1 time, to be incarcerated in out of state prison or correctional facilities. Requires the department to plan, design, and construct sufficient facilities to house all prisoners committed to the department's custody; and to pursue the viability of developing alternative programs or forms of incarceration, such as electronic monitoring, to detain or house the Hawaii inmates returning to Hawaii from the mainland prison or correctional facility. Repeals provisions relating to transfer of inmates to out of state institutions. Repeals provisions relating to development of out of state Hawaii correctional facilities. -- HB0519 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-20 09 Conference Committee: House Members: Hanohano F, Lee M -- Aquino H, Pine K
Apr=20 09 Conference Committee: Senate Members: Espero W, Tsutsui S -- Bunda R

HB0553 HD2 SD1 (SSCR 1000)

RELATING TO MEDICAL ENTERPRISE ZONES.
Introduced by: McKelvey A, Carroll M, Manahan J, Souki J
Establishes the medical enterprise zones law. Requires the department of business, economic development, and tourism to monitor the implementation and operation of this law; conduct a continuing evaluation program of the medical enterprise zones; and assist the counties in obtaining the reduction of rules within medical enterprise zones. Annual reports to the legislature and the governor. Provides income tax credits for and general excise tax and use tax exemptions for qualified medical or research facility. Allows the counties to offer incentives. -- Requires the governing body of Maui to transmit to the director of health a description of a proposed location in west Maui as a pilot medical enterprise. Requires the department in consultation with the department of taxation to report to the legislature. Act to be repealed on January 1, 2017 (sunset). -- HB0553 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB0556 HD2 (HSCR 773)

RELATING TO VETERAN BURIAL GRANTS.
Introduced by: McKelvey A, Manahan J, Souki J
Establishes provisions relating to disbursement of World War II Filipino veterans burial grant funds. Provides that the office of veterans' services shall receive, review, and, as appropriate, approve requests for payments to provide funeral and burial services for a New Filipino Scout who died after June 30, 2004; and transporting the remains of a New Filipino Scout to the Philippines. Defines New Filipino Scout to mean a Filipino veteran who served during World War II, enlisted in the New Filipino Scouts between October 6, 1945, and June 30, 1947, and who at the time of the veteran's death, was a US citizen and a resident of Hawaii. Appropriation. ($$) -- HB0556 HD2
Current Status: Mar=27 09 Passed Second Reading Senate
Mar=27 09 Referred to WAM

HB0560 HD2 (HSCR 774)

RELATING TO VETERANS SERVICES.
Introduced by: McKelvey A, Evans C, Morita H, Carroll M
Establishes provisions relating to veterans' services liquor tax; disposition of revenues. Imposes an additional tax on persons subject to the gallonage tax and deposits the moneys collected to the credit of the veterans' services special fund. Requires the department of taxation to annually report to the legislature. -- Establishes provisions relating to the veterans' services special fund; use of funds. Establishes the fund which shall be administered by the director of the office of veterans' services to provide positions and programs in the office. -- HB0560 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate

Mar=12 09 Multiple Referral to PSM then WAM

HB0570 HD1 (HSCR 681)

RELATING TO COASTAL ZONE MANAGEMENT.
Introduced by: Chong P, Yamashita K, Keith-Agaran G, Har S, Oshiro B, Magaoay M
Amends provisions relating to public access. Requires the counties to ensure reasonable street parking near public access areas in the special management area. Amends provisions relating to coastal zone management. Requires affected agencies to adequately plan to minimize the risk for coastal hazards including tsunami, hurricane, wind, waves, erosion, sea level rise, subsidence, and point and nonpoint source pollution, and that the development does not impede public access to the shoreline or beach area. Provides that beach protection minimizes the construction of public coastal hazard protection structures seaward of the shoreline, except when they result in improved public access, safety, aesthetic, environmental, and engineering solutions to coastal hazards, when they enhance beach conservation or restoration. Exempts any structure that abut the shoreline within the Waikiki Special District and properties that abut beaches that are subject to the Waikiki Beach Reclamation Agreement from shoreline setback provisions. -- HB0570 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to WTL/ TIA/

HB0573 HD1 SD1 (SSCR 1195)

RELATING TO EMERGENCY AND BUDGET RESERVE FUND.
Introduced by: Chong P, Oshiro M, Yamashita K, Rhoads K, Lee M, Har S, Brower T, Oshiro B, Magaoay M
Amends provisions relating to the emergency and budget reserve fund (rainy day fund). Requires the director of finance at the close of the fiscal year to deposit ____ per cent of the general fund balance carryover cash surplus into the emergency and budget reserve fund; provided that the amount to be deposited into the emergency and budget reserve fund shall not exceed ____ per cent of the sum of all general fund revenues received in the prior 3 fiscal years. -- HB0573 SD1
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Oshiro M -- Chong P, Ward G
Apr=17 09 Conference Committee: Senate Members: Kim D -- Chun Oakland S, Hooser G, Tsutsui S

HB0574 HD2 SD2 (SSCR 1259)

RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.
Introduced by: Chong P, Yamashita K, Har S, Oshiro B, Magaoay M
Amends provisions relating to reverse vending machine rebate program; standards. Requires the department of health to provide ____ per cent of the actual cost of each reverse vending machine, including shipping and general excise tax, and up to ____ per cent of the operating cost during the 1st 2 years for each reverse vending machine purchased by a person. -- Amends Act 228, session laws of 2006 as amended by Act 231, session laws of 2006. Extends the sunset date to June 30, 2014. Amends provisions relating to redemption of empty deposit beverage containers. Requires any dealer having greater than 75,000 square feet of interior space to operate a redemption center and accept all types of empty deposit beverage containers that bear a valid Hawaii refund value. -- HB0574 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Morita H, Coffman D -- Chong P, Thielen C, Yamashita K
Apr=20 09 Conference Committee: Senate Members: Gabbard M, English J, Kim D -- Hemmings F, Hooser G

HB0588 HD1 (HSCR 755)

RELATING TO COUNTIES.
Introduced by: Ito K, Har S, Sagum R, Herkes R, Nishimoto S, Marumoto B, Chang J, Evans C, Magaoay M, Thielen C, Awana K, Tsuji C, Morita H, Brower T, McKelvey A
Amends provisions relating to additional powers of counties. Authorizes a county board of a county of at least 500,000 people to issue revenue bonds in its own name if so authorized under the county charter. -- HB0588 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to TIA then WAM

HB0593 HD2 SD1 (SSCR 1174)

RELATING TO SHORELINE SETBACKS.
Introduced by: Ito K, Sagum R, Lee C, Coffman D, Luke S, Thielen C, Cabanilla R, Morita H, Ching C
Establishes provisions relating to a construction moratorium. Allows the department of

land and natural resources to establish a coastal construction moratorium where the department determines that specified conditions exist. Requires the moratorium to expire in 2 years (sunset) after establishment or upon the determination of the department that it is no longer appropriate. Requires the department and the university of Hawaii to make recommendations to the legislature for future actions for the protection and management of Kailua beach. -- HB0593 SD1

Current Status: Apr-09 09 House Disagrees to Senate amendments
Apr=16 09 Conference Committee: Senate Members: Hee C -- Bunda R, Fukunaga C, Hemmings F
Apr-17 09 Conference Committee: House Members: Ito K, Har S -- Chong P, Thielen C

HB0595

RELATING TO THE ENVIRONMENT.
Introduced by: Ito K, Evans C, McKelvey A, Nishimoto S, Tsuji C, Carroll M, Marumoto B
Changes Ocean Day to World Ocean Day. -- HB0595

Current Status: Mar=05 09 Introduction/Passed First Reading - Senate
Mar=05 09 Single Referral to WTL/ ENE/

HB0601 HD2 (HSCR 869)

RELATING TO THE WORKS OF ART SPECIAL FUND.
Introduced by: Yamashita K, Yamane R, Tsuji C, Oshiro M, Manahan J, Chong P
Amends provisions relating to works of art special fund. Changes the amount of all state fund appropriations for capital improvements to be designated for the works of art special fund to ____ per cent. Allows up to ____ per cent of funds in the special fund to be used for capital improvement projects, the purchase of facilities, and for the repair and maintenance of facilities dedicated to the culture and the arts. -- HB0601 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to EDT/ JGO/ then WAM

HB0602

RELATING TO WORKERS' COMPENSATION.
Introduced by: Yamashita K, Yamane R, Tsuji C, Keith-Agaran G, Awana K, Oshiro B, McKelvey A, Har S, Chong P, Ito K, Karamatsu J
Amends provisions relating to employment under workers' compensation law. Redefines employment to not include service performed by a member of a limited liability company if the member is an individual and has a distributional interest of at least 50 per cent in the company, provided that no employer requires an employee to form a limited liability company as a condition of employment; service performed by a partner of a partnership if the partner is an individual, provided that no employer requires an employee to become a partner or form a partnership as a condition of employment; service performed by a partner of a limited liability partnership if the partner is an individual and has a transferable interest in a partnership of at least 50 per cent, provided that no employer requires an employee to form a limited liability partnership as a condition of employment; and service performed by a sole proprietor. -- HB0602

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to LBR then CPN

HB0611 HD1 SD2 (FLOOR AMENDMENT 8)

RELATING TO TAXATION.
Introduced by: Chong P, Say C, Yamashita K, Lee M
Establishes provisions relating to capital goods excise tax credit to begin after December 31, 2011. -- Provides that the current capital goods excise tax credit shall be for property placed in service or purchased pursuant to a binding contract in taxable years beginning before July 1, 2009 (sunset). Further provides that no capital goods excise tax credit shall be allowed beginning on or after July 1, 2009, and ending on before January 1, 2012. -- Amends provisions relating to tax administration special fund. Allows the fund to be used to compile usage and other relevant economic data to analyze the costs and benefits of the State's tax laws. -- Provides a general excise tax exemption for amounts received from the loading, transportation, and unloading of agricultural products shipped for a producer on 1 island to another island. -- Requires the department of taxation and the department of business, economic development, and tourism to perform an evaluation of tax credits or exemptions and report to the legislature. -- Amends provisions relating to professional employment organization; employee rights; payroll cost exemption. Provides that the definition of employer shall be for general excise tax purposes. -- HB0611 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Oshiro M -- Chong P, Choy I, Lee M, Pine K

Apr=20 09 Conference Committee: Senate Members: Fukunaga C, Tsutsui S -- Baker R, Hemmings F

HB0617 HD2 (HSCR 885)

RELATING TO MASS TRANSIT ROUTE ECONOMIC ZONES.
Introduced by: Karamatsu J, Tsuji C, Evans C, Wooley J, Aquino H
Establishes the temporary mass transit route economic zone task force within the department of business, economic development, and tourism. Requires the task force to examine the concept and feasibility of establishing the zones proximate to the routes of any mass transit system on the island of Oahu. Report to the legislature. Task force to terminate on June 30, 2010 (sunset). -- HB0617 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to TIA/ EDT/ EDH/ then WAM

HB0622 HD1 (HSCR 155)

RELATING TO HARASSMENT.
Introduced by: Karamatsu J, Tsuji C, Herkes R, McKelvey A, Cabanilla R, Carroll M, Morita H, Ito K
Amends provisions relating to harassment by stalking. Redefines nonconsensual contact as any form of digital communication. -- HB0622 HD1
Current Status: Feb=13 09 Introduction/Passed First Reading - Senate
Feb=18 09 Multiple Referral to EDT then JGO

HB0623 HD1 SD1 (SSCR 922)

RELATING TO STATE IDENTIFICATION.
Introduced by: Karamatsu J, Oshiro B, Tsuji C, Herkes R, Ito K, Cabanilla R, Carroll M, McKelvey A, Morita H, Belatti D
Establishes provisions for state identification; contracts with State to process and issue. Allows the attorney general to contract with a county to process and issue state identification cards. Allows a county to use county facilities to carry out state identification administration. -- HB0623 SD1
Current Status: Mar=25 09 Passed Second Reading Senate as amended (SD1)
Mar=25 09 Referred to JGO

HB0625 HD1 (HSCR 811)

RELATING TO SURCHARGE FOR INDIGENT LEGAL SERVICES.
Introduced by: Karamatsu J (BR)
Amends provisions relating to a surcharge for indigent legal services. Increases the surcharge fee added to initial filing fees to 65 dollars. Requires that 70 per cent of the funds be distributed to organizations that meet criteria for serving indigent people. Requires that an additional 30 per cent of the funds be distributed to organizations who expended 100,000 dollars in the prior year for civil legal services to indigent persons. -- HB0625 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to JGO then WAM

HB0638 HD1 (HSCR 484)

RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE.
Introduced by: Evans C
Amends provisions relating to competitive sealed bidding. Allows the procurement officer to dismiss the protest if the amount of the bid of the competing bidder is due to an error that is less than 1 per cent of the bid amount. -- Amends administrative proceedings for review. Allows proceedings to be initiated by any bidder, offeror, contractor or person that is party to a protest of a solicitation or award of a contract provided that the protest is more than 10 per cent of the value of the contract and the party initiating the proceedings shall pay to the department of commerce and consumer affairs a cash or protest bond equal to 1 per cent of the value of the contract if the total value of the contract is more that 1 million dollars, provided that the amount of the cash or protest bond not be more than 50,000 dollars. Provides that if the initiating party prevails in the administrative proceeding, the cash or protest bond shall be returned to that party and if the initiating party does not prevail in the administrative proceeding, 50 per cent of the cash or protest bond shall be deposited into the compliance resolution fund and 50 per cent shall be deposited into the general fund. -- HB0638 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to JGO

HB0645 HD2 (HSCR 948)

RELATING TO KAENA POINT.
Introduced by: Magaoay M
Requires the department of land and natural resources to establish a pilot program to issue annual passes to residents that allow overnight fishing at Kaena point. Report to the legislature. Act to be repealed on July 1, 2011 (sunset). -- HB0645 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to WTL

HB0654 HD1 (HSCR 679)

RELATING TO CONTRACTORS.
Introduced by: Carroll M, Awana K, Luke S, Belatti D, Saiki S, Berg L, Sagum R, Coffman D, Hanohano F
Amends provisions relating to citation for unlicensed activity. Requires the investigator to issue a citation to a person whom the investigator personally observes and determines is acting in the capacity of, or engaging in business of, a contractor within the State, without having a license in good standing. Requires an unlicensed person to cease all work immediately after the issuance of a citation and not resume until a hearing is conducted and the person cited holds the licenses required. Amends violations and penalties for any person without a license in good standing who violates or fails to comply with a cease and desist order. Increases penalties. -- HB0654 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to CPN then JGO

HB0658 HD1 (HSCR 776)

MAKING AN APPROPRIATION FOR THE MAUI OFFICE OF VETERANS' SERVICES.
Introduced by: Carroll M
Appropriation to the office of veterans' services for 1 additional veterans' counselor position for the Maui office of veterans' services. ($$) -- HB0658 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to PSM then WAM

HB0674 HD1 (HSCR 428-10)

RELATING TO HAWAIIAN AFFAIRS.
Introduced by: Carroll M
Amends Act 140, session laws of 2009, relating to the budget of the office of Hawaiian affairs, for Hookulaiwi: Aha Hoonaauao Oiwi (the center for native Hawaiian and indigenous education), requires matching funds by the department of Hawaiian home lands; for increasing appropriations for beneficiary advocacy (OHA 175); to establish the achieving the dream initiative for native Hawaiian students at the Hawaii community college, including 9 (9.00 FTE) positions; and to increase appropriations to establish a research and training program for native Hawaiian students of the Hawaii institute of marine biology. ($$) -- HB0674 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB0685 HD2 (HSCR 875)

RELATING TO THE STATE FIRE COUNCIL.
Introduced by: Yamane R, McKelvey A, Evans C, Tsuji C, Hanohano F, Ito K
Amends provisions relating to state fire council. Allows that the state fire council may employ an administrator and administrative assistant exempt from civil service and collective bargaining laws. Allows that the administrator shall administer the affairs of the council, subject to the approval of the council. Requires that the budget for the state fire council, including the salaries of the administrator and administrative assistant, be included in the budget of the department of labor and industrial relations. -- HB0685 HD2
Current Status: Mar=27 09 Passed Second Reading Senate
Mar=27 09 Referred to WAM

HB0686 HD1 SD2 (SSCR 1330)

RELATING TO REDUCED IGNITION PROPENSITY CIGARETTES.
Introduced by: Yamane R, Evans C, Oshiro B, McKelvey A, Hanohano F, Yamashita K
Amends provisions relating to certification; marking by adding administration. Authorizes the state fire council to hire personnel to administer the reduced ignition propensity cigarette program and to cover costs associated with the program. Delays the implementation of the reduced ignition propensity cigarette law to September 30, 2010. Amends Act 218, Session Laws of 2008. -- HB0686 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Hanohano F, Wakai G, Aquino H -- Pine K, Yamane R
Apr=17 09 Conference Committee: Senate Members: Baker R, Espero W, Kim D -- Hemmings F, Ige D

HB0694 SD2 (SSCR 1299)

RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION.
Introduced by: Yamane R, Herkes R, Evans C, Yamashita K, Souki J, McKelvey A, Bertram J, Tsuji C, Carroll M, Sagum R, Hanohano F, Keith-Agaran G
Amends provisions relating to maintenance of services under the Hawaii health systems corporation. Prohibits a planned substantial reduction or elimination of direct patient care

services at any facility shall be undertaken unless an initial determination is made as to critical and emergency services which shall not be subject to reduction or elimination; the plan of the facility to substantially reduce or eliminate any direct patient care services shall 1st be presented to the regional system board for its approval; subsequent to the requisite regional system board approval, the facility shall present its plan to the community in which the facility is located, at a community informational meeting, in order to obtain community input on the plan; and provided that if the regional system board approves the plan, the plan as approved by the regional system board may be submitted to the corporation board for ratification. Prohibits a facility to proceed with the implementation of the plan without corporation board ratification. Requires the regional system board that approved the plan to give notice of implementation of the plan to the governor, senate president and the speaker of the house of representatives. Repeals need for legislative approval. -- Requires the department of health to assume the total amount of all liabilities and debts or other obligation of the Hawaii health systems corporation that had been accrued up to June 30, 1996, by the community hospitals while the community hospitals were operating within the division of community hospitals of the department of health. Report to the legislature. -- Requires the Hawaii health systems corporation to bear the sole responsibility for assuming all liabilities and debts or other obligations accrued beginning on July 1, 1996 and thereafter, by the community hospitals operating within the Hawaii health systems corporation. -- Requires the corporation to bear sole responsibility for making all appropriate employer payments into funds of the employees' retirement system beginning on July 1, 1996, and thereafter. -- Amends provisions relating to contributions by certain state agencies. Adds the Hawaii health system corporation and the employees. -- Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring coverage for critical access hospitals of no less than 101 per cent of cost, consistent with Medicare reimbursement rate, for all services rendered to health plan beneficiaries. -- Allows the Hawaii health systems corporation or any of the regional boards, as a sole employer negotiator, to negotiate with the exclusive representative of any appropriate bargaining unit and execute memorandums of understanding for employees under its control to alter any existing or new collective bargaining agreement on any item or items. -- Establishes provisions relating to criminal history record checks under Hawaii health systems corporation law. Requires the corporation to develop procedures for obtaining verifiable information regarding the criminal history of persons who are employed or seeking employment, or are current or prospective contractors, providers, or volunteers in any of the corporation's health facilities. Establishes provisions relating to transition to a corporation or corporations under hospitals and medical facilities. -- Authorizes any of the regional systems or individual facilities of the Hawaii health systems corporation to transition into a new legal entity including a nonprofit corporation, for profit corporation, municipal facility, public benefit corporation, or any 2 or more of the entities upon approval of the appropriate regional system board or the corporation board and regional system boards. Requires each regional system board and each community hospital under the jurisdiction of the corporation collaborate with community health centers within their respective geographic jurisdictions to maximize funding from the state and federal government. Requires each regional system board to have the powers, duties, and responsibilities that are specific to the regional system board. Amends provisions relating to regional chief executive officer; exempt position. Repeals regional chief financial officer. -- HB0694 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Yamane R, Oshiro M -- Bertram J, Keith-Agaran G, Ward G
Apr=20 09 Conference Committee: Senate Members: Ige D, Tsutsui S -- Baker R, Hemmings F, Kokubun R, Takamine D

HB0697 HD1 (HSCR 806)

RELATING TO TEMPORARY HEALTH INSURANCE FOR UNEMPLOYED PERSONS.
Introduced by: Yamane R, Yamashita K, Evans C, Oshiro B
Establishes a temporary health insurance for unemployed persons program in the department of human services to provide temporary health care coverage for persons who have lost employment. Requires the program to have a benefits package similar to the basic benefits provided in the QUEST Net program. Appropriation. -- Provides that if an individual is entitled to continue health insurance coverage pursuant to the Consolidated Omnibus Budget Reconciliation Act, the individual may apply for reimbursement of payments made to continue the health insurance medical and prescription drug coverage. Appropriation to the department of labor and industrial relations. ($$) -- HB0697 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate

Mar=12 09 Multiple Referral to LBR/ CPN/ then WAM

HB0703 HD1 (HSCR 783)

RELATING TO HEALTH.
Introduced by: Yamane R, Nishimoto S, Belatti D, Mizuno J, Shimabukuro M
Appropriation to the department of human services to maximize the availability of the federal disproportionate share hospital allowance to the State. ($$) -- HB0703 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HMS/ HTH/ then WAM

HB0704 HD1 SD1 (SSCR 1006)

RELATING TO HOME CARE AGENCIES.
Introduced by: Yamane R, Shimabukuro M
Establishes provisions relating to home care agencies; licensing. Requires that all home care agencies be licensed to ensure the health, safety, and welfare of clients. Requires the director of health to adopt rules regarding home care agencies to protect the health, safety, and civil rights of clients of home care agencies; and provide for the licensing of home care agencies. Amends provisions relating to subjects of health rules, generally. Adds home care agencies. Amends provisions relating to establishment of fees. Adds home care agencies. Amends provisions relating to criminal history record checks. Adds home care agency. Appropriation to the department of health for 1 full time equivalent position to assist in the licensure and monitoring of home care agencies. Repealed on June 30, 2014 (sunset). -- HB0704 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB0710 HD1 (HSCR 278)

RELATING TO HEALTH.
Introduced by: Yamane R
Amends provisions relating to health planning and resources development and health care cost law. Exempts long term care facilities from certificate of need. -- HB0710 HD1
Current Status: Mar=10 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HTH then WAM

HB0730 HD1 SD1 (SSCR 1214)

RELATING TO CRUELTY TO ANIMALS.
Introduced by: Mizuno J, Brower T, Karamatsu J, Luke S, McKelvey A
Establishes provisions relating to cruelty to animals by fighting dogs in the 2nd degree. Establishes that a person commits the offense of cruelty to animals by fighting dogs in the 2nd degree if the person knowingly wagers or pays to attend a dogfight; or knowingly possesses any device intended to enhance the dog's fighting ability with the intent that the device be used to train or prepare the dog for a dogfight. Defines device to mean both animate and inanimate objects and includes live animals used as bait animals. Defines dogfight as a dog or dogs pitted against another dog or dogs with the intent that the encounter will result in injury to 1 or more of the dogs. -- Amends provisions relating to cruelty to animals by fighting dogs to be an offense in the 1st degree. Adds that a person commits the offense of cruelty to animals by fighting dogs in the 1st degree if the person knowingly causes, sponsors, arranges or holds a dogfight for entertainment or financial gain including owning, training, transporting, possessing, breeding, selling, transferring, or equipping a dog with the intent that the dog will be engaged in a fight, knowingly or recklessly allowing a dog fight to occur on any property owned or controlled by the person, or knowingly or recklessly allowing any dog intended by the person to be used for a fight to be kept, trained on, or transported in, any property owned or controlled by the person. -- HB0730 SD1
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Karamatsu J -- McKelvey A, Mizuno J, Oshiro B, Thielen C
Apr=17 09 Conference Committee: Senate Members: Taniguchi B -- Nishihara C, Slom S

HB0739 HD2 SD2 (SSCR 1293)

RELATING TO TEMPORARY ASSISTANCE TO NEEDY FAMILIES.
Introduced by: Mizuno J, Pine K
Appropriation out of the federal temporary assistance for needy families (TANF) program funds to the department of human services to provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives, and for associated eligibility determination costs; for obtaining work program contracts and providing related support services; for programs to prevent and reduce the incidence of out of wedlock pregnancies and encourage the formation and maintenance of 2 parent families; for purchase of service contracts for child welfare services; for transfer to the child care development fund; for transfer to the social services block grant; for

information systems costs; and for administering the TANF program. ($$) -- HB0739 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Mizuno J, Oshiro M -- Brower T, Lee C, Ward G
Apr=17 09 Conference Committee: Senate Members: Chun Oakland S, Tsutsui S -- Hemmings F

HB0744 HD2 (HSCR 605-10)

RELATING TO HUMAN SERVICES.
Introduced by: Mizuno J
Requires the attorney general, with the cooperation and assistance of each respective county's police departments, the State civil defense division, local broadcasters, and other relevant and appropriate state and county agencies to develop and implement a statewide silver alert program to be activated on behalf of a missing senior citizen in the appropriate county and to be integrated with the Maile Amber Alert program. -- HB0744 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HMS/ TIA/ then JGO

HB0779

RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT.
Introduced by: Karamatsu J
Repeals and replaces the uniform foreign country money judgments recognition act. -- HB0779
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to JGO

HB0782 HD1 (HSCR 261)

RELATING TO THE UNIFORM MEDIATION ACT.
Introduced by: Karamatsu J
Establishes the uniform mediation act. -- HB0782 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to JGO

HB0808 SD1 (SSCR 964)

RELATING TO HEALTH.
Introduced by: Oshiro B, Yamane R, Hanohano F, Herkes R, Coffman D, Say C, Magaoay M, Yamashita K, Chong P
Establishes provisions relating to practice of telemedicine. Allows licensed physicians to practice telemedicine which includes a documented patient evaluation, history and a discussion of physical symptoms adequate to establish a diagnosis and identify underlying conditions or contra indications to the treatment recommended or provided. Provides that treatment recommendations made via telemedicine, including issuing a prescription via electronic means, be held to the same standards of practice in traditional physician patient settings. -- HB0808 SD1
Current Status: Mar=25 09 Passed Second Reading Senate as amended (SD1)
Mar=25 09 Referred to CPN

HB0811 HD2 SD1 (SSCR 965)

RELATING TO REGISTERED NURSES.
Introduced by: Aquino H, Manahan J, Magaoay M, Tsuji C, Pine K, Finnegan L, Ching C, Brower T, Wakai G, Ito K, Yamane R, Keith-Agaran G, Saiki S, Shimabukuro M
Amends provisions relating to nurses. Repeals that applicants that graduated from a registered nursing program at an educational institution in a foreign jurisdiction and had their transcripts evaluated by professional evaluators designated by the State board of nursing. Provides that reports by the commission of graduates of foreign nursing schools or other professional evaluator recognized by the board, requires applicants to be eligible to apply for license by examination if they complete credentials evaluation service or certification program. Requires the board to require a graduate of a foreign nursing school applying for a license to practice as a registered nurse in Hawaii to arrange for the applicant's school to send to the board the breakdown of educational program for international nursing programs form along with a certified school transcript; provided that if the transcript is not in English, a certified English translation shall also be submitted. -- HB0811 SD1
Current Status: Mar=25 09 Passed Second Reading Senate as amended (SD1)
Mar=25 09 Referred to CPN

HB0812 HD2 SD1 (SSCR 915)

RELATING TO DOMESTIC VIOLENCE.
Introduced by: Mizuno J, Pine K, Karamatsu J, Brower T, Magaoay M, Ito K,

Shimabukuro M
Establishes provisions relating to termination of tenancy; domestic violence. Allows a tenant to notify the landlord that the tenant or a household member was the victim of an act that constitutes abuse of a family or household member and that the tenant intends to terminate the rental agreement. Requires that notice to terminate a rental agreement be in writing with a copy of the temporary restraining order or a dated affidavit executed by a county deputy prosecuting attorney attached. Requires the tenant to terminate tenancy and be released from any rent payment obligation without penalty with provisions. -- HB0812 SD1
Current Status: Mar=25 09 Passed Second Reading Senate as amended (SD1)
Mar=25 09 Referred to JGO

HB0819 HD2 SD2 (SSCR 1336)

RELATING TO CRIME.
Introduced by: Mizuno J, Brower T, Cabanilla R, Ward G, Bertram J, Say C, Pine K, Karamatsu J
Amends provisions relating to waiver of jurisdiction, transfer to other courts. Provides that if a minor who is at least 15 years of age, but less than 18 years of age, has been charged with an act that would constitute a violation of murder in the 1st degree if committed by an adult, and if the minor has not been charged with any other criminal offense arising from the same incident, the family court shall waive jurisdiction and order the minor held for criminal proceedings. Allows the circuit court to remand the minor back to family court if the circuit court finds that the rehabilitation of the minor would be seriously impaired if the minor remained under the jurisdiction of the circuit court or that the minor is committable to an institution for the mentally defective or retarded or the mentally ill. -- HB0819 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr=17 09 Conference Committee: Senate Members: Chun Oakland S, Taniguchi B -- Slom S
Apr-17 09 Conference Committee: House Members: Mizuno J, Karamatsu J, Oshiro M -- Oshiro B, Pine K

HB0823 HD2 (HSCR 330-10)

RELATING TO HEALTH INSURANCE.
Introduced by: Nishimoto S, Mizuno J
Amends the accident and sickness insurance contracts law, benefit societies law, and the health maintenance organizations act (HMOs) by requiring coverage for the screening of colorectal cancer by colonoscopy and any other screening modalities that have received a grade of A or B from the US Preventative Service Task Force. -- HB0823 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH then CPN

HB0834 HD2 SD1 (SSCR 1190)

RELATING TO WATER QUALITY STANDARDS.
Introduced by: Say C (BR)
Adopts the Clean Water Act and the 2006 US Environmental Protection Agency national recommended water quality standards and shall apply to all state inland and marine waters. Exempts the 2006 national recommended water quality criteria for arsenic, cadmium, chromium, chromium III, chromium VI, copper, lead, mercury, nickel, selenium, silver, and zinc and the 2006 national recommended water quality criteria for non priority pollutants not currently listed. Requires all waters fully incorporates the water quality standards adopted by the State by following table of numeric standards for toxic pollutants applicable. Exempts standards that are not repealed or deemed inconsistent to remain in effect. Requires that the freshwater standards to apply where the dissolved inorganic ion concentration is less than 0.5 part per 1000. Further adopts provisions for coastal recreation waters. -- HB0834 SD1
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr=21 09 Conference Committee: Senate Members: Ige D, Gabbard M -- Hemmings F
Apr-21 09 Conference Committee: House Members: Morita H, Ito K, Coffman D -- Har S, Ward G

HB0840 HD1 (HSCR 496-10)

RELATING TO CHARGING BY WRITTEN INFORMATION.
Introduced by: Say C (BR)
Amends provisions relating to felonies for which criminal charges may be instituted by written information. Includes unauthorized entry in a dwelling and unauthorized possession of confidential personal information. -- HB0840 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate

Mar=03 10 Single Referral to JGO

HB0861 HD1 (HSCR 736)

RELATING TO ELECTIONS.
Introduced by: Say C (BR)
Establishes provisions relating to election procurements. Exempts the office of elections from the Hawaii public procurement code requirements relating to cost or pricing data. -- HB0861 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to JGO then WAM

HB0863 HD1 SD2 (SSCR 1294)

RELATING TO ESTABLISHING A COUNTY TRANSIT ORIENTED DEVELOPMENT INFRASTRUCTURE REVOLVING FUND.
Introduced by: Har S, Bertram J, McKelvey A
Establishes provisions relating to county infrastructure development revolving loan fund. Establishes the revolving loan fund to be administered by the director of finance. Provides no interest loans to counties for the development, pre development or construction of infrastructure projects to expedite the building of transit oriented affordable housing development. Annual report to the legislature. -- HB0863 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Souki J, Har S, Cabanilla R, Awana K -- Pine K
Apr=17 09 Conference Committee: Senate Members: English J, Sakamoto N, Kim D -- none

HB0865 HD1 (HSCR 709)

RELATING TO TRANSPORTATION.
Introduced by: Har S, McKelvey A, Yamane R, Herkes R, Nakashima M, Tokioka J, Souki J, Yamashita K, Ito K, Karamatsu J, Carroll M, Chang J, Hanohano F, Lee M, Magaoay M
Amends provisions relating to statewide transportation plan. Requires the department of transportation to comply with county transportation related plans, county general plans, and all community, development, or community development plans adopted to the county general plan, to the extent that compliance does not affect the receipt of federal funds. -- HB0865 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to TIA

HB0866 HD1 (HSCR 562)

RELATING TO HIGH OCCUPANCY VEHICLE LANES.
Introduced by: Har S, Lee M, Ito K, Shimabukuro M, Yamane R, Magaoay M, Oshiro M
Establishes provisions relating to high occupancy vehicle lanes; emergencies. Allows any motor vehicle, regardless of the number of passengers, to use the high occupancy vehicle lane (HOV) or zipper lane when 1 or more lanes of a laned roadway within a mile radius have been shut down by law enforcement officers or emergency services personnel. Requires the department of transportation to develop protocols. -- HB0866 HD1
Current Status: Mar=06 09 Introduction/Passed First Reading - Senate
Mar=10 09 Single Referral to TIA

HB0869 HD1 SD1 (SSCR 1234)

RELATING TO RENTAL MOTOR VEHICLES.
Introduced by: Herkes R
Amends provisions relating to U drive vehicles, traffic infractions. Provides that the lessor of the vehicle shall be responsible for summons or citations, if the court mails a copy of the summons or citation to the lessor within 60 days of the issuance of the summons or citation and if the lessor of the vehicle does not provide the court with the name and address of the lessee of the vehicle within 60 days after mailing of a notice to a lessor. Fruther provides that if requested by the lessor in writing within 60 days of the mailing of the notice of violation, the administrative judge of the court shall waive the requirement of providing the name and address of the lessee by the lessor and impose an administrative fee on the lessor. -- HB0869 SD1
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Souki J, Karamatsu J -- Pine K
Apr=17 09 Conference Committee: Senate Members: English J, Taniguchi B -- Slom S

HB0874 HD2 SD1 (SSCR 994)

RELATING TO RESIDENTIAL REAL PROPERTY.
Introduced by: Oshiro B

Establishes provisions relating to prohibition of transfer fees; covenants. Provides that no deed restriction or other covenant running with the land applicable to the transfer of residential real property, or the transferee's heirs, successors or assigns to pay a declarant or other person imposing the deed restriction or covenant on the property of a 3rd party designated by a transferor of the property a fee in connection with the future transfer of property. Provides exceptions. -- HB0874 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to JGO

HB0875

RELATING TO CONDOMINIUMS.
Introduced by: Oshiro B
Amends Act 244, session laws of 2007, relating to condominiums by changing the sunset date to June 30, 2011. Amends Act 205, session laws of 2008, relating to condominiums by changing the sunset date to June 30, 2011. -- HB0875
Current Status: Mar=10 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to CPN

HB0896 HD1 (HSCR 808)

RELATING TO TOBACCO.
Introduced by: Yamane R
Amends Act 131, session laws of 2005, relating to retail tobacco permit by repealing the sunset date. -- HB0896 HD1
Current Status: Mar=25 09 Passed Second Reading Senate
Mar=25 09 Referred to WAM

HB0901 HD2 SD1 (SSCR 1083)

RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS.
Introduced by: Say C (BR)
Requires the office of Hawaiian affairs to either accept or reject the global settlement proposal which includes payment by the State of 251 million dollars to the office of Hawaiian affairs, suspension of the 15 million dollars annual payment to the office of Hawaiian affairs, and conveyance of public lands from the State to the office of Hawaiian affairs equal to 20 per cent of the approximately 1.8 million acres of public trust lands. -- Authorizes the issues of general obligation bonds. -- Provides that if the office of Hawaiian affairs rejects the global settlement, the office of Hawaiian affairs shall elect to receive from the State resources valued at 200 million dollars to be paid by monetary payments, conveyance of certain parcels of land with existing improvements, or a combination of monetary payments and conveyance of land. Provides that the conveyed lands would include the following submerged land, accreted land, or any land makai of the shoreline: Kakaako makai, Kahana valley and beach park, La Marina and pier 60, accreted peninsula and land filled bordered by Kalihi stream and Moanalua stream, Heeia meadowlands, Mauna Kea Scientific Reserve, State owned fishponds statewide, Waikiki yacht club, AAFES property, and Kalaeloa makai. -- Amends provisions relating to the definition of public lands by adding lands conveyed to the office of Hawaii affairs pursuant to Act ____, session laws of 2009. -- Amends provisions relating to district; established boundaries. Requires that the Kakaako community development district not include any land conveyed to the office of Hawaiian affairs pursuant to Act ____, session laws of 2009. Repeals provisions relating to interim revenue. -- HB0901 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to JGO/ WAM/

HB0921 HD1 SD1 (SSCR 1080)

RELATING TO PUBLIC LANDS.
Introduced by: Wooley J
Amends provisions relating to the Hawaiian homes commission act of 1920. Establishes provisions relating to commercial projects. Allows the department of Hawaiian home lands to negotiate lease terms, including initial lease terms and extensions beyond 65 years for commercial projects. Requires all funds, proceeds, and income from the disposition of public trust lands to be deposited into the public trust. Prohibits the State from disposing of any lands in the public land trust, whether by lease with option to purchase, sale or exchange until the claims of the native Hawaiian people have been resolved; or the State no longer supports reconciliation between the State and the native Hawaiian people. Allows the State to dispose of remnants, provide easements to public utilities and government agencies, engage in land exchanges, dispose of public land trusts that are part of negotiations between the office of Hawaiian affairs and the State, dispose of public lands after December 31, 2014, and dispose of public trust lands, subject to certain conditions. -- HB0921 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=30 09 Multiple Re referral to WTL then JGO/ WAM/

HOUSE BILLS THAT PASSED THIRD READING

HB0939 HD1 (HSCR 197-10)

RELATING TO COASTAL ZONE MANAGEMENT.
Introduced by: Yamashita K, Nishimoto S, Tokioka J, Morita H, Har S, Awana K, Tsuji C
Amends provisions relating to the definitions under coastal zone management law. Redefines special management area minor permit and special management area use permit by increasing the valuation from 125,000 dollars to 250,000 dollars. -- HB0939 HD1
Current Status: Feb=11 10 Introduction/Passed First Reading - Senate
Feb=18 10 Multiple Referral to WTL/ ENE/ then TIA

HB0948 HD1 SD1 (SSCR 1078)

RELATING TO KAKAAKO.
Introduced by: Ito K, Yamashita K, Chong P, Thielen C, Tsuji C, Nishimoto S, Tokioka J, Brower T, Magaoay M, Souki J, Yamane R
Establishes provisions for a reserved housing requirement for Kakaako mauka area. Redefines a reserved housing unit as a multi family dwelling unit that is purchased or rented by a family that has an income of not more than 140 per cent of the median income and complies with the eligibility requirements. Requires that at least 50 per cent of the countable floor area of each major development of a lot of at least 80,000 square feet in the Kakaako mauka area be developed as and made available for reserved housing units, provided that after 5 years from the effective date of Act ____ the percentage shall increase to at least 60 per cent. Allows the developer of the planned development to make a cash payment to the Hawaii community development authority in lieu of developing and making available the reserved housing floor area or units required. Allows the developer to transfer excess housing credits to another project in Kakaako mauka. -- HB0948 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to JGO

HB0949 HD1 (HSCR 969)

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.
Introduced by: Ito K, Thielen C, Tokioka J, Brower T, Souki J, Magaoay M, Chang J, Yamane R
Amends provisions relating to the Hawaiian homes commission act of 1920. Allows the department of Hawaiian home lands to negotiate lease terms of up to 99 years for commercial development projects. -- HB0949 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to WTL then WAM

HB0951 HD1 SD1 (SSCR 1077)

RELATING TO LANDOWNER LIABILITY.
Introduced by: Ito K
Establishes provisions for definitions, land failure on unimproved land caused by natural condition; liability, natural condition. Relieves landowners of liability for damage, injury or harm to persons or property outside the boundaries of the landowners land caused by naturally occurring land failure originating on unimproved land. Provides that a landowner shall remain liable for damages proximately caused by negligence or wanton acts or omissions committed in the course of activities on the unimproved land. -- Establishes provisions relating to development in hazardous areas. Requires that as a condition precedent to approval of any county subdivision, development plan or building permit, the subdivider, developer, or builder perform a study to determine the risks of rockfalls or landslides if any portion of the subdivision of development projects includes hillsides or cliffs that pose or may pose a hazard; perform a risk assessment to determine to what extent conditions on the adjacent property pose a risk of harm; and create hazard buffer zones or implement other mitigation measures where a rockfall or landslide is determined or suspected to exist. Requires that determination of the existence of a hazard or risk of harm shall be performed by a licensed geotechnical professional. -- HB0951 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to JGO

HB0954 HD1 SD1 (SSCR 1021)

RELATING TO A MAJOR DISASTER RESERVE TRUST FUND.
Introduced by: Evans C
Establishes provisions relating to major disaster reserve trust fund. Requires the director of finance to establish a major disaster reserve trust fund and that federal reimbursement for disaster relief be deposited into the account. Provides funds with approval of the legislature for expenditure under the governor for relief in the event of a major disaster. -- HB0954 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)

Mar=27 09 Referred to WAM

HB0960 HD2 SD2 (SSCR 1260)

RELATING TO THE HAWAII TOURISM AUTHORITY.
Introduced by: Manahan J, Say C, Lee M, Evans C, Tsuji C, McKelvey A, Wakai G, Tokioka J, Brower T
Amends provisions relating to specific research and promotional functions of the department of business, economic development and tourism. Deletes the responsibility for tourism research and statistics. -- Amends provisions relating to tourism related activities. Transfers the research and statistics duties from the department of business, economic development, and tourism to the Hawaii tourism authority. Requires the authority to enter in to contracts and agreements to measure and analyze tourism trends, provide information and research to assist in the development and implementation of state tourism, and provide tourism information on visitor arrivals, visitor characteristics, and expenditures, the number of transient accommodation units available, occupancy rates, and room rates, airline related data, and the impact of ongoing marketing programs on the authority of Hawaii's tourism industry, employment in Hawaii, state taxes, and the State's lesser known and underutilized destinations. -- Amends provisions relating to tourism emergency. Redefines tourism emergency to include a national or a global economic crisis. -- HB0960 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Manahan J, Hanohano F, Tokioka J -- Marumoto B, Yamashita K
Apr=17 09 Conference Committee: Senate Members: Nishihara C, Kim D -- Galuteria B, Slom S

HB0963 HD1 (HSCR 247)

RELATING TO WORKS OF ART SPECIAL FUND.
Introduced by: Manahan J, Lee M, Yamashita K, Mizuno J, Souki J, Luke S, Brower T, Nishimoto S, Tokioka J
Amends provisions relating to Iolani palace and the Bernice Pauahi Bishop museum. Requires the comptroller and the State of Hawaii museum of monarch history or the Bernice Pauahi Bishop museum, as applicable, be responsible for the selection of works of art and artifacts for Iolani palace and the Bernice Pauahi Bishop museum. Allows expenditures from works of art special fund for acquisition of works of art for the museum and palace. -- HB0963 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to EDT/ JGO/ then WAM

HB0979 HD1 (HSCR 746)

RELATING TO THE ENVIRONMENT.
Introduced by: Chong P, Tsuji C, Yamashita K
Amends provisions relating to special land and development fund. Authorizes the special land and development fund to be used for invasive species control and mitigation, to promote reforestation and to mitigate sediment run off. Act to be repealed on June 30, 2013 (sunset). -- HB0979 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to WTL/ ENE/ then WAM

HB0980 HD2 (HSCR 933)

RELATING TO RECREATIONAL RENAISSANCE.
Introduced by: Ito K, Hanohano F, Chong P, Magaoay M, Evans C, Karamatsu J, Har S, Tokioka J, McKelvey A, Keith-Agaran G, Mizuno J, Cabanilla R, Tsuji C, Nakashima M, Oshiro B, Shimabukuro M, Brower T, Manahan J, Carroll M, Wakai G, Morita H, Lee C, Yamashita K, Nishimoto S, Bertram J
Establishes provisions relating to recreational renaissance special fund. Establishes the fund in the department of land and natural resources for the recreational renaissance program. Provides that the fund shall be used for information technology, payment of bonds, planning, design, and construction, operation and maintenance costs, and land acquisition. -- Establishes provisions for partnership with the department for Keehi small boat harbor and triangle island. Requires the department of land and natural resources to delegate to the aloha tower development corporation the implementation of projects related to Keehi small boat harbor and triangle island. -- Amends industrial park to include existing roadways that provide access to or within an industrial park. Exempts the selection of a partnership for the development of an industrial park from competitive sealed bid provisions. -- Repeals the prohibition of moorage of commercial vessels and commercial activities in the Ala Wai and Keehi boat harbors. Requires that the total number of valid commercial use permits that may be issued for vessels assigned mooring at Ala Wai boat harbor shall not exceed 15 per cent of the total berths and shall not exceed 35 per cent of the total berths at Keehi boat harbor. Requires moorage fees

to be established by appraisal by a state licensed appraiser with a schedule for existing mooring holders and a schedule for new mooring applicants. Allows the additional assessment of utility fees. Appropriation out of the fund. ($$) -- HB0980 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to WTL then WAM

HB0984 HD4 SD2 (FLOOR AMENDMENT 7)

RELATING TO TECHNOLOGY.
Introduced by: Oshiro M, Yamashita K, Chong P, Say C, Oshiro B, Evans C, Mizuno J, Coffman D, Nishimoto S, Keith-Agaran G, Magaoay M, Yamane R, Tokioka J, McKelvey A, Carroll M, Hanohano F, Luke S, Awana K, Tsuji C, Nakashima M, Lee C, Manahan J, Morita H, Rhoads K
Authorizes the department of commerce and consumer affairs to apply for, and expend, federal moneys from the American Recovery and Reinvestment Act of 2009, federal funds from fiscal year 2009 and fiscal year 2010 appropriate measures, and other applicable federal acts and to deposit funds into a subaccount established within the compliance resolution fund. Further authorizes the department to purchase broadband facilities, services, or equipment and enter into contracts for broadband related projects from funds in the subaccount. Exempts contracts or purchases using moneys from the American Recovery and Reinvestment Act of 2009 or federal funds appropriation measures from the Hawaii public procurement code. -- Requires the director of commerce and consumer affairs to convene a working group to develop procedures for streamlined permitting functions that are applicable to the development of broadband services and technology. Report to the legislature. Appropriation out of the federal funds into the subaccount of the compliance resolution fund. ($$) -- HB0984 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr=20 09 Conference Committee: Senate Members: Fukunaga C, Baker R, Tsutsui S -- Hemmings F, Ige D

HB0985 HD2 (HSCR 840)

RELATING TO EDUCATION.
Introduced by: Nakashima M, McKelvey A, Magaoay M, Chong P, Carroll M, Evans C, Luke S, Oshiro B, Mizuno J, Coffman D, Oshiro M, Takai K, Say C, Lee M, Rhoads K, Karamatsu J, Shimabukuro M, Lee C, Morita H, Awana K, Tsuji C
Amends provisions relating to educational accountability system; annual reports. Requires the department of education evaluation of the effectiveness of complex area superintendents and principals to include implementation of the use of resources by schools. Requires principals to develop and present to the school community council the school budget process as it aligns with the school's academic and financial plans. Requires the board of education to develop an appeals process with respect to the authority of a principal to set aside any decision made by a school community council. Requires principals to exercise various media and including electronic media and websites to engage and consult with teachers, parents, and students to solicit input and advice on the use of money, positions, and other resources available to the school. -- HB0985 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to EDH then WAM

HB0987 HD2 SD1 (SSCR 1010)

RELATING TO UNEMPLOYMENT.
Introduced by: Coffman D, Magaoay M, Oshiro M, Say C, Chong P, Oshiro B, Evans C, Mizuno J, Karamatsu J, Yamashita K, Takai K, Luke S, Morita H, Belatti D, Berg L, Hanohano F, Herkes R, McKelvey A, Shimabukuro M, Awana K, Manahan J, Brower T, Tsuji C, Carroll M, Tokioka J, Nishimoto S, Lee M, Keith-Agaran G, Rhoads K, Nakashima M
Establishes the state comprehensive employment and training program law. Authorizes the director of labor and industrial relations to create and administer a statewide state funded subsidized public service employment program for unemployed persons. Provides that persons employed in public service jobs under this law shall not be paid below minimum wage and shall not be considered state employees. Annual report to the legislature. -- Provides that an employer who agrees to participate in the employment program to train and permanently hire unemployed persons shall be entitled to state subsidy. Appropriation. Act to be repealed on June 30, 2010 (sunset). ($$) -- HB0987 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB0988 HD2 SD1 (SSCR 940)

RELATING TO PROCUREMENT.
Introduced by: Oshiro B, Say C, Magaoay M, Oshiro M, Chong P, Evans C, Tsuji C,

Shimabukuro M, Luke S, Yamashita K, Keith-Agaran G, Bertram J, Nakashima M, Takumi R, Rhoads K, Manahan J, Tokioka J, Herkes R, McKelvey A, Morita H, Lee C, Awana K, Takai K, Belatti D, Nishimoto S, Carroll M, Brower T, Hanohano F, Lee M, Coffman D, Yamane R

Amends provisions relating to the Hawaii public procurement code. Establishes that if an administrator or procurement officer has made any contract under procurement code and finds that in the performance of the contract there has been a failure to comply with the provisions, the contract shall be voidable and the offeror shall be referred for debarment or suspension proceedings. Adds failure to adequately verify, deliver, or supply Hawaii products as required, as a cause for debarment or suspension proceedings. Amends the definition of Hawaii products by redefining product classes I and II and repealing class III. Allows self certification as part of the offer that the Hawaii products qualify for preference. -- HB0988 SD1

Current Status: Mar=25 09 Passed Second Reading Senate as amended (SD1)
Mar=25 09 Referred to JGO

HB0990 HD1 SD1 (SSCR 1068)

RELATING TO DISASTER PREPAREDNESS.

Introduced by: Herkes R, Chong P, Magaoay M, Evans C, Keith-Agaran G, Mizuno J, Coffman D, Har S, Say C, Oshiro B, Morita H, Belatti D, Luke S, Yamane R, Rhoads K, Shimabukuro M, Awana K, Nishimoto S, Takai K, Oshiro M, Nakashima M, McKelvey A, Manahan J, Tokioka J, Tsuji C

Establishes disaster preparedness law. Establishes the office of disaster preparedness in the department of ____. Requires the director to develop a comprehensive disaster preparedness plan for the State which includes the identification of natural hazards; the designation of natural hazard impact zones; priorities for natural hazard mitigation; policies, requirements, and incentives to mitigate the problems caused by natural hazards; plans for best responses to natural and other disasters. Annual report to the legislature and governor. Establishes a commission to advise and assist the director. Appropriation. ($$) -- HB0990 SD1

Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB0991 HD2 SD2 (SSCR 1261)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Yamane R, Say C, Magaoay M, Oshiro M, Oshiro B, Chong P, Evans C, Mizuno J, Luke S, Takai K, Yamashita K, Hanohano F, Lee M, Rhoads K, Brower T, Manahan J, Herkes R, Nakashima M, Takumi R, McKelvey A, Berg L, Morita H, Lee C, Shimabukuro M, Nishimoto S, Awana K, Keith-Agaran G, Coffman D, Belatti D, Tsuji C

Establishes provisions relating to Hawaii medical doctor loans; eligibility; amounts. Establishes the Hawaii medical doctor loan program administered by the university of Hawaii to provide financial support to students who complete a state approved medical school program at the university or graduates of a medical school who have received medical training from a Hawaii based medical program and who agree to practice in rural areas of the State. Provides that loans shall bear interest at 5 per cent simple interest. Repayment of principal and interest charges shall commence 1 year after graduation or 3 months after a loan recipient ceases to be enrolled in a state approved medical school program and shall be paid in periodic installments within a 6 year period. Provides that if the doctor is practicing as a medical doctor in a rural area of the State 1/10 of the total amount of the loan and interest shall be waived for every year of the 1st 5 years and the remaining balance shall be waived after the 6th year. Establishes the medical doctor loan program revolving fund administered by the board of regents of the university of Hawaii to be used for qualified students who meet eligibility requirements. Appropriation to the fund and out of the fund. ($$) -- HB0991 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Yamane R, Chang J, Nishimoto S -- Finnegan L
Apr=20 09 Conference Committee: Senate Members: Ige D, Tokuda J, Tsutsui S -- Hemmings F

HB0993 HD2 (HSCR 971)

PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION, RELATING TO THE DISPOSITION OF PROJECTED EXCESS REVENUES.

Introduced by: Rhoads K, Say C, Cabanilla R, Magaoay M, Evans C, Souki J, Ito K, Chang J, Manahan J, Tsuji C, Coffman D, Morita H, Wakai G, Luke S, Chong P, Oshiro M, Oshiro B, Tokioka J

Proposes to amend the constitution. Establishes that during any regular session in which the council on revenues estimates prior adjournment of the session, that for the 2nd consecutive year, general fund revenues in the current fiscal year will exceed the

general fund revenues collected in the prior fiscal year by at least 7 per cent, the legislature shall set aside 1 per cent of general fund revenues collected in the prior fiscal year as a tax refund or tax credit to the taxpayers and moneys exceeding 7 per cent for deposit into an emergency and budget reserve fund (rainy day fund). -- HB0993 HD2
Current Status: Mar=27 09 Passed Second Reading Senate
Mar=27 09 Referred to JGO

HB1008 HD1 (HSCR 686)

RELATING TO LAND USE.
Introduced by: Say C (BR)
Amends standards and criteria for the reclassification or rezoning of important agricultural lands. Establishes provisions relating to subdivisions and building permits on agricultural land. Establishes conditions for subdivision of land and each building permit to construct farm dwellings in an agricultural land use district. Adds agribusiness as permissible uses within agricultural districts. -- HB1008 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to WTL then TIA

HB1014 HD3 (HSCR 879)

RELATING TO ENHANCED 911 SERVICES.
Introduced by: Say C (BR)
Amends provisions relating to the enhanced 911 services for mobile phones (cell phone, cellular phone, mobile telephone, wireless telephone) law. Replaces wireless enhanced to enhanced and replaces wireless provider with communications service provider. Increases membership of the board. Changes the surcharge to ____ cents. Prohibits a 3rd party accounting firm, consultant, or other 3rd party hired to perform administrative duties to be retained if there is a conflict of interest. -- HB1014 HD3
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to EDT/ CPN/ then WAM

HB1015 HD1 SD2 (SSCR 1311)

RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND.
Introduced by: Say C (BR)
Amends provisions relating to exceptions; trust funds. Provides that obligations in excess of the amount standing to the credit of a department of Hawaiian home lands trust fund or moneys of the Hawaii housing finance and development corporation may be incurred when the director of finance determines that moneys to pay the obligations made in excess of the amount standing to the credit of the trust fund and the Hawaii housing finance and development corporation are expected to be received within a reasonable time period; and with the approval of the governor, such action is in the best interests of the State and will not impede or hamper the financial obligations of the State. Requires the department to report to legislature. Act to be repealed on June 30,2011 (sunset). -- HB1015 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr=20 09 Conference Committee: Senate Members: Hee C, Kim D, Sakamoto N -- Fukunaga C, Hemmings F

HB1019 HD1 (HSCR 497-10)

RELATING TO THE PENAL CODE.
Introduced by: Say C (BR)
Amends provisions relating to murder in the 2nd degree. Establishes that a person who intentionally or with intent to do serious bodily injury to any person performs acts that cause the death of another person commits the offense of murder in the 2nd degree. -- Defines simulated firearm to mean any object that substantially resembles a firearm; can reasonably be perceived to be a firearm; or is used or brandished as a firearm. -- Amends provisions relating to the offense of terroristic threatening in the 1st degree and offense of robbery in the 1st degree to include simulated firearm. -- HB1019 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to JGO

HB1025 HD1 (HSCR 378)

RELATING TO SENTENCING.
Introduced by: Say C (BR)
Establishes provisions relating to presentence mental and medical examinations. Provides that a court may order a defendant who has been convicted of a felony or misdemeanor to submit to mental or other medical observation or examination; and appoint 1 or more qualified psychiatrists, physicians, or licensed psychologists to make the examination. Requires the department of health to create a list of certified examiners for appointment. -- HB1025 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate

Mar=12 09 Multiple Referral to HTH then JGO

HB1031 SD3 (FLOOR AMENDMENT 6)

RELATING TO CHAPTER 480, HAWAII REVISED STATUTES.
Introduced by: Say C (BR)
Amends provisions relating to unfair competition, practices, declared unlawful. Provides that the State or any of its political subdivisions or governmental agencies may bring an action based on unfair methods of competition and unfair or deceptive acts or practices declared unlawful. -- HB1031 SD3
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr=17 09 Conference Committee: Senate Members: Baker R, Taniguchi B -- Slom S
Apr-27 09 Conference Committee: House Members: Herkes R, Oshiro B, Oshiro M -- Marumoto B

HB1032 SD1 (SSCR 984)

RELATING TO NOTARY PUBLIC SEALS.
Introduced by: Say C (BR)
Amends provisions relating to seal under notary public law. Requires every notary public seal to include the notary public's commission number. -- HB1032 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to JGO

HB1035 HD1 (HSCR 688)

RELATING TO APPEALS.
Introduced by: Say C (BR)
Amends provisions relating to appeals as of right or interlocutory, civil matters. Provides that appeals shall be allowed from interlocutory orders of the circuit courts and the district courts that deny motions seeking dismissal, or judgment for the movant, based upon sovereign immunity. Provides that an application to the circuit court to permit an interlocutory appeal and any appeal shall be taken in the manner and within the time provided by the rules of court. -- HB1035 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to JGO

HB1037 HD2 (HSCR 886)

RELATING TO CIVIL ACTIONS.
Introduced by: Say C (BR)
Amends provisions relating to government entity as a tortfeasor; abolition of joint and several liability; exceptions. Provides that in any case where a government entity is 1 of the tortfeasors, the government entity will be liable for no more than that percentage share of the damages attributable to the government entity. Repeals that joint and several liability shall be retained for tort claims relating to the maintenance and design of highways. -- HB1037 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to JGO

HB1043 HD1 SD1 (SSCR 988)

RELATING TO LOW-INCOME HOUSING TAX CREDITS.
Introduced by: Say C (BR)
Amends provisions relating to low income housing income tax credit. Changes the credit to be equal to the amount of the federal low income housing tax credit that the taxpayer claimed or could have claimed pursuant to section 42 of the Internal Revenue Code with respect to each qualified low income building located in Hawaii and provides that the taxpayer may claim a low income housing tax credit only with respect to the amount of the federal low income housing tax credit claimed for the 1st 5 years of the credit period. -- Provides that under section 1602(b) of the American Recovery and Reinvestment Act of 2009, the state may elect to receive low income housing grant in lieu of the low income housing tax credit allocation for 2009. Requires the Hawaii housing finance and development corporation to serve as the state housing credit agency. -- Provides that a qualified low income building that has been awarded a subaward under section 1602 of the American Recovery and Reinvestment Act of 2009, shall also be eligible for the credit. -- HB1043 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB1044 HD2 (HSCR 801)

RELATING TO HOUSING.
Introduced by: Say C (BR)
Amends provisions relating to real property; restrictions on transfer; waiver of restrictions. Allows purchaser to refinance real property provided that the purchaser obtain the corporation's written consent for any refinancing while any restriction on

transfer exists. Requires that the corporation's share of appreciation on real property applies when the sale price of the real property that is developed and initially sold is less than the then current, unencumbered, fair market value of the real property as determined by a real property appraisal obtained prior to the closing of the sale, is a restriction that runs with the land until it is paid in full and released by the corporation, or extinguished, and may be paid at any time after recordation of the sale. Requires that restrictions be automatically extinguished when a mortgage hold or other party becomes the owner of the real property provided that the mortgage is the initial purchase money mortgage, or that the corporation consented to, and agreed to subordinate the restrictions on the mortgage when originated if the mortgage is not the initial purchase money mortgage. Requires a mortgagor to notify the corporation 45 days prior to commencing mortgage foreclosure proceedings. Requires that in any sale in which the corporation's share of appreciation in real property shall be a restriction, the terms of the shared appreciation equity program shall be clearly stated and included as an exhibit in any deed, lease, agreement of sale, or any other instrument of conveyance. -- HB1044 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to EDH then WAM

HB1046 HD1 (HSCR 737)

RELATING TO THE SALE OF REAL PROPERTY BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

Introduced by: Say C (BR)

Amends provisions relating to prohibitions. Allows the Hawaii community development authority to sell, exchange, transfer, assign, or convey any real property located in the Kakaako community development district except for the area makai of Ala Moana boulevard, but excluding from such area the land identify by tax map key 2-1-14:16. -- HB1046 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to WTL then WAM

HB1047 HD1 (HSCR 685)

RELATING TO IMPORTANT AGRICULTURAL LANDS.

Introduced by: Say C (BR)

Amends provisions relating to a petition by farmer or landowner. Allows a petitioner to seek a reclassification of land in the agricultural district provided that the land sought to be reclassified is on the same island as the land sought to be designated as important agricultural lands. Requires the commission to evaluate the suitability of the land for reclassification and that conditions imposed by the commission run with the land. -- HB1047 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to WTL

HB1048 HD1 (HSCR 693)

RELATING TO LAND USE.

Introduced by: Say C (BR)

Establishes provisions relating conformance of county land use plans, ordinances, and rules with state land use district policies and standards. Establishes provisions related to rural district; objectives and standards. Requires each county to establish by ordinance and rules that define the policies, standards, and procedures for the use and development of land in the rural district, to include but not be limited to permissible uses, allowable density and lot sizes, standards for physical development, infrastructure a, and service levels, and design guidelines for rural development in rural centers in the rural district. -- HB1048 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to WTL/ TIA/

HB1051 HD1 SD1 (SSCR 1051)

RELATING TO ENERGY EMERGENCY PREPAREDNESS.

Introduced by: Say C (BR)

Establishes provisions relating to information and analysis required for state energy emergency planning and preparedness, mitigation, response, and recovery. Provides that the department of business, economic development, and tourism, shall use the information from all sources and from the public utilities commission to conduct systematic statistical and quantitative analyses of the State's energy resources, systems, and markets that the director determines is necessary. Requires that the sharing of information between private entities and the department of business, economic development and tourism shall be required solely pursuant to an emergency as declared by the governor and the information shall have a reasonable nexus or connection related to the emergency. Requires that the department provide a report to

the legislature within 60 days after the declared emergency with specific details. Provides that each major energy producer, major fuel storer, major energy transporter, major energy user, and major energy marketer shall submit to the director of business, economic development, and tourism certified statements. -- Changes the title procurement, control, distribution and sale of petroleum products to energy emergency preparedness and management. Authorizes the director of business, economic development, and tourism to acquire, use, and analyze relevant and essential information on Hawaii's energy resources, systems, and markets to effectively plan and prepare for, mitigate against, respond to, and recover from any energy emergency and preserve the State's energy security. Replaces petroleum with fuel. Allows the governor to temporarily suspend for the duration of a shortage, or until such time as the governor deems appropriate, standards which may affect or restrict the use of a substitute fuel to meet energy demand. Defines fuel product to add any fuel subject to the set aside system, including all classifications of diesel fuels, motor gasoline and all blends of motor gasoline with other fuel products, naphtha, biodiesel, ethanol, suboctane motor gasoline. -- HB1051 SD1

Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to JGO

HB1060 HD1 (HSCR 836)

RELATING TO PUBLICATION OF HEARING NOTICES.
Introduced by: Say C (BR)
Amends provisions relating to notices under public utilities. Requires that any public hearing held for rate, fare, charge, classification, schedule, rule or practice by any public utility be a noticed public hearing or hearings on the island or islands or county or counties on which the utility provides utility services. -- HB1060 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to CPN

HB1062

RELATING TO GAS PIPELINE SYSTEMS.
Introduced by: Say C (BR)
Repeals provisions relating to gas pipeline system under public utilities commission law. -- HB1062

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to CPN

HB1064 HD1 SD2 (SSCR 1297)

MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL.
Introduced by: Say C (BR)
Appropriation to the department of human services for meeting the general fund shortfall to be used for general assistance payments for the months of April, May, and June of 2009. ($$) -- HB1064 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Mizuno J, Yamane R, Oshiro M -- Brower T, Nishimoto S, Ward G
Apr=17 09 Conference Committee: Senate Members: Chun Oakland S, Tsutsui S -- Hemmings F, Ihara L

HB1065 HD1 (HSCR 444)

MAKING AN APPROPRIATION FOR THE DEPARTMENT OF HUMAN SERVICES TO ADDRESS THE BUDGET SHORTFALL.
Introduced by: Say C (BR)
Appropriation out of the emergency and budget reserve fund (rainy day fund) to the department of human services for the health care payments program (HMS 401). ($$) -- HB1065 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HMS then WAM

HB1074 HD2 SD1 (SSCR 928)

RELATING TO INSURANCE.
Introduced by: Say C (BR)
Amends provisions relating to the department of commerce and consumer affairs. Exempts the drivers education fund underwriters fee; motorcycle and motor scooter operators education fund from the deposit into the compliance resolution fund. -- Amends provisions relating to investments. Limits investments by an insurer in non dividend paying stocks and in common trust funds, mutual funds, and exchange traded funds to 25 per cent of its asset or 100 per cent of its surplus. -- Amends provisions relating to domestic company credit for retaliatory taxes paid to other states, by adding filing deadlines. -- Repeals workers' compensation claims adjusters with claims

adjusters. Adds crop insurance claims. Requires ethics training. -- Amends provisions relating to rate filings under rate regulation law. Requires an insurer to submit an electronic or printed version of the filing and accompanied by a 50 dollar fee payable to the insurance commissioner to be deposited in the commissioner's education and training fund. -- HB1074 SD1

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Herkes R, Karamatsu J, Keith-Agaran G -- Marumoto B, Souki J, Wakai G
Apr=17 09 Conference Committee: Senate Members: Baker R, Kim D -- Hemmings F

HB1094 HD1 (HSCR 436)

RELATING TO PERMANENCY HEARINGS.
Introduced by: Say C (BR)
Establishes provisions for permanency hearings. Requires that a permanency hearing be held within 12 months of the child's placement into out of home care or within 30 days of a judicial determination that the child is an abandoned infant or that aggravated circumstances are present and reasonable efforts to reunify a child and family are not required. Allows that a permanency hearing may be held with a review hearing. Requires that the department of human services review the child's status at least every 12 months. Establishes court responsibilities at the permanency hearing. -- HB1094 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HMS then JGO

HB1097 HD1 (HSCR 330)

RELATING TO ASSISTANCE FOR AGED, BLIND, AND PERMANENTLY AND TOTALLY DISABLED PERSONS.
Introduced by: Say C (BR)
Amends provisions relating to aged, blind, and permanently and totally disabled person; eligibility for assistance. Requires a person to be eligible for state funded public assistance by the allowance for the aged, blind, and permanently and totally disabled persons to not exceed 62 and 1/2 per cent of the standard need. Requires the department of human services to adopt rules and determine the allowance for the aged, blind, and permanently and totally disabled persons based upon the total amount appropriated for the aged, blind, and permanently and totally disable persons; a method for determining allowance amounts and other necessary provisions to implement public assistance to aged, blind, and permanently and totally disabled persons. -- HB1097 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HMS then WAM

HB1098 HD2 SD2 (SSCR 1300)

RELATING TO GENERAL ASSISTANCE.
Introduced by: Say C (BR)
Amends provisions relating to determination of amount of assistance. Repeals the requirement that the director of human services to determine the allowance for general assistance to households without minor dependents based upon the total amount appropriated for general assistance. Amends provisions relating to general assistance to households without minor dependents. Authorizes the department of human services to administer and provide state funded public assistance to eligible persons for a period not to exceed 24 months. Provides that after 12 months or upon the person turning 65 years of age, requires the department to refer the person for eligibility under the aid to the aged, blind, and disabled program. Requires any month in which a person receives assistance pending an eligibility determination for the federal Supplemental Security Income Program or a successor program shall not be counted towards the 24 month limit. -- HB1098 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Mizuno J, Brower T -- Ward G
Apr=17 09 Conference Committee: Senate Members: Chun Oakland S, Tsutsui S -- Hemmings F, Ihara L

HB1125 HD2 (HSCR 919)

RELATING TO CERTAIN FUNDS UNDER THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS.
Introduced by: Say C (BR)
Amends provisions relating to unemployment compensation fund; establishment and control. Replaces special fund with trust fund. Amends provisions relating to establishment of special premium supplementation fund by replacing special with trust. Appropriation out of the special fund for disability benefits to the department of labor and industrial relations for the automation of the workers compensation temporary disability

insurance, and prepaid health care program. ($$) -- HB1125 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to LBR then WAM

HB1144 HD1 (HSCR 682)

RELATING TO CONSERVATION OF THREATENED AND ENDANGERED SPECIES.
Introduced by: Say C (BR)
Amends provisions relating to definitions, conservation of aquatic life, wildlife, and land plants. Defines certificate of inclusion to mean a type of license that is used to enroll interested landowners into a programmatic safe harbor agreement or programmatic habitat conservation plan and extends coverage of an incidental take license to those landowners identified in the agreement or plan and who subsequently enroll in the agreement or plan. Defines programmatic habitat conservation plan to mean a habitat conservation plan that covers multiple landowners or a class of landowners and over a wide area or region. Defines programmatic safe harbor agreement to mean a safe harbor agreement that covers multiple landowners or a class of landowners and over a wide area or region. Provides that after consultation with the endangered species recovery committee, the board of land and natural resources may issue a temporary license as a part of a habitat conservation plan or programmatic habitat conservation plan to allow a take otherwise prohibited, if the take is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. -- HB1144 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to ENE then WTL

HB1145 HD1 (HSCR 923)

RELATING TO REMNANT LANDS.
Introduced by: Say C (BR)
Amends provisions relating to remnant. Repeals the consolidation and use requirements for the sale of a state land remnant. Requires that proceeds from the sale of a state land remnant be deposited in the land conservation fund. -- HB1145 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to WTL then WAM

HB1148 HD1 SD1 (FLOOR AMENDMENT 5)

RELATING TO PUBLIC AGENCY MEETINGS.
Introduced by: Say C (BR)
Amends provisions relating to notice of board meetings. Defines the state calendar as the internet website designated as the state calendar on the official website of the State. Adds emergency meetings to the list of meetings that require the board to give notice. Requires the notice to be posted 6 calendar days before the meeting and by electronic posting on the state calendar. Provides that if the state board is unable to file the notice on the state calendar, the board shall file the notice in the office of information practices, who shall file post the notice on the state calendar. Amends provisions for emergency meetings to indicate that an emergency agenda and findings are filled electronically instead of with the office of the lieutenant governor or the appropriate county clerk's office. Provides that persons requesting notification on a regular basis be contacted by telephone or their requested method of notification. -- HB1148 SD1
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Karamatsu J -- Belatti D, Ito K, Thielen C, Tsuji C
Apr=17 09 Conference Committee: Senate Members: Taniguchi B -- Slom S, Takamine D

HB1153 HD2 (HSCR 757)

RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.
Introduced by: Say C (BR)
Amends income tax provisions to conform the Hawaii income tax law to the Federal Internal Revenue Code. -- HB1153 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to WAM

HB1163 HD2 (HSCR 887)

RELATING TO HARBORS.
Introduced by: Say C (BR)
Amends provisions relating to rules under harbors law. Allows the director of transportation to adopt rules as necessary to examine, guide, and control harbor masters and their assistants and their conduct while on duty; control the embarkation or disembarkation of passengers; and regulate the expeditious and careful handling of freight, goods, wares, and merchandise of every kind that may be delivered for shipment. Allows the director of transportation to adopt, amend, and repeal rules as

necessary to require any person who uses State harbor property to defend, indemnify, and hold harmless, the State and any of its agencies, officers, and employees, from and against all liability, loss, damages, cost and expense, including attorneys' fees, and all claims, suit, and demands arising out of or resulting from such use or occupation. -- HB1163 HD2

Current Status: Mar=25 09 Passed Second Reading Senate
Mar=25 09 Referred to JGO

HB1165

RELATING TO HARBORS.
Introduced by: Say C (BR)
Amends provisions relating to rules under harbors law. Allows the director of transportation to adopt rules, amend and repeal rules as necessary for the proper regulation and control of all shipping, traffic, and other related activities; the entry, departure, mooring, and berthing of vessels; in the commercial harbors and activities in the commercial harbor. Requires the director to establish safety measures and security requirements in or about the commercial harbors, land, and facilities belonging to or controlled by the State. -- HB1165

Current Status: Mar=06 09 Introduction/Passed First Reading - Senate
Mar=10 09 Single Referral to TIA

HB1167 HD2 (HSCR 895)

RELATING TO HIGHWAYS.
Introduced by: Say C (BR)
Changes the fuel tax, state motor vehicle registration fee, vehicle weight tax for any island with a population of more than 20,000, and rental motor vehicle and tour vehicle surcharge tax. Changes the rental motor vehicle and tour vehicle surcharge tax. -- Authorizes the department to issue highway revenue bonds for various capital improvement projects and programs. -- Allows the department of taxation to refund motor vehicle fuel taxes paid by participants in pilot programs. -- Authorizes the department of transportation to execute a master agreement with a consultant to be the overall program manager. Appropriation of an additional amount of highway revenue bonds and the sum of 1 dollar of federal funds. Reports to the legislature. -- Requires the department of transportation to establish a vehicle miles traveled pilot program to evaluate a vehicle miles traveled user fee. Further requires the department to develop 1 or more pilot programs to test alternatives to state and county motor vehicle fuel taxes. ($$) -- HB1167 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to TIA then WAM

HB1168 HD2 (HSCR 889)

RELATING TO AIRPORTS.
Introduced by: Say C (BR)
Amends provisions relating to rules under aeronautics law. Allows the director of transportation to adopt, amend, and repeal rules as necessary to require any person who uses or occupies the airport land, buildings, and facilities for business or commercial purposes, to defend, indemnify, and hold harmless, the State and any of its agencies, officers, and employees from and against all liability, loss, damages, cost and expense, including attorneys' fees, and all claims, suit, and demands arising out of or resulting from such use or occupation of airport land, buildings, and facilities. Requires the department to adopt rules to regulate tour aircraft operations by permit include a written assessment of the impact of the tour aircraft operation to the surrounding area and to the subject state airport. Redefines sterile passenger holding area to mean any portion of a public airport designated by the director and identified by appropriate signs as an area into which access is conditioned upon the prior inspection of persons and property in accordance with the approved federal aviation administration (FAA) air carrier screening program. -- HB1168 HD2

Current Status: Mar=25 09 Passed Second Reading Senate
Mar=25 09 Referred to JGO

HB1184 HD2 (HSCR 762)

RELATING TO STATE GOVERNMENT.
Introduced by: Say C (BR)
Provides that requirements for contracts for goods, services, construction, or health and human services using federal funds authorized by the American Recovery and Reinvestment Act of 2009, and matching state funds, shall be subject to the Hawaii public procurement code and purchases of health and human services law, unless covered by exemptions adopted by the procurement policy board or the respective chief procurement officers. Provides alternative requirements for contracts necessary to be expedited due to potential lapse of available funds. -- Amends provisions in the civil

service and exemptions. Exempts positions or contracts for services with private persons or entities for services lasting up to 2 years where the director of human resources development has certified that the service is necessary to the efficient and timely implementation of programs authorized or funded by the Recovery and Reinvestment act. Waives the expenditure ceiling on the use of temporary assistance for needy families program funds (TANF) in order for the department of human services to utilize funds provided by the Recovery Act. Act to be repealed on June 30, 2012 (sunset). -- HB1184 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to JGO/ LBR/ WAM/

HB1187 HD1 SD1 (SSCR 1047)

RELATING TO THE HOMELESS.
Introduced by: Cabanilla R, Brower T, Chong P, Chang J
Establishes provisions relating to return to home program. Establishes a voluntary homeless assistance program to be known as the return to home program within the Hawaii public housing authority to provide for eligible homeless with assistance to be reunited with their families and relative in the person's home state. Requires the Hawaii public housing authority to administer the program and adopt the standards and framework necessary to implement the program. Further requires the authority to actively seek the participation of local airlines, cruise lines, charter companies, homeless programs, travel agencies, and the visitor industry to implement and coordinate the program. Requires the authority to assist program participants with necessary and proper preparations for the return trip and follow up with them within 1 month of their return to assess their efforts at successful reunification with their families and relatives. Appropriation. ($$) -- HB1187 SD1

Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB1188 HD1 (HSCR 619)

RELATING TO AFFORDABLE HOUSING.
Introduced by: Cabanilla R, Chong P, Chang J
Amends provisions relating to land use density and infrastructure; low income rental units. Allows the counties to provide flexibility in land use density provisions and public facility requirements to encourage the development of any rental housing project 50 per cent of rental units are set aside for persons and families with income at or below 100 per cent of the area median family income. -- HB1188 HD1

Current Status: Feb=24 09 Introduction/Passed First Reading - Senate
Feb=25 09 Single Referral to EDH/ TIA/

HB1190 HD1 (HSCR 241-10)

RELATING TO TRAFFIC ACCIDENT INVESTIGATION.
Introduced by: Cabanilla R, Brower T, Chong P, Lee M, Souki J
Requires police departments of each county to identify roadways that are most critical to the free movement of persons and commerce and establish protocols necessary to coordinate major traffic accident investigations with police, including immediately notifying the medical examiner in the case of a fatal traffic accident. -- HB1190 HD1

Current Status: Feb=12 10 Introduction/Passed First Reading - Senate
Feb=18 10 Multiple Referral to TIA then JGO

HB1204 HD2 SD2 (SSCR 1255)

RELATING TO TOURISM.
Introduced by: Say C
Amends provisions relating to the transient accommodations tax. Provides that for fiscal years 2009 - 2010 and 2010 - 2011, ____ dollars or all remaining revenues, whichever is less shall be deposited into the tourism special fund and beginning fiscal year 2011 - 2012, all remaining revenues shall be deposited into the general fund. -- HB1204 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Manahan J, Oshiro M -- Marumoto B, Tokioka J
Apr=17 09 Conference Committee: Senate Members: Nishihara C, Tsutsui S -- Galuteria B, Hemmings F

HB1205 HD1 (HSCR 665-10)

PROPOSING AMENDMENTS TO ARTICLE VII, SECTIONS 12 AND 13, OF THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO TAX INCREMENT BONDS.
Introduced by: Say C
Proposes to amend the constitution. Provides that the legislature shall authorize the counties to issue tax increment bonds. Defines tax increment bonds to mean the principal of and interest on which are payable from and secured solely by all real

property taxes levied by a political subdivision, for a period not to exceed years, on the assessed valuation of the real property in a tax increment district established by the political subdivision that is in excess of the assessed valuation of the real property for the year prior to the undertaking of specified public works, public improvements or other actions by the political subdivision within the tax increment district. -- HB1205 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate

HB1207 HD1 SD1 (SSCR 933)

RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT.
Introduced by: Say C, McKelvey A
Amends provisions relating to community based development. Repeals the provisions that prohibits the department of business, economic development and tourism to reallocate funds from the loan program to the grant program so that insufficient funds remain available to make loans. Reduces the maximum amount of outstanding balance on all loans to 1 applicant and reduces the maximum interest allowed. -- HB1207 SD1
Current Status: Mar=25 09 Passed Second Reading Senate as amended (SD1)
Mar=25 09 Referred to WAM

HB1212 HD1 SD1 (SSCR 1191)

RELATING TO INFORMATION PRACTICES.
Introduced by: Say C, Yamane R
Amends provisions relating to disclosure required by amending the examples of information in which the individual has a significant privacy interest. Repeals the exemption of records of complaints including depositions from information compiled as part of an inquiry into an individual's fitness to be granted or to retain a license. Act to be repealed on July 1, 2014 (sunset). -- HB1212 SD1
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr=17 09 Conference Committee: Senate Members: Taniguchi B -- Slom S, Takamine D

HB1218 HD1 (HSCR 728)

RELATING TO CAPITAL IMPROVEMENT PROJECTS.
Introduced by: Say C, Chong P
Authorizes the issuance of general obligation bonds for appropriation to the department of budget and finance for planning, design, construction, and equipment for improvements to state infrastructure and facilities within the boundaries of the city and county of Honolulu, county of Maui, county of Hawaii, and county of Kauai. Requires counties to appropriate county funds. ($$) -- HB1218 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to TIA then WAM

HB1221 HD1 SD1 (SSCR 930)

RELATING TO AFFORDABLE HOUSING PROJECTS.
Introduced by: Say C, Cabanilla R
Authorizes the issuance of general obligation bonds for appropriation to the department of budget and finance to be apportioned between the Hawaii housing finance and development corporation and the Hawaii public housing authority for affordable housing projects. Allows appropriation to be used to match federal funds for capital improvement projects under federal fiscal stimulus legislation. ($$) -- HB1221 SD1
Current Status: Mar=25 09 Passed Second Reading Senate as amended (SD1)
Mar=25 09 Referred to WAM

HB1226 HD1 (HSCR 692)

RELATING TO GENETICALLY MODIFIED PLANT ORGANISMS.
Introduced by: Say C
Establishes the genetically modified plant organisms law. Prohibits any state or county administrative action to ban or restrict a person from genetically modifying any plant organism if performed in accordance with a valid permit from a relevant federal agency. Prohibits any county regulatory action to ban or otherwise regulate the genetic modification of any plant organism. -- HB1226 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to ENE/ TIA/ then WTL

HB1229 HD1 (HSCR 689)

RELATING TO NOTICE.
Introduced by: Say C
Amends provisions relating to the power to enjoin and temporarily restrain harassment. Allows the court to authorize publication of the hearing on petition for injunction against harassment and of injunction after hearing if the petitioner does not know the address or residence of the respondent. -- HB1229 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to JGO

HOUSE BILLS THAT PASSED THIRD READING

HB1231 HD1 (HSCR 738)

RELATING TO HAWAII HEALTH SYSTEMS CORPORATION.
Introduced by: Say C
Establishes within the Hawaii health systems corporation, a corporate transition management team to develop a plan that includes providing for a general downsizing of the corporation's operations, determining what functions should retained by the corporation, eliminating legal staff services from within, and establishing negotiations with local law firms to represent the corporation; establishing negotiations with local accounting firms to set up an accounting system for both corporate and regional operations of the corporation; developing a functional and efficient electronic medical records system; establishing a new corporate board that includes the corporation's regional chief operating officers to manage the corporate functions; giving each regional system board human resources functions; and moving toward more regional control of the corporation. Report to the legislature. -- HB1231 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HTH then WAM

HB1232 HD1 SD1 (SSCR 1058)

RELATING TO SUSTAINABLE AFFORDABLE HOUSING.
Introduced by: Say C
Establishes provisions relating to sustainable affordable housing developed on state land. Requires that residential property developed or leased from the State or any department, agency or instrumentality thereof, ____ per cent of the total residential floor area in the development shall constitute affordable housing and be sold pursuant to sustainable affordable leases. Requires the provisions to be incorporated in any deed, lease, agreement of sale, or any other instrument of conveyance issued by the seller of the dwelling unit. -- Amends provisions relating to real property; restrictions and transfer; waiver of restrictions. Requires that after the 10th year from the date of purchase, the purchaser may sell the property for total consideration that does not exceed the maximum resale price, and the same resale requirements will apply to each successive owner. Establishes provisions relating to residential projects; cooperative agreements. Requires that any residential project constructed with the community development district meet the requirements that not less than 20 per cent of the total residential floor area in the residential project be reserved housing and if sold sustainable affordable leases, and increased to 25 per cent with respect to planned development located on lots of 3 acres or more or that are part of a master planned area. -- HB1232 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WTL

HB1260 HD1 SD1 CD1 (CCR 177)

RELATING TO GOVERNMENT.
Introduced by: Say C
Repeals the aloha tower development corporation and transfers jurisdiction and responsibility for the harbors modernization project to the harbors division of the department of transportation. Creates the harbor modernization group who shall have jurisdiction over harbor projects that shall be known as the commercial harbors modernization plan. Specifies projects at the Honolulu harbor, Kahului harbor, Hana harbor, Hilo harbor, Kawaihae harbor, Kalaeloa harbor, and Nawiliwili harbor. -- Transfers the tourism liaison position from the department of business, economic development, and tourism to the office of the governor and establishes the position of special advisor for tourism. -- Transfers the small business regulatory review board from the department of business, economic development, and tourism to the department of commerce and consumer affairs. -- Transfers the natural energy laboratory of Hawaii authority from the department of business, economic development, and tourism to the department of accounting and general services. -- Transfers the arts and culture development branch of the department of business, economic development and tourism to the state foundation on culture and the arts. -- Transfers the film industry branch of the department of business, economic development, and tourism to the Hawaii tourism authority. -- Requires the legislative reference bureau to review this act and report to the legislature. -- HB1260 CD1
Current Status: May=07 09 Re Committed to Conference Committee Senate
May-07 09 Re Committed to Conference Committee House

HB1272 HD1 SD1 (SSCR 1205)

RELATING TO ELECTRONIC WASTE RECYCLING.
Introduced by: Morita H, Thielen C, Lee C, Chang J, Coffman D
Amends provisions relating to electronic waste recycling act. Provides that the term manufacturer shall not include persons who manufacture computers. Prohibits a plan to permit the charging of a fee at the point of recycling if the covered electronic device is brought by the covered electronic device owner to a central location for recycling;

allows each manufacturer to develop its own recycling program or collaborate with other manufacturers; requires each manufacturer to be responsible for ensuring that the manufacturer and its agents follow all federal, state, and local regulations when collecting, transporting, and recycling covered electronic devices, and adopt environmentally sound recycling practices for the covered electronic devices. -- HB1272 SD1

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Morita H, McKelvey A -- Thielen C
Apr=17 09 Conference Committee: Senate Members: Gabbard M, Fukunaga C -- Hemmings F

HB1273 HD1 SD2 (SSCR 1281)

RELATING TO ENERGY.
Introduced by: Morita H, Evans C, Thielen C, Tsuji C, Lee C, Coffman D, Nishimoto S
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 detached single family residential dwelling or townhouse that the person owns; provided that the board of directors or other private entity with responsibility for the single family dwelling or townhouse may implement reasonable restrictions with regard to clotheslines so long as the restrictions do not prohibit clotheslines altogether or deny access to air or sunlight reasonably necessary for the effective use of the clotheslines. -- Amends provisions relating to renewable energy technologies income tax credit. 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. -- HB1273 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Morita H, Cabanilla R -- Chong P, Thielen C
Apr=17 09 Conference Committee: Senate Members: Gabbard M, Baker R -- Hemmings F

HB1284 HD1 SD2 (SSCR 1301)

RELATING TO HEALTH.
Introduced by: Mizuno J, Brower T
Appropriation to the department of human services to increase payments for physician services for the care of medicaid eligible persons, including fee for service, QUEST physician services, and QUEST expanded care program. Requires the sum to be equitably distributed between medicaid fee for service physician services and health plans that provide QUEST physician services and the increased moneys shall not exceed ____ per cent of the current medicare fee schedule applicable to Hawaii. Reports to the legislature. ($$) -- HB1284 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Mizuno J, Yamane R, Brower T -- Belatti D, Nishimoto S, Ward G
Apr=17 09 Conference Committee: Senate Members: Chun Oakland S, Ige D, Tsutsui S -- Green J, Hemmings F

HB1287 HD2 (HSCR 667-10)

RELATING TO PUBLIC EMPLOYMENT.
Introduced by: Rhoads K
Amends Act 245, session laws of 2005, as amended by Act 294, session laws of 2007, Act 16, session laws of Hawaii 2008, and Act 5, special laws of 2008. Allows retirees and future retirees who are members of an employee organization that establishes a voluntary employees' beneficiary association (VEBA) to be provided the opportunity to join this trust once it is established. Participants may transfer from the Hawaii employer union health benefits trust fund to VEBA trust fund. Extends the sunset date to December 31, 2010. Appropriation out of the Hawaii employer union health benefits trust fund to the Hawaii employer union health benefits trust fund for 5 temporary positions and 5 permanent positions. ($$) -- HB1287 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH/ LBR/ then WAM

HB1289 HD2 (HSCR 960)

RELATING TO PROCUREMENT.
Introduced by: Rhoads K
Establishes provisions relating to construction contracts; registered apprenticeship agreement preference. Requires that an offeror for a construction contract with a total estimated value of 250.000 dollars or more that maintains a registered apprenticeship agreement and abide by the applicable apprentice to journey work ratio specified in the

apprenticeship agreement be given 5 per cent preference for the contract. Requires that at the time of general bidding, offerors furnish written proof of their maintenance of a registered apprenticeship agreement and certify in writing on a monthly bases, their maintenance of the registered apprenticeship agreement for the entire duration of their work on the project. Specifies sanctions for failure to comply. -- HB1289 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to JGO

HB1293 HD2 (HSCR 813)

RELATING TO LAW ENFORCEMENT.
Introduced by: Tsuji C, Evans C, Souki J, Magaoay M, Yamashita K, Chang J, Hanohano F, Takai K, Nakashima M, Manahan J
Appropriation to the city and county of Honolulu, the county of Maui, the county of Kauai, and the county of Hawaii for grants in aid to the department or office of the prosecuting attorney each county for the career criminal prosecution unit and the victim witness assistance program, including the hiring of necessary staff. ($$) -- HB1293 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to TIA/ JGO/ then WAM

HB1354 HD2 SD2 (SSCR 1302)

RELATING TO CHILDREN.
Introduced by: Mizuno J, Brower T
Appropriation to the department of health to maintain the current support services provided by the healthy start program. Appropriation out of temporary assistance for needy families (TANF) funds to the department of human services to maintain the current support services provided by the healthy start program; and for the enhanced healthy start program to hire a child development specialist or clinical specialist and to train healthy start and enhanced healthy start providers to continue delivering currently provided services. ($$) -- HB1354 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Mizuno J, Brower T -- Belatti D, Finnegan L, Shimabukuro M
Apr=17 09 Conference Committee: Senate Members: Chun Oakland S, Tsutsui S -- Hemmings F, Ihara L

HB1371 HD1 SD2 (SSCR 1249)

RELATING TO HEALTH CARE.
Introduced by: Yamane R, Nishimoto S, Oshiro M, Herkes R, Yamashita K, Oshiro B, Chong P, Ito K, Say C
Appropriation out of the American Recovery and Reinvestment Act of 2009 to the department of health for community health centers for the uninsured, respite services, substance abuse treatment, early intervention services, healthy start services, Hawaii health systems corporation, aging and disability resource center, kupuna care, healthy aging partnership, developmental disabilities medicaid waiver services, and mental health services; and to the department of human services for increased medicaid reimbursements, disproportionate share hospital payments, Hawaii children's health care program, domestic violence services, adult dental services, immigrant health initiative program, out stationed eligibility workers, and medicaid budget to cover the expected increase. Requires that funds may not be replaced by federal funds or decreased because of the availability of federal funds. Allows the governor to approve the expenditure of federal funds only if it is made for the benefit of the public. ($$) -- HB1371 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Yamane R, Mizuno J, Nishimoto S -- Belatti D, Finnegan L
Apr=20 09 Conference Committee: Senate Members: Ige D, Chun Oakland S, Tsutsui S -- Hemmings F, Kokubun R

HB1372

RELATING TO THE TRANSITIONING OF THE REGIONS AND FACILITIES OF HAWAII HEALTH SYSTEMS CORPORATION.
Introduced by: Yamane R, Souki J, McKelvey A, Yamashita K, Keith-Agaran G
Establishes provisions relating to transition to a corporation or corporations under hospitals and medical facilities. Authorizes any of the regional systems or individual facilities of the Hawaii health systems corporation to transition into a new legal entity including a nonprofit corporation, for profit corporation, municipal facility, public benefit corporation, or any 2 or more of the entities upon approval of the appropriate regional system board or the corporation board and regional system boards. Requires each regional system board and each community hospital under the jurisdiction of the corporation collaborate with community health centers within their respective geographic

jurisdictions to maximize funding from the state and federal government. Requires each regional system board to have the powers, duties, and responsibilities that are specific to the regional system board. Exempts contracts made by the Hawaii health systems corporation from the Hawaii public procurement code. Requires the corporation and each regional system board to notify the speaker of the house of representatives; president of the senate; and chairperson of the respective subject matter committee for health in each house within 30 days of any substantial reduction or elimination of direct patient care services. -- HB1372

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HTH then WAM

HB1373 HD1 SD1 (SSCR 1008)

RELATING TO HEALTH.
Introduced by: Yamane R, Carroll M, Nishimoto S
Appropriation to the department of health for direct health care services to uninsured residents, including medical, dental, and behavioral health care through nonprofit, community based health care providers. Allows distribution of funds to be on a per visit basis. ($$) -- HB1373 SD1

Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB1376 HD1 SD1 (SSCR 931)

RELATING TO EDUCATION.
Introduced by: Takai K
Establishes the facilities alignment commission attached to the department of education to establish criteria for the selection of public schools to be constructed, expanded, consolidated, or closed; recommend, based upon these criteria, a list of schools for new construction, and of schools for expansion, consolidation, or closure; explore funding mechanisms; develop procedures or guidelines for executing memoranda of understanding with the counties regarding the property on which the affected schools are located; and develop procedures or guidelines, with the assistance of the attorney general regarding boiler plate language, terms, and conditions associated with the sale or lease of property on which the schools are located. Allows the commission to have access to all records in the department of education and the department of accounting and general services 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 areas for new school construction; schools for expansion, other than charter schools; schools to be consolidated, other than charter schools; and 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. Provides that the final list of recommendations shall be subject to legislative disapproval. Commission to terminate upon adjournment of the regular session of 2011 (sunset). Appropriation. ($$) -- HB1376 SD1

Current Status: Mar=25 09 Passed Second Reading Senate as amended (SD1)
Mar=25 09 Referred to WAM

HB1388 HD1 (HSCR 290)

RELATING TO AIRPORT CONCESSIONS.
Introduced by: Souki J, Awana K
Requires the governor or the director of transportation to adjust and modify existing airport concession leases and contracts. -- HB1388 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to TIA then WAM

HB1390 HD2 (HSCR 920)

RELATING TO WORKERS' COMPENSATION.
Introduced by: Souki J, Yamashita K
Amends provisions relating to medical care, services and supplies under workers' compensation law. Effective January 1, 2010, and for each succeeding calendar year thereafter, the workers compensation charges shall not exceed ____ per cent of fees prescribed in the Medicare Resource Based Relative Value Scale system. -- HB1390 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to LBR then WAM

HB1404 HD1 SD1 CD1 (CCR 178)

RELATING TO GENERAL EXCISE TAX.
Introduced by: Tokioka J
Amends provisions relating to general excise tax exemption. Establishes a ceiling amount for exemption by a manager, submanager or board of directors of an association

of apartment owners of a condominium property regime or a nonprofit homeowners or community association in reimbursement for sums paid for common expenses. Establishes a ceiling amount for general excise tax exemption for amounts received by the operator of a hotel from the owner of the hotel, from a timeshare association, or from the operator of the hotel for employee wages, salaries, payroll taxes, insurance premiums, and benefits. Amends Act 239, session laws of 2007, by extending the sunset date. -- HB1404 CD1

Current Status: May=07 09 Re Committed to Conference Committee Senate
May-07 09 Re Committed to Conference Committee House

HB1417 HD2 SD2 (SSCR 1236)

RELATING TO MOBILE BILLBOARDS.
Introduced by: Oshiro B, Brower T, Lee C, Luke S
Amends provisions relating to vehicular advertising prohibited; penalty by replacing vehicular advertising with mobile billboards. Allows businesses to display an advertising device on vehicles or trailers that is regularly driven or moved as part of the day to day operations of a business; and carries or displays an advertising device that relates to that business. Replaces vehicular advertising with advertising device. -- HB1417 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Morita H, Karamatsu J, Herkes R -- Ching C
Apr=17 09 Conference Committee: Senate Members: Baker R, Taniguchi B -- Ihara L

HB1429 HD2 SD1 (SSCR 1074)

MAKING AN APPROPRIATION FOR THE ABOUT FACE PROGRAM.
Introduced by: McKelvey A, Souki J, Carroll M
Appropriation out of the federal temporary assistance for needy families (TANF) funds to the department of human services for the about face family of programs. Requires the department to work with the department of defense. ($$) -- HB1429 SD1

Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB1433 HD2 (HSCR 844)

RELATING TO INVASIVE SPECIES.
Introduced by: Tsuji C, Magaoay M, Yamane R, Wooley J, Evans C, McKelvey A, Herkes R, Chong P, Manahan J, Chang J, Ito K, Nakashima M, Karamatsu J
Establishes provisions relating to failure to pay or remit the inspection, quarantine, and eradication service fee; fines. Establishes fines which are to be deposited to the pest inspection, quarantine, and eradication fund. Exempts liquid bulk freight and cement bulk freight from the fee. -- HB1433 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to WTL/ TIA/ then WAM

HB1438 HD1 SD1 (SSCR 1002)

RELATING TO MORTGAGE LOAN ORIGINATORS.
Introduced by: Herkes R (BR)
Repeals the mortgage brokers and solicitors law and replaces it with the mortgage brokers and loan originators law. Prohibits a person to engage in the business of a mortgage loan originator without a license. -- Amends provisions relating to criminal history record check under criminal data center law. Requires the department of commerce and consumer affairs to conduct a criminal history record checks on the applicant, or any of its officers, directors, partners, members, managers, employees or agents, if it is an applicant for a mortgage broker or a loan originator. Appropriation out of the compliance resolution fund. ($$) -- HB1438 SD1

Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB1439 HD1 (HSCR 492)

RELATING TO INSURANCE.
Introduced by: Herkes R (BR)
Amends provisions relating to life settlements. -- HB1439 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to CPN

HB1443 HD2 (HSCR 771)

RELATING TO HOME OCCUPATIONS.
Introduced by: Cabanilla R, Brower T
Establishes provisions relating to home occupation. Authorizes the owner of a home occupation to employ up to 2 non occupant, non family member employees, receive 1 courier visit per day, and service up to 5 customers per day. Allows a county to regulate activities of owners of home occupations that are disruptive to the surrounding

neighborhood or are a source of unreasonable noise or noxious fumes. Defines home occupation as a business operated from a residential dwelling by the owner occupant of the residential dwelling, but shall not include bed and breakfasts, transient vacation rentals, or other tourist accommodation businesses, trade activities, including carpentry, or halfway houses. -- HB1443 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to TIA then CPN

HB1451 HD2 SD2 (SSCR 1312)

RELATING TO TAXATION.
Introduced by: Wakai G, Ward G, Finnegan L, Mizuno J, Nishimoto S, Ito K, Tsuji C, Takai K
Amends the high technology business investment tax credit. Reduces the credits for investments made on or after July 1, 2009, and establishes a aggregate limit of 10 million dollars. Disallows the tax credit for the year that a recapture event occurs and during the 5 year period for the tax credit. Establishes aggregate and periodic credit caps and credit allotment procedures for all claims of high technology business investment tax credits for investments made after June 30, 2009. Requires for an investment made in a qualified high technology business that constitutes a drop down subsidiary the business shall be required to obtain a private letter comfort ruling from the department of taxation. -- Amends provisions relating to the income tax credit for research activities by providing that to qualify for the credit the taxpayer shall have increased its workforce by ____ per cent from what it was at the beginning of the tax year for 2 consecutive years. -- Repeals the technology infrastructure renovation income tax credit. -- HB1451 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: McKelvey A, Choy I -- Chong P, Wakai G, Ward G, Yamashita K
Apr=17 09 Conference Committee: Senate Members: Fukunaga C, Tsutsui S -- Hemmings F, Ige D

HB1475

RELATING TO THE PUBLIC UTILITIES COMMISSION.
Introduced by: Belatti D, Morita H, Hanohano F, Thielen C, Shimabukuro M, Ward G, Lee C, Brower T, Takai K, Marumoto B, Ching C, Nishimoto S, Wakai G
Amends provisions relating to public utilities commission law. Requires the commission to post any proceeding within 24 hours after the filing of the petition or application initiating the proceeding on the commission's website and a motion to intervene or participate in a proceeding to be filed and served no later than 20 days after notice of initiation of the proceeding. Exempts proceeding proposed public utility rate increase; a request for issuance or transfer of a certificate of public convenience and necessity; or a request for issuance or transfer of a contract carrier's permit. -- HB1475

Current Status: Mar=05 09 Introduction/Passed First Reading - Senate
Mar=05 09 Single Referral to CPN

HB1491 HD2 SD2 (SSCR 1310)

RELATING TO ETHANOL FACILITY TAX CREDIT.
Introduced by: Chong P
Amends provisions relating to the ethanol production facility income tax credit by reducing the maximum credits through December 31, 2012 (sunset). -- HB1491 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Morita H, Oshiro M -- Ching C, Chong P, Coffman D
Apr=20 09 Conference Committee: Senate Members: Gabbard M, Kim D -- Green J

HB1503 HD1 SD2 (SSCR 1333)

RELATING TO LIMITED LIABILITY COMPANIES.
Introduced by: Oshiro M
Establishes provisions relating to public purpose company designation; use of the right to exclude; reporting. Allows any limited liability company to opt to be designated a public purpose company by the director of commerce and consumer affairs and the designation as a public purpose company is irrevocable. Requires a limited liability company designated a public purpose company by the director to use the right to exclude conferred by any and all patents in which it has interest through assignment or license for the purposes of creating and retaining good jobs within the state; strengthening labor rights nationally and internationally; enhancing environmental protection nationally and internationally. Requires each limited liability company designated a public purpose company to file an annual statement to the director of the purposes for which the company used the right to exclude. Requires the director to

include a list of all public purpose companies in the state on the department's website and in the department's annual report. -- HB1503 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: McKelvey A, Herkes R, Karamatsu J -- Ward G
Apr=17 09 Conference Committee: Senate Members: Fukunaga C, Baker R -- Ige D

HB1518 HD1 (HSCR 890)

RELATING TO MOTOR VEHICLES.
Introduced by: Souki J
Amends provisions relating to vehicles left unattended on private and public property; sale or disposition of abandoned vehicles. Allows towing companies to charge the general excise tax and county surcharge to the owner of an unattended vehicle on private or public property. -- HB1518 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to TIA then WAM

HB1526 HD2 (HSCR 963)

RELATING TO HEALTH.
Introduced by: Mizuno J
Establishes provisions relating to franchise retail food establishments; nutritional information. Provides that a franchise retail food establishment shall maintain nutritional information on each standard menu item on the menu, and shall provide this nutritional information to customers. Requires a franchise retail food establishment to provide disclosure of calorie content information on a menu, menu board, or display tag next to a standard menu item. Establishes fines. -- HB1526 HD2
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to HTH

HB1554

RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY.
Introduced by: Har S
Amends provisions relating to the Barbers point naval air station redevelopment; power to redevelop established. Allows the chairperson of the Hawaiian homes commission, and the director of the city and county of Honolulu department of planning to appoint designated representatives to the Hawaii community development authority. -- HB1554
Current Status: Mar=10 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to WTL/ TIA/

HB1567 HD2 SD1 (SSCR 999)

RELATING TO SKILLED NURSING FACILITIES.
Introduced by: Magaoay M, Sagum R, Evans C, Karamatsu J, Carroll M, Brower T, Cabanilla R, Shimabukuro M
Establishes provisions relating to skilled nursing facilities; equal benefits; location outside enterprise zone; when. Deems each new skilled nursing facility that begins on or after January 1, 2010 to be a qualified business for the purpose of applying for and receiving all benefits provided as being in an enterprise zone. -- HB1567 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB1568 HD1 SD1 (SSCR 1024)

MAKING AN APPROPRIATION FOR THE AMERICAN RED CROSS.
Introduced by: Magaoay M, Chang J, Nishimoto S, Shimabukuro M, Ito K, Sagum R, Yamane R, Brower T
Appropriation to the department of defense for the American Red Cross, Hawaii chapter. ($$) -- HB1568 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB1583 HD1 (HSCR 759)

RELATING TO TAXATION.
Introduced by: Say C
Establishes provisions relating to credits against income; claim limitation. Provides that beginning after January 1, 2009, and ending before January 1, 2011, no claim for business credit under income tax, use tax, taxation of banks and other financial corporations, and insurance shall exceed 75 per cent of a taxpayer's tax liability. Act to be repealed on January 1, 2015 (sunset). -- HB1583 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to WAM

HB1584 HD1 (HSCR 763)

RELATING TO THE RATE OF INTEREST APPLICABLE TO OVERPAYMENTS OF TAX.

Introduced by: Say C
Amends provisions relating to adjustments and refunds of taxes. Reduces the interest rate to 1/3 of 1 per cent. -- HB1584 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to WAM

HB1592 HD1 (HSCR 893)

RELATING TO HOUSING.
Introduced by: Say C
Establishes provisions relating to leveraging of union financing for affordable housing. -- HB1592 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to EDH/ LBR/

HB1593 HD1 (HSCR 722)

RELATING TO REAL PROPERTY.
Introduced by: Say C
Establishes provisions relating to leases of commercial and industrial property. Subjects any lease of commercial or industrial leasehold property to certain terms and conditions. Defines commercial or industrial leasehold property as any ground lease of real property situated in the State, zoned for commercial, industrial or mixed use that is subject to a lease with a term of 10 years or more and an unexpired term of 5 years or more and the lessor is the owner of 50,000 square feet or more of the commercial or industrial leasehold property in the State. -- Establishes provisions relating to agricultural leases of real property. Provides that whenever any agreement or document for the lease of private agricultural lands with soil classified by the land study bureau's detailed land classification as productivity rating class A or B for agricultural use in counties with populations of over 500,000 provides for the renegotiation of the rental amount and the term of the lease, and the lessee has made improvements or is seeking to make improvements on the land, the renegotiated term of the lease shall include extension of the lease for a period of not less than 75 per cent of the original term of the lease. -- Requires district boundary amendments involving lands with soil classified as overall productivity rating of class A or B to be processed by the land use commission. -- HB1593 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to EDT/ WTL/ then JGO

HB1598 HD1 (HSCR 751)

RELATING TO TAXATION.
Introduced by: Say C
Establishes provisions relating to taxable income; leased real property. Provides that at the termination of a lease of real property, the value of capital improvements made by the lessee to the leased property shall be subject to income tax on the lessor of the property. -- Amends income tax provisions to conform the Hawaii income tax law to the Federal Internal Revenue Code. Provides that section 109 (with respect to improvements made by a lessee on the lessor's property shall not be operative. -- HB1598 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to CPN then WAM

HB1600 HD1 SD1 (SSCR 1225)

RELATING TO THE GENERAL EXCISE TAX.
Introduced by: Say C
Provides that the general excise tax law shall not apply to amounts received by 1 related person from another related person. -- HB1600 SD1
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Oshiro M -- Chong P, Choy I, Ward G
Apr=17 09 Conference Committee: Senate Members: Kim D -- Hee C, Slom S, Tsutsui S

HB1604

RELATING TO REAL PROPERTY.
Introduced by: Say C
Establishes the tax on surrendered leasehold improvements law. Establishes a tax on the value of improvements on a non residential real property parcel that are surrendered by the lessee to the lessor at the expiration of a long term lease. Requires the counties to collect and enforce the tax. Provides that the county shall retain the cost of collection and 50 per cent of the remainder and the other 50 per cent transmitted to the State. -- HB1604
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate

Mar=12 09 Multiple Referral to CPN then WAM

HB1605 HD1 SD1 (SSCR 1204)

RELATING TO TAXATION.
Introduced by: Say C
Establishes provisions relating to retail sales tax. Authorizes any county to exercise all functions, powers, and duties, relating to a retail sales tax and may impose a retail sales tax up to 1 per cent on the retail sale of tangible personal property. -- HB1605 SD1
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Oshiro M -- Chong P, Choy I, Keith-Agaran G, Ward G
Apr=17 09 Conference Committee: Senate Members: Kim D -- Kidani M, Tsutsui S

HB1607

RELATING TO HAWAII HEALTH SYSTEMS CORPORATION.
Introduced by: Say C
Establishes provisions relating to duties and powers of the corporate board. Requires the corporate board of the Hawaii health systems corporation to be a central service and coordination group and provide services under the direction of the regional system board within its own regional system. -- HB1607
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HTH then WAM

HB1617 HD1 (HSCR 907)

RELATING TO THE UNIVERSITY OF HAWAII AT HILO.
Introduced by: Chang J, Yamashita K, Magaoay M, Awana K, Nishimoto S, Oshiro B, Brower T, Say C, Karamatsu J, Nakashima M, Manahan J, Ito K
Establishes provisions relating to office of the vice chancellor for research and economic development at the university of Hawaii at Hilo. Requires the office to coordinate all undergraduate and graduate science, technology, engineering, and mathematics mentorship programs and integration of ongoing and future research projects. Further requires the office to increase participation of underrepresented cultural, socio economic, and ethnic groups. -- HB1617 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HRE/ EDT/ then WAM

HB1636 HD1 SD1 (SSCR 1038)

RELATING TO EMERGENCY MEDICAL PHYSICIANS.
Introduced by: Yamane R, Oshiro B, Evans C, Chong P, Say C, Magaoay M, Yamashita K, Oshiro M
Establishes provisions relating to consideration of on call status prohibited. Prohibits inquiry into or consideration of a physician's participation in a hospital or emergency department on call panel for any purpose related to professional errors and omissions liability coverage or indemnity for any licensed physician, including but not limited to the solicitation or application for or participation in any inter indemnity, reciprocal, or inter insurance arrangement, peer review, underwriting, acceptance or membership, setting of contributions, assessments, return of contributions, premium rates, discounts, rebates, or the continuation or termination of a membership or the renewal or cancellation of coverage or indemnity. Provides that inquiry into or consideration of a physician's participation in a hospital or emergency department on call panel shall be defined as unfair methods of competition and unfair or deceptive acts or practices in the business of insurance. -- HB1636 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to JGO

HB1639

RELATING TO CONDOMINIUM PROPERTY REGIMES.
Introduced by: Luke S, Nishimoto S, Wakai G, Finnegan L, Brower T, Saiki S, Belatti D
Amends provisions relating to association fiscal matters; lien for assessments. Increases the maximum amount that condominium associations may recover in maintenance fees from the foreclosure of a condominium apartment. -- HB1639
Current Status: Mar=05 09 Introduction/Passed First Reading - Senate
Mar=05 09 Single Referral to CPN

HB1642 HD1 SD2 (SSCR 1237)

RELATING TO THE PURCHASES OF HEALTH AND HUMAN SERVICES.
Introduced by: Shimabukuro M, Yamane R, Nishimoto S, Hanohano F
Establishes provisions for proposals. Requires that proposals be submitted by providers duly licensed to conduct the business sought by the request of the proposal, provided that the applicant is required by statute to be licensed to conduct the business being

sought by the request for proposals, and for the exact amount to be expended by the State. -- HB1642 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Yamane R, Mizuno J, Nishimoto S -- Shimabukuro M, Ward G
Apr=20 09 Conference Committee: Senate Members: Ige D, Chun Oakland S, Taniguchi B -- Slom S

HB1663 HD1 SD2 (FLOOR AMENDMENT 4)

RELATING TO TARO SECURITY.
Introduced by: Carroll M, Shimabukuro M, McKelvey A, Hanohano F, Luke S, Morita H, Belatti D
Establishes the genetically engineered taro law. Prohibits genetically engineered taro to be developed, tested, propagated, released, imported, planted, or grown. Allows genetic engineering of non Hawaiian taro in an enclosed laboratory closed to the public and allows the testing, propagation, planting, or growing of non Hawaiian taro inside an enclosed structure closed to the public. Act to be repealed on June 30, 2014 (sunset). -- HB1663 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr=17 09 Conference Committee: Senate Members: Gabbard M -- English J, Kokubun R

HB1665 HD1 SD2 (SSCR 1257)

RELATING TO HAWAIIAN FISHPONDS.
Introduced by: Hanohano F, Berg L, Shimabukuro M, Evans C, Belatti D, Har S, Ward G, Luke S, Morita H, Brower T, McKelvey A, Awana K, Lee C
Amends provisions relating to government owned Hawaiian fishponds by adding sale prohibition. Prohibits the board of land and natural resources from selling public land on which government owned Hawaiian fishponds are located. -- HB1665 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Carroll M, Ito K, Oshiro M -- Ward G
Apr=17 09 Conference Committee: Senate Members: Hee C, Kim D -- Fukunaga C, Hemmings F

HB1666 HD1 (HSCR 576)

RELATING TO THE HAWAIIAN LANGUAGE.
Introduced by: Carroll M, Luke S, Saiki S, Lee C, Wooley J, Morita H, Belatti D
Amends provisions relating to the Hawaiian language; spelling. Requires beginning January 1, 2011, all letterhead prepared by or for state or county agencies or offices to include accurate, appropriate, and authentic Hawaiian names and language, including but not limited to macrons and glottal stops printed above the English translations provided that any revision to conform any document or letterhead existing on or before January 1, 2011 to the requirements of this section may be implemented when the document or letterhead requires replacement or reprinting, or otherwise requires revision. -- Amends provisions relating to State language. Requires beginning January 1, 2011 the Hawaiian languages is to be used on all emblems and symbols representative of the State provided that for emblems and symbols existing on January 1, 2011 conformance with this section may be delayed until a replacement for the emblem or symbol is required. -- HB1666 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to WTL then WAM

HB1684 HD2 (HSCR 198-10)

RELATING TO INVASIVE SPECIES.
Introduced by: Tsuji C, Mizuno J, Lee M, Keith-Agaran G, Souki J, Chang J, Nakashima M, Thielen C, Wooley J, Magaoay M, Yamane R, Ito K, Hanohano F, Awana K, Herkes R, Evans C, Oshiro B, Rhoads K, Yamashita K, Karamatsu J, Manahan J, Brower T, Lee C, Nishimoto S, Morita H
Amends provisions relating to penalties under plant and nondomestic animal quarantine. Establishes fines for transportation company and individuals or organizations. -- Amends Act 100, session laws of 2008. -- HB1684 HD2

Current Status: Feb=11 10 Introduction/Passed First Reading - Senate
Feb=18 10 Multiple Referral to WTL then JGO

HB1686 HD2 SD1 (SSCR 1042)

RELATING TO CHARTER SCHOOLS.
Introduced by: Takumi R
Amends provisions relating to charter schools. Requires compliance with board of education policies and department of education directives. Empowers the charter school review panel to review, modify and approve charter schools budgets, capital

improvement projects and recommendations of the charter school administrative office to allocate non per pupil facilities funds. Provides that the per pupil funding amount for charter school students shall not be less than the per pupil amount of the department. Requires the department to retain _____ per cent of the charter school's federal grants and subsidies as an administrative fee. -- HB1686 SD1

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Takumi R, Oshiro M -- Finnegan L
Apr=17 09 Conference Committee: Senate Members: Sakamoto N, Tsutsui S -- Chun Oakland S, Galuteria B, Hemmings F

HB1693 HD1 (HSCR 962)

RELATING TO WEST OAHU.
Introduced by: Cabanilla R
Establishes provisions relating to development plan; Ewa planning area. Requires the city and county of Honolulu's development plan for the Ewa planning area to address the capacity of the Ewa region to support projected increases in resident population, including the infrastructural capacity of freeways, highways, and roads, connectivity to urban Honolulu, and water and sewer. Further requires the plan to provide for protection of the pueo (Hawaiian owl), provide for the protection of open space and important agricultural lands, account for the collective cumulative impact of traffic for all development along the leeward coast, including existing and future development, as opposed to a piecemeal traffic analysis for each development project, ensure the preservation and restoration of historical entities and sites, such as significant historic buildings within Ewa Villages, the chemical mixing plant, the Japanese internment camp, World War II bunkers, the Ewa railway, and other significant landmarks in the region, and protect and enhance the recharge capability of the Honouliuli watershed. -- HB1693 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to TIA then WTL

HB1694 HD2 SD1 (SSCR 1043)

RELATING TO PUBLIC HOUSING.
Introduced by: Cabanilla R
Establishes provisions relating to assessment for common area expenses. Requires the Hawaii public housing authority to assess at least 1 per cent of common area expenses for state public housing project against all units. Provides that if any common area expense is caused by the misconduct of any unit resident, allows the authority to assess that expense exclusively against the unit resident. Requires the authority to either directly or through its managing agent or resident manager to notify the unit residents of a state public housing project in writing of common area expense assessment increases at least 30 days prior to an increase. Amends provisions relating to acquisition, use, and disposition of property. Requires the Hawaii public housing authority to establish a schedule setting the minimum rent for state public housing units by number of bedrooms and type of project; charge no less than ____ dollars per month for any state public housing unit; and annually adjust the minimum rent by the percentage, if any, by which the consumer price index for the year exceeds the consumer price index for the prior year. Requires the authority to seek reimbursement from tenants for the full cost incurred in repairing damages to a tenant's unit. Prohibits the authority to establish preferences for selection of tenants and provides that the rates of the rental be no less than the minimum rent. -- HB1694 SD1

Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to WAM

HB1712 HD2 SD2 (SSCR 1325)

RELATING TO FISHING.
Introduced by: Ito K
Requires the department of land and natural resources to continue to hold public informational meetings on the taking and protection of uhu, weke / moana kali, and ulua / papio. Further requires the department to develop a monitoring and evaluation program to determine the effects of that runoff, sedimentation, pollution, lack or profusion of fresh water intrusion, and the introduction of invasive species have on the ecosystem and the fish. Further requires the department to develop a monitoring and evaluation program to determine the outcomes to be achieved by the implementation of any proposed rules and estimate timeframes through which the outcomes will be achieved. Repealed on December 31, 2010 (sunset). -- Establishes provisions relating to opihi harvesting and possession, restricted. Prohibits any person at any time to take, harvest, or possess opihi from any coastal area or nearshore waters of off shore islets in the State, and of the islands of the State. Further prohibits any person at any time of the year to take,

harvest, or possess opihi from below the waterline. Further prohibits a person to be in possession of equipment or any apparatus that would allow a person to see and remain underwater, an instrument that is commonly used as a tool to harvest or take opihi such as opihi knife, and live opihi. Further prohibits any person to take or harvest opihi from above the waterline of the coastal areas or nearshore waters of the State or be in possession of opihi within the State during the closed season of February 1st through May 31 and September 1st through November 30th. Requires the division of aquatic resources of the department of land and natural resources to submit an annual report to the legislature. Provides that the Kahoolawe island reserve commission shall govern the taking, harvesting, or possessing of opihi in the reserve. Provisions effective from June 1, 2014 and repealed on August 31, 2014 (sunset). -- Establishes provisions relating to opihi harvesting or taking, Oahu, prohibited. Prohibits any person at any time to take or harvest opihi from any coastal area or nearshore waters of the island of the Oahu. Repealed on June 30, 2014 (sunset). -- Establishes provisions relating to uhu; goatfish; bag limit. Prohibits any person to take, possess, or sell more than 2 of each of the following species of goatfish; kumu, moano ukali, munu, and uhu per day on Maui. Allows a commercial marine dealer to possess and sell more than 2 kumu, moano ukali, munu, and uhu with receipts issued for the purchase. Requires the kumu, moano ukali, and munu to be at least 10 inches in length and uhu to be at least 12 inches in length. -- HB1712 SD2

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Ito K, Oshiro M -- Ching C, Har S, Keith-Agaran G, Yamashita K
Apr=17 09 Conference Committee: Senate Members: Hee C, Tsutsui S -- Fukunaga C, Hemmings F

HB1728 HD1 SD1 (SSCR 1065)

RELATING TO FEES.
Introduced by: Say C
Amends provisions relating to fees and other assessments. Repeals the authority of administrative agencies to establish fees and replace administratively established fees with statutory fees, including department of commerce and consumer affairs, department of agriculture, department of business, economic development and tourism, housing finance and development corporation, reserved housing loan program, Hawaii community development authority, department of transportation, department of education, university of Hawaii, department of health, and banking fees. -- HB1728 SD1

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Oshiro M -- Chong P, Choy I, Lee M
Apr=20 09 Conference Committee: Senate Members: Taniguchi B, Kim D -- Kokubun R

HB1729

RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS.
Introduced by: Say C
Establishes provisions relating to department of consumer affairs. Requires that payments of the amounts attributable to the interest on the principal of the general obligation bonds authorized and issued for the acquisition and renovation of the old federal building for the department of commerce and consumer affairs be made out of the compliance resolution fund. -- HB1729

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to CPN then WAM

HB1730 HD1 (HSCR 729)

RELATING TO STATE FINANCES.
Introduced by: Say C
Requires the director of finance to transfer from the Hawaii cancer research special fund into the general fund. Authorizes the issuance of general obligation bonds for appropriation to the university of Hawaii for construction of the cancer research center of Hawaii. ($$) -- HB1730 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HRE/ HTH/ then WAM

HB1731 HD1 (HSCR 760)

RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND.
Introduced by: Say C
Amends provisions relating to the Hawaii tobacco settlement special fund. Changes the allocation amounts and adds that 25 per cent be deposited to the state general fund. Act to be repealed on June 30, 2011 (sunset). -- HB1731 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate

Mar=12 09 Multiple Referral to HTH then WAM

HB1735 HD1 (HSCR 753)

RELATING TO GENERAL EXCISE TAX.
Introduced by: Say C
Amends provisions relating to general excise taxes by changing the day of payment from the last day of the calendar month to the 20th day of the calendar month. Applies to taxes due on June 20, 2009 (sunset). -- HB1735 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to WAM

HB1744 HD1 SD1 (SSCR 1199)

RELATING TO THE TRANSIENT ACCOMMODATIONS TAX.
Introduced by: Say C
Establishes provisions relating to county surcharge on transient accommodations tax. Authorizes each county to establish a surcharge on transient accommodations taxes at a rate no greater than 5 per cent. -- Amends provisions relating to the transient accommodations tax. Repeals the distribution of tax revenues to the counties. -- HB1744 SD1
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Oshiro M -- Chong P, Choy I, Lee M, Pine K
Apr=20 09 Conference Committee: Senate Members: Kim D -- English J, Galuteria B, Hooser G, Kokubun R, Tsutsui S

HB1748 HD1 (HSCR 743)

RELATING TO INSURANCE PREMIUM TAXES.
Introduced by: Say C
Amends provisions relating to taxation under fees, taxes and deposits law. Changes life insurance contracts tax on gross premiums and ocean marine insurance contracts tax on gross underwriting profit. Act to be repealed on December 31, 2020 (sunset). -- HB1748 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to CPN then WAM

HB1749 HD1 (HSCR 761)

RELATING TO THE INSURANCE PREMIUM TAX.
Introduced by: Say C
Establishes provisions relating to medical workforce promotion, health workforce education, or indigent health care program; insurance premium tax credit. Allows an insurer that offers health insurance plans within the State to claim medical workforce promotion, health workforce education, or an indigent health care program tax credit against the tax imposed on the gross premiums written on plans. Provides that authorized insurer includes a mutual benefit society, and health maintenance organization (HMOs) that offers a health care insurance plan. Provides that tax imposed to mutual benefit societies and nonprofit health maintenance organizations, when paid, to be in settlement and in lieu of all demands for real property taxes by a county. Amends provisions relating to nonprofit medical, hospital indemnity associations; tax exemption. Adds insurance premium tax. Act to be repealed on June 30, 2026 (sunset). -- HB1749 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to CPN/ HTH/ then WAM

HB1751 HD1 SD1 (SSCR 1048)

RELATING TO COMMUNICATIONS FRAUD.
Introduced by: Say C, Karamatsu J
Establishes the communication service fraud law. Allows any communication service provider aggrieved by communication service fraud to bring a civil action to obtain preliminary or final injunctions to prevent or restrain violation, to prevent destruction of evidence, or to prevent dissipation of profits properly recoverable; monetary damages and reasonable attorneys' fees and investigation costs. Establishes provisions for communication service fraud in the 1st and 2nd degree, forfeiture of lawful communication or access device; and possession of devices as evidence of intent. Repeals cable television and telecommunications services offenses. -- HB1751 SD1
Current Status: Mar=27 09 Passed Second Reading Senate as amended (SD1)
Mar=27 09 Referred to JGO

HB1752 HD1 (HSCR 539-10)

RELATING TO REPEAT OFFENDERS.
Introduced by: Say C
Amends provisions relating to sentencing of repeat offenders. Requires mandatory minimum prison terms without possibility of parole for persons convicted of the following

felonies: manslaughter, kidnapping; sexual assault in the 1st degree; continuous sexual assault of a minor under the age of 14 years; promoting child abuse in the 1st degree; identity theft in the 1st degree; arson in the 1st degree; negligent homicide in the 1st degree; assault in the 1st degree; assault against an emergency worker; kidnapping; sexual assault in the 2nd degree; promoting child abuse in the 2nd degree; electronic enticement of a child in the 1st degree; extortion in the 1st degree; burglary in the 1st degree; criminal property damage in the 1st degree; theft in the 1st degree; identity theft the 2nd degree; robbery in the 2nd degree; computer fraud in the 1st degree; unauthorized computer access in the 1st degree; arson in the 2nd degree; money laundering; intimidating a correctional worker; bribery; intimidating a juror; promoting prostitution; negligent homicide in the 2nd degree; assault in the 2nd degree; reckless endangering in the 1st degree; terroristic threatening in the 1st degree; unlawful imprisonment in the 1st degree; sexual assault in the 3rd degree; promoting child abuse in the 3rd degree; electronic enticement of a child in the 2nd degree; burglary in the 2nd degree; extortion in the 2nd degree; burglary in the 2nd degree; identity theft in the 3rd degree; unauthorized possession of confidential personal information; computer fraud in the 2nd degree; intimidating a witness; relating to riot; promoting prostitution in the 2nd degree; or who is convicted or attempting to commit any of the felony offenses enumerated above and who has a prior conviction from any of the enumerated felonies above -- HB1752 HD1

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate

HB1756 HD1 (HSCR 540-10)

RELATING TO CRIMINAL PROCEDURE.

Introduced by: Say C (BR)

Establishes provisions relating to expungement orders; criminal convictions. Requires the circuit court to expunge the record of conviction upon written application from a person convicted 5 years ago. Exempts certain convictions. -- HB1756 HD1

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate

HB1763 HD2 SD1 (SSCR 1012)

RELATING TO THE HAWAII TOURISM AUTHORITY.

Introduced by: Manahan J, Yamane R, Tokioka J, Shimabukuro M, Bertram J, Herkes R, Hanohano F, Mizuno J, Oshiro B, Awana K, Carroll M, Lee M

Establishes the department of tourism law. Requires the department to promote activities, maintain, and expand the state's domestic and international travel market. -- Changes the department of business, economic development, and tourism to the department of business and economic development. Repeals the Hawaii tourism authority and transfers function to the department of tourism. -- HB1763 SD1

Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: Manahan J, Tokioka J -- Marumoto B
Apr=17 09 Conference Committee: Senate Members: Nishihara C, Tsutsui S -- Galuteria B

HB1766 HD2 SD3 (FLOOR AMENDMENT 9)

RELATING TO SMALL BOAT HARBORS.

Introduced by: Tokioka J, Har S, Ito K, Sagum R

Amends provisions relating to ocean recreation and coastal area programs. Provides that permissible uses includes ocean recreation and increases maximum distribution of public lands of state boating facilities to 65 years. Provides that any fees collected within each small boat harbor shall only be expended on costs related to the small boat harbor. Provides that the total number of valid commercial use permits that may be issued for vessels assigned mooring at Ala Wai boat harbor shall not exceed 15 per cent of the total berths and shall not exceed 35 per cent of the total berths at Keehi boat harbor. Requires that vessels issued commercial use permits at Ala Wai boat harbor not exceed 65 feet in length, occupy not more than 56 berths located among the row of berths furtherest mauka or adjacent to Holomua street, with a priority assigned to row 700 and row 800, and be phased in a manner that does not displace any existing recreational boater or existing catamaran operator and include commercial catamarans which have commercial use permits or existing registration certificates that allow the catamarans to operate upon Waikiki shore waters for hire. Requires moorage fees to be established by appraisal by a state licensed appraiser approved by the department of land and natural resources and be set by appraisal categories schedule A (existing permittees) and schedule B (new permittees). Authorizes the department to assess and collect utility fees. Requires the department of land and natural resources to lease certain fast lands at Ala Wai harbor using the request for proposals process for the public private development, management, and operations of areas of Ala Wai harbor. -- HB1766 SD3

Current Status: Apr-16 09 House Disagrees to Senate amendments

Apr-17 09 Conference Committee: House Members: Ito K, Har S -- Sagum R, Thielen C, Tokioka J
Apr=17 09 Conference Committee: Senate Members: Hee C, Kim D -- Fukunaga C, Hemmings F

HB1768 HD1 (HSCR 410)

RELATING TO PROCUREMENT.
Introduced by: Tokioka J, Har S
Amends provisions relating to bid security. Changes the construction contract amount which requires bid security to the amount specified in the section on small purchases; prohibition against parceling. -- HB1768 HD1
Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to JGO then WAM

HB1782 HD2 SD2 (SSCR 1313)

RELATING TO HEALTH INFORMATION EXCHANGE.
Introduced by: Karamatsu J
Establishes provisions relating to health information exchange. Establishes the office of state coordinator of health information technology within the department of health to promote economic stimulus and recovery; convene meeting with all stakeholders interested in submitting grant proposals; work with educational organization to develop grant proposals for medical informatics and health care information technology training; facilitate the development of a plan for an integrated electronic health information infrastructure; develop a process and evaluation criteria for state designation to an organization that completes grant proposals; enhance board and varied participation in the authorized and secured nationwide electronic use and exchange of health information; coordinate local efforts to increase the adoption and use of certification commission for health information technology electronic health records; collaborate with the department of health, department of human services, health care providers, and health care facilities to ensure that all applicable federal patient privacy law are identified; promote effective strategies to adopt and use health information technology across the state and assist patients in using health information technology. Establishes the health information exchange task force within the office of the state coordinator of health information technology to advise the state coordinator and work to accelerate planning for health information exchange. Report to the legislature. Task force shall cease to exist on June 30, 2011 (sunset). -- HB1782 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr=20 09 Conference Committee: Senate Members: Ige D, Tsutsui S -- Baker R, Hemmings F
Apr-22 09 Conference Committee: House Members: Yamane R, Oshiro M -- Finnegan L, Karamatsu J

HB1784 HD2 (HSCR 723)

RELATING TO MEDICAL TORTS.
Introduced by: Karamatsu J (BR)
Amends provisions relating to the medical torts law. Establishes provisions relating to limitation on noneconomic damages. Limits the noneconomic damage against a physician specialist to ____ dollars. -- Establishes provisions relating to assessing percentage of negligence. Provides that upon request of any nonsettling healthcare provider against whom a plaintiff alleges a medical tort causing injury, the trier of fact shall assess any percentage of negligence of all alleged parties. -- Establishes provisions relating to economic damages. Provides that a trier of fact may render a verdict for the plaintiff in a medical tort action that includes economic damages. -- Establishes provisions relating to proportionate allocation of economic damages. Provides that the amount of economic damages allocated to a physician specialist in a medical tort action shall be based upon the specialist's proportionate percentage of negligence or other fault. -- Establishes provisions relating to allocation of noneconomic damages. Provides that if the trier of fact renders a verdict for the plaintiff in a medical tort action, the court shall enter judgment of liability against each defendant physician specialist in accordance with the percentage of negligence or other fault for noneconomic damages that is attributed to the physician specialist by the trier of fact. -- Establishes provisions relating to noneconomic damages; physician specialist maximum award limit. Set the limit at ____ dollars. -- Amends provisions relating to medical torts; limitation of actions; time. Provides that action shall commence within 3 years after the date of injury or 1 year after the plaintiff discovers the injury. Provides that this 3 year time limit shall be tolled for proof of fraud; intentional concealment; and the presence of a foreign body that has no therapeutic or diagnostic purpose or effect in the person of the injured person. Further provides that actions by a minor shall be commenced within 3 years from the date of the alleged wrongful act. Further provides

that if the minor is under the age of 6 actions shall be commenced within 3 years of manifestation of injury rather than within 6 years, or prior to the minor's 8th birthday. -- Defines physician specialist to mean a physician or osteopathic physician. All the above repealed on June 30, 2014 (sunset). -- Requires all insurers providing professional liability insurance for health care providers in the state to implement a premium rate, established by the insurance commissioner, that is based on the average of the premium rates in effect between January 1, 2003 and December 31, 2009, for physicians or osteopathic physicians, provided that such a premium rate reduction shall not cause imminent insolvency or fail to provide a fair rate of return. -- Establishes a medical malpractice task force in the department of commerce and consumer affairs to develop a strategic plan to address the high costs of medical malpractice insurance rates, study medical tort reform, patient compensation funds, caps on noneconomic damages, health courts, doctor recruitment and retention incentives, and advancing health information technology, and develop recommendations on damage award ranges and guidelines for malpractice claims. Report to the legislature. Task force shall cease to exist on June 30, 2011 (sunset). -- Establishes a medical malpractice rate commission within the department that shall convene ever 3 years to evaluate medical malpractice which shall be used to determine malpractice insurance rates. Repealed on June 30, 2014 (sunset). -- Requires the department to report to the legislature on the any benefits and detriments related to this Act. -- Establishes provisions relating to duty to notify patients of adverse events; definitions; penalty; rules. Requires an appropriately trained designee of a health care provider to notify in person each patient, or the patient's relative or representative, regarding any adverse events that results in serious harm or death to the patient within 72 hours of the adverse event or discovery. -- HB1784 HD2

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Multiple Referral to HTH then JGO

HB1808 HD3 (HSCR 634-10)

RELATING TO COASTAL AREAS.
Introduced by: Morita H, Marumoto B, Saiki S, Pine K, Shimabukuro M, Evans C, Cabanilla R, Mizuno J, Oshiro B, Awana K, Manahan J, Thielen C, Lee C, Belatti D, Coffman D, Brower T
Establishes provisions relating to maintenance of beach transit corridors. Requires the department of land and natural resources to maintain transit areas and public transit corridors by requiring private property owners to ensure transit areas and public transit corridors abutting or adjoining their lands are kept passable and free from human induced, enhanced, or unmaintained vegetation that blocks transit. Authorizes the department to issue citations. Authorizes the department to remove the obstruction if the landowner fails to do so after receiving notice at cost to the landowner. -- HB1808 HD3

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL/ TIA/ then JGO

HB1818 HD2 (HSCR 619-10)

RELATING TO COGNITIVE RESTRUCTURING.
Introduced by: Awana K, Hanohano F, Brower T, Lee M, Manahan J
Requires the department of public safety to ensure that reentry / reintegration programs within Hawaii's correctional facilities offer cognitive behavioral therapy with native Hawaiian holistic interventions to address domestic violence, addictions, self mastery through identity, and community connections to promote the successful transition from incarceration to the community. Annual report to the legislature. -- HB1818 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to PSM/ WTL/ then WAM

HB1829 HD1 (HSCR 744)

RELATING TO ECONOMIC STIMULUS.
Introduced by: Chong P, Say C
Directs the director of finance to release funds required to match federal funds from the American Recovery and Reinvestment Act within 15 days of the receipt of federal funds for county projects and 30 days of the receipt of federal funds for state projects. Annual reports to the legislature by the governor and mayor of each county. Act to be repealed on December 31, 2012 (sunset). -- HB1829 HD1

Current Status: Mar=12 09 Introduction/Passed First Reading - Senate
Mar=12 09 Single Referral to WAM

HB1831 HD2 SD2 (SSCR 1305)

RELATING TO MILITARY AFFAIRS.
Introduced by: Chong P, McKelvey A
Establishes the military affairs liaison law. Establishes a military affairs liaison trust fund as a separate fund of a nonprofit entity having a board of directors. Requires the

adjutant general with the concurrence of the governor to select the nonprofit entity. Requires the entity to serve as liaison to the military in Hawaii. -- HB1831 SD2
Current Status: Apr-16 09 House Disagrees to Senate amendments
Apr-17 09 Conference Committee: House Members: McKelvey A, Choy I -- Chong P, Ward G
Apr=20 09 Conference Committee: Senate Members: Espero W, Tsutsui S -- Kidani M

HB1847 HD1 (HSCR 333-10)

RELATING TO THE PRACTICE OF NURSING.
Introduced by: Lee M, Takai K, Takumi R
Establishes provisions relating to practice of nursing. Requires the state board of nursing to adopt the provisions of the National Council of State Boards of Nursing Model (NCSBN) Nursing Practice Act and Model Nursing Administrative Rules relating to the scope and standards of nursing practice for registered nurses, licensed practical nurses, and advanced practice registered nurses and to adopt any subsequent modifications adopted by the Delegate Assembly of the NCSBN. -- HB1847 HD1
Current Status: Mar=02 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH then CPN

HB1852 HD1 (HSCR 13-10)

RELATING TO EDUCATION.
Introduced by: Takumi R
Amends provisions relating to the school level minor repairs and maintenance special fund. Requires the department of education to report annually to the director of finance on a form prepared by the director that shall identify the total amount of funds in the account that shall carry over to the next fiscal year and requires a copy of the report to the legislature. -- Repeals the school level minor repair and maintenance account. Provides that remaining funds goes to the credit of the school level minor repairs and maintenance special fund. -- HB1852 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH then WAM

HB1853

RELATING TO PUBLIC SCHOOLS.
Introduced by: Takumi R
Amends provisions relating to school; merchandise. Repeals ice cream and candy. Repeals the requirement that the department of education get the advice of the comptroller. -- HB1853
Current Status: Feb=08 10 Introduction/Passed First Reading - Senate
Feb=10 10 Single Referral to EDH

HB1854

RELATING TO EDUCATION.
Introduced by: Takumi R
Amends provisions relating to food distribution program revolving fund. Allows the fund to be used to support the administration and operation of the program pursuant to 7 Code of Federal Regulations. Repeals restrictions on the use of the fund. -- HB1854
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH then WAM

HB1859 HD1 (HSCR 10-10)

RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS.
Introduced by: Souki J
Amends provisions relating to the State registration fee. Increases the motor vehicle registration fee which shall also be deposited into the disability and communication access board special fund. -- Amends provisions relating to the disability and communication access board special fund. Repeals use for the credentialing of interpreters and provides for the use for parking for persons with disabilities. -- HB1859 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HMS/ HTH/ then WAM

HB1862 HD1 (HSCR 237-10)

RELATING TO PUBLIC ORDER.
Introduced by: Rhoads K
Amends Act 84, session laws of 2004, as amended by Act 77, session laws of 2008, relating to urinating or defacating in public by extending the sunset date. -- HB1862 HD1
Current Status: Feb=12 10 Introduction/Passed First Reading - Senate
Feb=18 10 Single Referral to JGO

HB1863 HD1 (HSCR 239-10)

RELATING TO PROSTITUTION.

Introduced by: Rhoads K
Amends Act 192, session laws of 1008, relating to habitual solicitation of prostitution, by extending the sunset date to June 30, 2012. -- HB1863 HD1
Current Status: Feb=12 10 Introduction/Passed First Reading - Senate
Feb=18 10 Single Referral to JGO

HB1868 HD1 (HSCR 489-10)

RELATING TO CIVIL SERVICE.
Introduced by: Rhoads K
Establishes provisions relating to leaves of absence to accept appointed positions exempt from the civil service; prohibited. Prohibits a leave of absence to to be granted to any employee who leaves a position covered under civil service for a position that is exempt and longer than 1 year; provided that this position shall not apply to any employee whose collective bargaining agreement provides for the granting of a longer leave of absence. -- HB1868 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to LBR

HB1900

RELATING TO MILITARY PERSONNEL.
Introduced by: Say C, McKelvey A
Establishes provisions relating to prisoner of war and missing in action designations. Requires the State to recognize the designations of prisoner of war and missing in action as valid descriptions of casualty status and category classification for military personnel. -- HB1900
Current Status: Feb=08 10 Introduction/Passed First Reading - Senate
Feb=10 10 Single Referral to PSM

HB1901 HD2 (HSCR 412-10)

RELATING TO PROCUREMENT OF VOTING SYSTEM EQUIPMENT.
Introduced by: Say C, Karamatsu J
Establishes provisions relating to the procurement of voting equipment system. Exempts contracts to procure voting system equipment from the Hawaii public procurement code. Act to be repealed on June 30, 2011 (sunset). -- HB1901 HD2
Current Status: Feb=26 10 Introduction/Passed First Reading - Senate
Feb=26 10 Multiple Referral to JGO then WAM

HB1902 HD1 (HSCR 337-10)

RELATING TO LONG TERM CARE.
Introduced by: Say C, Yamane R, Mizuno J, Karamatsu J
Amends Act 224, session laws of 2008, relating to long term care by extending the sunset date of the long term care commission. -- HB1902 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to HMS

HB1904

RELATING TO GOVERNMENT.
Introduced by: Say C
Amends provisions relating to payment of state contributions to the system under the pension and retirement system. Provides that payments for the unfunded accrued liability portion of the State's monthly contribution shall be made from the account in the general fund. -- Amends provisions relating to general excise remittances. Provides that a sum equivalent to the unfunded accrued liability contribution by the State for state employees during a fiscal year shall be deposited in that fiscal year into a separate account in the general fund. -- HB1904
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then WAM

HB1905

RELATING TO STATE PAYMENTS.
Introduced by: Say C
Amends provisions relating to general excise remittances. Requires that a maximum of 63 million dollars general excise tax revenues be deposited into a separate account in the general fund to address delayed payments of state contributions to the employees' retirement system and Hawaii employer union health benefits trust fund that were not paid for fiscal year 2008 - 2009 and a maximum 275 million dollars shall be deposited into a separate account in the general fund to address delayed payments of state tax refunds that were not paid in order to balance the supplemental executive budget for fiscal year 2009 - 2010. -- Requires the governor to submit appropriate legislation to the senate president and speaker of the house of representatives prior to the regular session of 2011 proposing appropriations to make the payments under this Act. -- HB1905

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then WAM

HB1907 HD1 (HSCR 518-10)

RELATING TO TAXATION.
Introduced by: Say C
Prohibits the income tax deduction for net operating loss carryback generated in taxable year 2009 to be claimed for taxable years 2007 and 2008, and prohibits net operating loss generated in taxable year 2010 to be claimed for taxable years 2008 and 2009. -- Establishes provisions relating to itemized deductions; limitation. Establishes limits on itemized tax deductions. Provision to be repealed on December 31, 2015 (sunset). -- Amends provisions relating to capital goods excise tax credit to provide that from January 1, 2010 to December 31, 2015 (sunset) the excess credit shall not be refunded, but may be claimed in subsequent years until exhausted. -- HB1907 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WAM

HB1921 HD2 (HSCR 640-10)

RELATING TO A CONTROLLING INTEREST TRANSFER TAX.
Introduced by: Choy I
Establishes the controlling interest transfer tax law. Imposes a tax set under the conveyance tax law of the value of real property on the sale or transfer of controlling interest in real property owned by the entity through the sale of the entity when the value of the interest in real property equal or exceeds 2,000 dollars. -- HB1921 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN then WAM

HB1922 HD1 (HSCR 515-10)

RELATING TO TAXATION.
Introduced by: Choy I
Establishes provisions relating to withholdings of income tax on the disposition of real property. Provides that before recording any transfer of title of real property the transferee shall submit to the bureau of conveyances a tax clearance issued by the department of taxation stating that the transferor has filed all tax returns and paid all taxes, penalties, and interest owed to the State, unless the transferee is a resident or the transferor is not required to recognize any gain or loss with respect to the transfer and including a brief description of the transfer, and a brief summary of the law and facts supporting the claim that a tax clearance is not required with respect to the transfer. -- Allows the director of taxation to require every escrow depository who is required to file a return of the amount of tax withheld under provisions relating to withholding of tax on the disposition of real property by nonresident persons, to remit taxes by means of electronic funds transfer approved by the department. Requires filing within 2 working days following the authorization date and delivery of a receipt to the transferee. Establishes penalty. Provides that a transferor who claims residency based on a business in Hawaii is not a resident if the business is not organized under the laws of the State, does not maintain and staff a permanent office in the State, and does not have any business activities in the State. -- HB1922 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB1926 HD2 (HSCR 641-10)

RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM.
Introduced by: Choy I
Establishes provisions relating to surcharge upon fees collected for certain business and commercial related services by certain departments. Requires that a surcharge be charged on fees collected by the department of commerce, the public utilities commission, department of labor and industrial relations, and the department of taxation and that the surcharge be transmitted to the director of finance for deposit into the department of business, economic development, and tourism special fund. Repealed on June 30, 2015 (sunset). -- Establishes the department of business, economic development and tourism operation special fund. Requires that funds be expended to pay for the operation of the department of business, economic development, and tourism, including the salary and fringe costs of department personnel. Requires that unexpended and unencumbered monies in the operation special fund on July 1, 2015 to be transferred to the general fund. Repealed on June 30, 2015. -- Amends provisions relating to the department of commerce and consumer affairs. Requires that annually, 2 million dollars from the compliance resolution fund be deposited to the credit of the department of business, economic development and tourism operation special fund provided that the moneys deposited not be derived from regulatory fees and be derived

from taxes, penalties, and other levies set at statutorily prescribed rates or amounts. Act to be repealed on June 15, 2015 (sunset). -- HB1926 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=04 10 Multiple Re referral to EDT/ CPN/ then WAM

HB1927 HD2 (HSCR 564-10)

RELATING TO OWNER-BUILDERS.
Introduced by: Herkes R
Establishes provisions relating to owner builder exemption under contractors law. Exempts owners or lessees of property who builds or improves residential, farm, industrial, or commercial buildings or structures on property for their own use, or for use by their grandparents, parents, siblings, or children and who do not offer the building or structures for sale or lease. -- HB1927 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to CPN/ TIA/

HB1944

RELATING TO HEALTH CLUBS.
Introduced by: Takai K, McKelvey A
Establishes provisions relating to military personnel; federal active duty deployment outside State; cancellation or suspension of contract. Allows any military personnel who is serving on federal active duty and deployed outside the State to cancel or suspend health club membership at any time during the contract term as long as they meet certain conditions. Requires that if the contract is suspended the health club shall not charge any fees to reinstate the contract and maintain the original payment obligation set forth in the original contract. Requires that if the contract is cancelled the health club may retain the portion of the total contract price representing services used, plus reimbursement for expenses incurred in an amount not to exceed 25 per cent. -- HB1944
Current Status: Mar=02 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to PSM/ CPN/ then JGO

HB1947 HD1 (HSCR 521-10)

RELATING TO TAXATION.
Introduced by: Chong P, Oshiro B, Say C, Oshiro M, Yamashita K, Rhoads K
Amends the standard deduction for income tax purposes. Repeals provision that provides that in administering section 403 (with respect to taxation of employee annuities) of the Internal Revenue Code, any funds that represent pre tax employee deferrals or contributions that are distributed from the annuity and used solely to obtain retirement credits under the state employee retirement system shall not be treated as a rollover for purposes of section 403(b)(8)(A) of the Internal Revenue Code, and such funds shall be subject to income tax. Further repeals provision that provides that in administering section 457 (with respect to compensation plans of state and local governments and tax-exempt organizations) of the Internal Revenue Code, any funds that represent pre tax employee deferrals or contributions that are distributed from the deferred compensation plan and used solely to obtain retirement credits under the state employee retirement system shall not be treated as a rollover for purposes of section 457(e)(16)(A) of the Internal Revenue Code and such funds shall be subject to income tax. -- HB1947 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then WAM

HB1948 HD1 (HSCR 517-10)

RELATING TO TAXATION.
Introduced by: Chong P, Say C, Oshiro M
Amends provisions relating to adjustments and refunds of taxes. Requires overpayment of taxes to refunded within 90 days of the tax filing or the date the tax was due, whichever occurs later. Provides that interest on the overpayment shall be paid if the overpayment amount is not refunded within 90 days. -- HB1948 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WAM

HB1961 HD1 (HSCR 275-10)

RELATING TO THE KAHO'OLAWE REHABILITATION TRUST FUND.
Introduced by: Carroll M, Hanohano F, Evans C, Thielen C
Amends provisions relating to the Molokini recreational activity surcharge. Establishes the surcharge to be deposited to the Kahoolawe rehabilitation trust fund. -- HB1961 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL/ EDT/ then WAM

HB1978 HD2 (HSCR 471-10)

RELATING TO TOWING.

Introduced by: Souki J, Awana K
Amends provisions relating to vehicles left unattended on private and public property; safe or disposition of abandoned vehicles. Requires any towing company engaged in towing in a county with a population greater than 500,000 to offer towing services to consumers 24 hours per day every day of the week which includes release of vehicles kept in storage to a registered owner, legal owner, insurer, or a designated representative. -- Requires the registered owner or lessee of a tow truck to maintain insurance to cover bodily injury or not less than 500,000 dollars; property damage of not less than 200,000 dollars; on hook coverage of not less than 175,000 dollars; or a combined single limit of liability of not less than 1 million dollars to protect owners of towed vehicles in the event of vehicle loss or damage due to towing. -- HB1978 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA then CPN

HB1985

RELATING TO TAXATION.
Introduced by: Oshiro M
Amends provisions relating to publication of reports. Requires the department of taxation to publish annual reports on Hawaii income patterns (individuals), biennial reports on Hawaii income patterns (corporations, proprietorships, and partnerships), and annual reports to the legislature on tax credits. -- HB1985
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WAM

HB1987 HD2 (HSCR 553-10)

RELATING TO FIREWORKS.
Introduced by: Oshiro M
Establishes provisions relating to forfeiture. Permits any instrumentalities of violation and proceeds or property obtained or maintained with such proceeds to be subject to foreclosure in addition to any other penalty imposed for violations. -- Allows violations to be subject to nuisance abatement proceedings. -- Requires that any citizen who brings a nuisance abatement suit against a place used for the purpose of committing fireworks or drug related offenses is to be entitled to the same rights and protections as victims and witnesses in criminal proceedings. -- HB1987 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to PSM then JGO

HB1991 HD2 (HSCR 607-10)

RELATING TO TRAFFIC ABSTRACT FEE.
Introduced by: Say C (BR)
Amends provisions relating to furnishing of operating records. Changes the traffic abstract fee. -- HB1991 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to JGO then WAM

HB1992 HD1 (HSCR 193-10)

RELATING TO THE INTERMEDIATE APPELLATE COURT.
Introduced by: Say C (BR)
Amends Act 148, session laws of 2008, relating to the intermediate appellate court by extending the sunset date. -- HB1992 HD1
Current Status: Feb=11 10 Introduction/Passed First Reading - Senate
Feb=18 10 Single Referral to JGO

HB2003 HD3 (FLOOR AMENDMENT 4)

RELATING TO CAMPAIGN FINANCING.
Introduced by: Say C (BR)
Repeals and replaces provisions relating to election campaign contributions and expenditures. -- HB2003 HD3
Current Status: Mar-04 10 Passed Third Reading House as amended (HD3)

HB2016

RELATING TO COUNTIES.
Introduced by: Say C (BR)
Amends provisions relating to the chief of police. Repeals the provision that requires the chief of police to be appointed by the police commission and requires that the chief be appointed and removed as prescribed by the charter of each county. -- HB2016
Current Status: Mar=02 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to TIA

HB2017

RELATING TO COUNTIES.
Introduced by: Say C (BR)
Amends provisions relating to liquor commission and board attorney by adding liquor

administrator. Allows the liquor commission or liquor control adjudication board of each county to appoint and remove a liquor administrator. -- HB2017
Current Status: Feb=04 10 Introduction/Passed First Reading - Senate
Feb=18 10 Single Referral to TIA

HB2020 HD2 (HSCR 474-10)

RELATING TO COUNTIES.
Introduced by: Say C (BR)
Amends provisions relating to traffic regulation; repair and maintenance; public right to use public streets, roads, or highways whose ownership is in dispute. Requires counties to impose and enforce traffic laws relating to vehicle weight tax, motor vehicle safety responsibility act, traffic violations, use of intoxicants while operating a vehicle, motor vehicle insurance, motorcycle and scooter insurance, and odometers. -- Amends provisions relating to traffic regulation and control over private streets. Authorizes counties to impose and enforce traffic regulations related to vehicle weight tax, motor vehicle safety responsibility act, traffic violations, use of intoxicants while operating a vehicle, motor vehicle insurance, and odometers. -- HB2020 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA then JGO

HB2022

RELATING TO MOTOR VEHICLES.
Introduced by: Say C (BR)
Amends provisions relating to county vehicular taxes. Repeals requirement that the tax become due and payable on January 1 and must be paid before April 1, in each year. Repeals requirement that certificate of registration be renewed annually and requires rather than allows the certificate of registration to be renewed on a staggered basis established by each county. -- HB2022
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to TIA

HB2027 HD1 (HSCR 22-10)

RELATING TO DISHONORED CHECKS.
Introduced by: Herkes R
Amends provisions relating to charges for dishonored checks. Changes assessment from a reasonable service charge to a service charge. -- HB2027 HD1
Current Status: Feb=04 10 Introduction/Passed First Reading - Senate
Feb=10 10 Single Referral to CPN

HB2028

RELATING TO GROUP LIFE INSURANCE.
Introduced by: Herkes R (BR)
Establishes provisions relating to other groups; limits. Prohibits group life insurance offered to a resident of this State under a group life insurance policy issued to a group other than employee groups; debtor group; labor union groups; trustee groups; agent groups; public employee association groups; mutual benefit society groups; professional association groups; occupation, industry, or trade association groups; and to credit union groups to be delivered in this State unless the insurance commissioner finds that the issuance of the group policy is not contrary to the best interest of the public; the issuance of the group policy will result in economies of acquisition or administration; and the benefits are reasonable in relation to the premiums charged. -- Prohibits group life insurance coverage to be offered in this State by an insurer under a policy issued in another state unless the commissioner finds that the state under which the policy was issued had requirements substantially similar and those requirements have been met. Provides that premiums for the policy to be paid either from the policyholder's fund or from funds contributed by the covered person, or from both and allows insurer to exclude or limit the coverage on any person provided that evidence of individual insurability is not satisfactory to the insurer. -- HB2028
Current Status: Feb=04 10 Introduction/Passed First Reading - Senate
Feb=10 10 Single Referral to CPN

HB2052

RELATING TO THE UNIVERSITY OF HAWAII.
Introduced by: Chang J, Nakashima M, Hanohano F, Bertram J, Evans C, Takai K, McKelvey A, Souki J, Tsuji C
Amends Act 106, session laws of 2008, as amend by Act 11, session laws of 2009, relating to the university of Hawaii commercial enterprises revolving fund by repealing the sunset date. -- HB2052
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HRE then WAM

HOUSE BILLS THAT PASSED THIRD READING

HB2053

RELATING TO THE UNIVERSITY OF HAWAII CAPITAL IMPROVEMENTS PROGRAM PROJECT ASSESSMENT SPECIAL FUND.
Introduced by: Chang J, Nakashima M, Hanohano F, Evans C, Tsuji C, Yamane R, McKelvey A, Takai K
Establishes provisions relating to the university of Hawaii capital improvements program project assessment special fund. Requires the president of the university of Hawaii or the president's designee to make assessments on university capital improvements program projects, repair and maintenance projects, and major renovation projects managed by the university. Further requires the assessments to be deposited into the special fund and that the special fund be administered by the office of capital improvements. Provides that the special fund shall be used to defray the costs in carrying out capital improvements program projects; assessing, collecting, and distributing moneys for other expenses associated with capital improvements program projects, repair and maintenance projects, and major renovation projects; and managing the payment of expenses assessable against projects managed by or through the university. -- HB2053
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HRE then WAM

HB2054

RELATING TO THE UNIVERSITY OF HAWAII.
Introduced by: Chang J, Nakashima M, Hanohano F, Takai K
Amends provisions relating to comptroller; powers and duties. Repeals the sunset provisions that relate to the university of Hawaii. -- Amends Act 58, session laws of 2004, as amended by Act 22, session laws of 2005, as amended by Act 306, session laws of 2006, as amended by Act 5, special session laws of 2009. -- HB2054
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HRE then WAM

HB2056 HD1 (HSCR 183-10)

RELATING TO PHARMACIST LICENSURE.
Introduced by: Chang J, Hanohano F, Evans C, Tsuji C, Manahan J, Ito K, Nakashima M, Souki J, Takai K, McKelvey A
Amends provisions relating to pharmacists and pharmacy law. Defines territory to mean Puerto Rico, the Northern Mariana Islands, the Virgin Islands, Guam, or American Samoa. Amends provisions relating to qualifications for license by allowing practical experience in a territory or the District of Columbia. Requires service and experience under the supervision of a registered pharmacist to be predominantly related to the practice of pharmacy. -- HB2056 HD1
Current Status: Mar=02 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH/ HRE/ then CPN

HB2058 HD1 (HSCR 257-10)

RELATING TO PUBLIC PROPERTY.
Introduced by: Evans C
Amends provisions relating to powers of the natural energy laboratory of Hawaii authority. Allows the authority to enter into and perform concessions for cell towers. -- HB2058 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to EDT

HB2061 HD1 (HSCR 388-10)

RELATING TO CHILDREN.
Introduced by: Evans C
Establishes provisions relating to military deployment. Requires 14 days notice of deployment or temporary duty from a deploying parent's military leadership, the deploying parent is to provide written notice of deployment to the other parent. Requires deploying parent to state in the text of any initial pleading filed to establish custody or visitation the specific facts related to the deployment or temporary duty and to develop a parenting plan. Requires the court to not enter a permanent custody order until 90 days after the deployment or temporary duty ends and the deployment parent returns to the deploying parent's permanent residence, unless such modification is agreed to by the deploying parent. Requires all temporary custody and visitation modification orders, to include a specific transition plan and schedule. -- Requires the court to allow the deploying parent to present testimony and evidence by affidavit or electronic means with respect to custody and visitation matters. -- Allows the court to award attorney's fees and costs. -- Establishes criteria and procedure in awarding custody and visitation in the best interests of the child. -- HB2061 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to PSM/ HMS/ then JGO

HOUSE BILLS THAT PASSED THIRD READING

HB2074 HD1 (HSCR 36-10)

RELATING TO THE CERTIFICATION OF PRINCIPALS AND VICE-PRINCIPALS.
Introduced by: Takumi R
Amends provisions relating to principals and vice principals. Requires the department of education to determine alternative routes to certification. Allows the department to to waive certification requirements on a case by case basis until the alternative routes to certification are established. -- HB2074 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to EDH

HB2076 HD1 (HSCR 152-10)

RELATING TO RESEARCH.
Introduced by: Takumi R
Establishes provisions relating to departmental data sharing. Requires the department of education, university of Hawaii, the department of labor and industrial relations, and any other state agency as appropriate to share data to support research that will improve educational and workforce outcomes and meet longitudinal data requirements of the federal American Recovery and Reinvestment Act of 2009. -- HB2076 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to EDH/ HRE/ LBR/

HB2077 HD1 SD1 (SSCR 2635)

RELATING TO EDUCATION.
Introduced by: Takumi R
Amends provisions relating to exclusion from school. Prohibits a person who is 20 years of age or over on the 1st instructional day of the school year to attend a public school but if the person reaches 21 years of age after the 1st instructional day, the person may be eligible to attend for the full school year. -- HB2077 SD1
Current Status: Mar-04 10 House Disagrees to Senate amendments

HB2083 HD1 (HSCR 124-10)

RELATING TO MILK LABELING.
Introduced by: Yamane R, Nishimoto S, Oshiro B, Manahan J, Aquino H, Yamashita K, Har S
Establishes provisions relating to milk or soy milk labeling; date of pasteurization or packaging. Requires any beverage product containing at least ____ per cent by weight of milk or soy milk and distributed or offered for sale in this state to be labeled with the date that the contents were pasteurized, or packaged for distribution or sale, if no portion of the beverage product has been pasteurized. -- HB2083 HD1
Current Status: Mar=02 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then CPN

HB2084 HD1 (HSCR 598-10)

RELATING TO THE FEDERAL DISPROPORTIONATE SHARE HOSPITAL FUNDS.
Introduced by: Yamane R, Mizuno J, Nishimoto S, Oshiro B, Manahan J, Tsuji C, Aquino H, Evans C, Lee M, Yamashita K, Rhoads K, McKelvey A, Nakashima M, Herkes R, Har S
Appropriation to the department of human services to match the federal disproportionate share hospital allowance allocated to the State, provided that some funds may be used to obtain matching federal disproportionate share hospital allowance for prior fiscal year expenditures. ($$) -- HB2084 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH/ HMS/ then WAM

HB2085 HD1 (HSCR 599-10)

RELATING TO HEALTH.
Introduced by: Yamane R, Mizuno J, Yamashita K, Nishimoto S
Amends provisions relating to competitive purchase of services. Prohibits a purchasing agency from soliciting proposals for any QUEST contract if the anticipated contract sum exceeds 1 million dollars and the commencement date of the contract will be after the term of the current head of the purchasing agency has expired. -- HB2085 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HMS/ HTH/ then JGO

HB2086 HD2 (HSCR 468-10)

RELATING TO HEALTH CARE DATA.
Introduced by: Yamane R, Herkes R, Nishimoto S, Chong P, Oshiro B, Mizuno J, Tsuji C, Aquino H, Yamashita K
Establishes provisions relating to clinical laboratory test results. Allows a clinical laboratory test result to be provided to authorized persons for any purpose permitted under the Health Insurance Portability and Accountability Act (HIPPA) of 1996. -- HB2086 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate

Mar=03 10 Multiple Referral to HTH then JGO

HB2087 HD1 (HSCR 552-10)

RELATING TO HEALTH.
Introduced by: Yamane R, Mizuno J, Nishimoto S, Manahan J, Chong P, Brower T, Aquino H
Amends provisions relating to reimbursement for accident and health or sickness insurance benefits. Requires accrual of interest to be suspended automatically if the entity's failure to pay a claim within the applicable time limitations is the result of late payment to the entity by the state or federal government for services provided to beneficiaries of a government program. -- HB2087 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HMS/ CPN/ then WAM

HB2091 HD1 (HSCR 662-10)

RELATING TO MEDICAID ELIGIBILITY.
Introduced by: Yamane R, Mizuno J, Nishimoto S, Manahan J, Brower T, Tsuji C, Yamashita K
Establishes provisions relating to presumptive eligibility under Medicaid for waitlisted patients. Requires the department of human services to presume that a waitlisted patient applying for Medicaid coverage is eligible for coverage; provided that the applicant is able to show proof, and if the waitlisted patient is later determined to be ineligible for Medicaid after receiving services during the presumptive eligibility period requires the department to disenroll the waitlisted patient and notify the provider and the plan, if applicable, of disenrollment by facsimile transmission or e mail. Report to the legislature. Requires the department to conduct a study of a computerized system for processing medicaid applications. Report to the legislature. Appropriation to the department of human services to cover the cost of any reimbursements made to providers or plans for services provided during the time waitlisted patients are enrolled but eventually determined to be ineligible. ($$) -- HB2091 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HMS then WAM

HB2092 HD1 (HSCR 620-10)

RELATING TO PUBLIC SAFETY.
Introduced by: Yamane R, Lee M, Yamashita K, Ito K, Oshiro B, McKelvey A, Hanohano F
Establishes provisions relating to reduced ignition propensity cigarette program special fund. Requires that the fees collected from cigarette certification under the reduced ignition propensity cigarette law be deposited in a special fund to be administered by the state fire council. Requires that funds collected be expended only for the purpose of hiring personnel to administer the program and to cover costs associated with the program. Appropriations to the fund and out of the fund. ($$) -- HB2092 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN/ PSM/ then WAM

HB2094

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH.
Introduced by: Yamane R, Mizuno J, Lee M, Yamashita K, Brower T, Aquino H, Nishimoto S, Chong P
Authorizes the issuance of special purpose revenue bonds to assist Hawaii Pacific Health, a nonprofit corporation, the obligated group in which Hawaii Pacific Health is a member, 1 or more of its not for profit affiliates, or any combination thereof, in financing, refinancing, or reimbursing costs related to the acquisition or construction of health care facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. ($$) -- HB2094
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH then WAM

HB2129 HD1 (HSCR 495-10)

RELATING TO GRAFFITI.
Introduced by: Aquino H, Wooley J, Keith-Agaran G, Lee C, Choy I, Coffman D, Nakashima M
Establishes provisions relating to graffiti; sentencing. Requires person to remove graffiti from the damaged property within 30 days of sentencing and for a period of time not to exceed the maximum period allowed for the offense charged, perform community service removing, within 14 days, any graffiti applied to other property within 100 yards of the site of the offense for which the person was sentenced; and reimburse the costs incurred by any property owner to remove graffiti applied to other property within 100 yards of the site of the offense for which the person was sentenced. -- HB2129 HD1

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to JGO

HB2132 HD1 (HSCR 426-10)

RELATING TO MORTGAGE FORECLOSURES.
Introduced by: Oshiro B, Cabanilla R, Chong P, Herkes R
Establishes provisions relating to foreclosures; counseling under mortgage foreclosures law. Requires mortgagee to provide written notice to mortgagor of availability of counseling at no cost. Failure to give written notice shall render foreclosure void. Requires mortgagee to include in foreclosure deed an affidavit of compliance. -- HB2132 HD1
Current Status: Mar=02 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN then JGO

HB2133 HD1 (HSCR 347-10)

RELATING TO PROCUREMENT.
Introduced by: Oshiro B, Yamashita K, Magaoay M, McKelvey A, Herkes R
Establishes provisions relating to contract awards; contract formation. Requires contract award to be made within 45 days of the initial request for proposals but in no case later than 15 days after the deadline for proposals. Provides that a contract be deemed effective 10 days after the notice of the award; and the solicitation, offer, bid, or proposal and the notice of award shall constitute the entire contract and agreement between the governmental body and the contractor and no other document is required. -- Requires the state procurement officer to authorize reseller agreements as part of any multi state contracting agreement. -- Requires the policy board to adopt rules to promote the growth and development of Hawaii small businesses that shall include a 5 per cent price preference. -- HB2133 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDT then JGO

HB2136

RELATING TO DISTRIBUTIONS BY NONPROFIT CORPORATIONS.
Introduced by: Herkes R
Amends provisions relating to authorized distributions. Allows a corporation to make distributions to and confer benefits on a member or an affiliate that is another domestic or foreign nonprofit corporation. -- HB2136
Current Status: Feb=18 10 Introduction/Passed First Reading - Senate
Feb=26 10 Single Referral to CPN

HB2152 HD1 (HSCR 600-10)

RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES.
Introduced by: Lee M, Coffman D, Choy I, Keith-Agaran G, Brower T, Sagum R, Tokioka J, Har S, Rhoads K, Chong P, Morita H, Oshiro B
Amends provisions relating to building design to consider needs of persons with disabilities. Requires state and county agencies to seek advice and recommendations from the disability and communication access board on any construction plans prior to commencing with construction for which the board may establish reasonable tiered fees based upon estimated construction costs. Requires board to charge a fee for services to defray the expenses of the board. Requires board to report to the legislature. Establishes a temporary fee schedule based on estimated construction costs. -- HB2152 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH then WAM

HB2157 HD1 (HSCR 220-10)

RELATING TO EXPANDED ADULT RESIDENTIAL CARE HOMES.
Introduced by: Mizuno J, Brower T, Aquino H, Manahan J, Yamane R, Magaoay M, Sagum R, Keith-Agaran G, Cabanilla R, Ching C
Amends provisions relating to adult residential care homes (ARCH) expanded admissions. Increases the number of nursing facility level residents allowable in an expanded adult residential care homes type 1 home. -- HB2157 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to HTH/ HMS/

HB2162 HD1 SD1 (SSCR 2114)

MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN.
Introduced by: Oshiro M
Appropriation to the senate and the house of representatives for session and nonsession expenses up to and including June 30, 2011, including the 2010 regular session and for defraying the expenses of the legislative information system. 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 145 dollars a day. -- Appropriation to the auditor for the expenses of the office of the auditor. -- Appropriation to 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. -- Appropriation to the office of the ombudsman for defraying expenses. -- Appropriation to the legislature for the legislative broadcast program. ($$) -- HB2162 SD1

Current Status: Feb-16 10 Received by the Governor
Feb-26 10 Approved by Governor (Act 1 2010)

HB2163

RELATING TO SALARY AND PENSION PAYMENTS.
Introduced by: Oshiro M
Amends provisions relating to salary and pension payments. Requires all employees hired prior to July 1, 1998, and who have not designated a financial account into which the State is authorized to deposit the employee's pay, to designate an account no later than ____ (date). -- HB2163

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then WAM

HB2169 HD2 (HSCR 413-10)

RELATING TO EMPLOYMENT SECURITY.
Introduced by: Rhoads K, Say C, Magaoay M, Oshiro B, Chong P, Evans C, Keith-Agaran G, Oshiro M, Morita H, Nakashima M, Souki J, Yamane R, Tsuji C, Lee C, Aquino H, Coffman D, Lee M, Bertram J, Yamashita K, Har S, Manahan J, Belatti D, Ito K, Luke S, Karamatsu J, Pine K, McKelvey A, Mizuno J, Sagum R, Hanohano F, Berg L, Takai K, Awana K, Brower T, Herkes R, Takumi R, Nishimoto S
Establishes provisions relating to special assessment on employers to pay interest on loans from Secretary of Labor under Hawaii employment security law. Provides that whenever the State requests a loan from the Secretary of Labor in accordance with Title XII of the social Security Act to pay expected benefit claims during a specified period of time, allows the director labor and industrial relations to assess all employers the amounts that are sufficient to pay the principal and interest costs on the loan, provided that the director develops a mechanism of distributing these payments among employers in a fair and equitable manner. -- Amends provisions relating to weekly benefit amount; computation, minimum and maximum by beginning again on January 1, 2012 instead of 2011. -- Amends provisions relating to payment of contributions; wages not included. Defines wages to include renumeration in excess of the wages paid with respect to employment to an individual by an employer during the calendar year that exceeds 90 per cent of the average annual wage. -- Provdes that the ratio of the current reserve fund to the adequate reserve fund, contribution rate schedule D shall apply for calendar year 2010 and contribution rate schedule F shall apply for calendar year 2011. -- HB2169 HD2

Current Status: Mar-03 10 Received by the Governor

HB2170 HD1 (HSCR 226-10)

RELATING TO VITAL STATISTICS.
Introduced by: Souki J
Amends provisions relating to deaths reported to county clerks. Requires the department of health to deliver, or forward at no charge, to the county clerk and to the real property assessment division of each county a list of names of all citizens of voting age or over whose deaths have been recorded each month and if available, to include the last 4 digits of the deceased's social security number, date of birth, date of death, and last known address. -- HB2170 HD1

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH/ TIA/ then WAM

HB2171 HD1 (HSCR 635-10)

RELATING TO CONVEYANCE TAX.
Introduced by: Souki J
Amends provisions relating to certificate of conveyance required. Requires the director of taxation to provide an image of all certificates of conveyance that were filed to the administrator of each county's real property assessment division within 10 days after the end of each week, without charge. -- HB2171 HD1

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL/ TIA/ then WAM

HOUSE BILLS THAT PASSED THIRD READING

HB2186 HD1 (HSCR 522-10)

RELATING TO IMPROPER PAYMENTS ELIMINATION AND RECOVERY.
Introduced by: Ward G, Pine K, Ching C, Marumoto B
Establishes provisions relating to improper payments elimination and recovery. Establishes provisions relating to improper payments elimination and recovery; identification of susceptible programs and activities. Requires the head of each state agency to review all programs and activities that may be susceptible to significant improper payments starting 2010 - 2011 and at least once every 3 fiscal years thereafter. Further establishes provisions relating to the estimation of improper payments; to reports on action to reduce improper payments; to the reports on actions to recover improper payments. Requires the head to provide all actions the agency is taking to recover improper payments; to government wide reporting; to guidance by the department of finance; to the determination of agency readiness for opinion on internal control; to audits; to the disposition of amounts recovered; and financial management improvement program. -- HB2186 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WAM

HB2197 HD1 (HSCR 19-10)

RELATING TO CONDOMINIUMS.
Introduced by: Belatti D, Morita H, Coffman D, Evans C, Saiki S, Lee C, Rhoads K, Keith-Agaran G, Takai K, Magaoay M, Shimabukuro M, Oshiro B, Nishimoto S, Luke S, Brower T
Amends provisions relating to condominium property regimes. Authorizes the board of directors of an association to install or cause the installation of solar energy and wind energy devices on the common elements of the project, including leasing or licensing the common elements for the installation. -- HB2197 HD1
Current Status: Feb=17 10 Introduction/Passed First Reading - Senate
Feb=18 10 Multiple Referral to ENE then CPN

HB2208 HD2 (HSCR 481-10)

RELATING TO INSURANCE.
Introduced by: Herkes R
Establishes provisions relating to medicaid payments. Amends provisions relating to reimbursement for accident and health or sickness insurance benefits. Redefines clean claim by repealing the exclusion of medicaid or medigap claims. -- HB2208 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HMS then CPN

HB2238

RELATING TO RENEWABLE PORTFOLIO STANDARDS.
Introduced by: Morita H, Lee C, Coffman D, Thielen C, Sagum R, Cabanilla R, Luke S, Belatti D
Amends provisions relating to definitions under renewable portfolio standards. Redefines renewable electrical energy that include customer sited, grid connected renewable energy generation beginning January 1, 2015. -- HB2238
Current Status: Mar=02 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to ENE then CPN

HB2239

RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.
Introduced by: Morita H, Cabanilla R, Coffman D, Lee C, Luke S, Ching C, McKelvey A, Chang J, Har S, Thielen C, Belatti D
Amends provisions relating to definitions under the beverage container program. Redefines deposit beverage by repealing the exclusion of a liquid which is designed and consumed only as a dietary supplement and not as a beverage. -- HB2239
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to ENE then WAM

HB2248 HD1 (HSCR 171-10)

RELATING TO THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT.
Introduced by: Karamatsu J
Establishes the uniform adult guardianship and protective proceedings jurisdiction law. -- HB2248 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to JGO

HB2250 HD1 (HSCR 75-10)

RELATING TO THE UNIFORM CHILD ABDUCTION PREVENTION ACT.
Introduced by: Karamatsu J
Establishes the uniform child abduction prevention act. -- HB2250 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate

Mar=03 10 Single Referral to JGO

HB2254 HD1 (HSCR 194-10)

RELATING TO COMPUTER SECURITY.
Introduced by: Karamatsu J (BR), Evans C
Establishes provisions relating to deceptive installation of computer software. Establishes that a person commits the offense of deceptive installation of computer software if the person is not an authorized user of a computer, and induces an authorized user to install a software component onto the computer by intentionally misrepresenting that installing software is necessary for security or privacy reasons or to open, view, play, or use a particular type of content or deceptively causes the copying and execution on the computer of a computer software component with the intent of causing an authorized user to use the component in a way that violates any provision of this chapter. Makes it a class C felony. Allows the attorney general to bring a civil action on behalf of the state to obtain a civil judgment against any person who violates this section. Establishes penalty. -- HB2254 HD1
Current Status: Feb=11 10 Introduction/Passed First Reading - Senate
Feb=18 10 Single Referral to JGO

HB2257 HD2 (HSCR 614-10)

RELATING TO UNEMPLOYMENT INSURANCE BENEFITS.
Introduced by: Rhoads K
Amends provisions relating to disqualification for benefits under employment security law. Prohibits an employee from being disqualified for benefits for any week in which the individual separates involuntarily or voluntarily with or without good cause from an employer offering part time employment, if the individual is receiving benefits while attached to a regular employer that is not offering work; receiving partial unemployment benefits; and exempt from work search and registration for work requirements. -- HB2257 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then WAM

HB2263

RELATING TO HIGHWAY SAFETY.
Introduced by: Evans C, Awana K
Amends provisions relating to licensing provisional license for persons under the age of 18. Allows provisional licensee to be issued a driver's license if the provisional licensee has satisfactorily held a provisional license for at least 6 months or until the age of 18, whichever comes 1st. -- HB2263
Current Status: Mar=02 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA then JGO

HB2266 HD1 (HSCR 621-10)

RELATING TO CORRECTIONS.
Introduced by: Evans C
Requires the department of public safety to address sexual assault in prison and seek grant moneys from the federal government. Annual report to the legislature. -- HB2266 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to PSM then WAM

HB2267 HD1 (HSCR 578-10)

RELATING TO PUBLIC CHARTER SCHOOLS.
Introduced by: Evans C, Hanohano F, Nakashima M, Herkes R, Coffman D, Chang J, Tsuji C
Amends provisions relating to charter schools. Provides that when the department of education receives a federal grant or subsidy for which the public charter schools are eligible, the grant or subsidy does not include instructions regarding distribution of the funds, and the department has discretion in distributing the funds, the department shall distribute to public charter schools an equitable share of those funds that is similar to the share of funds distributed to other public schools. -- HB2267 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH then WAM

HB2271 HD1 (HSCR 475-10)

RELATING TO EXPLOSIVES.
Introduced by: Thielen C, Takai K, Awana K, Takumi R, Lee M
Establishes provisions relating to dry ice bombs; prohibition; penalty. Provides that a person who manufactures, sells, transfers, possesses, or transports any dry ice bomb shall be guilty of a misdemeanor. Makes it a class C felony. -- HB2271 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to PSM then JGO

HOUSE BILLS THAT PASSED THIRD READING

HB2277 HD1 (HSCR 214-10)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL.
Introduced by: Marumoto B
Authorizes the issuance of special purpose revenue bonds to assist Kaimuki Christian School, 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. ($$) -- HB2277 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH then WAM

HB2283 HD2 (HSCR 642-10)

RELATING TO PUBLIC PROCUREMENT.
Introduced by: Oshiro B, Yamashita K, Magaoay M, Herkes R, McKelvey A
Amends provisions relating to requirement of good faith by changing it to requirements of ethical public procurement. Requires officers and employees of the state and counties to conduct public procurement in an ethical manner. Requires any person or private entity taking part in the conduct of public procurement to act in good faith to practice purchasing ethics, display business integrity as a responsible offeror of goods and services. -- HB2283 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to JGO

HB2284 HD1 (HSCR 469-10)

RELATING TO REAL PROPERTY.
Introduced by: Oshiro B, Karamatsu J, Thielen C, McKelvey A
Amends Act 189, session laws of 2009, relating to leases of commercial and industrial real property. Extends the sunset date to June 30, 2011 (sunset). -- HB2284 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN then JGO

HB2286

RELATING TO CAPTIVE INSURANCE COMPANIES.
Introduced by: Herkes R
Amends provisions relating to examinations and investigations under captive insurance companies law. Allows the insurance commissioner or any authorized examiner to conduct an examination of any captive insurance company, unless the commissioner requires otherwise. Requires an examination to be conducted at least once every 5 years for all captive insurance companies; and an examination of a class 3 risk retention captive insurance company to be conducted no later than 3 years after its formation; and at least once every 5 years thereafter. Requires a sponsored captive insurance company formed and licensed to establish and maintain 1 or more protected cells, requires the protected cell to be organized and operated in only those forms of business organization authorized by the commissioner, including an association, corporation, limited liability company, partnership, or trust. -- HB2286
Current Status: Feb=18 10 Introduction/Passed First Reading - Senate
Feb=26 10 Single Referral to CPN

HB2288 HD1 (HSCR 491-10)

RELATING TO PRIVATE TRANSFER FEES.
Introduced by: Herkes R
Establishes provisions relating to prohibition of transfer fees. Prohibits a deed restriction or other covenant running with the land applicable to the transfer of real property that requires a transferee of real property or the transferee's heirs, successors, or assigns, to pay a fee in connection with a future transfer of the property to a declarant or other person imposing the deed restriction or covenant on the property or a 3rd party designated by a transferor of the property. Provides exception. -- HB2288 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN then JGO

HB2289 HD2 (HSCR 482-10)

RELATING TO GIFT CERTIFICATES.
Introduced by: Herkes R
Amends provisions relating to gift certificates. Prohibits any activation or issuance fee to exceed the lesser of ___ per cent of the face value of the certificate or ____ dollars. Increases the expiration period for gift certificates from 2 to 5 years, except for paper certificates which shall not be less than 2 years. -- HB2289 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to CPN

HB2290 HD2 (HSCR 559-10)

RELATING TO AGRICULTURE.

Introduced by: Tsuji C, Evans C, McKelvey A, Manahan J, Chong P, Chang J, Wooley J, Yamashita K
Establishes the agriculture inspection and certification special fund. Requires the department of agriculture to spend the fund for licensure of commission merchants, dealers, brokers, agents, processor, and retail merchants; the administration, operation, and enforcement, and the inspection, certification, weighing, or grading of agricultural commodities that are to be imported into, exported from, or shipped within the state. Allows the department to enter into cooperative agreements and contracts to hire and pay travel and other expenses for temporary inspectors to perform the certification and audit services. Eliminates the certification services revolving fund. Requires the department to impose or increase fees and if they fail to do so, establishes fees. Appropriation for the agriculture inspection and certification program. ($$) -- HB2290 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB2291 HD2 (HSCR 560-10)

RELATING TO MEASUREMENT STANDARDS.
Introduced by: Tsuji C, Ito K, Chang J, Takai K
Establishes provisions relating to the weights and measurements special fund. Establishes the fund to be administered by the board of agriculture. Requires all moneys received by the board as application fees for applications and for licenses to be deposited into the fund and that the fund to be expended to cover all cost of administering the measurement standards law including salaries, fringe benefits, operating expenses, equipment, motor vehicles, contracts for services, and promotional expenses. Requires a reserve to be maintained in the special fund to cover contingency costs, including accrued vacation leave, unemployment insurance, and workers' compensation. Requires the board to adopt new or amend existing rules to impose or increase fees authorized under the measurement standards law. Provides that if, by September 30, 2010, the board of agriculture has not complied, then the fee charged for each licensing, testing, calibration, or inspection of a measuring or other device shall be ____ dollars effective on October 1, 2010. -- HB2291 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB2293 HD1 (HSCR 368-10)

RELATING TO THE DEPARTMENT OF AGRICULTURE.
Introduced by: Tsuji C, Takai K, McKelvey A
Establishes provisions relating to the department of agriculture staffing special fund. Requires the department of agriculture to spend the funds to pay the salary and fringe benefits costs of department personnel whose positions on June 30, 2009 were funded from the general fund or the agricultural loan reserve fund. Any unexpended funds left in the special fund on July 1, 2015 (sunset) are to be transferred to the agricultural loan revolving fund. -- Amends provisions relating to funds; application of payments. Repeals the provision that moneys from the agricultural loan revolving fund may go to the aquaculture loan revolving fund. Requires 50 per cent of the fund to go to the staffing special fund. Report to the legislature. Act to be repealed on June 30, 2015 (sunset). -- HB2293 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB2294 HD2 (HSCR 561-10)

RELATING TO AGRICULTURE.
Introduced by: Tsuji C, Evans C, McKelvey A, Manahan J, Chong P, Chang J, Wooley J, Ito K, Yamashita K
Amends provisions relating to the pest inspection, quarantine and eradication fund. Requires this fund to include taxes collected for inspection, quarantine, and eradication services; fees imposed for services; and fines for violations. Changes the inspection, quarantine, and eradication service fee to the inspection, quarantine, and eradication service tax and excludes liquid bulk freight or cement bulk freight from this tax. -- Amends provisions relating to certificate for shipment. Provides that fees be deposited into the pest, inspection, quarantine, and eradication fund. Amends provisions relating to nursery stock certificate. Requires the department to deposit fees charged for nursery certification into the pest, quarantine, and eradication fund. Repeals the permit revolving fund and microorganism import certification revolving fund and transfers funds as of June 30, 2010, to the pest inspection, quarantine, and eradication fund. Requires the department to impose or increase fees and if they fail to do so, establishes fees. Appropriation out of the pest inspection, quarantine, and eradication fund for the fund. ($$) -- HB2294 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB2297 HD2 (HSCR 479-10)

RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES.
Introduced by: Souki J
Amends provisions relating to regulation of motor vehicle sun screening devices; penalty. Allows use of transparent sun screening materials that are installed, affixed, or applied to any portion of the windshield so long as the materials meet the requirements of the Federal Motor Vehicle Safety Standard 205. -- HB2297 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA then CPN

HB2298 HD1 (HSCR 131-10)

RELATING TO HARBORS.
Introduced by: Souki J, Awana K
Amends provisions relating to Kewalo basin use permit; Honolulu harbor use permit; portability. Allows the owner or operator of a commercial passenger vessel who determines that entering Kewalo Basin because of inclement weather or ocean conditions would pose a safety or comfort issue for the passengers on the vessel to moor in Honolulu harbor on a space available basis, at no additional cost, and with no additional use permit requirements under specified conditions. -- HB2298 HD1
Current Status: Mar=02 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to TIA/ WTL/

HB2301 HD2 (HSCR 648-10)

RELATING TO TRANSFER OF STATE HIGHWAYS.
Introduced by: Oshiro M
Establishes a pilot project to transfer all state highway jurisdiction and functions relating to the maintenance of state highways located on Maui, Molokai, and Lanai to the county of Maui, and to transfer applicable funding, including federal aid, from the State to Maui county. Report to the legislature by the department of transportation and the Maui department of public works. Reverts the functions back to the state department of transportation on the day of the sunset date or at a later date as may be specified. Act to be repealed on December 31, 2016 (sunset). -- HB2301 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA then WAM

HB2304 HD1 (HSCR 425-10)

RELATING TO LICENSURE.
Introduced by: Takumi R
Amends provisions relating to licensing of electrical or plumbing workers by adding elevator mechanics. Requires individuals licensed and who are employed on a construction job site by an electrical, plumbing, or elevator mechanic contractor to have their licenses visibly displayed on them at the job site. -- HB2304 HD1
Current Status: Mar=02 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to CPN

HB2306 HD2 (HSCR 657-10)

RELATING TO SALARIES.
Introduced by: Takumi R
Amends the provisions relating to department heads and executive officers. Changes the cap of the salary superintendent of education to 150 per cent of the highest paid principal in the department of education. Changes the salary of the state librarian to 150 per cent of the highest paid librarian in the department. -- HB2306 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH then WAM

HB2311 HD1 (HSCR 537-10)

RELATING TO PLANNED COMMUNITY ASSOCIATIONS.
Introduced by: Pine K, Ching C, Manahan J, Marumoto B
Establishes provisions relating to flag poles. Provides that no member shall be prohibited by any association document, covenant, declaration, bylaws, restriction, deed, lease, term, provision, condition, codicil, contract, or similar binding agreement, however worded, from erecting and using a flag pole for the purpose of displaying the flag of the US or of the State on the premises of any detached single family residential dwelling or townhouse that the member owns. Allows the board of directors to implement reasonable restrictions with regard to flag poles, including the size and location that do not prohibit the erection and use of flag poles altogether. Prohibit association or board of directors to assess or charge any homeowner any fees or fines, or penalties for the placement of any flagpole. -- HB2311 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate

Mar=03 10 Single Referral to CPN

HB2312 HD2 (HSCR 483-10)

RELATING TO NATUROPATHIC MEDICINE.
Introduced by: Chong P
Amends provisions relating to the naturopath law. Requires the department of commerce and consumer affairs to establish a naturopathic formulary committee. Requires the committee to establish a naturopathic formulary for the practice of naturopathic medicine and to develop standards for review that have been approved by a majority of the committee prior to establishing a naturopathic formulary. Repeals legend drug definition. Repeals the definition of legend drug. Requires the committee to publish biannually a naturopathic formulary that has been established by the committee. -- HB2312 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH then CPN

HB2313 HD1 (HSCR 516-10)

RELATING TO TAXATION.
Introduced by: Chong P, Oshiro B, Say C, Keith-Agaran G, Oshiro M, Yamane R, Evans C, Nakashima M, Lee M, Cabanilla R, Sagum R, Har S, Luke S, Souki J, Tsuji C, Ito K, Manahan J, McKelvey A, Hanohano F, Chang J, Magaoay M, Yamashita K, Mizuno J, Aquino H, Morita H, Karamatsu J, Coffman D, Takumi R, Awana K
Amends the standard deduction for income tax purposes as provided by section 165 (with respect to losses) of the Federal Internal Revenue Code by repealing the exception that section 165 (d) (with respect to wagering losses) shall not be operative. -- HB2313 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WAM

HB2318 HD2 (HSCR 660-10)

RELATING TO THE HOMELESS.
Introduced by: Cabanilla R, Chang J, Ito K, Mizuno J
Establishes provisions relating to the housing 1st special fund. Provides that a portion of the conveyance tax shall be deposited into the fund. Requires matching funds from each county. Requires the fund to be administered by the Hawaii public housing authority to provide housing 1st programs and services. -- Amends provisions relating to conveyance tax. Adds a tax bracket for the sale of properties between 1.2 million dollars and 2 million dollars and changes the tax for tax brackets for properties over 2 million dollars. Provides that ____ per cent of the taxes collected for properties over 2 million dollars be deposited into the fund. -- Requires the Hawaii public housing authority in collaboration with the department of human services to develop a housing 1st pilot program and to consult with the US Department of Housing and Urban Development and community housing and homeless groups. Requires the program to move chronically homeless individuals into housing directly from streets and shelters, without preconditions of treatment acceptance or compliance; providing support services for program participants; continued tenancy shall not be dependent on participation in services; granting chronically homeless individuals into the program; embrace a harm reduction approach to addictions; providing program participants with leases and tenant protections. -- Reports to the legislature. -- Appropriation out of the special fund. Act to be repealed on June 30, 2016 (sunset). ($$) -- HB2318 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH/ HMS/ WTL/ then WAM

HB2347 HD2 (HSCR 636-10)

RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING.
Introduced by: McKelvey A
Amends provisions relating to operation of thrill craft; parasailing; water sledding; commercial high speed boating. Repeals the 20 year limit for commercial use and operator permits for commercial thrill craft and parasailing. Requires the department of land and natural resources to revoke a permit for failure to meet the conditions for renewal and the department shall offer the permit for public auction. -- HB2347 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to EDT/ WTL/

HB2349 HD1 (HSCR 466-10)

RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL.
Introduced by: Yamane R, Lee M, Evans C, Chang J, Nishimoto S, Herkes R, Ito K, Carroll M, Manahan J, Yamashita K, Tsuji C, Mizuno J, Magaoay M, Shimabukuro M, Brower T
Amends provisions relating to assault in the 2nd degree. Provides that a person commits

the offense of assault in the 2nd degree if the person intentionally or knowingly causes bodily injury to any emergency medical services provider defined as emergency medical services personnel, a physician, physician's assistant, nurse, or nurse practitioner who provides medical services in the emergency room of a hospital. -- Amends provisions relating to terroristic threatening in the 1st degree if the person intentionally or knowingly causes bodily injury to any emergency medical services provider defined as emergency medical services personnel, a physician, physician's assistant, nurse, or nurse practitioner who provides medical services in the emergency room of a hospital. -- HB2349 HD1

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH then JGO

HB2351

RELATING TO VETERANS.
Introduced by: Yamane R, Lee M, Yamashita K, Ito K, Chang J, Tsuji C, McKelvey A, Har S, Evans C
Amends provisions relating to special number plates (license plates); military service. Requires the applicant to provide a copy of the applicant's most recent discharge paper or separation document that indicates an honorable discharge or general discharge from active duty. -- HB2351

Current Status: Feb=17 10 Introduction/Passed First Reading - Senate
Feb=18 10 Single Referral to PSM/ TIA/

HB2354 HD1 (HSCR 463-10)

RELATING TO INSURANCE FRAUD.
Introduced by: Mizuno J
Establishes provisions relating to cooperation with insurance fraud investigators. Requires any person or licensee that has reasonable belief that a insurance fraud is being or will be committed to furnish and disclose any information to the insurance fraud investigations branch for the purposes of detecting, prosecuting, or preventing insurance fraud. Provides that failure to cooperate shall bar eligibility from any proceeds or restitution resulting from insurance fraud or branch investigation and prosecutions. Prohibits a person or licensee furnishing or disclosing information to be subject to civil liability arising from the actions to furnish or disclose requested information. -- HB2354 HD1

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN then JGO

HB2360

RELATING TO INTRASTATE TELECOMMUNICATIONS SERVICES.
Introduced by: Herkes R
Amends provisions relating to local exchange intrastate services; fully competitive by changing it to retail intrastate services. -- HB2360

Current Status: Feb=11 10 Introduction/Passed First Reading - Senate
Feb=18 10 Single Referral to CPN

HB2370 HD2 (HSCR 649-10)

RELATING TO TRANSPORTATION.
Introduced by: Souki J, Awana K, Keith-Agaran G, Yamashita K, Hanohano F, Nakashima M, Lee M, Aquino H, Rhoads K
Amends provisions relating to operation and use privileges under aeronautics law. Requires the department of transportation to provide a public information hearing to be held for any type of rental motor vehicle charge. Requires all rental motor vehicle customer facility charges paid to the department to be deposited into the rental motor vehicle facility charge special fund. Amends Act 226, session laws of 2008. As of September 1, 2010, and periodically thereafter as necessary, the department of transportation shall levy, assess, and collect a rental motor vehicle customer facility charge so all such charges collected by the department total at least a minimum of 4 dollars and 50 cents per day. Provides that the charge shall not be lowered by the department for a minimum period of at least 20 years commencing on September 1, 2010, or until such time as necessary to pay any bonds or financial agreements issued or entered into to support or assist in meeting the use or purpose of the special fund. Appropriations out of the rental motor vehicle customer facility charge special fund to the department of transportation for planning, design, and temporary relocation of rental motor vehicle operations and related expenses; construction costs relating to temporary relocation of current rental motor vehicle operations during construction of a consolidated facility at the Honolulu international airport and related expenses; planning and design of rental motor vehicle facilities at the Honolulu international airport and related expenses; planning, design, and construction of an overflow storage lot at Kahului airport and related expenses; initial planning and design of consolidated

facilities at Kahului airport and related expenses; Statewide development and program management of a car rental facilities program and related expenses; construction of a consolidated rental motor facility at Honolulu international airport and related expenses; and purchase of, or reimbursing of the department of transportation or any department or agency of the state that purchases, land near the Lihue airport for purposes of planning, design, and construction of a consolidated rental motor vehicle facility. ($$) -- HB2370 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA then WAM

HB2371 HD1 (HSCR 424-10)

RELATING TO MOTOR CARRIERS.
Introduced by: Souki J, Awana K
Establishes provisions relating to shipment of goods in interstate commerce; US Department of Transportation number. Allows any commercial motor vehicle having a US Department of Transportation number for interstate commerce to enter a commercial harbor under the jurisdiction of the department of transportation. -- HB2371 HD1

Current Status: Mar=02 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to TIA

HB2376 HD3 (HSCR 579-10)

PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION.
Introduced by: Takumi R, Chang J, Har S, Mizuno J, Ito K, Manahan J, Magaoay M, Hanohano F, Marumoto B, Bertram J, Lee C, Belatti D, Luke S, Wakai G, Brower T, Berg L, Morita H, Pine K, Awana K, Yamashita K, Coffman D
Proposes to amend the constitution. Requires the members of the board of education to be nominated by and, with the advice and consent of the senate, appointed by the governor. -- HB2376 HD3

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH then JGO

HB2377 HD3 (HSCR 645-10)

RELATING TO EDUCATION.
Introduced by: Takumi R, Chang J, Har S, Marumoto B, Luke S, Wakai G, Lee C, Morita H, Mizuno J, Pine K, Brower T, Hanohano F, Ito K, Manahan J, Berg L, Bertram J, Belatti D, Yamashita K
Repeals and replaces the board of education. Provides that the board shall consist of 8 members who shall be appointed by the governor with the advice and consent of the senate. Establishes the board of education selection advisory council to present the governor with qualified candidates. Repeals the election of the board of education. -- HB2377 HD3

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH then WAM

HB2381 HD2 (HSCR 568-10)

RELATING TO TAXATION.
Introduced by: Har S, Manahan J, Chang J, Herkes R, Takumi R, McKelvey A, Hanohano F, Yamane R, Ito K, Tsuji C, Aquino H, Karamatsu J
Provides a homeowners construction and remodeling income tax credit of ____ per cent of the costs incurred after December 31, ____. -- HB2381 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH then WAM

HB2382 HD1 (HSCR 348-10)

RELATING TO DIGITAL MEDIA.
Introduced by: Har S, Chang J, Yamashita K, Oshiro B, Say C, Nishimoto S, McKelvey A, Aquino H, Karamatsu J, Takumi R, Shimabukuro M, Belatti D
Establishes the digital media enterprise subzones. Allows a digital media infrastructure tax credit. Limits the tax credits to 20 million dollars in any 1 taxable year. To qualify the facility must be a state of the art production or postproduction facility. -- Provides a digital media enterprise subzone workforce development tax credit. Allows each taxpayer that operates a business that is deemed a qualified animation or visual effects business and located within a digital media enterprise subzone an income tax credit that shall be deductible from the taxpayer's net income tax liability. Requires every taxpayer claiming a tax credit for a qualified animation of visual effects business to submit a written, sworn statement to the department of business, economic development and tourism. Requires the department to determine and issue a letter to the taxpayer, regarding the qualified animation or visual effect business. Allows an insurer to opt to invest an amount equal to all or any portion of that tax liability in a qualified digital media infrastructure project. Repealed on June 30, 2020 (sunset). Changes the Hawaii

television and film development special fund to the Hawaii film office special fund. Requires the application fees for the digital media infrastructure tax credits to be deposited into the film office special fund. Repeals the provisions under the fund for grants and venture capital programs. Allows moneys in the fund to be used for the operation of the Hawaii film office. -- HB2382 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDT/ HRE/ then WAM

HB2383 HD1 (HSCR 470-10)

RELATING TO FLAGS.
Introduced by: Har S, Aquino H, Ito K, Yamashita K, Manahan J, Hanohano F, Tokioka J, Lee M, McKelvey A, Yamane R, Carroll M, Takai K, Karamatsu J, Cabanilla R
Establishes provisions relating to prisoner of war and missing in action flag. Recognizes the National League of Families' Prisoner of War and Missing in Action flag in PL 101-355. Provides that if a building is under the jurisdiction of the State including the department of defense state headquarters and the Hawaiian flag is flown under the same or a separate halyard as the flag of the US, the flag shall be flown under the US flag on specified days. -- HB2383 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to PSM then JGO

HB2397 HD1 (HSCR 238-10)

RELATING TO PRIMARY ELECTIONS.
Introduced by: Say C (BR)
Amends provisions relating to primary held when; candidates only those nominated. Changes the date of the primary from the 2nd to the last Saturday of September to the 2nd to the last Saturday of August. -- Amends provisions relating to nomination papers: time for filing; fees. Requires that members of Congress, state offices, county office, and board of trustees for the office Hawaiian affairs the nomination papers be filed with the chief election officer, or the county clerk, not later than 4:30 p. m. on the 1st Tuesday in June. Requires for special primary or special election that the filing deadline be determined in the proclamation that is issued calling for the election. -- HB2397 HD1
Current Status: Feb=12 10 Introduction/Passed First Reading - Senate
Feb=18 10 Single Referral to JGO

HB2404 HD1 (HSCR 472-10)

RELATING TO DRIVER LICENSING.
Introduced by: Souki J, Awana K, Hanohano F, Yamashita K, Aquino H, Rhoads K, Nakashima M, Takumi R, Luke S, Lee C
Amends Act 72, session laws of 2005, relating to provisional license for persons under the age of 18 by extending the sunset date to January 9, 2013. -- HB2404 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA then JGO

HB2409 HD2 (HSCR 562-10)

RELATING TO AQUACULTURE.
Introduced by: Tsuji C, Chong P, Har S, Ito K, Herkes R, Evans C, Wooley J, Awana K, Mizuno J, Brower T, Yamashita K, Nakashima M, McKelvey A
Amends provisions relating to disposition by negotiation. Provides that the disposition of public lands shall not exceed a maximum term of 45 years. Aquaculture operations in good standing shall have the right of 1st refusal and may seek to renew a lease issued under this paragraph. Allows aquaculture operations during the lease term to engage in supportive activities that are related to aquaculture. -- HB2409 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB2417 HD2 (HSCR 480-10)

RELATING TO ACTIVITY DESKS.
Introduced by: McKelvey A
Establishes provisions relating to record keeping requirements for client trust accounts. Requires an activity desk to maintain all books and records relating to client trust accounts available for inspection and audit within 3 business days of written request by the director of commerce and consumer affairs. Further requires the activity desk to keep and maintain copies of all bank statements, deposit slips, cancelled checks, drafts, and wire or electronic transaction documents relating to client trust accounts for a period of at least 2 years. Prohibits an activity desk from advertising without identifying the activity desk by registration number. Prohibits booking or placing a reservation for activities with an activity provider until full payments for the activity are received by the activity desk or the reservation specifically provides for direct payment of the amounts owed to the activity provider at the time of the activity. -- Amends provisions relating to client trust accounts; maintenance of and withdrawal from such accounts. Requires the

activity provider to hold all sums paid by any person in trust for the benefit of the person. Increases maximum amount of coverage of the bond or irrevocable letter of credit. -- HB2417 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TSM then CPN

HB2421 HD2 (HSCR 584-10)

RELATING TO GOVERNMENT.

Introduced by: Coffman D, Morita H, Aquino H, Lee C, Choy I, Nakashima M, Ito K, McKelvey A, Brower T, Evans C, Chang J, Berg L, Saiki S, Takai K, Takumi R, Belatti D, Say C, Chong P, Awana K, Oshiro M, Tsuji C, Hanohano F, Keith-Agaran G, Oshiro B

Amends provisions relating to the environmental response revolving fund; uses. Provides that moneys for the fund shall come from the environmental response, energy, and food security tax. Repeals the ceiling for the fund and repeals the provisions that allows the fund to be used for deposit into the energy security special fund. -- Amends provisions relating to the energy security special fund; uses. Provides that moneys in the fund shall be subject to legislative appropriations. Further provides that the fund shall be used to support the Hawaii clean energy initiative program including the energy division of the department of business, economic development, and tourism and to fund the greenhouse gas emissions reduction task force, climate change task force, grants in aid to the economic development boards of each county, and grants in aid to economic development agencies of each county to meet the stated objectives of the Hawaii clean energy initiative program. Requires the department of business, economic development, and tourism to report annually to the legislature. -- Amends the environmental response tax by changing it to the environmental response, energy, and food security tax. Increases the tax to 1.05 dollars per barrel or part of a barrel of petroleum product sold. Exempts interisland water carrier and interisland air carrier. Provides that moneys from the tax shall go into the environmental response revolving fund, the energy security special fund, the energy systems development special fund, and the agricultural development and food security special fund. -- Establishes the Hawaii economic development task force within the department of business, economic development, and tourism to facilitate the accelerated adoption and completion of renewable energy projects, energy efficiency programs, and agricultural infrastructure and development. Allows the department to contract with the university of Hawaii for any services to support the work of the task force. Reports to the legislature. Task force to cease to exist on June 30, 2012 (sunset). Appropriation out of the energy security special fund. -- Establishes the agricultural development and food security special fund to award grants to farmers for agricultural production or processing activities; acquisition or improvement of real property, irrigation systems, and transportation networks to promote agricultural production or processing; purchase of equipment for agricultural production or processing; research and testing of agricultural products and markets; and promotion and marketing of products grown or raised in the state. Requires the department of agriculture to report annually to the legislature. Appropriation out of the agricultural development and food security sepcial fund for varroa mite control and eradication efforts; for the operation of pest inspection, quarantine, eradication, biosecurity and monitoring programs; for expansion of the food safety and security program; for livestock revitalization program; for improvements to the lower Hamakua ditch in Hawaii county; for the construction of an agricultural water main distribution pipeline in upcountry Maui watershed;for the construction of the Kealahou pipeline in the upcountry Maui watershed; and for the planning phase of the state agricultural water use and development plan. -- Establishes the Hawaii clean energy initiative program within the department of business, economic development, and tourism to manage the State's transition to a clean energy economy. Requires the program to design, implement, and administer activities that includes strategic partnerships for the research, development, testing, deployment, and permitting of clean and renewable technologies; engineering and economic evaluations of Hawaii's potential for near term project opportunities for the State's renewable energy resources; electric grid reliability and security projects that will enable the integration of a substantial increase of electricity from renewable energy resources; a statewide clean energy public education and outreach plan to be developed in coordination with Hawaii's public education institutions; promotion of Hawaii's clean and renewable resources to potential partners and investors; a plan, for implementation during the years 2011 to 2030, to transition the State to a clean energy economy; and a plan to assist each county for the implementation during the years 2011 to 2030, to transition each county to a clean energy economy. Report to the legislature. Appropriation out of the energy security special fund. -- Appropriation out of the energy security special fund for the greenhouse gas emissions reduction task force for the

climate change task force. -- Authorizes the governor to establish positions necessary to accomplish the management of those energy projects funded by federal grants. Report to the legislatrue. -- Authorizes the director of finance to transfer 10 million dollars from the energy security spcial fund to the general fund. ($$) -- HB2421 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL/ ENE/ EDT/ then WAM

HB2427 HD1 (HSCR 407-10)

RELATING TO SOLID WASTE MANAGEMENT.
Introduced by: Nakashima M, Keith-Agaran G
Amends provisions relating to submission schedule for revised integrated solid waste management plans. Increases the interval between revised plans submitted to the office of solid waste management. -- HB2427 HD1
Current Status: Feb=17 10 Introduction/Passed First Reading - Senate
Feb=18 10 Single Referral to ENE/ TIA/

HB2429 HD1 (HSCR 668-10)

RELATING TO SEPARATION INCENTIVES.
Introduced by: Rhoads K
Establishes the separation incentives law. Allows any civil service employee entitled to reduction in force rights and who receives official notification that the employee's position is being abolished or who is directly affected by a reduction in force or workforce restructuring plan proposed by a department to elect to receive a voluntary severance benefit or special retirement incentive benefit. Requires the department of human resources development and the department of budget and finance to develop and administer guidelines and time frames and report to the legislature. Allows the city and county of Honolulu, the county of Hawaii, the county of Kauai, the county of Maui, the department of education, the judiciary, the Hawaii health systems corporation, the office of Hawaiian affairs, or the legislative branch of the state or a county to opt to provide the special retirement incentive benefit to their respective employees under an official reduction in force or a workforce restructuring plan. -- HB2429 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then WAM

HB2434 HD2 (HSCR 486-10)

RELATING TO PERMIT, LICENSE, AND APPROVAL APPLICATION PROCESSING.
Introduced by: Say C (BR)
Establishes provisions relating to 3rd party permit, license, and approval processing review. Authorizes each county to provide a 3rd party with permit, license, and approval processing review powers and to contract with licensed architects and engineers that are qualified by the respective county to certify compliance with various building, electrical, mechanical, plumbing, and structural codes, as well as land use ordinances, in reviewing an application for a permit, license, or approval. Requires an owner of the property to retain the 3rd party reviewers and pay all fees and costs. -- Amends provisions relating to the review of proposed projects involving historic property. Requires the department of land and natural resources to have a maximum of 60 days to complete a review and comment on the effect of a proposed project on historic properties, aviation artifacts, or burial sites. Requires that if the department fails to complete a review within 60 days, the proposed project is to be deemed approved. -- Amends provisions relating to the maximum time period for business or development related permits, licenses, or approvals; automatic approval, extensions. Requires that if an agency does not have a maximum time period to grant or deny a permit, license, or approval adopted by rule, then the application for permit, license, or approval shall be deemed approved 30 calendar days after a completed application is submitted to the State or respective county agency. -- HB2434 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA/ WTL/ then JGO

HB2441 HD2 (HSCR 569-10)

RELATING TO PROCUREMENT.
Introduced by: Say C (BR)
Amends provisions relating to application of this chapter. Requires contracts to be awarded to projects of the state department of Hawaiian home lands and transportation, county boards of water supply, and county departments of housing, planning and permitting, and transportation is to be awarded within 30 days of the bid opening date. Requires that the limitation shall not apply if the lowest responsible bid exceeds available funding; an extension is to be permitted if the extension will provide the opportunity for further negotiations with the lowest responsible bidder relating to considerations that could result in benefits to the public; and that contracts for design professional services furnished by licensees to be awarded within 45 days of the bid

opening date. Act to be repealed on June 30, 2015 (sunset). -- HB2441 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA/ WTL/ then JGO

HB2445 HD2 (HSCR 625-10)

RELATING TO THE HAWAII TOURISM AUTHORITY.
Introduced by: Manahan J, Evans C, McKelvey A, Marumoto B, Tokioka J, Takai K, Tsuji C
Amends provisions relating to the Hawaii tourism authority. Allows the authority to withhold competitive sensitive information where public disclosure of the information gathered could place businesses at a competitive disadvantage and impair or frustrate the authority's ability to obtain information for a legitimate government function. Requires the authority to include in the annual report of expenditures, data on expenditures of contracts granted within the state and out of state. -- Amends provisions relating to meetings of the board. Requires the meetings of the board of directors of the Hawaii tourism authority to be open except when information is proprietary or when the information is necessary to protect Hawaii's competitive advantage as a visitor destination. -- Amends provisions relating to the tourism marketing plan; measures of effectiveness. Requires the authority to include in the tourism marketing plan program performance goals and targets that can be monitored as market gauges and used as attributes to evaluate the authority's promotional programs. Requires the authority to submit a quarterly report to the legislature and governor. Amends Act 58, session laws of 2004, as amended by Act 22, session laws of 2005, as amended by Act 306, session laws of 2006, as amended by Act 5, special session laws of 2009. -- HB2445 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TSM then JGO

HB2449 HD2 (HSCR 637-10)

RELATING TO COUNTY BOARDS OF WATER SUPPLY.
Introduced by: Morita H
Amends provisions relating to the disbursement of fund. Requires the county treasurer to disburse all moneys of the board of water supply only upon warrants issued by the county auditor or other county authorized signatory of accounts payable vouchers signed by the chairperson or the acting chairperson of the board. Allows the board to delegate its powers and duties regarding the disbursement of funds to the manager and chief engineer. -- HB2449 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA then WAM

HB2450 HD1 (HSCR 427-10)

RELATING TO RENEWABLE ENERGY FACILITIES.
Introduced by: Morita H, Lee C, Coffman D, Luke S, Thielen C, Ching C
Amends provisions relating to exemption from subdivision requirements. Exempts from subdivision requirements any renewable energy facilities approved by the land use commission or county planning commission. -- HB2450 HD1
Current Status: Mar=02 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to ENE/ TIA/ WTL/

HB2461 HD2 (HSCR 551-10)

RELATING TO INSURANCE.
Introduced by: Yamane R, Oshiro B, Mizuno J, Shimabukuro M
Amends provisions relating to health benefits plan; carriers. Requires the board of trustees of the Hawaii employer union health benefits trust fund during open enrollment and other enrollment periods to offer an employee beneficiary or dependent beneficiary eligible for enrollment and currently enrolled in a health benefits plan, coverage for prescription drug benefits that is identical to the coverage provided under the employee beneficiary's or dependent beneficiary's current plan. -- Establishes provisions relating to telehealth services; medicaid and quest. Prohibits the department of human service to require the department's approval for a health plan under the department's Medicaid or QUEST programs to deliver services using a telehealth service or in person visits to qualify any telehealth service for coverage under the department's medicaid or QUEST programs. -- HB2461 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR/ HMS/ HTH/ then WAM

HB2464 HD2 (HSCR 484-10)

RELATING TO PRACTICE OF PHARMACY.
Introduced by: Yamane R, Nishimoto S, Mizuno J, Brower T, Belatti D
Amends provisions relating to definitions under pharmacist and pharmacy law. Redefines practice of pharmacy to include administering immunizations to persons at least 9 years of age with parental consent and contingent upon the governor's

determination of a public health necessity. -- HB2464 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH then CPN

HB2486 HD2 (HSCR 580-10)

RELATING TO EDUCATION.
Introduced by: Berg L, Morita H, Nishimoto S, Hanohano F, Belatti D, Luke S, Saiki S, Shimabukuro M, McKelvey A, Carroll M, Takai K, Brower T, Lee C, Wakai G, Bertram J
Establishes provisions relating to minimum instructional hours per school year. Requires the school year to consist of 1080 instructional hours for kindergarten to grade 8 and 1260 hours for grades 9 to 12. -- HB2486 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH/ LBR/ then WAM

HB2497

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS.
Introduced by: Evans C
Authorizes the issuance of special purpose revenue bonds to assist Carbon Bio Engineers Inc, or a partnership in which Carbon Diversion Inc. is a general partner, for the establishment of a cogeneration and related energy production facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. ($$) -- HB2497
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to ENE then WAM

HB2503 HD1 (HSCR 160-10)

RELATING TO THE ENVIRONMENT.
Introduced by: Say C (BR)
Amends provisions relating to pesticide use revolving fund; pesticide training workshops; training fee. Repeals provision that the use of the moneys from the revolving fund for personnel costs is limited to those employees under the registration and education section of the department's pesticide branch. -- HB2503 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB2505 HD1 (HSCR 511-10)

RELATING TO THE ACCESS HAWAII COMMITTEE.
Introduced by: Say C (BR)
Amends provisions relating to access Hawaii committee special fund. Establishes the fund into which fees collected by the information and communication services division within the department of accounting and general services shall be deposited. Requires the access Hawaii committee to approve expenditures from the fund. Appropriation out of the access Hawaii committee special fund to the access Hawaii committee. ($$) -- HB2505 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDT then WAM

HB2508 HD2 (HSCR 608-10)

MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.
Introduced by: Say C (BR)
Appropriation to the department of the attorney general for the purpose of satisfying claims for legislative relief to persons, firms, corporations, and entities for claims against the State for the overpayment of taxes, refunds, reimbursements, payments of judgments or settlements, or other liabilities. ($$) -- HB2508 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to JGO then WAM

HB2523

RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION.
Introduced by: Say C (BR)
Appropriation out of the aloha tower fund to the aloha tower development corporation for the settlement of a claim with Kenneth H. Hughes, Inc. ($$) -- HB2523
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL/ JGO/ then WAM

HB2532 HD1 (HSCR 512-10)

RELATING TO UNCLAIMED PROPERTY.
Introduced by: Say C (BR)
Amends provisions relating to unclaimed property. Repeals specific number of days in which claims must be acted upon. -- HB2532 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate

Mar=03 10 Multiple Referral to JGO then WAM

HB2533 HD1 (HSCR 615-10)

RELATING TO THE EMPLOYMENT OF EMPLOYEES' RETIREMENT SYSTEM RETIRANTS.
Introduced by: Say C (BR)
Establishes provisions relating to employment of retirants. Prohibits a retirant from being employed by the State or by any county unless the retirant is reenrolled in the pension and retirement system or the employment is authorized without reenrollment. Requires that a retirant whose employment without reenrollment acquires no service credit or retirement rights. Allows a retirant to be employed without reenrollment in the system or loss or interruption of benefits provided they are hired as an elective officer, as a juror or precinct official, as a part time or temporary employee excluded from membership in the system, in a position identified by the appropriate jurisdiction as a labor shortage or difficult to fill position, or as a teacher or an administrator in a teacher shortage area identified by the department of education or in a charter school or as a mentor for new classroom teachers. Annual report to the legislature by the director of human resources. Repeals Act 286, session laws of 2006 and Act 156, session laws of 2008. -- HB2533 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then WAM

HB2538

RELATING TO THE PAYMENT OF EMPLOYEES' RETIREMENT SYSTEM BENEFITS.
Introduced by: Say C (BR)
Amends provisions relating to the payment of refunds and retirement benefits. Provides for the payment of state retirement system benefits on a monthly basis by direct deposit to a financial institution account. -- HB2538
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then WAM

HB2542 HD1 (HSCR 499-10)

RELATING TO NON-GENERAL FUNDS.
Introduced by: Say C (BR)
Authorizes the director of finance to transfer from the wireless enhanced 911 fund, the state motor pool revolving fund, the state risk management revolving fund, the medicaid investigations recovery fund, and the university of Hawaii housing assistance revolving fund to the general fund. ($$) -- HB2542 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WAM

HB2546

RELATING TO RESTORATION OF CERTAIN FORFEITED PROFESSIONAL AND VOCATIONAL LICENSES.
Introduced by: Say C (BR)
Amends provisions relating to biennial renewal; fees; failure to renew under chiropractic law. Allows for the restoration of license within 2 years of forfeiture upon compliance with licensing renewal requirements. -- Amends provisions relating to fees; original license and biennial renewals under real estate brokers and salespersons law. Allows for the restoration of license upon compliance with licensing renewal requirements. -- HB2546
Current Status: Feb=26 10 Introduction/Passed First Reading - Senate
Feb=26 10 Single Referral to CPN

HB2548 HD1 (HSCR 465-10)

RELATING TO CONSUMER PROTECTION.
Introduced by: Say C (BR)
Amends provisions relating to prepaid legal services. Requires the plan administrator to have responsibilities of a trustee for all funds received or collected. Requires the plan administrator to obtain a bond in an amount and form approved by the insurance commissioner. Provides for penalties if the plan administrator diverts or appropriates funds to the administrator's own use. Requires the plan to be filed with the insurance commissioner within 60 days after the end of its fiscal year. Allows the commissioner to deny, suspend, revoke or refuse to approve any plan or plan amendments and may levy civil penalties for any violation. -- HB2548 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to CPN

HB2561

RELATING TO LANDS CONTROLLED BY THE STATE.
Introduced by: Say C (BR)
Amends provisions relating to legislature approval of sale or gift of lands. Provisions apply to all lands or interest therein owned or under the control of state departments and

agencies classed as government or crown lands previous to August 15, 1895 and lands exchanged subsequent to August 15, 1895, for lands classed as government or crown lands previous to August 15, 1895. -- HB2561
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL/ JGO/ then WAM

HB2568

RELATING TO THE BOARD OF DIRECTORS OF THE HAWAII PUBLIC HOUSING AUTHORITY.
Introduced by: Say C (BR)
Amends provisions relating to board; establishment functions, duties under the Hawaii public housing authority law. Decreases the number of members that constitutes a quorum. -- HB2568
Current Status: Mar=02 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH/ HMS/ then JGO

HB2575 HD2 (HSCR 467-10)

RELATING TO TRAUMA.
Introduced by: Say C (BR)
Amends provisions relating to technical assistance, data collection, evaluation under the state comprehensive emergency medical services system. Provides that to analyze, evaluate, and improve the statewide trauma system and the services it provides to the public the department of health may form multidisciplinary and multiagency quality assurance and peer review committees. Allows that within these committees, subcommittees may be created to make recommendations to the department for system improvements allows subcommittees to have access to patient care records and system performance date (sic). Prohibits members to be questioned in any civil or criminal proceedings. -- HB2575 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH then JGO

HB2582

RELATING TO VESSELS AT ALA WAI AND KEEHI BOAT HARBORS.
Introduced by: Say C (BR)
Amends provisions relating to small boat harbors. Prohibits the total number of valid commercial use permits to be issued for vessels assigned mooring the Ala Wai boat harbor to exceed 15 per cent of the total berths and to exceed 35 per cent of the total berths at the Keehi boat harbor. Changes the live aboard (liveaboard) fees. -- HB2582
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB2583

RELATING TO IMPOUNDED VESSELS.
Introduced by: Say C (BR)
Amends provisions relating to mooring of unauthorized vessel in state small boat harbors and offshore mooring areas; impoundment and disposal proceedings. Requires the owner of the vessel to be solely responsible for all costs of the impoundment and the disposal of the vessel. Requires all proceeds resulting from the impoundment of the unauthorized vessel to be used 1st to pay the costs of impoundment and disposal then any mooring fees due. -- HB2583
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB2587

RELATING TO SAINT DAMIEN DE VEUSTER DAY.
Introduced by: Say C (BR)
Amends the Father Damien DeVeuster Day on April 15 to the Saint Damien de Veuster Day on May 10 of each year. -- HB2587
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to EDT

HB2594 HD2 (HSCR 523-10)

RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.
Introduced by: Say C (BR)
Amends provisions relating to taxes paid pending appeal. Changes the rate of interest from 8 per cent per year to be computed by reference to section 6621(a) (with respect to interest rate determination) of the Internal Revenue Code. -- Amends income tax provisions to conform the Hawaii income tax law to the Federal Internal Revenue Code. Provides that section 139C (with respect to COBRA premium assistance), section 853A (with respect to credits from tax credit bonds allowed to shareholders), section 1400U-1 (with respect to allocation of recovery zone bonds), section 1400U-2 (with respect to

recovery zone economic development bonds), section 1400U-3 (with respect to recovery zone facility bonds), 63(c)(1)(E) (relating to the motor vehicle sales tax deduction), and 63(c)(9) (defining the motor vehicle sales tax deduction) shall not be operative for income tax purposes. Provides that section 85 (with respect to unemployment compensation) shall be operative except that Section 85(c) shall not be operative. Provides that section 108 (with respect to income from discharge of indebtedness) shall be operative except that section 108(i) (relating to deferral and ratable inclusion of income arising from business indebtedness discharged by the reacquisition of a debt instrument) shall not be operative. Provides that (f) Section 132 (with respect to certain fringe benefits) shall be operative except that the provision in Section 132(f)(2) that equalizes the dollar amounts for Sections 132(f)(2)(A) and (B) after February 17, 2009, until January 1, 2011, shall not be operative and except that Section 132(n) shall not apply to US Department of Defense Homeowners Assistance program payments authorized by the American Recovery and Reinvestment Act of 2009. Provides that Section 163(e)(5)(F) (suspension of applicable high-yield discount obligation (AHYDO) rules) and Section 163(i)(1) as it applies to debt instruments issued after January 1, 2010, (defining AHYDO) shall not be operative. Provides that section 164 (with respect to taxes) shall be operative except that Sections 164(a)(6) and 164(b)(6) shall not be operative. Provides that section 382 (with respect to limitation on net operating loss carryforwards and certain built in losses following ownership change) shall be operative except that Section 382(n) shall not be operative. Provides that Section 408A (with respect to Roth Individual Retirement Accounts) shall be operative except that section 408A(d)(3)(A)(iii) shall not be operative. Provides that section 529 (with respect to qualified tuition programs) shall be operative except that sections 529(c)(6) and 529(e)(3)(A)(iii) shall not be operative. Provides that Section 1202 (with respect to partial exclusion for gain from certain small business stock) shall be operative for purposes except that section 1202(a)(3) shall not be operative. Provides that subchapter s(sections 1361 to 1379) (with respect to tax treatment of s corporations and their shareholders) shall be operative except that sections 1374(d)(7)(B) and 1374(d)(7)(C) shall not be operative. Provides that the election for the carryback for 2008 or 2009 net operating losses of small businesses as provided in Section 172(b)(1)(H) shall not be operative. -- HB2594 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WAM

HB2595 HD1 (HSCR 514-10)

RELATING TO GENERAL EXCISE TAX.
Introduced by: Say C (BR)
Establishes provisions relating to general excise tax benefits; mandatory denial of tax benefits for failure to properly claim. Requires person claiming the general excise tax exemptions to obtain a general excise tax license; file a tax return; and make a claim for the benefit. -- Establishes provisions relating to certain amounts held in trust; liability of key individuals. Provides that the amount collected for general excise tax liability shall be held in trust for the payment of the tax. -- HB2595 HD1

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to JGO then WAM

HB2596

RELATING TO TAX CREDITS.
Introduced by: Say C (BR)
Establishes provisions relating to income tax credits; ordering of credit claims. Provides that with respect to offsetting income tax credits against a taxpayer's income tax liability, tax credits that may be refunded or paid to the taxpayer who has no income tax liability shall be used 1st, followed by non refundable tax credits that may be used as credit against taxes in subsequent years until exhausted. -- HB2596

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WAM

HB2598 HD1 (HSCR 528-10)

RELATING TO TRANSIENT ACCOMMODATIONS TAX.
Introduced by: Say C (BR)
Amends provisions relating to remittances under transient accommodations tax. Limits distribution to the counties to 44.8 per cent or 94 million 355,000 dollars, whichever is less. Act to be repealed on June 30, 2015 (sunset). -- HB2598 HD1

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TSM/ TIA/ then WAM

HB2600

RELATING TO TAX ADMINISTRATION.
Introduced by: Say C (BR)

Amends provisions relating to transient accommodations tax, use tax, fuel tax, liquor tax, cigarette tax and tobacco tax, and rental motor vehicle and tour vehicle surcharge tax by making payment due on the 20th of each month. Amends provisions relating to insurance premium tax by making the tax due monthly on the 20th of each month. -- HB2600

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WAM

HB2603 HD2 (HSCR 360-10)

RELATING TO COST SHARING IN THE RELOCATION AND UNDERGROUNDING OF UTILITY FACILITIES.
Introduced by: Say C (BR)
Amends provisions relating to contract not binding unless funds available. Requires utility entities to provide their share of the funds in a timely manner to sufficiently cover the amount required by the contract. Requires any utility entity to be responsible for any and all additional costs attributable to its failure to pay or reimburse the affected state or county agency, or its contractor in a timely manner. -- HB2603 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN then WAM

HB2604 HD2 (HSCR 650-10)

RELATING TO COMMERCIAL DRIVER LICENSING.
Introduced by: Say C (BR)
Amends provisions relating to commercial driver's license. Requires commercial driver licenses for drivers less than 72 years of age to be for 8 years, unless the license is suspended, canceled or revoked. Appropriation out of the state highway fund to prepare for the REAL ID Act. ($$) -- HB2604 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA then WAM

HB2605

RELATING TO SAFETY INSPECTION OF MOTOR CARRIER VEHICLES.
Introduced by: Say C (BR)
Amends provisions relating to exemptions, certain vehicles. Clarifies the exemption of certain vehicles if such vehicles are in compliance with safety ordinances and rules of the county in which they operate and other applicable state safety laws except vehicles used in transporting material found by the US Secretary of Transportation to be hazardous and transporting in a quantity requiring placarding. -- HB2605

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to TIA/ ENE/

HB2618 HD1 (HSCR 236-10)

RELATING TO RENEWABLE ENERGY.
Introduced by: McKelvey A, Morita H, Bertram J, Wakai G
Amends provisions relating to exemption from subdivision requirements for a renewable energy facility. Requires that if on the 91st day an application for an exemption from subdivision requirements for a renewable energy facility has not been disapproved, the exemption will be deemed approved by the county agency or the department of land and natural resources. -- HB2618 HD1

Current Status: Feb=12 10 Introduction/Passed First Reading - Senate
Feb=18 10 Single Referral to ENE/ TIA/ WTL/

HB2631 HD2 (HSCR 585-10)

RELATING TO ENERGY INDUSTRY REPORTING.
Introduced by: Herkes R
Amends provisions relating to statements. Requires the refineries and distributors to report monthly to the department of business, economic development and tourism on fuel imported, exported, sold, transferred, used, refined, manufactured, compounded and distributed. Repeals the petroleum industry informational cost reports and analysis. HB2631 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN/ ENE/ then WAM

HB2633

RELATING TO REAL ESTATE LICENSEES.
Introduced by: Herkes R
Amends provisions relating to prerequisites for license renewal. Requires a real estate broker or real estate salesperson provide the real estate commission with proof of having attended at least 20 hours of continuing education prior to license renewal. -- HB2633

Current Status: Feb=10 10 Introduction/Passed First Reading - Senate
Feb=10 10 Single Referral to CPN

HOUSE BILLS THAT PASSED THIRD READING

HB2637 HD1 (HSCR 616-10)

RELATING TO MEDICAL AND REHABILITATION BENEFITS.
Introduced by: Takumi R
Amends provisions relating to medical care, services and supplies under workers' compensation law. Allows the physician or surgeon to conduct diagnostic testing or engage in a 1 time consultation with a board certified or licensed specialist to obtain a subspecialty diagnostic evaluation and treatment recommendations; provided that the request for or provision of the diagnostic services may not be contested by an insurer or employer. -- HB2637 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to LBR/ HTH/

HB2639 HD2 (HSCR 656-10)

RELATING TO MIXED MARTIAL ARTS.
Introduced by: Chang J, Evans C, Cabanilla R, McKelvey A, Ito K, Manahan J, Takumi R, Lee M, Karamatsu J, Hanohano F
Establishes provisions relating to amateur mixed martial arts under mixed martial arts contest law. Allows amateur mixed martial arts contest to be placed under the control and supervision of any recognized national amateur mixed martial arts association and under rules determined by the director of commerce and consumer affairs. Exempts license requirement for amateur mixed martial arts contestants. Requires an amateur mixed martial arts contestant to pass a physical examination conducted by a person licensed to practice medicine prior to engaging in a mixed martial arts contest. Requires a licensed promoter to pay an event fee of 2 per cent of gross receipts and from admission fees to an event exclusive of federal, state, or local taxes and the lesser of 50,000 dollars or 2 per cent of gross receipts from fees charged for viewing a simultaneous or pay view telecast of a contest or event, exclusive of federal, state, and local taxes. Requires a person to be at least 18 years of age to apply for a license as a professional mixed martial arts contestant. Requires an amateur mixed martial arts contestant to pass a physical examination conducted by a person licensed to practice medicine prior to engaging in a mixed martial arts contest. Amends Act 238, session laws of 2008. -- HB2639 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN then WAM

HB2641 HD1 (HSCR 592-10)

RELATING TO UNIVERSITY OF HAWAII PROJECTS.
Introduced by: Chang J, Ito K, Magaoay M, Manahan J, Hanohano F, Nakashima M, Lee M
Amends Act 138, session laws of 2005, relating to appropriation for the construction and repair of university housing units by extending the appropriation to June 30, 2012 (sunset). ($$) -- HB2641 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HRE/ EDH/ then WAM

HB2642 HD1 (HSCR 563-10)

RELATING TO UTILITIES REGULATION.
Introduced by: Morita H, Coffman D
Appropriation out of the public utilities commission special fund to the public utilities commission for operations of the commission, including funding positions and expenses related to relocation. Requires other state and county agencies to assist the commission. Requires the department of human resources development to work with the commission on job descriptions. -- Appropriation out of the public utilities commission special fund to the department of commerce and consumer affairs for the operations of the division of consumer advocacy, including funding positions and training. ($$) -- HB2642 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN then WAM

HB2643 HD2 (HSCR 586-10)

RELATING TO CLEAN ENERGY BONDS.
Introduced by: Morita H
Establishes provisions relating to Hawaii clean energy bond loan program law. Establishes the program to be administered by the director of business, economic development, and tourism. Establishes the Hawaii clean energy bond loan revolving fund to make loans to residential and commercial property owners for energy efficiency improvements and renewable energy systems; to repay the general fund for debt service on general obligation bonds; and for administrative expenses. Authorizes the issuance of general obligation bonds for appropriation into the fund. ($$) -- HB2643 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to ENE then WAM

HOUSE BILLS THAT PASSED THIRD READING

HB2644 HD2 (HSCR 587-10)

RELATING TO SOLID WASTE.
Introduced by: Morita H
Amends provisions relating to solid waste disposal surcharge. Adds the surcharge for solid waste transferred to a solid waste reduction facility within the State, including waste to energy facilities; and facilities that collect solid waste for transport to an out of state landfill, incineration facility, or waste to energy facility. Adds that the surcharge may be paid by the person or entity responsible for the preparation for the out of state transfer of collected solid waste. -- HB2644 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to ENE/ TIA/ then WAM

HB2657 HD1 (HSCR 622-10)

RELATING TO PUBLIC SAFETY.
Introduced by: Hanohano F, Nakashima M, Lee M, Aquino H, Souki J, Awana K, Takumi R, Pine K, Keith-Agaran G
Directs the department of public safety to work with Ohana Ho'opakele (Hoopakele) and other restorative justice groups, to prepare a plan for the creation of a pu'uhonua (puuhonua), or wellness center, on lands owned or controlled by the State, giving preference to the site formerly used as the Kulani correctional facility on the island of Hawaii. Report to the legislature. -- HB2657 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to PSM then WAM

HB2661 HD2 (HSCR 554-10)

RELATING TO ANATOMICAL GIFTS.
Introduced by: Yamane R, Herkes R
Amends provisions relating to persons that may receive anatomical gift; purpose of anatomical gift. Provides that any response other than an express, contrary indication regarding the decedent's anatomical gift shall prohibit amendment or revocation of an anatomical gift of the decedent's body or body parts. -- HB2661 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH then JGO

HB2667 HD2 (HSCR 651-10)

RELATING TO FERRIES.
Introduced by: Souki J, Awana K, Say C
Requires the department of transportation to conduct a study on the feasibility of establishing a statewide ferry system to provide the necessary and essential additional missing link for the carriage of persons and property between the islands of the state. Report to the legislature. -- HB2667 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA then WAM

HB2670 HD1 (HSCR 150-10)

RELATING TO THE UNIVERSITY OF HAWAII.
Introduced by: Takai K
Amends provisions relating to the university of Hawaii tuition and fees special fund. Increases the limit on the amount of moneys the board of regents of university of Hawaii may expend from the fund for promoting alumni relations and generating private donations for deposit into the University of Hawaii Foundation. -- HB2670 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HRE then WAM

HB2676 HD1 (HSCR 345-10)

RELATING TO THE KAHO'OLAWE ISLAND RESERVE COMMISSION.
Introduced by: Carroll M, Hanohano F, Morita H, Brower T, Lee C, Bertram J
Establishes provisions relating to procurement; exemptions. Exempts from the Hawaii public procurement code, contracts made by the Kahoolawe island reserve commission for the purchase of food or fuel products, provided the commission continue to comply with any reporting requirements. -- HB2676 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then JGO

HB2688 HD1 (HSCR 601-10)

RELATING TO HEALTH.
Introduced by: Oshiro M
Amends provisions relating to environmental health education fund by changing it to the sanitation and environmental health special fund. Allows the department to partially fund the operating costs of program activities and functions to enhance the capacity of sanitation and environmental health programs to improve public outreach efforts and consultations to regulated businesses and educate the public, staff, regulated businesses; and provide training opportunities to ensure the maintenance of

professional competence among sanitation and environmental health staff and administrators. Increases the limit of the fund. Requires the department to submit a report to the legislature concerning the status of the sanitation and environmental health special fund. -- HB2688 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to ENE/ HTH/ then WAM

HB2689 HD1 (HSCR 254-10)

RELATING TO AGRICULTURAL WATER SYSTEMS.
Introduced by: Oshiro M
Amends provisions relating to agricultural water systems; acquisition. Allows the board of agriculture to acquire or contract to acquire an agricultural water system to provide water for irrigation of agricultural lands. Requires the board to give a notice of the conveyance of the property to the county in which the agricultural water system is located. -- HB2689 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WTL/ TIA/

HB2690

RELATING TO GOVERNMENT.
Introduced by: Oshiro M
Amends provisions relating to boards, etc., may accept funds, comply with federal acts. Provides that the board, commission, department, or officer of the State shall notify the president of the senate and the speaker of the house of representatives in writing no later than 10 days following receipt of any grant or allotment of federal aid moneys. -- HB2690
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WAM

HB2692 HD1 (HSCR 623-10)

RELATING TO DISASTER PREPAREDNESS PLANNING.
Introduced by: Awana K, Karamatsu J, Shimabukuro M, Cabanilla R, Chang J, Hanohano F
Requires the director of civil defense to prepare a disaster preparedness plan for the leeward coast areas of Oahu, specifically the areas included in the 44th and 45th house of representative districts which include the communities of Waianae, Makaha, Makua, Honokai Hale, Nanakuli, Lualualei, and Maili. Report to the legislature. -- HB2692 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to PSM then WAM

HB2693 HD1 (HSCR 473-10)

RELATING TO CHILD PASSENGER RESTRAINTS.
Introduced by: Awana K, McKelvey A
Amends provisions relating to child passenger restraints (car seats). Prohibits a driver of a vehicle to permit the transporting of a child under 8 years of age on a public highway in the State except under certain circumstances. Allows child under 8 years of age who is less than 4 feet and 9 inches in height to ride in the front seat of a motor vehicle if the child is properly secured in a child passenger restraint system that meets federal motor vehicle safety standards under certain circumstances. -- HB2693 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to TIA

HB2698 HD2 (HSCR 643-10)

RELATING TO TECHNOLOGY.
Introduced by: Yamashita K, McKelvey A, Yamane R, Manahan J, Wakai G, Herkes R, Chong P, Carroll M, Keith-Agaran G, Awana K, Tsuji C, Mizuno J, Coffman D, Morita H, Oshiro B
Establishes the Hawaii broadband commission law. Establishes the commission within the department of accounting and general services to recommend policy initiatives and regulatory changes to promote expanded broadband access; recommend strategies to encourage private investment in broadband technology and to speed deployment of broadband technology throughout the State; develop strategies to increase moneys available to the State for providing access to broadband in underserved populations and rural areas; evaluate the structure and performance of the broadband commission and the commissioner and make recommendations; identify sources of federal support and funding, including military and defense initiatives that may assist Hawaii in broadband deployment; and in cooperation with the public utilities commission develop strategies for sharing new and existing utilities infrastructures and conduits to provide expanded broadband access; develop strategies and recommend funding sources to purchase or invest in segments of the telecommunications industry; and perform outreach in the public schools and University of Hawaii to create educational programs and initiatives

that help develop technological skills. Establishes the broadband commissioner who shall be appointed by the governor, with the advice and consent of the senate from a list selected by the speaker of the house of representatives. Requires the commissioner to execute the recommendations of the commission; act as a liaison; coordinate State and county efforts; facilitate partnerships with private industry and non profit groups; encourage business development and investment; secure sources of funding; and make annual reports to the legislature and governor. Appropriation. ($$) -- HB2698 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDT then WAM

HB2702 HD1 (HSCR 500-10)

RELATING TO EMPLOYMENT SECURITY.
Introduced by: Yamashita K, Chong P, Chang J, Tsuji C, Yamane R, Awana K
Requires the department of labor and industrial relations to conduct a study of the unemployment compensation fund to determine the cost and feasibility of converting the present system for calculating unemployment contribution rates from 1 that make these calculation annually to 1 that make these calculations on a semi annual basis. Report to the legislature. Appropriation out of the special unemployment insurance administration fund for the study. -- Amends provisions relating to contribution rate schedules; fund solvency rate schedule; rates based on experience. Provides that for calendar years 2010 and 2011, any employer beginning operations during the 2010 calendar year shall be subject to a reserve ratio of 0.0800 to 0.0899. -- Requires the department to review the study conducted by the auditor in 1982, reassess the recommendations of that report, and report finding and recommendations, including any proposed legislation, to address challenges facing the financing mechanisms of the unemployment compensation fund. Report to the legislature. Appropriation out of the special unemployment insurance administration fund for the review. ($$) -- HB2702 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then WAM

HB2706 HD1 (HSCR 655-10)

RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT.
Introduced by: Aquino H, Herkes R
Establishes the permitted transfers in trust law. Provides for the transfer of permitted property by or from a transferor to a permitted trustee by means of a trust instrument. Levies a ____ per cent tax on all permitted transfers. -- HB2706 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN then WAM

HB2708 HD1 (HSCR 652-10)

RELATING TO TRANSPORTATION.
Introduced by: Aquino H, Hanohano F, Nakashima M, Awana K, Souki J, Keith-Agaran G, Yamashita K, Manahan J, Takumi R, Lee M, Wooley J
Establishes provisions relating to statewide transportation plan; public involvement. Requires the department of transportation to develop and use a documented public involvement process that provides opportunities for public review and comment in carrying out the state wide transportation planning process, including development of all state transportation projects. -- HB2708 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to TIA

HB2721 HD1 (HSCR 195-10)

RELATING TO COURT REPORTERS.
Introduced by: Karamatsu J
Established provisions relating to certified shorthand reporter; administration of oaths or affirmations. Allows a certified shorthand reporter to administer oaths or affirmations and to perform the duties of a deposition officer. -- HB2721 HD1
Current Status: Feb=11 10 Introduction/Passed First Reading - Senate
Feb=18 10 Single Referral to JGO

HB2724 HD1 (HSCR 538-10)

RELATING TO OFFENSES AGAINST PUBLIC ORDER.
Introduced by: Karamatsu J
Amends provisions relating to cruelty to animals. Provides that a person commits the offense of cruelty to animals if the person intentionally, knowingly, or recklessly tethers, fastens, ties, or restrains a dog in a cruel or inhumane manner to a doghouse, tree, fence, or any other stationary object or to a cable trolley system if the tether or chain weighs more than 10 per cent of the weight of the dog tethered; weights more than 10 per cent of the weight of the dog tethered; and the tether or chain does not have a swivel on at least 1 end, and if the dog is under the age of 2 months. Establishes penalties and fines. -- HB2724 HD1

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to JGO

HB2725 HD1 (HSCR 498-10)

RELATING TO ANIMALS.
Introduced by: Karamatsu J
Amends provisions relating to offenses against public order; definition. Defines primary pet enclosure definition to mean any kennel, cage, or structure used to restrict an animal to a limited amount of space. Redefines necessary sustenance to expand area of confinement in a primary pet enclosure. -- HB2725 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to JGO

HB2736 HD1 (HSCR 501-10)

RELATING TO PUBLIC PROCUREMENT.
Introduced by: Say C, McKelvey A
Establishes the employment of state residents on public works projects and construction procurement contracts law. Requires a contractor awarded any contract work to ensure that Hawaii residents comprise at least 80 per cent of the workforce employed to perform the contract. -- HB2736 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR/ JGO/ then WAM

HB2740 HD1 (HSCR 581-10)

RELATING TO SCHOOLS.
Introduced by: Say C
Directs the department of education to enter into a financing agreement with a private developer for the planning and design of the Royal Kunia elementary school II at Kunia, Oahu, using certificates of participation. Appropriation out of the state educational facilities improvement special fund. ($$) -- HB2740 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH then WAM

HB2741 HD1 (HSCR 502-10)

RELATING TO SMALL BOAT HARBORS.
Introduced by: Coffman D, McKelvey A
Amends provisions relating to permits and fees for state small boat harbors. Requires permittee to pay in lieu of the moorage and liveaboard (live aboard) fee, a fee that is 2 times the moorage fee assesssed for a recreational vessel of the same size if a vessel is used for commercial fishing activity from its permitted mooring. -- Allows any person owning an interest in a corporation or other business entity operating a commercial fishing vessel to transfer any or all stock or other interest to another person without terminating the right of the corporation or business entity to retain or renew its mooring permit or any other permit issued to it by the department of land and natural resources. -- HB2741 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB2752 HD3 (HSCR 672-10)

RELATING TO HIGHWAY SAFETY.
Introduced by: Say C
Establishes the circumvention of, or tampering with, an ignition interlock device by a person who has been restricted to operating a vehicle equipped with an ignition interlock device; penalties. Prohibits a person whose driving privileges have been restricted to operate a vehicle equipped with an ignition interlock device to request, solicit, direct, or authorize another person to blow into an ignition interlock device or start a vehicle equipped with the device; or tamper with an ignition interlock device with intent to render it inaccurate or inoperable. Establishes penalties. -- Prohibits a person to blow into or start a vehicle equipped with an ignition interlock device; tamper with an ignition interlock device with intent to render it inaccurate or inoperable to permit another person restricted by law to operate the vehicle; or rent, lease, or lend a vehicle to a person who has been restricted by law to operate only vehicles equipped with an ignition interlock device, when the rented, leased, or loaned vehicle is not equipped with a functioning certified ignition interlock device. Establishes fines. -- Requires the director of transportation to contract with the selected interlock vendor to provide partial financial relief on the installation and the periodic calibration charges to offernders who apply for such assistance and who are recipients, at the time offense, revoation or suspension, of benefits under the supplemental nutrition assistance program or free services under the older Americans act or developmentally disabled act. -- Repeals the definition of highly intoxicated driver. -- Requires notification to the respondent that the respondent is to keep an ignition interlock device installed and operating in any vehicle the

respondent operates during the revocation period if the respondent had a valid license at the time of arrest. -- Requires, if applicable, the date by which any outstanding motor vehicle number plates issued to the respondent must be surrendered to the director. Makes it a misdemeanor. -- Requires installation of ignition interlock device to be at the expense of the respondent. -- Requires the director to revoke electronically into the motor vehicle registration file of the respondent whenever a motor vehicle registration is revoked. Requires the director to not issue an ignition interlock permit to a respondent who does not hold a valid license at the time of arrest. -- Requires the person to present a certified statement to the appropriate county agency after a period of administrative revocation has expired. -- Requires a person committing the offense of operating a vehicle under the influence of an intoxicant be sentenced without possibility of probation or suspension of sentence. Establishes penalties. -- Requires the court to issue an ignition interlock permit when the defendant shows proof of an installation of an ignition interlock device in any vehicle the defendant operates and motor vehicle insurance or self insurance that complies with the requirements. Repeals requirement to provide proof of financial responsibility. -- Requires that the applicable period of revocation is to commence upon the release of the person from the period of imprisonment imposed. -- HB2752 HD3

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA then JGO

HB2774 HD2 (HSCR 663-10)

RELATING TO HUMAN SERVICES.
Introduced by: Chong P
Establishes provisions relating to QUEST managed care plans. Requires the department of human services when contracting with managed care organizations for the provision of medicaid benefits under the QUEST program, to ensure that each managed care health plan includes provisions for a co payment, which shall be not less than 5 dollars and not more than 20 dollars; to ensure the review of proposed co payment schedules in each managed care health plan prior to implementation by the managed care organization; ensure that a formulary for prescription drug coverage is developed and mandated for use by each managed care health plan; and ensure the application of the medical necessity provision with respect to health care coverage provided under each managed care health plan. Annual report to the legislature. -- HB2774 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HMS/ HTH/ then WAM

HB2775 HD2 (HSCR 654-10)

RELATING TO AGRICULTURE.
Introduced by: Chong P, Tsuji C, Yamashita K, Yamane R, Wooley J
Establishes provisions relating to user fees; permits; letters of authorization; registration; importation and possession. Establishes a fee for the processing of requests for the importation or possession of plants, animals or microorganisms. Requires the fees to be deposited into the pest inspection, quarantine, and eradication fund. -- Amends provisions relating to pest inspection, quarantine, and eradication fund by expending moneys in the fund to facilitate the processing and issuance of permits; amends lists of creatures prohibited or allowed for import; comply with monitoring activities; train personnel and provide educational workshops, materials, and equipment. Repeals the permit revolving fund. -- HB2775 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB2783 HD2 (HSCR 670-10)

RELATING TO GENERAL EXCISE TAX.
Introduced by: Manahan J, Mizuno J, Tokioka J, Yamane R, Hanohano F
Provides that the aggregate general excise tax exemption for a time share association shall not exceed 400,000 dollars. -- Amends Act 239, session laws of 2007, as amended by Act 196, session laws of 2009, which provides that the general excise tax exemption includes amounts received by a submanager of an association of apartment owners of a condominium property regime or a nonprofit homeowners or community association in reimbursement for sums paid for common expenses by making it retroactive to July 1, 2006 and repealing the sunset date. -- HB2783 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN/ TSM/ then WAM

HB2784 HD1 (HSCR 382-10)

RELATING TO SMALL CLAIMS COURT.
Introduced by: Manahan J, Har S, Ito K, Tsuji C, Souki J, Oshiro M, Lee M, Belatti D, Herkes R, Aquino H, Yamane R, Keith-Agaran G, Mizuno J

Amends provisions relating to district court, powers. Increases the maximum amount of money in cases for the recovery of money and for the return of leased or rented personal property worth does not exceed 4,500 dollars. -- HB2784 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to JGO

HB2796 HD1 (HSCR 549-10)

RELATING TO DOMESTIC ABUSE ORDERS.
Introduced by: Mizuno J, Yamane R, Manahan J
Amends provisions relating to domestic abuse protective orders. Provides that a temporary restraining order shall remain in effect 90 days from the date the order is granted or until the personal service of a protective order issued by the court, whichever occurs 1st. Orders orally stated in court without the presence of the respondent, shall be effective as of the date the protective order is served on the respondent. -- HB2796 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to JGO

HB2801 HD2 (HSCR 602-10)

MAKING AN EMERGENCY APPROPRIATION FOR HAWAII HEALTH SYSTEMS CORPORATION FOR OPERATIONAL COSTS.
Introduced by: Yamane R, Chang J, Yamashita K, Herkes R, Tsuji C, Hanohano F, Coffman D, Evans C, McKelvey A, Souki J, Sagum R, Tokioka J, Keith-Agaran G, Nakashima M, Morita H, Bertram J
Appropriation to be deposited into the health systems special fund. Appropriation out of the fund to the Hawaii health systems corporation east Hawaii regional health care system to ensure continuous delivery of critical health care services and for the payment of operational costs. -- Appropriation to the Hawaii health systems corporation East Hawaii regional health care system for the establishment of the big island rural interdisciplinary program in the East Hawaii region. ($$) -- HB2801 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH then WAM

HB2817 HD1 (HSCR 217-10)

RELATING TO ART.
Introduced by: Awana K, Cabanilla R, Chang J, Herkes R
Establishes provisions relating to the disposition of works of art; auction. Allows the foundation on culture and the arts to designate works of art acquired by the State to be disposed of by public auction via the internet, after notice of the disposition has been published. Requires the proceeds from the disposition of works of art to be deposited into the works of art special fund and used to purchase new works of art. -- HB2817 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDT/ JGO/ then WAM

HB2829 HD1 (HSCR 351-10)

RELATING TO HEALTH.
Introduced by: Nishimoto S, Yamane R, Brower T, Belatti D, Mizuno J, Shimabukuro M, Carroll M
Establishes provisions relating to hospitals; infection rates reporting; quarterly and annual reports; advisory committee; methodology; rules; patient privacy; definitions. Requires each hospital in the State to collect and maintain records on hospital acquired infection rate for specific clinical procedures, including the causative pathogen if the infection is laboratory confirmed. Requires each hospital in the State to submit quarterly reports on its hospital acquired infection rates to the Centers for Disease Control and Prevention's national healthcare safety network and authorize the department health to have access to hospital specific data contained in the national healthcare safety network database. Annual report to the legislature. Requires the director of health to establish and appoint an advisory committee to assist the department in the development of all aspects of the department's methodology for collecting, analyzing, and disclosing the information collected including collection methods, formatting, and method and means for release and dissemination. -- HB2829 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH then JGO

HB2831 HD2 (HSCR 570-10)

RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY.
Introduced by: Evans C
Amends provisions relating to the natural energy laboratory of Hawaii authority. Allows the authority to acquire, hold, and sell qualified securities and accept donations, grants, bequests, and devises of money, property, service or other things of value. -- HB2831 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDT then WAM

HB2832 HD1 (HSCR 503-10)

RELATING TO TARO SECURITY.
Introduced by: Wooley J
Establishes provisions relating to taro security; funding. Allows the office of Hawaiian affairs to seek available federal, state, county, or private funding to restore Hawaiian taro and loi cultivation. -- HB2832 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB2833 HD1 (HSCR 638-10)

RELATING TO PUBLIC LANDS.
Introduced by: Chang J, Ito K, Herkes R, Nakashima M, Hanohano F, Tsuji C, Evans C
Establishes provisions relating to hotel or resort leases; extension of term. Allows the board of land and natural resources to extend the term of a lease of public lands for hotel or resort use upon the approval by the board of a written agreement proposed by the lessee, or the lessee and developer. Requires the lessee, or the lessee and developer to submit to the board the plans and specifications for the total development being proposed. Requires the board to review the specifications and determine whether the development is of sufficient worth and value to justify the extension of the lease; the estimated period of time to complete the improvements and expected date of completion of the improvements; and the minimum revised annual rent based upon the fair market value of the lands to be developed exceed a specified amount. Prohibits any lease extension until the board and the lessee, or the lessee and the developer, mutually agree to the terms and conditions of the written agreement. Prohibits construction to commence until the lessee, or the lessee and developer have filed with the board a good and sufficient bond or other financial guaranty satisfactory to the board. Requires extension of the lease to be based upon the substantial improvements made and to be no longer than ____ years. Repealed on December 31, 2015 (sunset). -- HB2833 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL/ TSM/ then WAM

HB2835

RELATING TO THE BUREAU OF CONVEYANCES.
Introduced by: Rhoads K, Herkes R, Hanohano F, Nishimoto S
Establishes provisions relating to adjoining public right of way. Requires the registrar of conveyance to provide any adjoining landowner, upon written request, any information of record relating to the management, control, and title of any public road, highway or water course. -- HB2835
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WTL

HB2845 HD1 (HSCR 671-10)

RELATING TO LANDS CONTROLLED BY THE STATE.
Introduced by: Say C (BR)
Amends provisions relating to legislative approval of sale or gift of lands. Exempts the fee simple sale of affordable homes, on public lands that are non ceded lands, that are subject to resale restrictions under the Hawaii housing finance and development corporation law that were acquired by the corporation either at a foreclosure sale or under a buyback sale. -- HB2845 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WTL/ EDH/

HB2849 HD1 (HSCR 535-10)

RELATING TO KAKAAKO.
Introduced by: Say C
Establishes provisions for reserved housing requirements for Kakaako mauka area. Requires, when the land area is 20,000 - 79,999 square feet, that at least 20 per cent of units be reserved housing units for low and moderate income families and when the land is 80,000 or more square feet that 30 per cent of units be reserved housing. Requires developer to divide the floor area required for reserved housing; provided that in lieu of constructing the reserved housing units, the developer may be allowed offsetting credits. Report to legislature. -- HB2849 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDH/ WTL/ then JGO

HB2850 HD1 (HSCR 524-10)

RELATING TO THE LIQUOR TAX.
Introduced by: Say C

Amends provisions relating to liquor tax; limitations. Increases the per wine gallon tax from July 1, 2010. Act to be repealed on June 30, 2015 (sunset). -- HB2850 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WAM

HB2851 HD1 (HSCR 525-10)

RELATING TO INSURANCE.
Introduced by: Say C
Amends provisions relating to fees, taxes and deposits, the unauthorized insurers and surplus lines, and captive insurance companies under the insurance code. Changes the taxes. Act to be repealed on June 30, 2015 (sunset). -- HB2851 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN then WAM

HB2852 HD1 (HSCR 529-10)

RELATING TO THE INSURANCE PREMIUM TAX.
Introduced by: Say C
Establishes provisions relating to medical workforce promotion, health workforce education, or indigent health care program; insurance premium tax credit. Allows an insurer that offers health insurance plans within the State to claim for the taxable year a medical workforce promotion, health workforce education, or an indigent health care program tax credit against the tax imposed on the gross premiums written equal to the amount that the insurer contributes in cash in the taxable year to a state program that provides or pays for the increase or education of the medical workforce or health workforce or for the provision of health care to the low income individuals or families approved by the insurance commissioner. Provides that authorized insurer includes a mutual benefit society, and health maintenance organization (HMOs) that offers a health care insurance plan and assess a graduated insurance premium tax. Provides that tax imposed on mutual benefit societies and nonprofit health maintenance organizations shall be in settlement and in lieu of all demands for real property taxes by a county. Amends provisions relating to nonprofit medical, hospital indemnity associations; tax exemption. Provides that any association or society organized and operating solely as a nonprofit medical indemnity or hospital service association or society or both shall not be exempt from the insurance premium tax. Requires the insurance commissioner to consider whether the imposition of the insurance premium tax on mutual benefit societies and health maintenance organizations that may cause their current plans to become inadequate and determine whether the rates should be adjusted. Act to be repealed on June 30, 2015 (sunset). -- HB2852 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH/ CPN/ then WAM

HB2855 HD2 (HSCR 646-10)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Say C
Requires the board of trustees of the Hawaii employee's retirement system to study and recommend a plan to amortize the unfunded actuarial accrued liability of the system over 30 years commencing July 1, 2012. Report to the legislature. Requires the speaker of the house of representatives and president of the senate to introduce the proposed legislation submitted by the board. -- HB2855 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then WAM

HB2866 HD1 (HSCR 530-10)

RELATING TO TAXATION.
Introduced by: Say C
Amends provisions relating to the estate and transfer tax. Defines the Internal Revenue Code as the Internal Revenue Code of 1986, as amended and renumbered, except for sections 2011 and 2604 as they existed on December 31, 2009. -- HB2866 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to WAM

HB2867 HD1 (HSCR 531-10)

RELATING TO TAXATION.
Introduced by: Say C
Establishes provisions relating to credits against income; claim limitation. Provides that beginning after January 1, 2010, and ending before January 1, 2012 (sunset), no claim for business credit under income tax, use tax, taxation of banks and other financial corporations, and insurance shall exceed 80 per cent of a taxpayer's tax liability.-- HB2867 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDT then WAM

HOUSE BILLS THAT PASSED THIRD READING

HB2872 HD1 (HSCR 526-10)

RELATING TO TAXATION.
Introduced by: Say C
Amends provisions relating to the taxation of banks and other financial corporations. Repeals the provision that requires 2 million dollars from the tax be deposited to the credit of the compliance resolution fund. -- Allows the commissioner of financial institutions to adopt new rules or amend existing rules to impose or increase fees authorized to be charged to banks and other financial institutions without regard to public notice and public hearing or small business impact review requirements until December 31, 2010 (sunset). Act to be repealed on December 31, 2015 (sunset). -- HB2872 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN then WAM

HB2874

RELATING TO THE TRANSIENT ACCOMMODATIONS TAX.
Introduced by: Say C
Amends provisions relating to the transient accommodations tax. Provides that for resort time share units, for the period beginning July 1, 2010 to June 30, 2015 (sunset), the occupant shall be assessed an additional tax of 2 per cent on the fair market rental value. -- HB2874
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TSM then WAM

HB2875 HD1 (HSCR 513-10)

RELATING TO THE HAWAII HURRICANE RESERVE TRUST FUND.
Introduced by: Say C
Amends provisions relating to establishment of trust fund under the Hawaii hurricane relief fund law. Repeals the provision that allows moneys in the hurricane reserve trust fund to be deposited to the loss mitigation grant fund. Allows moneys in the fund to be loaned to the general fund. Requires any legislative act that provides for the loan of moneys from the Hawaii hurricane reserve trust fund to the general fund to provide for the repayment of the entire principal and any interest. Requires the loan to be repaid by general revenues from an existing or new tax or fee. Requires the director of finance to transfer the delinquent amount from the general fund to the Hawaii hurricane reserve trust fund. Allows the director to make the transfer without necessity of appropriation or any other legislation. Amends provisions relating to transfer of funds; immunity to include loan. Authorizes the loan of moneys from the hurricane reserve trust fund to the general fund. Act to be repealed on June 30, 2015 (sunset). -- HB2875 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN then WAM

HB2877 HD1 (HSCR 532-10)

RELATING TO TAXATION.
Introduced by: Say C
Establishes provisions relating to the temporary suspension of exemption of certain amounts and levies a tax of 1 per cent from July 1, 2010, to June 30, 2015 (sunset) for general excise tax, use tax, and public utilities taxes. -- HB2877 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDT/ CPN/ then WAM

HB2885

RELATING TO THE CONVEYANCE TAX.
Introduced by: Say C
Amends provisions relating to land conservation fund. Suspends the deposit of 10 per cent of the conveyance taxes collected into the fund until after June 30, 2012 (sunset). -- Amends provisions relating to disposition of conveyance taxes. Suspends the distribution to the land conservation fund and the rental housing trust fund until after June 30, 2012. Reduces the distribution to the natural area reserve fund from July 1, 2010, to June 30, 2012. -- HB2885
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL/ EDH/ then WAM

HB2887 HD1 (HSCR 527-10)

RELATING TO TOBACCO SETTLEMENT MONEYS.
Introduced by: Say C
Amends provisions relating to Hawaii tobacco settlement special fund. Decreases the amount of tobacco settlement moneys received by the state that is deposited into the tobacco enforcement special fund. Requires all interest and earning accruing from the investment of moneys in the Hawaii tobacco settlement special fund to be deposited into the general fund. Changes 6 1/2 per cent to be appropriated into the Hawaii tobacco prevention and control trust fund to reserve. Increases the per cent to be deposited to the credit of the state general fund to 32 per cent. Act to be repealed on June 30, 2015

(sunset). -- HB2887 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HTH/ HMS/ then WAM

HB2897 HD1 (HSCR 464-10)

RELATING TO CONTRACTORS.
Introduced by: Magaoay M, Herkes R, Aquino H, Sagum R, Say C, Hanohano F, Nishimoto S, Keith-Agaran G, Morita H, Chong P, Chang J, Lee M, Souki J, Evans C, Ito K, Nakashima M, Mizuno J, Wooley J
Amends provisions relating to revocation, suspension, and renewal of license under contractors law. Authorizes the Hawaii contractor's license board to revoke any license or suspend the right of a licensee to use a license, or refuse to renew a license to a contractor who knowingly or intentionally employing a person who is not eligible to work in the US under federal law to perform work on any project or operation. -- HB2897 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR/ CPN/ then JGO

HB2901 HD2 (HSCR 571-10)

RELATING TO PROCUREMENT.
Introduced by: Magaoay M, Ito K, Mizuno J, Say C
Amends provisions relating to competitive sealed proposals. Allows the head of the purchasing agency to make procurements using the design build process of combining design and construction into a single request for proposal on contracts for construction. Requires the purchasing agency to pay a stipend in the sum of $_____ plus _____ per cent of the amount of the contract to each unsuccessful design build offeror who submits a technically responsive proposal. -- HB2901 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to JGO then WAM

HB2902 HD3 (HSCR 647-10)

RELATING TO PUBLIC EDUCATION GOVERNMENT TELEVISION.
Introduced by: Tokioka J
Requires the legislative auditor to conduct an analysis of the allocation of cable operator franchise fees to public, education, and government access organizations; Hawaii Public Television Foundation; and the department of commerce and consumer affairs' cable television division to determine the basis and rationale for the distribution of amounts to each entity for fiscal years 2007, 2008, and 2009. Report to the legislature. -- Requires the department of commerce and consumer affairs to contract for a performance review or audit of Olelo Community Television to determine the effectiveness with which it implements its programs through the allocation of resources. Report to the legislature. Appropriation out of the compliance resolution fund for the contracts. ($$) -- HB2902 HD3
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to CPN then WAM

HB2904 HD1 (HSCR 550-10)

RELATING TO COUNTY GENERAL PLANS.
Introduced by: Yamashita K, Tsuji C, Har S, Ito K, Sagum R, Herkes R, Say C, Chang J, Manahan J, Souki J, Oshiro B, Chong P, Yamane R, Awana K
Amends provisions relating to the county general plans. Provides that the state general plan remains the ultimate controlling authority of land use in the state of Hawaii. Within all state land use districts other than conservation, authorizes the counties to plan and zone under the state general plan, a county's general plan, or development plan, and the county' current zoning for a tract of land. -- HB2904 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA then WTL

HB2905 HD1 (HSCR 492-10)

RELATING TO INTOXICATING LIQUOR.
Introduced by: Yamashita K, Yamane R, McKelvey A, Cabanilla R, Morita H, Manahan J, Say C, Keith-Agaran G, Chong P, Chang J, Tsuji C, Souki J, Oshiro B, Tokioka J, Ito K, Sagum R
Amends provisions relating intoxicating liquor. Prohibits a minor to falsify any identification or use false identification to gain entry to the premises of a liquor licensee that excludes minors or admits only a person who produces identification to prove the person is 21 years of age or older. Suspends any person 18 to 21 year of age who is subject to the jurisdiction of the family court to obtain a license to operate a motor vehicle to include other reasons when lack of alternative transportation presents an undue hardship. Establishes penalties of 1st, 2nd, and 3rd offenses for minors. Requires 50 per cent of the fines to go to the county in which the violation occurred and for the funds to be used for anti underage drinking programs or underage drinking law

enforcement programs. -- HB2905 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to TIA then JGO

HB2918 HD1 (HSCR 536-10)

RELATING TO KAKAAKO COMMUNITY DEVELOPMENT DISTRICT.
Introduced by: Manahan J
Amends provisions relating to the Kakaako community development district. Establishes provisions relating to development agreements. Allows the executive director of the Hawaii community development authority to enter into development agreement with any person having interest in real property for development. Requires final approval by the authority. Requires the authority to conduct at least 1 public hearing. Establishes provisions to be in development agreements, including how to amend or cancel development agreements. Provides that if, as a result of periodic review the authority finds that the principal has committed a breach of agreement, the authority is required to serve notice and allows for termination or modification of the agreement. Requires the executive director to record a copy of the development agreement with the office of the assistant registrar of the land court or in the bureau of conveyances within 20 days after the authority approves the development agreement or any amendment. -- HB2918 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL/ TIA/ then JGO

HB2919 HD1 (HSCR 617-10)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Manahan J, Rhoads K
Amends provisions relating to the retirement of public officers and employees. Redefines sewer worker to include wastewater collection system inspection supervisor, wastewater collection district supervisor, and wastewater collection field supervisor. -- HB2919 HD1
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then WAM

HB2921 HD2 (HSCR 485-10)

RELATING TO LICENSING.
Introduced by: Ito K
Amends provisions relating to minimum requirements under electrician and plumbers. Amends provisions relating to minimum requirements under electrician and plumbers. Changes minimum qualifications for journey worker electrician; journey worker specialty electrician; supervising electrician; supervising specialty electrician; journey worker plumber; master plumber; maintenance electrician; journey worker industrial electrician and supervising industrial electrician to be licensed. -- HB2921 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Single Referral to CPN

HB2922 HD2 (HSCR 462-10)

RELATING TO SOLID WASTE.
Introduced by: Ito K
Establishes provisions relating to disposal of fluorescent and compact fluorescent light bulbs; prohibition. Prohibits the disposal of any fluorescent or compact fluorescent light bulb in any landfill or waste to energy facility, or by incineration in the State. -- HB2922 HD2
Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to ENE/ TIA/ then JGO

HB2923 HD2 (HSCR 639-10)

RELATING TO PUBLIC LANDS.
Introduced by: Ito K
Amends provisions relating to the Hawaiian homes commission Act of 1920. Establishes provisions relating to commercial leases; extension of term. Allows the department of Hawaiian home lands to extend the term of a lease of public lands for commercial or multipurpose projects upon the approval by the department of a written agreement proposed by the lessee, or the lessee and developer. Requires the lessee, or the lessee and developer, to submit to the department the plans and specifications for the proposed development. Requires the department to review the plans, specifications and written agreement to determine whether the development is of sufficient value to justify the extension of the lease; the estimated time to complete the improvements and expected date of completion of the improvements; and the minimum revised annual rent based upon the fair market value of the lands to be developed, as determined by an appraiser for the department, and percentage rent where gross receipts exceed a specified amount. Prohibits any lease extension until the department and the lessee, or the lessee and the developer, mutually agree to the terms and conditions of the written agreement. Prohibits construction to commence until the lessee, or the lessee

and developer, have filed with the department a good and sufficient bond or other financial guaranty satisfactory to the department. Requires extension of the lease to be based upon the substantial improvements made and to be no longer than 34 years. -- HB2923 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then WAM

HB2935 HD3 (HSCR 618-10)

RELATING TO EMPLOYMENT PRACTICES.
Introduced by: Takumi R
Amends provisions relating to unlawful suspension, discharge, or discrimination under employment practices law. Provides that it shall be unlawful practice for any employer or labor organization to bar or discharge from employment, withhold pay from, or demote an employee solely because the employee legitimately uses accrued and available negotiated sick leave in accordance with the employer's attendant (sic) and negotiated sick leave policies, except for abuse of sick leave. -- HB2935 HD3

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then JGO

HB2937 HD2 (HSCR 669-10)

RELATING TO COLLECTIVE BARGAINING.
Introduced by: Takumi R
Amends provisions relating to the scope of the collective bargaining negotiations; consultation. Repeals provisions that exclude benefits from collective bargaining negotiations. -- HB2937 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then WAM

HB2945 HD2 (HSCR 644-10)

RELATING TO ECONOMIC DEVELOPMENT.
Introduced by: Chong P, Say C, McKelvey A, Chang J, Yamashita K, Yamane R, Manahan J, Tsuji C, Sagum R, Oshiro B, Tokioka J
Establishes provisions relating to the State private investment fund. Requires the fund to be administered by the Hawaii strategic development corporation and requires the fund to invest in private seed and venture capital partnerships to encourage the availability of equity and near equity capital partnerships in diversified industries, with an emphasis on the State's emerging high technology industry; promote the private sector philosophy of focusing on rate of return in the investment process; secure the services of high quality managers in the venture capital industry; and enhance the venture capital culture and infrastructure in the state so as to increase and promote venture capital investments in the State and accomplish the foregoing in a return driven manner while minimizing the transfer of tax credits. Requires the fund to be organized as alimited partnership or limited liability company with the corporation as the general partner or manager to provide equity interests for designated investors that provide for a scheduled rate of return and scheduled redemption; and loans by or the issuance of debt obligations to investors which provide for payments of principal, interest, or interest equivalent. Provides that the fund shall be governed by a fund board. Prohibits public money from being invested in the State private investment fund. Provides that startup costs for the fund be funded by the corporation for the 1st ____ dollars, and then by the general fund for up to an additional ____ dollars. Allows the fund to enter into and execute contracts, execute any document, charge reasonable fees for services rendered, perform any act or enter into any financial or other transaction necessary to carry out its mission. -- Amends provisions relating to the board of directors of the Hawaii strategic development corporation; composition. Requires that 3 of the members of the board have knowledge or experience in venture or seed capital, or investment funds. -- Amends provisions relating to tax credits. Includes tax credits for insurers. Changes the amount of tax credits that are transferrable. -- Amends the capital formation revolving fund to be administered by the State private investment fund. -- Authorizes the Hawaii strategic development corporation to issue and transfer ____ dollars in tax credits. Requires an annual audit by an independent auditor instead of by the legislative auditor. -- HB2945 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDT then WAM

HB2948 HD1 (HSCR 371-10)

RELATING TO AGRICULTURE.
Introduced by: Tsuji C, Yamashita K, Yamane R, Wooley J, Coffman D, Aquino H, Mizuno J, Nakashima M, Tokioka J
Amends provisions relating to conditions of importation by adding interisland movement of certain agricultural or nonagricultural article capable of harboring pests, including

rocks, building materials, or furniture. Requires notification at least 24 hours prior to arrival for overseas or foreign marine vessel, or 4 hours prior to arrival thereof for an overseas or foreign aircraft, or upon arrival of an interisland marine vessel or interisland aircraft. Allows the department of agriculture inspector to order the quarantine of, or hold for examination any freight, air freight, or baggage, transported for the purpose of debarkation or entry, or as ship's stores, when any person fails to comply with any of the notification requirements. Makes it a misdemeanor and increases fines. Requires the department to adopt rules to designate restricted articles that shall require a permit from the department in advance of importation and other articles that shall require a department letter of authorization or registration in advance of importation. -- HB2948 HD1

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to WTL then JGO

HB2962 HD1 (HSCR 533-10)

RELATING TO TAXATION.
Introduced by: Oshiro M
Amends provisions relating to the technology infrastructure renovation tax credit and the high technology business investment tax credit by suspending deductions against a taxpayer's net income tax liability for claims until July 1, 2013 (sunset). -- HB2962 HD1

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDT then WAM

HB2963

MAKING AN EMERGENCY APPROPRIATION FROM THE EMERGENCY AND BUDGET RESERVE FUND FOR EDUCATION.
Introduced by: Oshiro M, Takai K, Oshiro B, Carroll M, Sagum R, McKelvey A, Chong P, Yamashita K, Brower T, Tokioka J, Lee M, Takumi R, Herkes R, Ito K, Lee C, Awana K, Wooley J, Morita H, Berg L, Wakai G, Manahan J, Hanohano F, Tsuji C, Nakashima M, Bertram J, Coffman D, Mizuno J
Appropriation out of the emergency and budget reserve fund (rainy day fund) to the general fund. ($$) -- HB2963

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to HMS/ HTH/ EDH/ then WAM

HB2964 HD1 (HSCR 177-10)

RELATING TO SALARIES.
Introduced by: Oshiro M
Amends Act 85, session laws of 2009, relating to salaries of the governor, lieutenant governor, the justices and judges of all state courts, the administrative director of the State, the department heads or executive officers and members of the legislature by changing the salary reduction from 5 per cent to 8.07 per cent from what the salary was on June 30, 2009. -- HB2964 HD1

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to LBR then WAM

HB2984 HD2 (HSCR 572-10)

RELATING TO TAX CREDITS.
Introduced by: Yamashita K, Say C, Ito K, Chong P, Tokioka J, McKelvey A, Har S
Extends the research activities income tax credit to December 31, 2011 (sunset). Repeals the technology infrastructure renovation income tax credit. -- HB2984 HD2

Current Status: Mar=03 10 Introduction/Passed First Reading - Senate
Mar=03 10 Multiple Referral to EDT then WAM