

BILLS PASSED

BY THE

HAWAII STATE LEGISLATURE

REGULAR SESSION OF 1999

SHOWING ACTIONS TAKEN AS OF

May 4, 1999

Prepared by the:



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

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

FOREWORD

This publication contains brief descriptions of all bills passed by the Hawaii State Legislature during the Regular Session of 1999. We have included such data as the bill number, title, introducer, description, committee reports, current status, and sections of the Hawaii Revised Statutes affected by the bill. This publication reflects data recorded up to and including May 4, 1999, which is the date that the Legislature adjourned sine die. For your information, under Article III, Section 16 of the Hawaii State Constitution, the Governor has 45 days after adjournment sine die (not counting Saturdays, Sundays, and holidays), to consider bills for approval.

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

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

Wendell K. Kimura
Acting Director
Legislative Reference Bureau

May 1999

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

SOURCE	CONTACT	HOURS	COST
All public libraries. See listing in white pages: State Government, Dept. of Education	Reference Desk	Different for each library. Call to inquire.	Electronic ACCESS only. Optional 10¢/page donation for printout.
Hawaii State Archives Iolani Palace Grounds Honolulu 96813 Phone: 586-0329	Reference Archivist	Monday - Friday 9:00 am - 4:00 pm	No charge for local govt. agencies. For private individuals – 50¢/page. Postage charge for any mailings. Copies of bills, committee reports, resolutions, and concurrent resolutions available 6 months after end of biennium.
Senate Printshop State Capitol Room 012A Honolulu 96813 Phone: 586-6755	Charlie Taketa Tia Lobendahn	Monday - Friday 8:00 am - 4:30 pm	Free unless bill is exceptionally long. Postage charge for any mailings. Will mail reasonable quantities.
House Clerk's Office State Capitol Room 027 Honolulu 96813 Phone: 586-6400	Anyone	Monday - Friday 8:00 am - 5:00 pm	General public – free. Pick up in House Chamber office. Mail and fax requests received for reasonable quantities.
Lieutenant Governor State Capitol 5 th Floor Honolulu 96813 Phone: 586-0255	Dawn	Monday - Friday 7:45 am - 4:30 pm	50¢/page
Supreme Court Library 417 S. King Street Honolulu 96813 Phone: 539-4964	Front Desk	Monday - Friday 7:45 am - 4:15 pm	15¢/page (self-service). Will mail to attorneys on neighbor islands if unavailable at county circuit court libraries for 15¢/page plus postage and handling (prepayment required).
William S. Richardson School of Law Library 2525 Dole Street Honolulu 96822 Phone: 956-7583	Circulation Desk	Different hours depending on time of year. Call to inquire.	10¢/page (self-service) 7¢/page (with debit card) Acts only.

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

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

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB0005 SD2 HD2 CD1 (CCR 12) RELATING TO AGRICULTURAL LOANS. Introduced by: Tam R (586-6450)
- Amends provisions relating to farm operating loans to include the exportation of crops and livestock. Amends provisions relating to cooperative and corporation loans to include exportation of crops and livestock. -- Appropriation from the agriculture loan revolving fund for loans to farmers in economically depressed areas. (\$\$) -- SB0005 CD1
Committee Reports: SSCR 121 (ECD) SSCR 599 (WAM) HSCR 1364 (AGR) HSCR 1782 (FIN) CCR 12
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 155-9
- SB0021 SD1 HD1 (HSCR 1508) RELATING TO ATHLETIC CONTEST OFFICIALS. Introduced by: Taniguchi B (586-6460)
- Amends the offense of assault in the 2nd degree to include any person who intentionally or knowingly causes bodily injury to an educational worker in a school program, activity or function that is established, sanctioned or approved by the, department of education. -- SB0021 HD1
Committee Reports: SSCR 844 (JDC) HSCR 1508 (JHA)
- Current Status:
May=04 99 Passed Legislature
- Sections Affected: 707-711
- SB0027 HD1 CD1 (CCR 23) RELATING TO MOTOR VEHICLE REGISTRATION. Introduced by: Levin A (586-6760)
- Provides that in order for a vehicle to be removed from storage, the owner of the vehicle shall present to the director of finance a certificate of inspection (safety check) that was issued after the recording of the storage with the director, if the certificate of inspection expired during the period of storage. -- SB0027 CD1
Committee Reports: SSCR 237 (TIA) HSCR 1157 (TRN) HSCR 1728 (CPC) CCR 23
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 249-5.5
- SB0036 SD2 HD1 CD1 (CCR 43) RELATING TO CONDOMINIUMS. Introduced by: Tam R (586-6450)
- Establishes provisions relating to collection from tenants to include an apartments share of common expenses, if the owner is in default for 30 days or more. Provides that a tenant's payment shall discharge that amount from the rent obligation. Requires written notice to the delinquent apartment owner. Prohibits an apartment owner from retaliatory action against a tenant and provides a complete defense for nonpayment of rent to the extent of the written demand from the board. Prohibits the board of directors from exercising this right if a commissioner or receiver has been appointed pending a mortgage foreclosure, a mortgagee is in possession, or if the tenant is served with a court order directing payment to a 3rd party. Provides control in the event of conflict of this section and provisions of the landlord tenant code. Requires the adoption and approval of a written policy by a majority vote or written consent of the apartment owners. -- Amends provisions relating to the contents of bylaws. Authorizes the association to enforce liens for common expenses, including non judicial or power of sale foreclosure procedures. -- Amends provisions relating to priority of lien for condominium common expenses. Provides that the mortgagee of record or other purchaser shall be required to pay the apartments share of common expenses at either, 36 days after a order confirming sale is filed, 60 days after a hearing at which the court grants a motion to confirm sale, or upon the recording of the deed, whichever occurs 1st. Provides an alternative to foreclosure to the association

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of apartment owners, after proper notice, to terminate access to common elements and cease supplying a delinquent unit with services normally supplied or paid for. Requires the adoption and approval of a written policy by a majority vote or written consent of the apartment owners. -- Amends provisions relating to an association of apartment owners funds, handling and disbursement. Authorizes deposits into credit unions. Requires all funds invested be held by the US treasury or held by a broker registered with the Securities and Exchange Commission, have an office in Hawaii and the accounts are held by member firms of the New York Stock Exchange or National Association of Securities Dealers and insured by the Securities Insurance Protection Corporation. Requires funds be invested only in demand deposits, investment certificates and certificates of deposit, and that obligations be of the US or state of Hawaii and their respective agencies, or mutual funds comprised solely of investments in obligations of the US or of the state of Hawaii. Requires obligations have stated maturities of no more than 10 years of purchase date, unless otherwise approved by a majority vote or written consent of the apartment owners. Requires board approval and disclosure of any association investment longer than 1 year. -- SB0036 CD1

Committee Reports: SSCR 388 (GOH) SSCR 845 (JDC) HSCR 1738 (CPC) CCR 43

Current Status:
May-04 99 Passed Legislature

Sections Affected: 514A- (1 SECTION), 514A-82, 514A-90, 514A-97

SB0040 HD2 CD1 (CCR 19)

RELATING TO PHYSICIAN ASSISTANTS. Introduced by: Mizuguchi N (586-6870)

Amends provisions relating to the uniform controlled substance act by adding the definition of physician assistant and supervising physician, registered under the department of public safety. Adds physician assistants registered to prescribe controlled substances under the authorization of supervising physician. Amends provisions relating to physician assistants by requiring persons to be licensed rather than certified. -- SB0040 CD1

Committee Reports: SSCR 549 (CPN) HSCR 1283 (HLT) HSCR 1729 (CPC) CCR 19

Current Status:
May-04 99 Passed Legislature

Sections Affected: 329-1, 329-38, 453-5.3, 453-5.4

SB0044 SD1 HD2 (HSCR 1811)

RELATING TO TAXATION. Introduced by: Mizuguchi N (586-6870)

Provides a general excise tax exemption and exclusion from the measure of value or gross income derived from contracting or services performed in the State for customer located outside the State. -- Allows the department of taxation to prescribe a certificate that shall be furnished to the seller or person rendering the contracting or services exported and resold, consumed, or used outside the State from the customer. -- Establishes a use tax on services which are imported, or purchased from an unlicensed seller for use in this State. Adds the definition of foreign customer, overhead, and service business or calling. Provides that use does not include the use of services imported for resale to a foreign customer outside the State to the extent the services are resold, consumed, or used by that foreign customer outside the State. -- Repeals the specific general excise exemption for technical services necessary for the production and sale of computer software shipped or transmitted out of State. -- SB0044 HD2

Committee Reports: SSCR 688 (WAM) HSCR 1424 (EDB) HSCR 1811 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 237- (1 SECTION), 238- (1 SECTION), 237-21, 238-1, 238-3, 238-5, 238-6, 238-9, 237-29.6

SB0046 SD2 HD2 (HSCR 1812)

RELATING TO SCHOOL-BASED BUDGETING. Introduced by: Mizuguchi N

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(586-6870)

Establishes provisions for school by school budgeting in which the department of education prepares a separate budget for each school and each school is given maximum flexibility in the execution of its budget. Requires the department to prepare and report to the individual schools and the legislature a budget for each school based on the budget submitted to the legislature by the governor. Requires each school to submit reports for the previous fiscal year to the department. -- SB0046 HD2
Committee Reports: SSCR 336 (EDU) SSCR 799 (WAM) HSCR 1321 (EDN) HSCR 1812 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 302A- (1 SECTION), 302A-101

SB0102 SD3 HD2 CD1 (CCR 153) RELATING TO HEALTH. Introduced by: Levin A (586-6760)

Establishes provision relating to a statewide rural health plan. Requires the department of health to develop a statewide rural health plan to obtain federal funds, and improve the efficiency and minimize the financial costs. Establishes the rural health special fund for the improvement of rural health needs and in accordance with federal requirements. -- Exempts the fund from contributing to central service and administrative expenses of the government. -- Requires the department of human services to conduct an annual review of the risk factor adjustment used to calculate payments to health plans under contract with the department to provide medical services. Defines risk factor adjustment as a method of compensation, derived from actual QUEST member experience, that accounts for different risk characteristics associated with the medical assistance eligibility groups. Allows the department to consult with contracted QUEST medical plans and other experts to identify or replace factors in the methodology. -- Provides that each county is requested to establish a position for rural transportation coordinator to assist in the identification, establishment, funding and coordination of affordable and convenient public rural transportation service, particularly in the county of Hawaii. -- SB0102 CD1
Committee Reports: SSCR 456 (HHS) SSCR 617 (WAM) - filed FLOOR AMENDMENT 3 HSCR 1399 (HLT) HSCR 1765 (FIN) CCR 153

Current Status:
May-04 99 Passed Legislature

Sections Affected: 321- (1 SECTION), 346- (1 SECTION), 36-27, 36-30, ACT 216 1997, ACT 142 1998

SB0131 SD3 HD3 CD1 (CCR 120) RELATING TO LONG-TERM CARE. Introduced by: Chun Oakland S (586-6130)

Repeals long term care provisions and replaces them with the model long term care insurance model act. Establishes provisions for preexisting conditions - group and individual policies, prior hospitalization and prior institutionalization, loss ratio standards, right to return, outline of coverage required, group policy certificate requirements, life insurance policies offering long term care benefits, incontestability period, and nonforfeiture of benefits. -- Establishes provisions for long term care insurance model regulation, conformance to HIPAA (Health Insurance Portability and Accountability Act) and the Federal Internal Revenue Service, and universal availability of long term care insurance. -- Amends department of labor and industrial relations provisions to require every employer, labor organization, retiree organization, or other entity specified under the definition of group long term care insurance to apply the guidelines set out in Title 29, Code of Federal Regulations, section 2510.3-1(j), if the employer chooses to offer group type long term care insurance benefits to employees. -- Amends public employees health fund provisions relating to the determination of long term care benefits plan to include the employee's parents and grandparents including inlaws. -- Amends Act 339, session laws of 1997, by extending the joint legislative committee on long term care to June 30, 2000 (sunset). -- Requires the committee to contract for a study on the feasibility and advisability of establishing a state sponsored universal program of long term coverage that offers comprehensive,

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protective coverage to the largest number of people through either a mandatory tax based or voluntary premium approach. Report to the governor and legislature. Appropriation to hire consultants and for the committee to conduct public briefings on the outer islands. (\$\$) -- SB0131 CD1

Committee Reports: SSCR 502 (HHS/ CPN/) SSCR 744 (WAM) - filed FLOOR AMENDMENT 15 HSCR 1213 (HSH/ HLT/) HSCR 1433 (CPC/ LAB/) HSCR 1766 (FIN) CCR 120

Current Status:
May-04 99 Passed Legislature

Sections Affected: 431: - (59 SECTIONS) LONG-TERM CARE INSURANCE, 371- (1 SECTION), 87-23.5, 431:2-201.5, 432:1-102, ACT 339 1997, 431:10A-521, 431:10A-522, 431:10A-523, 431:10A-524, 431:10A-525, 431:10A-525.5, 431:10A-526, 431:10A-527, 431:10A-527.5, 431:10A-528, 431:10A-529, 431:10A-530, 431:10A-531

SB0186 SD1 HD1 CD1 (CCR 39) RELATING TO TORT LIABILITY. Introduced by: Chun Oakland S (586-6130)

Establishes provision relating to tort liability for breach of contract, and punitive damages. Provides that no person may recover damages, including punitive damages, in tort for a breach of contract in the absence of conduct that, violated a duty that is independently recognized by principles of tort law, and transcended the breach of the contract. -- Amends provision relating to 3rd party practice, enforcement of right to contribution, by including unnamed defendants and 3rd party defendants. Requires pleadings to describe any unidentified defendant or 3rd party defendant, and all actions already undertaken in a diligent and good faith effort to ascertain the true identity or responsibility. Requires parties to exercise reasonable diligence in ascertaining the identity or responsibility of unnamed defendants. Authorizes the court to make any order that justice requires to protect any party from undue burden and expense or substantial prejudice in any further proceedings involving later identified defendants. -- Amends provisions relating to attorneys' fees and costs in civil actions. Provides that if the court determines a portion of claims or defenses to be frivolous, the court shall determine a reasonable sum for attorneys' fees and costs in relation to frivolous claims or defenses. -- Amends provision relating to exceptions to the abolition of joint and several liability. Prohibits economic and non economic damages claims against design professionals and certified public accountants in actions not involving physical injury or death. -- SB0186 CD1

Committee Reports: SSCR 847 (JDC) HSCR 1471 (JHA) CCR 39

Current Status:
May-04 99 Passed Legislature

Sections Affected: 663- (1 SECTION), 663-17, 607-14.5, 663-10.9

SB0207 HD2 (HSCR 1813) RELATING TO WASTEWATER. Introduced by: Nakata B (586-7330)

Establishes the wastewater treatment certification board special fund. Provides that registration fees for examinations, renewal fees, reciprocity fees, and temporary certificates fees for wastewater treatment plants be deposited into the special fund. Requires all moneys paid into the special fund to be expended by the board of certification to finance its operations. -- SB0207 HD2

Committee Reports: SSCR 140 (LRE) SSCR 679 (WAM) HSCR 1343 (EEP) HSCR 1813 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 340B- (1 SECTION), 340B-11

SB0223 SD2 HD1 CD1 (CCR 103) RELATING TO A CANINE CORPS IN THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Chumbley A (586-6030)

SENATE BILLS WHICH PASSED THE LEGISLATURE

Establishes provision relating to the canine corps. Requires the director of public safety to establish a canine corps to implement the department's policies, programs, and objectives. Provides that the director shall develop criteria and policies to select, train, and maintain the corps and the personnel to handle the corps. Units of the canine corps shall be assigned to the correctional facilities, but need not be solely used for corrections related purposes. -- SB0223 CD1

Committee Reports: SSCR 154 (JDC) SSCR 676 (WAM) HSCR 1248 (PSM) HSCR 1775 (FIN) CCR 103

Current Status:
May-04 99 Passed Legislature

Sections Affected: 353C- (1 SECTION)

SB0236 SD1 HD1 CD1 (CCR 20)

RELATING TO UNFAIR AND DECEPTIVE PRACTICES. Introduced by: Kanno B (586-6830)

Prohibits the practice for any person in any contest or sweepstakes in which the winning chances are determined by a drawing or other method of chance, to promote a contest or sweepstakes in which some or all of the prizes may not be awarded, unless proper disclosure is made, and the date or dates of winner determination will be made. Prohibits offering real property as a prize, unless the offeror files and maintains with the director of commerce and consumer affairs a bond of not less than 10,000 dollars, and naming the director as the obligee and a surety company authorized to do business in the State as surety. -- SB0236 CD1

Committee Reports: SSCR 414 (CPN) SSCR 849 (JDC) HSCR 1693 (CPC/ JHA/) CCR 20

Current Status:
May-04 99 Passed Legislature

Sections Affected: 481B-1.6

SB0238 SD1 HD2 CD1 (CCR 108)

RELATING TO REAL ESTATE BROKERS AND SALESPERSONS. Introduced by: Kanno B (586-6830)

Amends provisions relating to prerequisites for real estate brokers or salespersons by prohibiting any license, registration, or certificate to be issued to any limited liability company unless the real estate brokerage business is under the direct management of a principal broker. Allows an individual candidate to request the real estate commission to consider a preliminary decision on issuing the real estate license prior to submitting a preliminary education or examination requirements. Adds prerequisites for examination that an individual is currently licensed as a Hawaii real estate salesperson, has satisfactorily completed a commission approved prelicensing course for real estate broker candidates, or its equivalent, and has experience as a full time state licensed real estate salesperson associated with a Hawaii based real estate broker for the 3 year period immediately prior to the licensing examination and has practical real estate salesperson experience. Requires the candidate to secure commission approval of the candidate's experience certification application prior to the date of examination. -- Allows the commission to prescribe the passage of a specific section or sections of the examination for different purposes including a current out of state licensee, equivalency to continuing education requirements as determined by the commission, restoration of forfeited license, and reinstatement of license due to disciplinary action. -- Requires the biennial renewal fee and completed renewal application to be submitted to the department of commerce and consumer affairs on or before the commission prescribed deadline prior to the expiration date of the license. Provides that all real estate licenses expire on December 31 of an even numbered year. -- Adds that a forfeited license may be restored if the real estate broker or salesperson successfully completes commission approved course or courses, or the passage of commission approved examination, for licenses forfeited between 1 to 4 years, or successful passage of commission approved examination for licenses forfeited more than 4 years ago. -- Amends provisions relating to the statute of limitation. Provides that the aggrieved person shall be required to show to the court for an order directing payment out of the real estate recovery fund that where the real

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estate broker or real estate salesperson is a debtor in a bankruptcy proceeding, the aggrieved person has obtained an order from the bankruptcy court declaring the judgment against the broker or salesperson to be non dischargeable. -- Includes limited liability company that all condominium hotel operators have as an option to register as, with the commission. -- Requires the fee assessed for any new application be the lowest non renewable application fee for licensure presently assessed, until the fees are adopted by the director of commerce and consumer affairs. -- SB0238 CD1
Committee Reports: SSCR 647 (CPN) HSCR 1346 (CPC) HSCR 1776 (FIN) CCR 108

Current Status:
May-04 99 Passed Legislature

Sections Affected: 467- (1 SECTION), 467-8, 467-9.5, 467-9.6, 467-11, 467-12, 467-18, 467-30, 467-1

SB0285 SD1 HD1 CD1 (CCR 34)

RELATING TO CONDOMINIUM PROPERTY REGIMES. Introduced by: Ihara L (BR) (586-6250)

Establishes provisions relating to voluntary conversions. Authorizes the association of apartment owners to purchase, or amend bylaws to authorize purchase, the lessor's interest in the condominium project. Provides that after purchase, the association may purchase, acquire, own, improve, use and otherwise deal in and with the lessor's interest, incur liabilities, assess as a common expense the expenses incurred in acquiring the lessor's interest, and to sell the fee interest appurtenant to a condominium unit to any condominium unit lessee or subsequent purchaser. Prohibits compelling a lessee to purchase the portion of the fee interest, may instead pay lease rent to the association. Changes right of 1st refusal for condominiums and cooperative housing corporations to lease to fee conversions for condominiums and cooperative housing corporations. -- Prohibits purchase or conveyance of the leased fee interest made prior to the effective date of this Act to or by an association of owners in a good faith belief that the purchase or conveyance was valid, and no borrowing, mortgage, or pledge by an association shall be invalid because it was without capacity to do such an act or to make or receive such conveyance, transfer, or loan. Further prohibits any apartment owner from being excused from paying common expenses incurred in acquiring the leased fee interest to the land, or to service any debt. -- SB0285 CD1

Committee Reports: SSCR 77 (GOH) SSCR 329 (GOH) SSCR 696 (WAM) HSCR 1689 (CPC) CCR 34

Current Status:
May-04 99 Passed Legislature

Sections Affected: 514C- (2 SECTIONS) VOLUNTARY CONVERSIONS, 514C-3, 514C-4, 514C-5, 514C-6.5, 514C-7, 514C-8

SB0365 SD1 HD1 CD1 (CCR 29)

RELATING TO CONSUMER PROTECTION. Introduced by: Kanno B (586-6830)

Establishes laser pointing devices law. Prohibits possession, the sale to, or supplying any minor with a laser pointing device, and harassing a person or animal. Authorizes an exemption of laser tag offered for a fee by an amusement or recreation facility. Provides that violators shall be subject to a fine and imprisonment not to exceed 30 days. -- SB0365 CD1

Committee Reports: SSCR 708 (CPN) HSCR 1740 (JHA/ CPC/) CCR 29

Current Status:
May-04 99 Passed Legislature

Sections Affected: (6 SECTIONS) LASER POINTING DEVICES

SB0392 SD2 HD2 CD1 (CCR 50)

RELATING TO TRANSPORTATION. Introduced by: Ihara L (BR) (586-6250)

Appropriation to the department of transportation for the planning, design, and

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construction of a cruise ship passenger terminal at Pier 2, Honolulu Harbor. (\$\$) -- SB0392 CD1
Committee Reports: SSCR 21 (TIA) SSCR 801 (WAM) - filed FLOOR AMENDMENT 6 HSCR 1247 (TRN) HSCR 1829 (FIN) CCR 50

Current Status:
May-04 99 Passed Legislature

SB0450 SD1 HD2 CD1 (CCR 111) RELATING TO STATE GOVERNMENT. Introduced by: Chun J (586-7344)

Amends Act 230, session laws of 1998. Requires the committee on state government budgeting, accounting, and procurement systems to annually report to the legislature. Requires the committee to develop a managed process that enables state and county governments to implement public private competition for government services. Adds that the managed process develop a costing model that accurately estimates and accounts for the total cost of providing a government function and develop methods by which government in house costs can be compared to private sector costs; consider the costs of conversion to the private sector; ensure that costs are realistic and fair; and develop a handbook and training program that educates government agencies in the competitive government process. Provides that the committee complete the draft of the managed process by December 31, 2000, and complete the managed process by December 31, 2001. Repeals sunset date of June 30, 2001. -- SB0450 CD1
Committee Reports: SSCR 390 (GOH) SSCR 764 (WAM) HSCR 1408 (LAB) HSCR 1821 (FIN) CCR 111

Current Status:
May-04 99 Passed Legislature

Sections Affected: Act 230 1998

SB0484 SD1 (SSCR 850) RELATING TO PERSONAL PROPERTY. Introduced by: Levin A (586-6760)

Amends provisions relating to attachment and execution of personal property. Changes the value of the 1 exempt motor vehicle to 2,575 dollars. -- SB0484 SD1
Committee Reports: SSCR 88 (CPN) SSCR 850 (JDC) HSCR 1696 (CPC/ JHA)

Current Status:
Apr-15 99 Received by the Governor
Apr-26 99 Approved by Governor (Act 37 1999)

Sections Affected: 651-121

SB0513 SD2 HD2 CD1 (CCR 154) RELATING TO FAMILY CHILD CARE. Introduced by: Kanno B (586-6830)

Establishes the family child care homes law. Establishes provisions relating to liability for operation of a family child care home. Provides that no association of apartment owners shall prohibit an owner occupant from the operation of a family child care home. Provides that not more than 3 per cent of the total number of units in any condominium, apartment or townhouse complex, or any units above the 4th floor shall be used as a family child care home. Requires the operator to comply with the Americans with Disabilities Act (ADA) and pay for any improvements or remodeling for compliance. Provides that a person who operates a childcare business in a family child care home shall indemnify, hold harmless and defend a homeowners association or association of apartment owners from all claims. Provides criteria. -- Amends provisions relating family child care homes, land court registration and the bureau of conveyances to include condominium, townhouse or apartment. -- Repeals provision relating to family child care homes on June 30, 2001 (sunset). -- SB0513 CD1
Committee Reports: SSCR 439 (HHS) SSCR 788 (CPN) HSCR 1391 (HSH) HSCR 1848 (CPC/ JHA) CCR 154

Current Status:
May-04 99 Passed Legislature

Sections Affected: (2 SECTIONS) FAMILY CHILD CARE HOMES, 663- (1 SECTION),

SENATE BILLS WHICH PASSED THE LEGISLATURE

46-15.35, 346-151, 501-231, 502-111

SB0528 SD2 HD1 CD1 (CCR 8)

RELATING TO HEALTH INSURANCE. Introduced by: Taniguchi B (BR) (586-6460)

Provides that requirements relating to mandated coverages shall not be applicable to any insurer offering health insurance under a federally funded program under the Social Security Act, as amended, for accident and sickness insurers, benefit societies, and health maintenance organization (HMOs). -- SB0528 CD1

Committee Reports: SSCR 400 (CPN) SSCR 652 (WAM) HSCR 1400 (CPC) HSCR 1743 (FIN) CCR 8

Current Status:

May-04 99 Passed Legislature

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

SB0550 SD2 HD1 (HSCR 1301)

RELATING TO EDUCATION. Introduced by: Ige D (586-6230)

Changes the report submitted to the legislature and governor by the legislative auditor on the fiscal accountability of the department of education, to be done by the department of education and to be a school by school expenditure report. Provides that the fiscal analysis of expenditures include instruction, instructional support, operations, other commitments, and leadership. -- SB0550 HD1

Committee Reports: SSCR 112 (EDU) SSCR 726 (WAM) HSCR 1301 (EDN) HSCR 1684 (FIN)

Current Status:

May=04 99 Passed Legislature

Sections Affected: 302A-1004

SB0560 SD1 HD1 CD1 (CCR 1)

RELATING TO SPECIAL MANAGEMENT AREAS. Introduced by: Hanabusa C (BR) (586-7793)

Amends provision relating to special management areas within the coastal zone management laws, by adding definitions of baseline, resource, scenic resource, and substantial adverse environmental or ecological effect (substantial adverse effect). -- SB0560 CD1

Committee Reports: SSCR 550 (WLH) HSCR 1691 (OMR) CCR 1

Current Status:

May-04 99 Passed Legislature

Sections Affected: 205A-22

SB0570 SD1 HD2 (HSCR 1711)

RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT AND APPROPRIATING FUNDS TO SUPPORT THE PROJECT. Introduced by: Hanabusa C (586-7793)

Amends Act 314, session laws of 1997, establishing the Waianae coast community benchmarking pilot project by extending repeal date to June 30, 2003 (sunset).

Appropriation to the department of business, economic development, and tourism. (\$\$) -- SB0570 HD2

Committee Reports: SSCR 280 (ECD) SSCR 600 (WAM) HSCR 1392 (HSH) HSCR 1711 (FIN)

Current Status:

May=04 99 Passed Legislature

Sections Affected: Act 314 1997

SB0588 SD1 HD1 (HSCR 1279)

RELATING TO SEX OFFENDERS. Introduced by: Matsunaga M (586-7100)

Amends provision relating to the statewide integrated sex offender treatment program

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by requiring any agency of the interagency cooperative agreement to provide, upon the request of any other participating agency, all relevant criminal, parole, medical, psychological, or mental health records of any offender receiving supervision or treatment while under custody of the State. Requires agencies to document disclosures. -- SB0588 HD1

Committee Reports: SSCR 897 (JDC) HSCR 1279 (PSM) HSCR 1759 (JHA)

Current Status:

May=04 99 Passed Legislature

Sections Affected: 353E-2

SB0590 SD1 HD1 CD1 (CCR 41)

RELATING TO RESTRAINING AND PROTECTIVE ORDERS. Introduced by: Chumbley A (586-6030)

Amends provisions relating to the family court temporary restraining orders. Provides that a knowing or intentional violation is a misdemeanor. -- Amends provision relating to violation of an order for protection. Requires a person convicted to undergo domestic violence intervention. Amends fine and sentencing provisions for 1st, 2nd and subsequent convictions of domestic and non domestic violations. Requires fines collected be deposited into the spouse and child abuse special account. -- Amends provision relating to restraining orders in annulment, divorce or separation complaint proceedings. Requires a person convicted to undergo domestic violence intervention. Amends fine and sentencing provisions for 1st, 2nd and subsequent convictions. Requires fines collected be deposited into the spouse and child abuse special account. -- Amends provision relating to the spouse and child abuse special account. -- SB0590 CD1

Committee Reports: SSCR 824 (JDC) HSCR 1288 (JHA) HSCR 1680 (FIN) CCR 41

Current Status:

May-04 99 Passed Legislature

Sections Affected: 586-4, 586-11, 580-10, 601-3.6

SB0591 SD1 HD1 (HSCR 1510)

RELATING TO CUSTODY AND VISITATION. Introduced by: Chumbley A (586-6030)

Amends provision relating to visitation rights. Provides that the court may award visitation to a parent who committed family violence only if the court finds that adequate provision for the physical safety and psychological well being of the child, and adequate provision for the safety of the parent who is a victim of family violence can be made. -- SB0591 HD1

Committee Reports: SSCR 825 (JDC) HSCR 1510 (JHA)

Current Status:

May=04 99 Passed Legislature

Sections Affected: 571-46

SB0592 SD1 HD1 (HSCR 1461)

RELATING TO FIREARMS. Introduced by: Matsunaga M (586-7100)

Amends provision relating to firearms, ammunition and dangerous weapons. Prohibits members of law enforcement officers convicted of abuse of family or household members from exemption. -- SB0592 HD1

Committee Reports: SSCR 826 (JDC) HSCR 1461 (JHA)

Current Status:

May=04 99 Passed Legislature

Sections Affected: 134-11

SB0616 SD1 HD1 CD1 (CCR 37)

RELATING TO PROSTITUTION. Introduced by: Chumbley A (586-6030)

Establishes the liability for coercion into prostitution law. Provides that an individual has a cause of action against a person who coerced the individual into prostitution,

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coerced the individual to remain in prostitution, used coercion to collect or receive an individual's earnings derived from prostitution, or hired, offered to hire or agreed to hire the individual to engage in prostitution, knowing or having reason to believe that the individual was coerced into or coerced to remain in prostitution by another person. Provides criteria for evidence. Provides for the recovery of damages as a result of being coerced into prostitution. Provides criteria. -- SB0616 CD1
Committee Reports: SSCR 898 (JDC) HSCR 1463 (JHA) CCR 37

Current Status:
May-04 99 Passed Legislature

Sections Affected: (9 SECTIONS) LIABILITY FOR COERCION INTO PROSTITUTION

SB0628 SD1 HD1 CD1 (CCR 36) RELATING TO ELECTIONS. Introduced by: Chumbley A (586-6030)

Amends elections laws relating to campaign contributions and expenditures. Defines ballot issue committee to include any organization, association, or individual which has the exclusive purpose of accepting or making a contribution or expenditure for or against any issue appearing on the ballot. Repeals the 1,000 dollar aggregate threshold from the definition of committee. Provides that the committee shall not include any organization which raises or expends funds for the sole purpose of the production and dissemination of informational or educational advertising. -- Allows the campaign spending commission to publish information on its website. -- Requires filed campaign contribution and expenditure reports to be certified by the treasurer. -- Limits contributions made by a candidate's immediate family to 50,000 dollars. -- Provides that the candidate committee, rather than the candidate, shall file a preliminary report on July 30 for primary election year and 10 calendar days prior to the election for primary, initial special, special, and general elections. -- Repeals short form reporting. -- Provides exemptions to administrative fines and criminal prosecution relating to election contributions with payment or agreement to pay penalties. Amends Act 27, special session law of 1995, as amended by Act 13, session laws of 1996. -- SB0628 CD1

Committee Reports: SSCR 851 (JDC) HSCR 1699 (JHA) CCR 36

Current Status:
May-04 99 Passed Legislature

Sections Affected: 11-191, 11-193, 11-194, 11-195, 11-199, 11-204, 11-212, 11-213, 11-215, 11-228, 11-229, ACT 27 1995 1SP, ACT 13 1996

SB0630 SD1 HD1 CD1 (CCR 31) RELATING TO CAMPAIGN CONTRIBUTIONS. Introduced by: Chumbley A (586-6030)

Establishes provisions relating to late contributions. Requires each candidate, candidate committee, or (noncandidate) committee that makes an aggregate contribution of 500 dollars or more, or receives aggregate contributions of 500 dollars or more from any person or organization, 4 to 15 days prior to a primary, special primary, general, or special general election, to file a report with the commission or appropriate county clerk's office, within 3 days of an election (late contribution report). -- SB0630 CD1

Committee Reports: SSCR 853 (JDC) HSCR 1468 (JHA) CCR 31

Current Status:
May-04 99 Passed Legislature

Sections Affected: 11- (1 SECTION)

SB0631 SD1 HD1 (HSCR 1469) RELATING TO POLITICAL PARTIES. Introduced by: Matsunaga M (586-7100)

Amends the provisions relating to political parties. Repeals requirements that a party receive at least 10 per cent of all votes cast in at least 6 senatorial districts or at least 50 per cent of the representative districts. Adds that the party received at least 4 per cent of all the votes cast for all offices of the state senator or for state representative,

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or receive at least 2 per cent of all votes cast for all offices of state senate and representative combined. Amends the petition for the qualification as a political party to contain the name, signature, address, and date of birth of currently registered voters comprising not less than 1/10 of the 1 per cent of the total registered voters of the State. -- SB0631 HD1

Committee Reports: SSCR 854 (JDC) HSCR 1469 (JHA)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 11-61, 11-62

SB0635 SD1 HD2 (HSCR 1760) RELATING TO SUBSTANCE ABUSE TESTING. Introduced by: Matsunaga M (586-7100)

Establishes provisions relating to the use of substance abuse on site screening tests, testing procedures, and confidentiality. Allows an employer to use the test for pre employment purposes. Defines the test as a portable substance abuse test that meets the requirements of the US Food and Drug Administration for commercial distribution and is approved by the director of health. Provides that substance abuse test includes any substance abuse on site screening test designed to take and analyze body fluids or materials from the body for the purposes of detecting the presence of drugs, alcohol, or the metabolites of drugs. -- SB0635 HD2

Committee Reports: SSCR 691 (LRE/ JDC/) HSCR 1414 (LAB) HSCR 1760 (JHA)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 329B- (1 SECTION), 329B-2, 329B-3, 329B-4, 329B-5

SB0638 SD1 HD2 (HSCR 1836) RELATING TO TAXATION. Introduced by: Ihara L (586-6250)

Amends the general excise tax on any service business or calling to be 3 1/2 per cent for the calendar year 2000 and reduced 1/2 per cent yearly to 1/2 per cent for the calendar year 2006 and thereafter. Amends general excise tax provisions to include overhead. Overhead means a continuous or general costs occurring in the normal course of business. Amends wholesale sales of tangible personal property and sales to a licensed leasing company of capital goods. Adds sales of services to a licensed seller engaged in a business or calling in the context of service to service or service to goods. Amends services business or calling to include professional services. Requires certificate certifying sale at wholesale. -- Provides that the general excise tax on retailing shall not apply to sales of tangible personal property treated as a wholesale sale to a licensed seller engaged in a service business or calling or a person furnishing transient accommodations or sales of services treated as a wholesale sale to a licensed seller engaged in a business or calling, a contractor, or a person furnishing transient accommodations. -- Amends use tax provisions to include a person engaged in a service business or calling or a person furnishing transient accommodations in which the import or purchase of tangible personal property would be qualified as a sale at wholesale. -- SB0638 HD2

Committee Reports: SSCR 718 (WAM) HSCR 1425 (EDB) HSCR 1836 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 237- (1 SECTION), 237-1, 237-4, 237-7, 237-13, 237-16, 238-2

SB0646 SD2 HD3 CD1 (CCR 123) RELATING TO GOVERNMENT. Introduced by: Ihara L (586-6250)

Amends provisions relating to copies of records and other costs or fees. Provides that the cost of reproducing any government records, except geographic information system digital data, shall not be less than 5 cents per page, or sheet. -- Amends provision relating to the Barbers Point (Kalaeloa) naval air station redevelopment commission. Authorizes the commission to establish advisory committees. Amends

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provision relating to general powers of the commission. Provides that the commission may arrange for interim services such as utilities, roadway maintenance and security to the owners of properties being conveyed by the Navy under the base realignment and closure action, and recoup costs for services from the property owners. -- Establishes the Kapolei recreational sports complex special fund. Appropriates funds pursuant to the stadium authority provision relating to contracts. Provides that all funds be separate from the stadium special fund. Requires the use of funds for payment of expenses of operation, maintenance, promotion, management and financing costs of any capital improvement project. Provides that all services be performed by persons hired by contract or otherwise, without regard to civil service and compensation provisions. Requires the authority to annually report to the legislature on all receipts and expenditures. -- Amends chapter relating to stadiums. Changes title to stadiums and recreational facilities and includes the maintenance, operation, management and promotion of the Kapolei recreational sports complex of the stadium authority within the department of accounting and general services. Provides that contracts benefit both the state and the contractor, and may contain revenue sharing incentives based on increased usage of the complex. -- Amends provisions relating to security personnel, enforcement and penalty -- Establishes the Hawaii performance partnership board, within the office of the governor, on a special and temporary basis. Annual report to the governor, the legislature, and the public. -- Amends provisions relating to the special land and development fund. Authorizes the use of funds for planning, development, management, operations or maintenance of all lands and improvements. Requires the director of finance to transfer unexpended balances of the industrial park special fund, on June 30, 1999, to the special land and development fund. -- Amends provisions relating to agricultural parks by establishing the rights of holders of security interests. -- Amends provisions relating to lease restrictions for public lands. -- Amends provisions relating to publication of notices. Requires the comptroller to determine a publication pursuant to the public procurement code for all government agencies. -- Authorizes the director of finance to invest state money in Federal Agricultural Mortgage Corporation notes and bonds, and repeals investing in joint stock farm loan bonds. -- Establishes individual development accounts law. Provides that an individual shall enter into an individual development account agreement with a fiduciary organization and the income of the household shall not exceed 80 per cent of the area household median income. Requires the organization to serve as an intermediary between account holders and financial institutions holding accounts, including marketing participation, soliciting matching contributions, counseling program participants, and conducting verification and compliance activities. Provides that the department of human services and the housing and community development corporation shall collaborate with individual development account fiduciary organizations to ensure that the accounts will be disregarded in the determination of benefits account holders may receive from the department. Requires the State to match individual development accounts, up to 100,000 dollars per calendar year for 5 years. Exempts all moneys contributed into the account, including state and private matches, individual savings, and earned interests, from taxation. Provides an income tax credit for individuals, organizations, or businesses contributing matching funds for the accounts. Requires each fiduciary organization running a program to annually report to the legislature. Requires the department of taxation to submit proposed legislation establishing a tax credit for individual development accounts. -- Amends provision relating the interagency federal revenue maximization revolving fund. -- Amends Act 11 special session laws of 1995, by repealing the sunset date. -- Appropriation to the department of education and department of health from the interagency federal revenue maximization revolving fund. (\$\$) -- SB0646 CD1

Committee Reports: SSCR 217 (GOH) SSCR 767 (WAM) - filed FLOOR
AMENDMENT 14 HSCR 1131 (WLU) HSCR 1329 (JHA) HSCR 1846 (FIN) CCR 123

Current Status:
May-04 99 Passed Legislature

Sections Affected: 92-21, 206G-3, 206G-4, 109- (1 SECTION), 109-1, 109-2, 109-3, 109-5, 109-7, 171-19, 166- (1 SECTION), 171-21, 171-36, 1-28.5, 36-21, (11 SECTIONS) INDIVIDUAL DEVELOPMENT ACCOUNTS, 29-24, ACT 11 1995 1SP

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- SB0663 SD1 HD1 (HSCR 1244) RELATING TO MOTOR VEHICLE REGISTRATIONS. Introduced by: Kawamoto C (586-6970)
- Increases the time that a person who has purchased a new motor vehicle which has attached a temporary number plate (license plate) has to register the new motor vehicle from 20 days to 30 days after taking possession of the motor vehicle. -- SB0663 HD1
Committee Reports: SSCR 29 (TIA) HSCR 1244 (TRN) HSCR 1752 (FIN)
- Current Status:
May=04 99 Passed Legislature
- Sections Affected: 249-7.5
- SB0664 SD1 HD1 CD1 (CCR 21) RELATING TO SPECIAL NUMBER PLATES. Introduced by: Kawamoto C (586-6970)
- Amends the special number plates (license plates) provisions to allow the director of finance to discard and allow for new applications of inactive special number plates that have not been assigned or registered during the preceding 3 years. Establishes provisions for organizations to apply for a special number plate with the county director of finance. Includes an applicant serving the US in the military or as a civilian, on Oahu, or off shore at a distance of not more than 3 miles at the time of the December 7, 1941, attack on Pearl Harbor.-- SB0664 CD1
Committee Reports: SSCR 30 (TIA) HSCR 1245 (TRN) HSCR 1744 (FIN) CCR 21
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 249-9, 249-9.1, 249-9.2, 249-9.3
- SB0676 SD1 HD2 CD1 (CCR 24) RELATING TO COMMERCIAL DRIVER'S LICENSES. Introduced by: Kawamoto C (586-6970)
- Changes the category 3 of motor vehicles for motor vehicle driver's licenses by increasing the gross vehicle weight rating for the category for buses designed to transport 15 or fewer occupants and trucks and vans from 11,000 pounds to 15,000 pounds and increases the weight for category 4 from 11,001 pounds to 15,001 pounds. -- SB0676 CD1
Committee Reports: SSCR 32 (TIA) HSCR 1319 (TRN) HSCR 1669 (CPC) CCR 24
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 286-102
- SB0700 SD2 HD1 CD1 (CCR 25) RELATING TO LOW-SPEED VEHICLES. Introduced by: Bunda R (586-6090)
- Establishes registration and operating provisions for neighborhood electric vehicles which includes a vehicle that is emission free, designed to carry 4 or fewer persons, is designed and operated at speeds of 25 miles per hour or less, has at least 4 wheels, has an unladen weight of less than 1,800 pounds, and conforms to the minimum safety equipment requirements as adopted in the Federal Motor Vehicle Safety Standard No. 500. Provides that the neighborhood electric vehicle shall not be operated faster than 25 miles per hour or be driven on a highway with a speed limit of more than 35 miles per hour. -- SB0700 CD1
Committee Reports: SSCR 242 (TIA) SSCR 710 (CPN) HSCR 1241 (TRN) HSCR 1704 (JHA) CCR 25
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 286-2, 286-41, 291C- (1 SECTION), 291C-1, 291C-53, 291C-130
- SB0709 SD1 HD2 CD1 (CCR 22) RELATING TO TRAFFIC ENFORCEMENT. Introduced by: Matsunaga M (586-7100)

SENATE BILLS WHICH PASSED THE LEGISLATURE

Changes the photo red light imaging and photo speed imaging detector demonstration project to the traffic enforcement demonstration project and amends Act 234, session laws of 1998. Defines photo technology system to include hand held or mounted video cameras, conventional cameras, and digital cameras that are used to improve traffic enforcement and reduce traffic congestion by producing photographic identification of a vehicle which crosses longitudinal traffic lane markings in violation of longitudinal traffic lanes markings provisions. Allows the counties to establish photo technology systems. -- SB0709 CD1

Committee Reports: SSCR 244 (TIA) SSCR 884 (JDC) HSCR 1246 (TRN) HSCR 1835 (FIN) CCR 22

Current Status:

May-04 99 Passed Legislature

Sections Affected: 286-45, 286-172, 291C-38, 291C-163, 291C-165, ACT 234 1998

SB0716

RELATING TO THE NATURAL ENERGY LABORATORY. Introduced by: Matsunaga M (586-7100)

Changes the provision which allows the natural energy laboratory of Hawaii authority to engage in 1 retail concession activity and 1 tour related activity to engage in retail, commercial, or tourism activities that will financially support that research, development, and commercialization at a research and technology park in Hawaii. -- SB0716

Committee Reports: SSCR 5 (ECD) SSCR 655 (WAM) HSCR 1154 (EDB/ TSM/) HSCR 1750 (FIN)

Current Status:

Apr-15 99 Received by the Governor

Apr-26 99 Approved by Governor (Act 38 1999)

Sections Affected: 227D-1, 227D-2, 227D-3

SB0737 SD2 HD1 (HSCR 1339)

RELATING TO NOISE. Introduced by: Sakamoto N (586-8585)

Exempts any construction project of a dwelling or with a total cost of less than 250,000 dollars from the noise permit requirements. Provides that a written notification of the intent to construct shall be submitted to the department of health by the person responsible for the construction project, and shall include the type of construction, the location, the estimated duration of the construction project and acknowledgment that the project shall be subject to operational times and a maximum noise level of 78 dBA at any point at or beyond the property line of the construction project. Provides that noise permit requirements shall apply to any construction project that emits noise in excess of the maximum permissible sound levels established under the state community noise code or that utilizes hoe rams or pile drivers. Allows the director to establish reasonable fees for notifications and to cover the cost of implementation, recordkeeping, and any necessary inspections to ascertain compliance with the state community noise rules. -- SB0737 HD1

Committee Reports: SSCR 209 (LRE) SSCR 758 (HHS) HSCR 1339 (EEP) HSCR 1753 (JHA)

Current Status:

Apr-28 99 Received by the Governor

Sections Affected: 342F- (2 SECTIONS)

SB0738 SD1 HD1 (HSCR 1340)

RELATING TO NOISE POLLUTION. Introduced by: Sakamoto N (586-8585)

Requires the director of health to approve or reject a properly completed noise permit application within 30 days (instead of 180 days). Requires the director to approve or reject an application within 90 days of receipt which the director deems a public informational meeting, hearing or notice is appropriate. Provides that an additional 90 days shall be given if the director determines that extraordinary circumstances exists on the application. -- SB0738 HD1

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Committee Reports: SSCR 142 (LRE) SSCR 759 (HHS) HSCR 1340 (EEP) HSCR 1754 (JHA)

Current Status:
Apr-28 99 Received by the Governor

Sections Affected: 342F-4

SB0776 HD1 (HSCR 1530)

RELATING TO FINANCIAL SERVICES LOAN COMPANIES. Introduced by: Taniguchi B (586-6460)

Amends provisions relating to required reserve for a depository financial services loan company by including the securities listed on the Nasdaq National Market of the Nasdaq Stock Market. -- SB0776 HD1
Committee Reports: SSCR 568 (CPN) HSCR 1530 (CPC)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 412:9-401

SB0777 SD2 HD1 CD1 (CCR 28)

RELATING TO FORECLOSURES. Introduced by: Taniguchi B (586-6460)

Amends provisions relating to the alternate power of sale foreclosure process. Amends provisions relating to notice of default. Requires foreclosing mortgagee to include with the 1st notice of default required public information or a copy of the alternate power of sale foreclosure process provision, with an exemption prior to January 1, 2000. -- Amends provision relating to conveyance of property on payment of purchase price and the distribution of sale proceeds. Requires the conveyance document be signed by the foreclosing mortgagee in the foreclosing mortgagee's name and as attorney in fact for the mortgagor. -- Amends provisions relating to affidavits after public sale. Repeals and replaces public information requirement. -- Repeals foreclosure under power of sale, notice to mortgage creditors, notice, construction, contents, affidavit as evidence, and application of this part provisions. -- SB0777 CD1
Committee Reports: SSCR 417 (CPN) SSCR 855 (JDC) HSCR 1694 (CPC/ JHA/ CCR 28

Current Status:
May-04 99 Passed Legislature

Sections Affected: 667-22, 667-25, 667-31, 667-32, 667-41, 667-5, 667-6, 667-7, 667-8, 667-42

SB0779 SD2 HD2 (HSCR 1847)

RELATING TO DENTAL HYGIENISTS. Introduced by: Taniguchi B (586-6460)

Amends provisions relating to dental hygienists by establishing educational and certification requirements for administering intra oral infiltration local anesthesia and intra oral block anesthesia in conjunction with the hygienist's delivery of hygiene services and only under the direct supervision of a dentist. -- SB0779 HD2
Committee Reports: SSCR 507 (HHS) SSCR 692 (CPN) HSCR 1337 (HLT) HSCR 1847 (CPC)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 447- (1 SECTION), 448- (1 SECTION), 447-1, 447-3

SB0788 SD2 HD2 CD1 (CCR 49)

RELATING TO TAXATION. Introduced by: Levin A (586-6760)

Changes the tobacco tax on every wholesaler or dealer to be upon the sale or use of cigarettes and paid by licensees through the use of stamps. Allows the department of taxation to enter into agreements for the sale of stamps by designated financial institutions. Establishes penalties. Establishes a state stamp fee to pay for the costs

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to the State of providing the stamps. Provides that a portion of tax shall be paid to the county liquor commissions, police departments, attorney general, and prosecuting attorneys for enforcement purposes. Adds the cigarette tax and tobacco tax laws under the jurisdiction of the liquor commission. Appropriation to the department of taxation for start up costs for implementing the cigarette tax system. Appropriation to the county liquor commissions. Report by the director of taxation on the effectiveness of this Act. Report by the county liquor commissions on their activities relating to this Act. Act to repealed on June 30, 2005 (sunset). (\$\$) -- SB0788 CD1

Committee Reports: SSCR 494 (HHS) SSCR 723 (WAM) HSCR 1259 (HLT) HSCR 1832 (FIN) CCR 49

Current Status:

May-04 99 Passed Legislature

Sections Affected: 245- (27 SECTIONS) STAMPING OF CIGARETTES, 245-1, 245-3, 245-5, 245-6, 245-8, 245-15, 281-17

SB0798 SD2 HD2 CD1 (CCR 101) RELATING TO NOISE. Introduced by: Fukunaga C (586-6890)

Amends provision relating to regulation of public nuisances. Provides that an ordinance shall not be effective to the extent that it is inconsistent with any noise rule adopted by the department of health under authority of the noise pollution law. -- Amends provisions relating to the effect of noise pollution laws, ordinances and rules. Provides that in a case of conflict between the state and county law shall be resolved by the statute relating to regulation of public nuisances, that provides the most protection to the public shall apply. -- SB0798 CD1

Committee Reports: SSCR 354 (LRE/ HHS/) SSCR 728 (WAM) HSCR 1341 (EEP) HSCR 1705 (JHA) CCR 101

Current Status:

May-04 99 Passed Legislature

Sections Affected: 46-17, 342F-20

SB0808 RELATING TO LIQUOR LICENSES. Introduced by: Fukunaga C (586-6890)

Allows the liquor commission to revoke, suspend, or place conditions or restrictions on any intoxicating liquor license to prevent activities within the licensed premises or adjacent areas under the licensee's control that are potentially injurious to the health, safety, and welfare of the public including assault. -- SB0808

Committee Reports: SSCR 58 (TIA) SSCR 579 (CPN) HSCR 1739 (CPC/ JHA)

Current Status:

Apr-15 99 Received by the Governor

Apr-26 99 Approved by Governor (Act 39 1999)

Sections Affected: 281-61

SB0809 SD2 HD1 CD1 (CCR 3) RELATING TO BOATING. Introduced by: Fukunaga C (586-6890)

Amends provisions relating to the purpose and use of small boat harbors. Provides that the department of land and natural resources shall allow a sole proprietor of a catamaran operating with a valid commercial registration certificate issued for a commercial catamaran to land its commercial catamaran on Waikiki beach and to operate upon Waikiki shore waters for hire, to transfer the ownership of the vessel from personal ownership to corporate or other business ownership without terminating the right to operate under the commercial registration certificate. Requires the certificate to be reissued in a timely manner in the name of the transferee corporation or other business entity. Provides that any corporation holding a valid commercial registration certificate issued by the department as of January 1, 1999, to operate a commercial catamaran upon Waikiki shore waters for hire and to land on Waikiki beach shall not have its commercial registration certificate revoked on the basis of a past error or omission executed by the department in allowing the transfer of ownership of the vessel from personal ownership to corporate or other business

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ownership. -- SB0809 CD1

Committee Reports: SSCR 71 (ECD) SSCR 601 (WAM) HSCR 1692 (OMR) CCR 3

Current Status:

May-04 99 Passed Legislature

Sections Affected: 200-9

SB0816 SD1 HD2 CD1 (CCR 113) RELATING TO THE CONVENTION CENTER. Introduced by: Inouye L (586-7335)

Amends provision relating to exemptions to transfers from special funds for central service and special fund reimbursements for departmental administrative expenses, by including the convention center capital and operations special fund. -- Amends provision relating to the convention center authority. Provides that rent, fees, charges or other payments may be waived or discounted if the authority determines it is in the best interest of the facility or State by attracting new tourist markets or conventioners. Requires reimbursements to the general fund be in accordance with a schedule determined by the director of finance, with the governors approval, in the best interest of the State. -- Changes the convention center capital special fund to the convention center capital and operations special fund. Repeals the convention center operations special fund. Requires the director of finance to transfer funds. -- Amends Act 96, session laws of 1988, as amended by Act 159, session laws of 1992, Act 241, session laws of 1993, Act 75, session laws of 1994, and Act 156, session laws of 1998, relating to the convention center authority, by extending the sunset date to June 30, 2000. Requires the auditor to continue to audit and monitor progress by the authority in resolving outstanding issues and problems. Report to the legislature. --

Appropriation to the department of business, economic development, and tourism.

(\$\$) -- SB0816 CD1

Committee Reports: SSCR 6 (ECD) SSCR 729 (WAM) HSCR 1419 (TSM) HSCR 1822 (FIN) CCR 113

Current Status:

May-04 99 Passed Legislature

Sections Affected: 36-27, 36-30, 206X-4, 206X-7, 206X-10.5, 237D-6.5, 206X-10.6, ACT 96 1988, ACT 159 1992, ACT 241 1993, ACT 75 1994, ACT 156 1998, ACT 216 1997, ACT 142 1998

SB0822 SD2 HD2 CD1 (CCR 45) RELATING TO HEALTH INSURANCE. Introduced by: Chun Oakland S (586-6130)

Allows any religious employer to request a health maintenance plan without coverage for contraceptive health care services and supplies that are contrary to the religious employer's religious tenets. Requires the health insurer, mutual benefit society, or health maintenance organization (HMOs) to provide a health plan without coverage for contraceptive health care services and supplies. Provides that enrollees in such a health plan may purchase coverage of prescription contraceptive drugs and devices and outpatient contraceptive services from the health insurer at a pro rata share of the price the group purchaser would have paid. -- Requires employer group health policies, contracts, plans or agreements under accident and sickness provisions, and employer group health policies, contracts, plans, or agreements under mutual benefit societies provisions that provide coverage for pregnancy related services to cease excluding contraceptive services or supplies. Adds that contraceptive services includes nurse practitioner delivered. Also provides that coverage for oral contraceptives include at least 1 brand from monophasic, multiphasic, and the progestin only categories. -- Requires the insurance commissioner to review the experience of employers in providing coverage of contraceptive services and supplies. Report to the legislature. -- SB0822 CD1

Committee Reports: SSCR 475 (HHS) SSCR 712 (CPN) HSCR 1429 (CPC) HSCR 1838 (FIN) CCR 45

Current Status:

May-04 99 Passed Legislature

Sections Affected: 431:10A- (1 SECTION), 431:10A-116.6, 432:1-604.5

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- SB0823 SD1 HD2 CD1 (CCR 26) RELATING TO SENTENCING. Introduced by: Chun Oakland S (586-6130)
- Establishes provision relating to sentencing in domestic violence offenses committed in the presence of a minor. Requires the court to consider in sentencing, conviction of committing or attempting to commit an offense involving domestic violence, is or has been a family or household member of the minor or victim, the offense contemporaneously occurred in the presence of a minor. Adds definition of offense and in the presence of a minor. -- SB0823 CD1
Committee Reports: SSCR 832 (JDC) HSCR 1390 (HSH) HSCR 1761 (JHA) CCR 26
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 706- (1 SECTION)
- SB0829 SD1 HD1 (HSCR 1464) RELATING TO THE HAWAII RULES OF EVIDENCE. Introduced by: Chun Oakland S (586-6130)
- Amends rules of evidence, relating to sex offense and sexual harassment, and the relevance of the victim's past behavior. Provides that in civil cases opinion evidence, reputation evidence, evidence of specific instances of plaintiff's sexual conduct, is not admissible unless the injury is loss of consortium. Authorizes a defendant to cross examine a witness who gives testimony relating to the plaintiff's sexual conduct, or evidence offered to attack the plaintiff's credibility. -- SB0829 HD1
Committee Reports: SSCR 899 (JDC) HSCR 1464 (JHA)
- Current Status:
May=04 99 Passed Legislature
- Sections Affected: 626-1 RULE 412
- SB0830 SD1 HD2 CD1 (CCR 159) RELATING TO HEALTH INSURANCE REIMBURSEMENT. Introduced by: Chun Oakland S (586-6130)
- Requires accident and sickness insurers, mutual benefit societies, dental service corporations, and health maintenance organizations (HMOs) to reimburse a claim within 30 calendar days after receiving the claim filed in writing or 15 calendar days after receiving the claim filed electronically. Establishes time periods for a claim that is contested or denied or requires more time for review. Allows interest at a rate of 15 per cent a year for money owed. Act to be repealed on July 1, 2002 (sunset). -- SB0830 CD1
Committee Reports: SSCR 649 (CPN) HSCR 1430 (CPC) HSCR 1713 (FIN) CCR 159
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 431:13- (1 SECTION), 478-8
- SB0844 SD2 HD2 CD1 (CCR 158) RELATING TO HEALTH INSURANCE. Introduced by: Chun Oakland S (586-6130)
- Amends mental health, alcohol, and drug abuse treatment insurance provisions by including the definition of serious mental illness. Prohibits a health insurance plan to impose rates, terms, or conditions including service limits and financial requirements on serious mental illness benefits if similar rates, terms, or conditions are not applied to services for other medical or surgical conditions. -- Establishes the Hawaii equal insurance task force, within the department of health to study the financial and social implications of mandated equal mental health and substance abuse insurance coverage. Report to the legislature and the governor. Task force shall be dissolved following the submittal of the report (sunset). Act repealed on July 1, 2005 (sunset). -- SB0844 CD1
Committee Reports: SSCR 479 (HHS) SSCR 650 (CPN) HSCR 1193 (HLT) HSCR 1432 (CPC) HSCR 1807 (FIN) CCR 158
- Current Status:

SENATE BILLS WHICH PASSED THE LEGISLATURE

May-04 99 Passed Legislature

Sections Affected: 431M-1, 431M-4, 431M-5

SB0889 SD1 HD1 CD1 (CCR 104) RELATING TO THE JUDICIARY. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating to prohibited ownership or possession of a firearm or ammunition. Provides that a person who is restrained pursuant to an order of any court, that good cause shall not be based solely upon the consideration that a person is required to possess or carry firearms or ammunition during the course of their employment, and shall include the protection and safety of the person to whom a restraining order is granted. Amends exemptions to firearms and dangerous weapons statutes. -- Amends provision relating to penalties and procedure on arrest, by increasing the court assessment for issuing a penal summons for failure to appear for a traffic violation. -- SB0889 CD1

Committee Reports: SSCR 171 (JDC) SSCR 633 (WAM) HSCR 1289 (JHA) HSCR 1681 (FIN) CCR 104

Current Status:

May-04 99 Passed Legislature

Sections Affected: 134-7, 134-11, 291C-161

SB0896 SD1 HD1 (HSCR 1700) RELATING TO GUARDIANSHIP PROCEEDINGS. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating notices in guardianship proceedings. Provides that for good cause the court may waive notice to a ward's spouse, legal parents, adult children, guardian or grandparent, upon showing reasonable efforts have been made to ascertain the identity and address. -- SB0896 HD1

Committee Reports: SSCR 834 (JDC) HSCR 1700 (JHA)

Current Status:

May=04 99 Passed Legislature

Sections Affected: 560:5-309

SB0901 SD2 HD1 (HSCR 1290) RELATING TO THE JUDICIARY COMPUTER SYSTEM SPECIAL FUND. Introduced by: Mizuguchi N (BR) (586-6870)

Amends Act 203, session laws of 1996. Repeals the sunset date of June 30, 2000. -- SB0901 HD1

Committee Reports: SSCR 175 (JDC) SSCR 634 (WAM) HSCR 1290 (JHA) HSCR 1682 (FIN)

Current Status:

May=04 99 Passed Legislature

Sections Affected: Act 203 1996

SB0919 SD1 HD1 CD1 (CCR 40) RELATING TO ROBBERY. Introduced by: Mizuguchi N (BR) (586-6870)

Amends the provisions relating to robbery in the 1st degree in which a person is armed with a dangerous instrument, by including a person who threatens imminent use of force against the person of anyone present with intent to take or escape with property, and by including an animal within the definition of dangerous instrument. -- Amends provision relating to robbery in the 2nd degree, by including a person who threatens imminent use of force against the person of anyone present with intent to take or escape with property. Provides that in both 1st and 2nd degree, the offense is committed regardless of whether the person threatened is aware of the taking of property. -- SB0919 CD1

Committee Reports: SSCR 835 (JDC) HSCR 1465 (JHA) CCR 40

SENATE BILLS WHICH PASSED THE LEGISLATURE

Current Status:
May-04 99 Passed Legislature

Sections Affected: 708-840, 708-841

SB0921 HD1 CD1 (CCR 105)

RELATING TO DISTRICT COURT. Introduced by: Mizuguchi N (BR) (586-6870)

Establishes provision relating to the failure to pay monetary assessment within the adjudication of traffic infractions provisions. Provides that any person who fails to pay a default judgment on any traffic infraction, and fails to appear at the place and within the time specified in the summons, the court shall issue a bench warrant. Requires the attorney general, upon delinquency, to initiate civil proceedings to collect. -- SB0921 CD1

Committee Reports: SSCR 886 (JDC) HSCR 1291 (JHA) HSCR 1683 (FIN) CCR 105

Current Status:
May-04 99 Passed Legislature

Sections Affected: 291D-10

SB0922 SD1 (SSCR 887)

RELATING TO UNAUTHORIZED CONTROL OF PROPELLED VEHICLE. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating to unauthorized control of a propelled vehicle to include knowingly exerting unauthorized control of another's propelled vehicle. -- SB0922 SD1
Committee Reports: SSCR 19 (TIA) SSCR 887 (JDC) HSCR 1459 (JHA)

Current Status:
Apr-06 99 Received by the Governor
Apr-12 99 Approved by Governor (Act 11 1999)

Sections Affected: 708-836

SB0942 SD1 HD1 CD1 (CCR 4)

RELATING TO HUNTING. Introduced by: Matsuura D (586-7788)

Requires (instead of allows) the department of land and natural resources to establish, maintain, manage and operate game management areas, wildlife sanctuaries, and public hunting areas. Defines game management area and public hunting area. Amends the powers and duties of the department, by including to preserve, protect and promote public hunting. -- SB0942 CD1

Committee Reports: SSCR 126 (ECD) SSCR 656 (WAM) HSCR 1176 (WLU) HSCR 1751 (FIN) CCR 4

Current Status:
May-04 99 Passed Legislature

Sections Affected: 183D-4, 183D-2

SB0947 SD2 HD1 CD1 (CCR 30)

RELATING TO TELEMARKETING FRAUD. Introduced by: Kanno B (586-6830)

Establishes the telemarketing fraud prevention law. Provides criteria for unfair deceptive acts or practices and abusive telemarketing acts or practices. Requires every telephone solicitor to keep true and accurate records of all telemarketing activities in this State or directed to consumers located in this State. Records shall be made available to any governmental entity with authority to enforce telemarketing fraud. Provides that records shall be kept for 2 years. Provides exemptions. Provides that a contract or agreement made as a result of telemarketing activity that is in violation is voidable by the consumer for any reason at any time, shall not be enforced against the consumer, and any debt arising therefrom shall not be reported to a credit reporting agency. -- SB0947 CD1

Committee Reports: SSCR 379 (CPN) SSCR 860 (JDC) HSCR 1695 (CPC/ JHA/)
CCR 30

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Current Status:
May-04 99 Passed Legislature

Sections Affected: (8 SECTIONS) TELEMARKETING FRAUD PREVENTION ACT

SB0949 SD1 HD2 (HSCR 1785)

RELATING TO THE UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION.
Introduced by: Kanno B (586-6830)

Establishes uniform unincorporated nonprofit association law to provide for acquisition, encumbrance, or transfer of real and personal property by unincorporated nonprofit associations. Establishes criteria for recording and disposition of estates and interests in property, rights in civil proceedings, and immunity to liability for members and officers. -- SB0949 HD2

Committee Reports: SSCR 90 (CPN) SSCR 861 (JDC) HSCR 1136 (EDB) HSCR 1397 (CPC/ JHA) HSCR 1785 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: (13 SECTIONS) UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT

SB0951 SD1 HD1 CD1 (CCR 124)

RELATING TO EMPLOYEE BENEFIT PLANS. Introduced by: Kanno B (586-6830)

Provides that the university of Hawaii, and the State shall not be liable for sums deferred or the results of any investment product. Changes the employees' annuity contracts law to the employees' annuity and custodial account contracts law. Allows the university of Hawaii to invest in a custodial account for employees. -- SB0951 CD1
Committee Reports: SSCR 338 (EDU) SSCR 658 (WAM) HSCR 1307 (LAB) HSCR 1745 (FIN) CCR 124

Current Status:
May-04 99 Passed Legislature

Sections Affected: 303- (1 SECTION), 303-1, 303-2, 303-3, 303-4

SB0953 SD2 HD2 CD1 (CCR 151)

RELATING TO NATURAL AND CULTURAL RESOURCES. Introduced by: Hanabusa C (586-7793)

Establishes a stewardship and partnering program within the office of environmental quality control to be funded by the environmental special fund. Establishes the environmental special fund to be funded by appropriations by the legislature to the environmental special fund and by gift, grants and other funds. Provides that the fund be used for salaries and expenses of the office of environmental quality control. Allows the program to acquire and hold a site for subsequent conveyance to the appropriate public agency or nonprofit corporation, if any state, local, or federal public agency or any nonprofit organization is unable to acquire an interest in real property. -- Exempts all revenues and receipts, any right, title and interest derived by the authority from any project or project agreement or other agreement, from state taxes, except as otherwise provided by law. Provides that the program shall not be subject to Hawaii public procurement code and any and all other requirements of law for competitive bidding for project agreements, construction contracts, lease and sublease agreements, or other contracts. Exempts the fund from being transferred to the general fund for central service and administrative expenses. Requires the office of environmental quality to provide assistance to the authority beginning July 1, 1999. -- Amends the findings and purpose provisions relating to the environmental quality control. -- Changes the number of member of the environmental council from no more than 15 to 16 members. Adds that members of the council shall represent landowner and the native Hawaiian community. Provides that the council shall be the liaison between the director of health, the administrator, and the general public. -- Provides definitions. Amends Act 216, session laws of 1997 and Act 142, session laws of 1998. -- SB0953 CD1

Committee Reports: SSCR 355 (LRE/ ECD/ WLH/) SSCR 779 (WAM) HSCR 1353 (EEP) HSCR 1793 (FIN) CCR 151

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Current Status:
May-04 99 Passed Legislature

Sections Affected: 341- (8 SECTIONS) STEWARDSHIP AND PARTNERING PROGRAM, 341-2, 36-27, 36-30, 341-1, 341-3, 341-6, ACT 216 1997, ACT 142 1998

SB0957 SD2 HD1 CD1 (CCR 10)

RELATING TO MOTOR VEHICLE INSURANCE. Introduced by: Taniguchi B (586-6460)

Amends Act 251, session laws of 1997, by requiring the motor vehicle insurance benefits task force to develop a comprehensive plan for balancing the maximum coverage and benefits for victims of motor vehicle accidents with the lowest possible cost for the purchasers. Also extends the final report of its recommendations from 1999 to June 30, 2000 (sunset). -- Changes the provision which provides no fault motor vehicle insurance to licensed drivers or unlicensed permanently disabled individuals unable to operate their motor vehicles, who are receiving public assistance benefits consisting of medical services or direct cash payments, by adding those who received public assistance benefits in the form of medical services prior to July 1, 1994, and are still receiving benefits. -- SB0957 CD1

Committee Reports: SSCR 405 (CPN) SSCR 587 (WAM) HSCR 1698 (CPC/ HSH/ CCR 10

Current Status:
May-04 99 Passed Legislature

Sections Affected: Act 251 1997, 431:10C-407

SB1003 SD1 HD1 CD1 (CCR 38)

RELATING TO CHILD SUPPORT ENFORCEMENT. Introduced by: Fukunaga C (586-6890)

Establishes provisions relating to notice to parties with children. Requires the court or the office of child support hearings to provide notice to each party informing them of the opportunity to enter into an alternative arrangement for direct payment of child support, when a party files for divorce and minor children are involved, or when a party institutes a proceeding under child support enforcement. Requires interest earned from the special interest bearing account for child support payments to be used to improve the child support enforcement agency's ability to promptly disburse payments to the custodial parent. -- Amends provisions relating to the administrative process for child support enforcement by authorizing the hearings officers to enter orders permitting alternative arrangements for child support collection and disbursal. -- SB1003 CD1

Committee Reports: SSCR 837 (JDC) HSCR 1230 (HSH) HSCR 1809 (FIN) CCR 38

Current Status:
May-04 99 Passed Legislature

Sections Affected: 580- (1 SECTION), 576D-10, 576E-10, 576E-16

SB1011 HD2 (HSCR 1841)

RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating to the establishment of a state foundation on culture and the arts. Requires the foundation to be placed within the department of accounting and general services for administrative purposes. Provides that the foundation shall be governed by a policy making and oversight commission to be known as the state foundation on culture and the arts commission. Provides that the commission shall appoint an executive director of the foundation. Provides criteria. Requires the foundation to review, revise, and complete the Hawaii content and performance standards in the arts for all K - 12 grade students, and develop a strategic plan for arts education, in consultation with the department of education, the colleges of education and arts and humanities of the university of Hawaii. Requires each agency receiving capital improvement appropriations to calculate 1 per cent, pursuant to the comptroller's criteria, and transfer monies into the special fund. Provides that the comptroller and the executive director shall track amounts due from each agency

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under the 1 per cent requirement . Defines commission. -- SB1011 HD2
Committee Reports: SSCR 113 (EDU) SSCR 659 (WAM) HSCR 1226 (CAR) HSCR
1841 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 9-1, 9-2, 9-3, 103-8.5

SB1016 SD1 HD1 (HSCR 1824) RELATING TO ADMINISTRATIVE RULES. Introduced by: Mizuguchi N (BR)
(586-6870)

Establishes provisions relating to fee for copies and limitations. Provides that any agency may establish and charge fees for copies of proposed rules, rule amendments, adopted rules, statutes or agency rules, provided that the fees shall reflect actual reproductions costs and in any case not exceed the rate of 10 cents a page plus actual mailing costs. Exempts copies of agency rules obtained from the office of the lieutenant governor. Provides that the cost of reproduction shall not include charges for search and actual time for reproducing a government record. Further provides that as of January 1, 2000, through the office of the lieutenant governor, the proposed rulemaking action and the full text of the proposed rule and the changes to existing rules shall be posted on the world wide web internet site. -- SB1016 HD1
Committee Reports: SSCR 177 (JDC) SSCR 637 (WAM) HSCR 1285 (JHA) HSCR
1824 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 91- (2 SECTIONS), 91-3, 91-4.1, 91-5, 92-21, 92-24, 92-28

SB1018 SD1 HD2 CD1 (CCR 46) RELATING TO THE DRUG FORMULARY. Introduced by: Mizuguchi N (BR)
(586-6870)

Amends drug product selection provisions to allow the board of health to adopt the Orange Book and its supplements as the state drug formulary of equivalent drug products. Defines the Orange Book as the US Food and Drug Administration's Approved Drug Products publication and its cumulative supplements including a list of approved prescription drug products with therapeutic equivalence evaluations. Requires the board, upon adoption, to notify all pharmacies and other interested parties of the changes within 30 working days. Also allows the board to establish as rules a Hawaii additions and deletions list. Prohibits a pharmacist to substitute an equivalent drug product for any prescription for an anti epileptic drug. Requires each pharmacy to obtain, maintain, and update the Book, and obtain the additions and deletions list. -- SB1018 CD1
Committee Reports: SSCR 529 (HHS) HSCR 1221 (CPC) HSCR 1714 (FIN) CCR 46

Current Status:
May-04 99 Passed Legislature

Sections Affected: 328-91, 328-96

SB1021 HD1 (HSCR 1401) RELATING TO CLINICAL LABORATORY PERSONNEL. Introduced by: Mizuguchi N
(BR) (586-6870)

Amends provisions to allow the department of health, with approval of the governor, to adopt rules for public health or safety for occupations or practices of clinical laboratory directors, medical technologists (clinical laboratory scientists), clinical laboratory specialists, cytotechnologists, and medical laboratory technicians (clinical laboratory technicians). -- SB1021 HD1
Committee Reports: SSCR 530 (HHS) HSCR 1401 (CPC) HSCR 1676 (FIN)

Current Status:
May=04 99 Passed Legislature

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Sections Affected: 321-13

SB1024 SD3 HD1 CD1 (CCR 14) RELATING TO ENVIRONMENT. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating to environmental emergency response. Establishes a permanent exempt position of ecological risk assessor within the department of health. Positions shall be appointed by the director of health and be exempt from civil service and compensation provisions. Provides that funds for this position shall come from the environmental response revolving fund. -- Amends provisions authorizing the department of health to adopt rules necessary for the public health and safety by repealing sanitarians, asbestos inspectors, asbestos management planners, asbestos abatement project designers, lead inspectors, lead risk assessors, lead abatement workers, lead abatement supervisors, and lead abatement project designers from the department's responsibilities, and including environmental health professionals. -- SB1024 CD1

Committee Reports: SSCR 211 (LRE) SSCR 862 (JDC) - filed FLOOR AMENDMENT 17 HSCR 1151 (EEP) HSCR 1298 (JHA) HSCR 1794 (FIN) CCR 14

Current Status:
May-04 99 Passed Legislature

Sections Affected: 128D- (1 SECTION), 321-13

SB1026 HD1 (HSCR 1768) RELATING TO THE TRAINING OF EMERGENCY MEDICAL SERVICES PERSONNEL. Introduced by: Mizuguchi N (BR) (586-6870)

Amends the department of health duties to include the review and approval of the curricula and syllabi of training courses offered to emergency medical services personnel who provide basic, intermediate, and advanced life support. Requires the university of Hawaii to provide such training and courses. -- SB1026 HD1

Committee Reports: SSCR 531 (HHS) HSCR 1165 (HLT) HSCR 1768 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 321-224, 321-229

SB1032 SD1 HD2 CD1 (CCR 155) RELATING TO INVOLUNTARY PSYCHIATRIC TREATMENT. Introduced by: Mizuguchi N (BR) (586-6870)

Requires the director of health to convene a task force to study and make recommendations on the process and requisite criteria which psychiatric facilities and its staff obtain authorization to involuntarily administer psychoactive medication to persons who are involuntarily committed to inpatient psychiatric facilities and who refuse to take prescribed psychoactive medication. Report to the legislature. -- SB1032 CD1

Committee Reports: SSCR 760 (HHS/ WAM/) HSCR 1196 (HLT) HSCR 1762 (JHA) CCR 155

Current Status:
May-04 99 Passed Legislature

SB1034 SD1 HD2 CD1 (CCR 156) RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND. Introduced by: Mizuguchi N (BR) (586-6870)

Establishes the Hawaii tobacco settlement moneys law and the tobacco settlement special fund to be administered by the department of health. Provides that 40 per cent shall be appropriated to the emergency and budget reserve fund, 35 per cent to the department for health related programs including the children's health insurance fund, and 25 per cent to the Hawaii tobacco prevention and control trust fund. -- Establishes the emergency and budget reserve fund (rainy day fund) within the state treasury system, to be administered by the director of finance. Expenditures from the fund

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shall be a temporary supplement source of funding during times of emergency, economic downturn or unforeseen reduction in revenues. No expenditures shall be made from the fund except pursuant to appropriations approved by 2/3 vote of the members of each house of the legislature. -- Provides that up to 10 per cent of the department of health appropriated funds shall be transferred to the department of human services for the children's health insurance program. Authorizes fund expenditure for health promotion and disease prevention programs. Requires the director to convene an advisory group, separate from the tobacco prevention and control advisory board. -- Establishes the Hawaii tobacco prevention and control trust fund. Funds shall be expended to reduce cigarette smoking and tobacco use among youth and adults through education and enforcement activities, to control and prevent chronic diseases where tobacco use is a risk factor. Establishes the tobacco prevention and control advisory board in the department to develop a strategic plan. Exempts the Hawaii tobacco settlement special fund and the emergency budget and reserve fund from transfers from special funds for central service expenses, and special fund reimbursements for departmental administrative expenses provisions. Appropriation. (\$\$) -- SB1034 CD1
Committee Reports: SSCR 761 (HHS/ WAM/) HSCR 1258 (HLT) HSCR 1844 (FIN) CCR 156

Current Status:
May-04 99 Passed Legislature

Sections Affected: (6 SECTIONS) HAWAII TOBACCO SETTLEMENT MONEYS, 36-27, 36-30, ACT 216 1997, ACT 142 1998

SB1036 SD3 HD1 CD1 (CCR 13)

RELATING TO PERSONS WITH DISABILITIES. Introduced by: Mizuguchi N (BR) (586-6870)

Establishes the disability and communication access board within the department of health. Board to establish guidelines for the design of buildings and facilities by or on behalf of the State and counties; provide review and recommendations on all state and county plans for building and facilities; establish guidelines for the utilization of communication access services provided for persons who are deaf, hard of hearing, or deaf blind in state programs and activities; administer the statewide program for parking for disabled persons; serve as a public advocate of persons with disabilities; review and assess the problems and needs for persons with disabilities; serve as the designated state agency to coordinate the state's efforts to comply with the Americans with Disabilities Act (ADA); provide technical assistance and guidance to state and county entities to meet the requirements of state, federal, and county laws through public education programs and other voluntary compliance efforts; and administer funds. Annual report to the legislature and governor. -- Amends provisions relating to parking for disabled persons. Replaces the department of transportation with the access board to establish the fees and rules for disability windshield placards. -- Repeals the architectural access committee, the Hawaii state coordinating council on deafness, and the commission on persons with disabilities and transfers all rights, powers, functions, and duties to the disability and communication access board. Transfers all appropriations, equipment, supplies, contracts, documents, maps, and other personal property held by the commission, council, committee, or department of transportation to the access board. -- SB1036 CD1
Committee Reports: SSCR 483 (HHS) SSCR 673 (WAM) - filed FLOOR AMENDMENT 7 HSCR 1199 (HLT/ HSH/) HSCR 1797 (FIN) CCR 13

Current Status:
May-04 99 Passed Legislature

Sections Affected: (6 SECTIONS) DISABILITY AND COMMUNICATION ACCESS BOARD, 103-50, 201G-344, 291-51, 291-52, 291-56, 103-50.5, 347D-1, 347D-2, 347D-3, 347D-4, 347D-6, 348E-1, 348E-2, 348E-3, 348E-4, 348E-5, 348E-6, 348E-7

SB1049 SD2 HD1 (HSCR 1228)

RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS. Introduced by: Mizuguchi N (BR) (586-6870)

Amends foster child board allowances to include a person attending an accredited

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institution of higher learning on a part time basis for the 1st academic year, if approved by the director of human services. -- SB1049 HD1
Committee Reports: SSCR 443 (HHS) SSCR 625 (WAM) HSCR 1228 (HSH) HSCR 1678 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 346-17.4

SB1051 SD2 (SSCR 841)

RELATING TO DISCLOSURE OF DEPARTMENT OF HUMAN SERVICES' RECORDS. Introduced by: Mizuguchi N (BR) (586-6870)

Amends child abuse confidentiality provisions to allow the director of human services to adopt rules to provide for the release of information required by federal statute or regulation. -- SB1051 SD2
Committee Reports: SSCR 459 (HHS) SSCR 841 (JDC) HSCR 1209 (HSH) HSCR 1673 (FIN)

Current Status:
Apr-12 99 Received by the Governor
Apr-23 99 Approved by Governor (Act 34 1999)

Sections Affected: 346-10, 350-1.4

SB1055 SD1 HD1 (HSCR 1255)

RELATING TO UNCLAIMED FINANCIAL ASSISTANCE BENEFITS. Introduced by: Mizuguchi N (BR) (586-6870)

Amends department of human services provisions for unclaimed financial assistance balances in electronic benefit transfer accounts to provide that benefit refers to cash payments authorized by the department to be issued through the electronic benefit transfer system. Requires any balance of financial assistance benefits in an electronic benefit transfer account to revert back to the program's appropriation from which the funds were expended. Allows the department to use the balance of the household's electronic benefit transfer account to offset any outstanding overpayments still owed by the household prior to the funds being reverted. Repeals the provision which starts the 90 day waiting period after the effective date of closure of the financial assistance case. -- SB1055 HD1
Committee Reports: SSCR 524 (HHS) SSCR 771 (WAM) HSCR 1255 (HSH) HSCR 1799 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 346-39.5

SB1062 SD1 (SSCR 603)

RELATING TO AGRICULTURAL PARK LEASES. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating to applicants eligible for an agricultural park lease to include a limited liability company or a revocable living trust. -- SB1062 SD1
Committee Reports: SSCR 233 (ECD) SSCR 603 (WAM) HSCR 1363 (AGR) HSCR 1795 (FIN)

Current Status:
Apr-15 99 Received by the Governor
Apr-26 99 Approved by Governor (Act 40 1999)

Sections Affected: 166-7

SB1071 SD1 HD2 (HSCR 1670)

RELATING TO SECURITIES. Introduced by: Mizuguchi N (BR) (586-6870)

Establishes provision relating to prospectus for small corporate offerings registration form. Provides that the prospectus required for registration by qualification under the

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uniform securities act may be satisfied by the small corporate offerings registration form (form u 7), adopted by the North American Securities Administrators Association if all the qualifications in the instructions for use of the form are fulfilled. Establishes provisions for a general announcement of a proposed offering to accredited investors for which the issuer is claiming an exemption in order for a transaction to be exempt from registration of securities and advertising after filing a copy thereof with the office of the commissioner of securities. Establishes provisions for any offer or sale of a security by an issuer in a transaction. -- SB1071 HD2

Committee Reports: SSCR 7 (ECD) SSCR 604 (WAM) HSCR 1134 (EDB) HSCR 1670 (CPC)

Current Status:

May=04 99 Passed Legislature

Sections Affected: 485- (2 SECTIONS), 485-6

SB1079 SD1 HD3 CD1 (CCR 15) RELATING TO PERMIT PROCESSING. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating to the consolidated application process. Changes the term consolidated to facilitated. -- Amends provision relating to the permit process task force, by including county building permit application requiring state agency approval. Changes the membership criteria for the task force, including increasing the number of members to 16. Provides that any vacancy on the task force shall be filled in the same manner in which the original position was filled. Permit process task force to be repealed on June 30, 2002 (sunset). -- SB1079 CD1

Committee Reports: SSCR 564 (ECD) HSCR 1126 (EDB) HSCR 1372 (CPC) HSCR 1715 (FIN) CCR 15

Current Status:

May-04 99 Passed Legislature

Sections Affected: 201-62, 201-62.5

SB1080 RELATING TO PLANNING AND COMMUNITY DEVELOPMENT. Introduced by: Mizuguchi N (BR) (586-6870)

Amends Act 86, session laws of 1990, relating to developments within special management areas and shoreline setback by repealing the sunset date of June 30, 2000. -- SB1080

Committee Reports: SSCR 198 (WLH) SSCR 645 (WAM) HSCR 1177 (WLU) HSCR 1674 (FIN)

Current Status:

Apr-12 99 Received by the Governor

Apr-23 99 Approved by Governor (Act 35 1999)

Sections Affected: Act 86 1990

SB1082 SD2 HD2 CD1 (CCR 160) RELATING TO THE BUREAU OF CONVEYANCES. Introduced by: Mizuguchi N (BR) (586-6870)

Establishes provision relating to recording fees received at the bureau of conveyances. -- Establishes the bureau of conveyances special fund to be used for the planning, improving, developing, operating, and maintaining of the recording systems. Requires the registrar of conveyance to deposit 23 dollars from each remittance made from fees collected for the recording of documents at the bureau of conveyances into the state general fund and the remaining balance, other than the special mortgage recording fee and conveyance tax collected into the bureau of conveyances special fund. Provides that fees for the use of microfilm of documents recorded at the bureau of conveyances for the purpose of making duplicates shall be established by rules adopted by the department of land and natural resources and that frame charges for duplicating the microfilm shall not be assess against any agency of the state of Hawaii of any counties. Repeals Act 203, session laws of 1997. Requires the director of finance to

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transfer unexpended balance, including encumbrances and accrued liabilities, of the equipment modernization special fund on June 30, 1999 to the credit of the bureau of conveyances special fund. -- SB1082 CD1

Committee Reports: SSCR 199 (WLH) SSCR 780 (WAM) HSCR 1178 (WLU) HSCR 1787 (FIN) CCR 160

Current Status:

May-04 99 Passed Legislature

Sections Affected: 501- (1 SECTION), 502- (1 SECTION), 502-25, 502-27, ACT 203 1997

SB1086

RELATING TO BOATING PENALTIES. Introduced by: Mizuguchi N (BR) (586-6870)

Establishes general administrative penalties for violations of laws relating to water pollution from ocean recreation. Authorizes the board of land and natural resources to set, charge and collect fines and to recover administrative and attorney's fees and costs. Provides criteria. Requires all fines, fees, costs and damages recovered by the department of land and natural resources to be deposited into the boating special fund. -- SB1086

Committee Reports: SSCR 129 (ECD) SSCR 889 (JDC) HSCR 1146 (OMR) HSCR 1295 (JHA) HSCR 1749 (FIN)

Current Status:

Apr-15 99 Received by the Governor

Apr-26 99 Approved by Governor (Act 41 1999)

Sections Affected: 200- (1 SECTION)

SB1091 SD1 HD2 CD1 (CCR 7)

RELATING TO AQUATIC RESOURCES. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating to fishing rights and regulations. Establishes licenses for catching mullet, nehu, iao, and other baitfish, certain crustaceans, and establishes permits for taking coral and rock with marine life attached. Repeals provisions relating to fishing with firearms, spears, bullpen traps, nets and traps, disposal of fishing gear, fine meshed throw nets, gill nets, drift gill nets, minimum sizes of fish, opelu, crustaceans with eggs and the sale of dried nehu and iao. Act to be repealed on June 30, 2002, and sections amended reenacted in the form in which they read on the day before the effective date. (sunset) -- SB1091 CD1

Committee Reports: SSCR 131 (ECD) SSCR 864 (JDC) HSCR 1190 (OMR) HSCR 1707 (JHA) CCR 7

Current Status:

May-04 99 Passed Legislature

Sections Affected: 188-44, 188-45, 188-57, 188-68, 188-25, 188-28.5, 188-29, 188-29.1, 188-30, 188-30.2, 188-30.5, 188-40, 188-41, 188-46, 188-58

SB1101 SD1 HD2 (HSCR 1716)

RELATING TO REMEDIES OF PART VII, CHAPTER 103D, HAWAII REVISED STATUTES. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provisions relating to the Hawaii public procurement code, authority to resolve protested solicitations and awards. Provides that an aggrieved bidder, offeror or contractor may submit a written protest to a designee specified in the solicitation, within 5 working days after the award is posted. Requires a prompt written decision to uphold or deny the protest. -- Amends provision relating to the authority to debar or suspend. Allows the chief procurement officer to consult with the using agency and the attorney general or corporation counsel to debar a person from consideration of award of all public contract and from performance on any public contract. Requires the chief procurement officer upon notification of a decision to debar or suspend a contractor to make a written determination whether to allow the person or firm to continue performance on any contract prior to the effective date of the debarment or suspension. -- Amends provisions relating to resolving contract and breach of contract

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controversies, violations of law, remedies after an award, interest, administrative proceedings for review, judicial action and time limitations on actions. Provides that requests for administrative review shall be made directly to the office of administrative hearing of the department of commerce and consumer affairs. -- SB1101 HD2
Committee Reports: SSCR 223 (GOH) SSCR 651 (CPN) HSCR 1325 (JHA) HSCR 1716 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 103D-701, 103D-702, 103D-703, 103D-705, 103D-707, 103D-708, 103D-709, 103D-710, 103D-711, 103D-712

SB1102 SD1 HD2 (HSCR 1769)

RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating to the public employees health fund, other duties of the board of trustees. Provides that audit costs shall be the responsibility of the fund and shall be paid from the employers' portion of the fund's reserves. -- SB1102 HD2
Committee Reports: SSCR 322 (CPN) SSCR 588 (WAM) HSCR 1184 (LAB) HSCR 1769 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 87-28, 87-29

SB1118 SD1 HD1 CD1 (CCR 42)

RELATING TO HABITUAL CRIMINAL BEHAVIOR. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating to sentencing of repeat offenders. Establishes that a person commits the offense of assault in the 3rd degree, terroristic threatening in the 2nd degree, sexual assault in the 4th degree, criminal property damage in the 3rd degree, theft in the 3rd degree or misdemeanor shoplifting, and has at least 3 prior convictions for any of offenses relating to the previous offenses within the past 3 years, shall be sentenced to a mandatory minimum period of imprisonment of 9 months and ordered to participate, for sexual assault, in a sex offender assessment and, if recommended, a sex offender treatment program. -- SB1118 CD1
Committee Reports: SSCR 900 (JDC) HSCR 1466 (JHA) CCR 42

Current Status:
May-04 99 Passed Legislature

Sections Affected: 706-606.5

SB1119 SD1 HD1 CD1 (CCR 32)

RELATING TO HOMICIDE. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating to manslaughter. Changes the word he to the person. Amends criteria for an affirmative defense of manslaughter. -- SB1119 CD1
Committee Reports: SSCR 901 (JDC) HSCR 1467 (JHA) CCR 32

Current Status:
May-04 99 Passed Legislature

Sections Affected: 707-702

SB1122 SD1 (SSCR 843)

RELATING TO FIREARMS. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating to carrying or use of a firearm in the commission of a separate felony. Provides that conviction and sentencing shall be in addition to and not in lieu of any conviction or sentence for a separate felony, and that sentence imposed may run concurrently or consecutively. -- SB1122 SD1
Committee Reports: SSCR 843 (JDC) HSCR 1460 (JHA)

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Current Status:
Apr-06 99 Received by the Governor
Apr-13 99 Approved by Governor (Act 12 1999)

Sections Affected: 134-6

SB1124 SD2 HD1 CD1 (CCR 109) RELATING TO THE CODE OF FINANCIAL INSTITUTIONS. Introduced by:
Mizuguchi N (BR) (586-6870)

Repeals the prohibition of out of state banks to establish a de novo interstate branch or acquire an interstate branch. Establishes authority of out of state banks to create a de novo interstate branch or acquire an interstate branch. Requires any out of state bank that is a resulting bank in an interstate merger transaction involving a Hawaii bank to confirm in writing to the commissioner of financial institutions that as long as it maintains a branch in this State, it shall comply with all applicable laws of the State. -- SB1124 CD1

Committee Reports: SSCR 317 (CPN) SSCR 589 (WAM) HSCR 1222 (CPC) HSCR 1803 (FIN) CCR 109

Current Status:
May-04 99 Passed Legislature

Sections Affected: 412:12-104, 412:12-105

SB1125 HD1 CD1 (CCR 9) RELATING TO THE CODE OF FINANCIAL INSTITUTIONS. Introduced by:
Mizuguchi N (BR) (586-6870)

Amends the definition of Hawaii financial institution to mean a corporation or credit union which holds a charter or license or is a bank that has resulted from an interstate merger (resulting bank). Repeals the definition of qualifying state. -- Provides that for failing institutions, the commissioner of financial institutions may accept an application for purchase from a Hawaii financial institution, a federal financial institution whose operations are principally conducted in the State, a resulting bank, a bank chartered under the laws of any state other than Hawaii (out of state bank), the holding company of any of the foregoing, and a person that is not a company. -- Provides that, subject to the approval of the commissioner, a solvent credit union whose capital is not impaired and which has not received a notice of charges and proposed suspension or revocation order may dissolve voluntarily and liquidate its affairs. Provides criteria. -- Changes written notice to written application to be submitted to the commissioner for foreign banks wishing to relocate any Hawaii office. -- Repeals provisions relating to nonseverability. -- SB1125 CD1

Committee Reports: SSCR 303 (CPN) HSCR 1231 (CPC) CCR 9

Current Status:
May-04 99 Passed Legislature

Sections Affected: 412:1-109, 412:2-503, 412:2-507, 412:3-112, 412:3-617, 412:13-222, 412:2-500, 412:2-512

SB1127 SD1 HD3 CD1 (CCR 161) RELATING TO INSURANCE. Introduced by: Mizuguchi N (BR) (586-6870)

Provides that assessments shall be used to defray any administrative costs including personnel costs associated with health insurance regulation and costs incurred by supporting offices and divisions. Allows the insurance commissioner to use moneys from assessments to employ personnel to implement and regulate health insurance without regard to civil service and compensation laws. Requires each mutual benefit society, health maintenance organization (HMO), and any other entity authorized to offer health insurance coverage, except accident and sickness insurers, to pay a yearly assessment credited to the insurance regulation fund. Also requires that they pay a 1 time assessment to the fund. Appropriation to the department of commerce and consumer affairs. (\$\$) -- SB1127 CD1

Committee Reports: SSCR 407 (CPN) SSCR 733 (WAM) HSCR 1204 (HLT) HSCR 1373 (CPC) HSCR 1773 (FIN) CCR 161

SENATE BILLS WHICH PASSED THE LEGISLATURE

Current Status:
May-04 99 Passed Legislature

Sections Affected: 431: - (1 SECTION)

SB1128 SD2 HD1 CD1 (CCR 47) RELATING TO INSURANCE. Introduced by: Mizuguchi N (BR) (586-6870)

Amends administration of insurance provisions by providing that the chief deputy commissioner shall have the power to perform any act or duty assigned by the insurance commissioner. Increases the penalties the insurance commissioner can impose for violation of insurance laws. -- Requires a policy provided to a member by mutual benefit societies to describe coverages and benefits in conformance with readability of insurance contract provisions. -- Requires fraternal benefit society agents to be licensed in accordance with provisions governing solicitors. -- Requires a policy provided to a member by a health maintenance organization (HMOs) to describe coverages and benefits in conformance with readability of insurance contract provisions. -- SB1128 CD1

Committee Reports: SSCR 380 (CPN) SSCR 654 (WAM) HSCR 1197 (HLT) HSCR 1402 (CPC) HSCR 1801 (FIN) CCR 47

Current Status:
May-04 99 Passed Legislature

Sections Affected: 431:2-105, 431:2-203, 432:1-101.5, 432:2-609, 432D-25

SB1129 SD2 HD2 CD1 (CCR 114) RELATING TO INSURANCE. Introduced by: Mizuguchi N (BR) (586-6870)

Establishes provisions for continuing education and license renewal of a general agent, subagent, solicitor, designated representative, or nonresident agent under insurance provisions. Requires proof of having completed the requisite hours of continuing education during the 23 months preceding the application for renewal. Establishes different requisite number of hours for different classes of insurance. -- Increases insurance fees. Requires all fees and penalties to be deposited into the insurance regulation fund. -- Establishes an assessment on all insurers, general agents, subagents, nonresident agents and brokers, solicitors, adjusters, limited licensees, managing general agents and designated representatives. -- Appropriation to the department of commerce and consumer affairs for the administration of insurance licensing. -- Establishes the insurance regulation special fund into which shall be deposited all assessments, fees, fines, penalties, and reimbursements collected on behalf of the insurance division. Provides exceptions. Provides that the fund shall be used to defray the administrative costs of the programs of the insurance division. Allows the insurance commissioner to employ hearing officers, attorneys, investigators, accountants, examiners, and other personnel without regard to civil service and compensation provisions. Annual report to the legislature. -- Adds that the commissioner shall yearly transfer out some money from the captive insurance fund to the regulation fund. -- Amends Act 234, session laws of 1995, establishing the special fund for the administration of workers' compensation insurance by transferring the moneys in the fund to the regulation fund and abolishing the fund. -- Amends Act 216, session laws of 1997, and Act 142, session laws of 1998. -- Repeals the insurance examiners revolving fund and the motor vehicle insurance administration revolving fund and transfers the moneys in the fund to the regulation fund. -- Exempts the Hawaii employers, mutual insurance company, inc., from the levy on insurers of employers insured under security for payment of compensation provisions. (\$\$) -- SB1129 CD1

Committee Reports: SSCR 420 (CPN) SSCR 813 (WAM) HSCR 1431 (CPC) HSCR 1843 (FIN) CCR 114

Current Status:
May-04 99 Passed Legislature

Sections Affected: 431:9- (5 SECTIONS) CONTINUING EDUCATION, 431:7-101, 431:9-232, 431:2- (1 SECTION), 36-27, 36-30, 431:2-105.5, 431:2-306, 431:19-101.8, 431:19-108, 431:19-115.5, 431:2-203, 431:2-307.5, 431:3-221, 431:7-203, 431:9-238, 431:11-111, 431:15-334, 431:15-335, ACT 234 1995, ACT 216 1997, ACT 142 1998,

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431:2-307, 431:10C-115.5, 386-153

SB1130 SD1 HD1 (HSCR 1198)

RELATING TO HEALTH MAINTENANCE ORGANIZATIONS. Introduced by: Mizuguchi N (BR) (586-6870)

Requires each health maintenance organization (HMOs) to file quarterly reports to the insurance commissioner. Requires the commissioner to notify the holder of the certificate of authority by written notice at least 30 days prior to the extension date of the certificate. Establishes penalties for late extension fees. -- SB1130 HD1
Committee Reports: SSCR 313 (CPN) SSCR 590 (WAM) HSCR 1198 (HLT) HSCR 1369 (CPC) HSCR 1747 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 432D-5, 432D-17

SB1131 SD1 HD2 (HSCR 1783)

RELATING TO INSURANCE. Introduced by: Mizuguchi N (BR) (586-6870)

Increases the fee paid to the insurance examiners revolving fund. Amends Act 190, session laws of 1994, Act 61, session laws of 1995, Act 232, session laws of 1995, and Act 358, session laws of 1997, by repealing the sunset date and the transfer of the funds in the insurance examiners revolving fund to the state general fund. -- SB1131 HD2
Committee Reports: SSCR 381 (CPN) SSCR 683 (WAM) HSCR 1347 (CPC) HSCR 1783 (FIN)

Current Status:
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Sections Affected: 431:2-307, ACT 190 1994, ACT 61 1995, ACT 232 1995, ACT 358 1997

SB1136 SD2 HD2 (HSCR 1772)

RELATING TO REGULATION OF OSTEOPATHY. Introduced by: Mizuguchi N (BR) (586-6870)

Requires the board of medical examiners to administer the osteopathy law and repeals the board of osteopathic examiners and osteopathic surgeons. Increases the board of medical examiners to 11 members and includes 2 members who shall be licensed osteopathic physicians. -- SB1136 HD2
Committee Reports: SSCR 371 (CPN) SSCR 772 (WAM) HSCR 1205 (HLT) HSCR 1370 (CPC) HSCR 1772 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 460- (1 SECTION), 26-9, 453-5, 460-1, 460-3, 460-14, 460-17, 460-19, 460-4

SB1139 SD1 HD2 (HSCR 1779)

RELATING TO LIMITED LIABILITY COMPANIES. Introduced by: Mizuguchi N (BR) (586-6870)

Amend provisions relating to limited liability companies. Provides requirements for amended and restated articles of organization and requires delivery to the director of commerce and consumer affairs. Allows a limited liability company administratively terminated after June 30, 1999, to apply to the director for reinstatement in 2 years. Repeals application of corporation case law to set aside limited liability provisions. -- SB1139 HD2
Committee Reports: SSCR 91 (CPN) HSCR 1223 (CPC) HSCR 1779 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 428- (1 SECTION), 428-103, 428-111, 428-404, 428-503, 428-603,

SENATE BILLS WHICH PASSED THE LEGISLATURE

428-701, 428-702, 428-801, 428-811, 428-1202

SB1140 SD2 HD2 (HSCR 1717)

RELATING TO BUSINESS REGISTRATION. Introduced by: Mizuguchi N (BR) (586-6870)

Amends the Hawaii business corporation and nonprofit corporation act. Establishes provisions requiring each corporation to continuously maintain a registered office and registered agent. Includes domestic limited liability partnerships and foreign limited liability partnerships under the corporation act. Allows corporations or partnerships to amend and restate its articles of incorporation at any time and deliver it to the director of commerce and consumer affairs for filing. Requires a statement that a plan of merger, or a plan of consolidation be approved and signed by the board of directors of each corporation or partnership involved in the merger or consolidation. Provides that the involuntary dissolution of a corporation or partnership may be reinstated by the director upon application within 2 years. -- SB1140 HD2

Committee Reports: SSCR 92 (CPN) SSCR 684 (WAM) HSCR 1127 (EDB) HSCR 1351 (CPC) HSCR 1717 (FIN)

Current Status:

May=04 99 Passed Legislature

Sections Affected: 415- (3 SECTIONS), 415B- (4 SECTIONS), 415-8, 415-35, 415-54, 415-58, 415-61, 415-74, 415-75, 415-75.5, 415-95, 415-108, 415-125, 415A-8, 415A-18, 415B-7, 415B-11, 415B-34, 415B-61, 415B-84, 415B-98, 415B-122, 425-6, 425-14, 425-164, 425-171, 425-178, 425D-102, 425D-203.6, 425D-904, 428-105, 428-905, 428-1005, 482-4

SB1142 SD2 HD1 (HSCR 1135)

RELATING TO THE NAMES OF CORPORATIONS, PARTNERSHIPS, AND LIMITED LIABILITY COMPANIES. Introduced by: Mizuguchi N (BR) (586-6870)

Amends the Hawaii business corporation act, professional corporation act, nonprofit corporation act, partnerships, uniform limited partnership act, and uniform limited liability company act to establish provisions for administrative order of abatement for infringement of corporate name. -- SB1142 HD1

Committee Reports: SSCR 94 (CPN) SSCR 867 (JDC) HSCR 1135 (EDB) HSCR 1352 (CPC) HSCR 1675 (FIN)

Current Status:

May=04 99 Passed Legislature

Sections Affected: 415- (1 SECTION), 415A- (1 SECTION), 415B- (1 SECTION), 425- (1 SECTION), 425D- (1 SECTION), 428- (1 SECTION)

SB1144 SD1 HD2 CD1 (CCR 162)

RELATING TO FINANCIAL INSTITUTIONS. Introduced by: Mizuguchi N (BR) (586-6870)

Requires 2 million 500 thousand dollars of the all revenues from the tax on banks and financial corporations to be deposited to the credit of the compliance resolution fund each year. -- SB1144 CD1

Committee Reports: SSCR 304 (CPN) SSCR 591 (WAM) HSCR 1224 (CPC) HSCR 1726 (FIN) CCR 162

Current Status:

May-04 99 Passed Legislature

Sections Affected: 241-7

SB1145 SD2 HD2 CD1 (CCR 48)

RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS. Introduced by: Mizuguchi N (BR) (586-6870)

Repeals the provisions that the director of commerce and consumer affairs shall also be the commissioner of securities. Amends the compliance resolution fund to include all revenues, fee, and fines of the department of commerce and consumer affairs. Unencumbered balances of the cable television fund, the division of consumer

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advocacy fund, the financial institutions examiners' revolving fund, and the special handling fund shall be deposited to the compliance fund. Exempts the drivers education fund underwriters fee, insurance premium taxes and revenues, revenues of the workers' compensation special compensation fund, captive insurance administrative fund, insurance commissioner's education and training fund, medical malpractice patient's compensation fund, insurance examiners' revolving fund, motor vehicle insurance administration revolving fund, fees collected for deposit in the office of consumer protection restitution fund, the real estate appraisers fund, the real estate recovery fund, the real estate education fund, the contractors recovery fund, the contractors education fund, the condominium management education fund and the public broadcasting revolving fund. Provides that moneys in the fund shall be used to fund the operations of the department, except for the costs related to the Hawaii public broadcasting authority. Exempts the fund from contributing to central service and administrative expenses of the government. -- Amends provisions relating to mortgage loans. Provides that before engaging in activities in this state, a foreign lender shall execute and file a statement with the commissioner of financial institutions, along with a registration fee. Requires the fee and other related charges to be deposited into the compliance fund, rather than the financial institution examiners' revolving fund. -- Amends provisions relating to fees and assessments of the code of financial institutions by requiring all examination fees and expenses, fees collected in connection with regulatory functions, including renewals, applications, licenses, and charters, and administrative fines for failure to make payment, to be deposited into the compliance resolution fund, rather than the financial institution examiners' revolving fund. Repeals the financial institution examiners' revolving fund and replaces it with the compliance resolution fund. Allows the commissioner to adjust the annual examination fee. -- Requires the public utilities commission, the commissioner of financial institutions, each financial institutions subject to examination, and annual fees of cable operators and fees of licensed escrow depositories to deposit moneys collected into the compliance resolution fund. -- Repeals special handling fees to be credited to the special fund. -- SB1145 CD1

Committee Reports: SSCR 408 (CPN) SSCR 592 (WAM) HSCR 1225 (CPC) HSCR 1718 (FIN) CCR 48

Current Status:
May-04 99 Passed Legislature

Sections Affected: 26-9, 36-27, 36-30, 92-24, 207-14, 269-33, 412:2-105, 412:2-109, 412:2-315, 412:2-611, 415-128, 415B-155, 425-12, 425-169, 425D-1107, 428-1301, 440G-15, 449-14, 482-2, ACT 216 1997, ACT 142 1998

SB1147 SD2 HD2 (HSCR 1788)

RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL. Introduced by: Mizuguchi N (BR) (586-6870)

Changes the employment and human resources law to the Hawaii workforce development council law. Provides that the workforce development council shall fulfill the functions of the state workforce investment board for the purposes of the federal Workforce Investment Act of 1998. Changes the membership of the council from 17 to up to 29 members. Adds duties to the council in accordance with the federal Workforce Investment Act of 1998, and activities relating to occupational and employment information for vocational and technical education programs in compliance with the Carl D. Perkins Vocational and Technical Education Act. -- SB1147 HD2

Committee Reports: SSCR 107 (LRE) SSCR 782 (WAM) HSCR 1378 (LAB) HSCR 1788 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 202-1, 202-2

SB1149 SD1 HD2 CD1 (CCR 18)

RELATING TO ENFORCEMENT OF WAGE LAWS. Introduced by: Mizuguchi N (BR) (586-6870)

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Amends provisions relating to wages and hours on public works. Provides penalties for 1st, 2nd, and 3rd violations for contractors that have failed to comply. Requires the director of labor and industrial relations to immediately suspend a person or firm from working on any public work of a governmental contracting agency until all wages and penalties are paid in full for 1st and 2nd violations. Suspension shall not be more than 3 years. Requires the person or firm to be immediately suspended for a mandatory 3 years, in addition to paying back wages and penalties, for a 3rd violation. Suspension shall remain after 3 years if wages and penalties are still unpaid. -- Amends provisions relating to wage and hour, and wages and other compensation laws. Provides that the director of labor and industrial relations shall not be required to pay the filing fee, or other costs, in connection with such action, including opposing party's fees and costs.

-- SB1149 CD1

Committee Reports: SSCR 553 (LRE) HSCR 1383 (LAB) HSCR 1763 (JHA) CCR 18

Current Status:

May-04 99 Passed Legislature

Sections Affected: 104-24, 104-25, 387-12, 388-11

SB1155 SD1 HD2 (HSCR 1815)

RELATING TO REALLOCATION OF VACANT LIBRARY POSITIONS. Introduced by: Mizuguchi N (BR) (586-6870)

Amends Act 196, session laws of 1996, authorizing the state librarian to reallocate vacant positions to establish temporary positions by extending the sunset date to June 30, 2002. -- SB1155 HD2

Committee Reports: SSCR 79 (EDU) SSCR 609 (WAM) HSCR 1139 (EDN) HSCR 1317 (LAB) HSCR 1815 (FIN)

Current Status:

May=04 99 Passed Legislature

Sections Affected: Act 196 1996

SB1157 SD1 HD1 CD1 (CCR 117)

RELATING TO THE STATE LIBRARIAN. Introduced by: Mizuguchi N (BR) (586-6870)

Adds that the state librarian shall be appointed by the board of education without regard to state residency provisions and for a term of up to 4 years. Provides that the salary of the state librarian shall be 85,302 dollars a year. -- SB1157 CD1

Committee Reports: SSCR 264 (EDU) SSCR 610 (WAM) HSCR 1187 (EDN) HSCR 1819 (FIN) CCR 117

Current Status:

May-04 99 Passed Legislature

Sections Affected: 312-2.1

SB1158 SD1 HD1 CD1 (CCR 106)

MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS. Introduced by: Mizuguchi N (BR) (586-6870)

Appropriation to the department of public safety, out of the crime victim compensation special fund, for compensating certain persons or their providers of services pursuant to criminal injuries compensation law. (\$\$) -- SB1158 CD1

Committee Reports: SSCR 166 (JDC) SSCR 783 (WAM) HSCR 1323 (JHA) HSCR 1719 (FIN) CCR 106

Current Status:

May-04 99 Passed Legislature

SB1160 SD2 HD2 CD1 (CCR 44)

RELATING TO CONTROLLED SUBSTANCES. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provisions relating to the uniform controlled substance act. Requires records of controlled substances to be maintained for a period of 5 years (instead of 2). --

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Amends provisions relating to prescription of controlled substance by requiring the prescription to include the telephone number of the practitioner and provides criteria for the prescription. Requires the hospital or other institution to forward a copy of the special internal code assigned to the physician in lieu of the registration number of the practitioner, to the department of health as often as necessary to update. Violators will have their privilege to fill controlled substance prescriptions outside of the hospital or other institution suspended. -- Provides that information communicated to a physician in an effort to unlawfully procure a controlled substance, or to unlawfully procure the administration, prescribing or dispensing of any controlled substance shall not be a privileged communication. -- Adds regulated chemicals subject to reporting to be funded by the controlled substance registration revolving fund. Includes permit for business conduct to administer the collection of funds. -- Changes precursors to the manufacture of controlled substances to regulated chemicals for the manufacture of controlled substances. Adds to list 1 chemicals requiring a report be submitted to the department of public safety from any manufacturer, wholesaler, retailer, or other person who sells, transfers, or otherwise furnishes red phosphorus, iodine crystals, gamma butyrolactone (GBL). Establishes list 2 chemicals requiring any manufacturer, wholesaler, retailer, or other person who sells, transfers any extraordinary amount of chemicals, or furnishes the chemicals through the use of an uncommon method of payment, or any other circumstances that may make a person believe that a violation may occur using the chemical, includes acetic anhydride, acetone, benzyl chloride, ethyl ether, potassium permanganate, 2 butanone (or methyl ethyl ketone or MEK), toluene, hydrochloric acid, sulfuric acid, methyl isobutyl ketone (MIBK). -- Requires a report to be filed with the administrator for any regulated transaction involving an extraordinary quantity of a listed chemical, any proposed regulated transaction with a person whose description or other identifying characteristics the department has previously furnished to the regulated person, any unusual or excessive loss or disappearance of the regulated listed chemical, any regulated transaction of a tableting machine or an encapsulating machine, and all single entity ephedrine transactions. -- Exempts any dietary supplement as exceptions to persons registered with the department. Adds that any manufacturer, wholesaler, retailer, or other person who possesses any of the substances listed for reporting with the intent to illegally manufacture any controlled substance shall be fined not more than 100,000 dollars, or imprisoned not more than 10 years, or both. Amends any violator that operates without a permit shall be guilty of a misdemeanor or class C felony if previously convicted. -- Defines ephedrine. Changes 2,5 dimethoxy 4 ethylamphetamine (DOET) to 2,5 dimethoxy 4 ethylamphetamine (DOET) and gamma hydroxybutyrate (GHB) to gamma hydroxybutyrate (GHB). -- SB1160 CD1
Committee Reports: SSCR 409 (CPN/ HHS/) SSCR 877 (JDC) HSCR 1365 (JHA) HSCR 1810 (FIN) CCR 44

Current Status:
May-04 99 Passed Legislature

Sections Affected: 329-1, 329-14, 329-31.5, 329-38, 329-46, 329-59, 329-61, 329-63, 329-64, 329-65, 329-67, 329-101

SB1163 SD1 HD2 (HSCR 1727)

RELATING TO THE RELEASE OF PRE-TRIAL INMATES. Introduced by: Mizuguchi N (BR) (586-6870)

Amends Act 305, session laws of 1993, and Act 195, session laws of 1994, as amended by Act 156, session laws of 1995, by Act 216, session laws of 1996, and by Act 227, session laws of 1998. Changes the final date the director of public safety shall report to the legislature to the year 2000 and sunset date to June 30, 2000. -- SB1163 HD2
Committee Reports: SSCR 155 (JDC) SSCR 751 (WAM) HSCR 1249 (PSM/ JHA) HSCR 1727 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: Act 305 1993, ACT 195 1994, ACT 156 1995, ACT 216 1996, ACT 227 1998

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB1177 SD1 HD1 (HSCR 1426) RELATING TO THE GENERAL EXCISE TAX. Introduced by: Mizuguchi N (BR) (586-6870)
- Provides that for general excise tax purposes wholesale service means the sale to a licensed retail merchant, jobber, or other licensed seller of bulk condiments or prepackaged single serving packets of condiments that are provided to customers by the licensed retail merchant, jobber, or other licensed seller. Also adds the sale of tangible personal property that will be incorporated or processed by the licensed retail merchant, jobber, or other licensed seller into a finished or saleable product during the course of its preparation for market (including disposable, non returnable containers, packages, or wrappers, in which the product is contained and that are generally known and most commonly used to contain food or beverage for transfer or delivery). Adds professional services to the general excise tax on service business.-- SB1177 HD1
Committee Reports: SSCR 734 (WAM) HSCR 1426 (EDB) HSCR 1804 (FIN)
- Current Status:
May=04 99 Passed Legislature
- Sections Affected: 237-4, 237-13
- SB1178 SD2 HD2 (HSCR 1826) RELATING TO THE GENERAL EXCISE TAXATION OF RELATED ENTITIES. Introduced by: Mizuguchi N (BR) (586-6870)
- Provides a general excise tax exemption for related entities connected through ownership of at least 80 per cent of the total voting power of each such entity including partnerships, associations, trusts, S corporations, nonprofit corporations, limited liability partnerships, or limited liability companies and any combination thereof. -- SB1178 HD2
Committee Reports: SSCR 96 (CPN) SSCR 735 (WAM) HSCR 1427 (EDB) HSCR 1826 (FIN)
- Current Status:
May=04 99 Passed Legislature
- Sections Affected: 237-23.5, 237-24.7
- SB1180 SD1 HD1 (HSCR 1741) RELATING TO THE INCOME TAXATION OF NONRESIDENTS. Introduced by: Mizuguchi N (BR) (586-6870)
- Repeals the income tax special rules for nonresident and part year residents and establishes that the standard deduction and personal exemptions shall be allowed to nonresidents only to the ratio of the adjusted gross income attributed to this State to the entire adjusted gross income computed without regard to source in the State. -- SB1180 HD1
Committee Reports: SSCR 736 (WAM) - filed FLOOR AMENDMENT 4 HSCR 1741 (FIN)
- Current Status:
May=04 99 Passed Legislature
- Sections Affected: 235-2.4, 235-5, 235-54, 235-4.3
- SB1194 SD1 (SSCR 60) RELATING TO SCHOOL BUSES. Introduced by: Nakata B (586-7330)
- Requires the director of transportation to allow school buses to be used on contraflow lanes that have been designated as zipper or zip lanes by the department of transportation. Changes the definition of high occupancy vehicle lane (HOV) to include school buses as a restricted user. -- SB1194 SD1
Committee Reports: SSCR 60 (TIA) HSCR 1215 (TRN)
- Current Status:
Mar-29 99 Received by the Governor
Apr-06 99 Approved by Governor (Act 4 1999)

SENATE BILLS WHICH PASSED THE LEGISLATURE

Sections Affected: 291C- (1 SECTION), 291C-221

SB1216

RELATING TO BICYCLING. Introduced by: Kawamoto C (586-6970)

Allows a person operating a bicycle at a slower speed than the normal speed of the traffic and moving in the same direction to ride on the edge of the roadway or on the shoulder off of the roadway. -- SB1216

Committee Reports: SSCR 33 (TIA) HSCR 1160 (TRN) HSCR 1756 (JHA)

Current Status:

Apr-15 99 Received by the Governor

Apr-26 99 Approved by Governor (Act 42 1999)

Sections Affected: 291C-145

SB1229 SD1 HD3 CD1 (CCR 157)

RELATING TO HOUSING. Introduced by: Chun Oakland S (586-6130)

Amends Act 170 session laws of 1998, by extending the repeal date of disposition of taxes(section 1) to June 30, 2001 (sunset). Appropriation to the housing and community development corporation of Hawaii for providing homeless assistance and provides that no funds shall be appropriated for the operation of a homeless shelter or facility that is provided in conjunction with the department of transportation. (\$\$) -- SB1229 CD1

Committee Reports: SSCR 762 (HHS/ WAM/) HSCR 1124 (HSH) HSCR 1260 (WLU) HSCR 1834 (FIN) CCR 157

Current Status:

May-04 99 Passed Legislature

Sections Affected: Act 170 1998

SB1238 SD2 HD2 CD1 (CCR 116)

RELATING TO PROFESSIONS AND OCCUPATIONS. Introduced by: Kanno B (586-6830)

Repeals provisions relating to real estate collection servicing agents. Requires the legislative auditor to conduct a study or a series of studies regarding the regulation of speech pathologists and audiologists, practice of barbering, and beauty culture. Further requires the auditor to determine whether the regulation of these professions or vocations should be continued or repealed. If it is determined that 1 or more of these professions and vocations should continue, determine whether regulation of these professions and vocations be handled more efficiently and cost effectively by a regulatory board, by the department of commerce and consumer affairs, or by an alternative regulatory mechanism. Report to the legislature. -- Requires the legislative reference bureau, with the assistance of the board of dental examiners and the department of commerce and consumer affairs, to conduct a study of the state constructed dental licensing examinations used by the board. Report to the legislature. -- SB1238 CD1

Committee Reports: SSCR 421 (CPN/ EDU/) SSCR 664 (WAM) HSCR 1375 (CPC) HSCR 1781 (FIN) CCR 116

Current Status:

May-04 99 Passed Legislature

Sections Affected: 412:3-502, 443B-1, 454D-1, 454D-2, 454D-2.5, 454D-3, 454D-4, 454D-5, 454D-6, 454D-7, 454D-8, 454D-9, 454D-10, 454D-11

SB1261 SD1 HD1 (HSCR 1348)

RELATING TO CAPTIVE INSURANCE. Introduced by: Taniguchi B (586-6460)

Repeals captive insurance company license and renewal fees. Requires the insurance commissioner to set fees. Also allows the commissioner to set fees for the issuance of other documents. -- SB1261 HD1

Committee Reports: SSCR 314 (CPN) SSCR 593 (WAM) HSCR 1348 (CPC) HSCR 1802 (FIN)

SENATE BILLS WHICH PASSED THE LEGISLATURE

Current Status:
May=04 99 Passed Legislature

Sections Affected: 431:19-102

SB1262 HD1 CD1 (CCR 11)

RELATING TO CAPTIVE INSURANCE. Introduced by: Taniguchi B (586-6460)

Establishes classes of captive insurers and minimum capital or surplus requirements for each class. Defines leased capital facility. Amends Act 190, session laws of 1994, as amended by Act 61, session laws of 1995, as amended by Act 232, session laws of 1995, and as amended by Act 358, session laws of 1997. -- SB1262 CD1
Committee Reports: SSCR 547 (CPN) HSCR 1532 (CPC) CCR 11

Current Status:
May-04 99 Passed Legislature

Sections Affected: 431:19- (1 SECTION), 431:19-101, 431:19-104, 431:19-105, 431:19-106, 431:19-107, 431:19-115, 431:19-116, ACT 190 1994, ACT 61 1995, ACT 232 1995, ACT 358 1997

SB1270 SD1 HD2 CD1 (CCR 5)

RELATING TO EDUCATION. Introduced by: Mizuguchi N (BR) (586-6870)

Establishes provision relating to criminal history checks for private school employees. Allows private schools to develop procedures regarding criminal history of persons who are employed or seeking employment placing them in close proximity to children. Authorizes the private school to refuse to employ or terminate the employment of an employee or applicant, after proper investigation and finds that the person convicted of a crime poses a risk to the health, safety, or well being of children. -- Amends provision relating to criminal history checks to require rather than allow the department of education and the counties to develop procedures for obtaining verifiable information regarding the criminal history of persons who are employed, seeking employment, or seeking to serve as teacher trainees in any public school, or who are employed or seeking employment in any county position placing them in close proximity to children. Also requires a sworn statement indicating whether or not the person has ever been convicted of an offense for which incarceration is a sentencing option. -- SB1270 CD1
Committee Reports: SSCR 116 (EDU) SSCR 574 (EDU) HSCR 1304 (EDN) HSCR 1708 (JHA) CCR 5

Current Status:
May-04 99 Passed Legislature

Sections Affected: 846- (1 SECTION), 846-43

SB1274 HD1 CD1 (CCR 107)

RELATING TO PUBLIC SAFETY. Introduced by: Mizuguchi N (BR) (586-6870)

Transfers the authority and functions of the director of public safety and the department of public safety relating to after hours security contracts at department of education facilities to the department of education. Transfers all appropriations, equipment, supplies, contracts, documents, and other personal property of the functions transferred from the department of public safety to the department of education. -- Amends provisions relating to community partnering to include community hearing to solicit community input. -- SB1274 CD1
Committee Reports: SSCR 363 (EDU/ JDC/) SSCR 612 (WAM) HSCR 1281 (PSM/ EDN/) HSCR 1685 (FIN) CCR 107

Current Status:
May-04 99 Passed Legislature

Sections Affected: 26-14.6, 353-16.37

SB1279 SD2 HD2 CD1 (CCR 163)

RELATING TO THE UNIVERSAL SERVICE FUND. Introduced by: Mizuguchi N (BR) (586-6870)

SENATE BILLS WHICH PASSED THE LEGISLATURE

Changes the universal service fund to be a special fund used to implement policies and goals of universal service. Exempts the fund from contributing to central service and administrative expenses of the government. Appropriation to the public utilities commission, out of the fund and provides that the sum appropriated shall be temporarily loaned from the public utilities special fund to the universal service fund and that the funds borrowed shall be repaid from the universal service fund when sufficient funds are collected as determined by the commission. -- Provides that provisions exempting the fund from central service and administrative expenses shall not be repealed when reenacted by Act 216, session laws of 1997, and Act 142, session laws of 1998. (§§) -- SB1279 CD1
Committee Reports: SSCR 383 (CPN) SSCR 685 (WAM) HSCR 1125 (EDB) HSCR 1371 (CPC) HSCR 1720 (FIN) CCR 163

Current Status:
May-04 99 Passed Legislature

Sections Affected: 36-27, 36-30, 269-42, ACT 216 1997, ACT 142 1998

SB1280

RELATING TO MOTOR CARRIERS. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provisions allowing the public utilities commission to grant temporary authority to enable provision of service where there is an immediate and urgent need for carrier service by repealing the requirement that every application for temporary authority to be made in writing and verified under oath. Also repeals the requirement that the application to be accompanied by proof of service upon every current holder of a certificate or public convenience and necessity in the classification for which temporary authority is applied and contain information that the commission shall by rule, require. -- SB1280
Committee Reports: SSCR 548 (CPN) HSCR 1159 (TRN) HSCR 1671 (CPC)

Current Status:
Apr-23 99 Vetoed

Sections Affected: 271-16

SB1282 SD2 HD2 (HSCR 1721)

RELATING TO INVESTMENTS OF THE EMPLOYEES' RETIREMENT SYSTEM. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating to investments by the employees retirement system. Authorizes investments in improved or productive real property to include limited liability companies. -- SB1282 HD2
Committee Reports: SSCR 229 (CPN) SSCR 594 (WAM) HSCR 1315 (LAB) HSCR 1721 (FIN)

Current Status:
May=04 99 Passed Legislature

Sections Affected: 88-119

SB1294 SD1 HD2 CD1 (CCR 110)

RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision to the supplemental plan to federal medicare. Requires employee beneficiaries or dependent beneficiaries who are eligible to participate in the supplemental plan to federal Medicare part B to enroll in the federal plan as a requirement to receive the contributions and to participate in the employees benefit plans. Provides that the board of trustees shall determine which beneficiaries who are not enrolled in the federal Medicare part B medical insurance plan, may participate in other plans. -- SB1294 CD1
Committee Reports: SSCR 423 (CPN) SSCR 686 (WAM) HSCR 1382 (LAB) HSCR 1722 (FIN) CCR 110

SENATE BILLS WHICH PASSED THE LEGISLATURE

Current Status:
May-04 99 Passed Legislature

Sections Affected: 87-27

SB1307 SD1 HD1 CD1 (CCR 6) RELATING TO SCHOOL PERFORMANCE Introduced by: Mizuguchi N (BR) (586-6870)

Requires the department of education to establish a comprehensive system of educational accountability to motivate and support the improved performance of students and the education system. Establishes requirements of the system. Annual report to the legislature, governor, and board of education on the design of the comprehensive accountability system as well as the fiscal requirements and legislative actions necessary to create the system. -- Repeals the school by school assessment of educational outcomes from the educational status report of the department to the governor and legislature on June 30, 2001. -- Requires the department to report to the legislature and the governor of the findings and recommendations of the design of the comprehensive accountability system and the implementation of the system. --

SB1307 CD1

Committee Reports: SSCR 575 (EDU) HSCR 1406 (EDN) HSCR 1806 (FIN) CCR 6

Current Status:
May-04 99 Passed Legislature

Sections Affected: 302A-1004

SB1321 SD2 HD2 CD1 (CCR 2) RELATING TO OCEAN LEASING. Introduced by: Mizuguchi N (BR) (586-6870)

Amends provision relating to the reclamation and disposition of submerged or reclaimed public land. Provides that authorization of the legislature shall not be required for leases issued under ocean and submerged lands leasing provisions. -- Amends provision relating to findings and purpose of ocean and submerged lands leasing. Provides that economic unit means the water column, state submerged lands beneath the water column and water surface above the water column. Changes definition of mariculture to include aquaculture, commercial purposes of aquatic plants and animals within state marine waters, excludes floating structures not anchored. Changes definition of marine activities to include energy or water research which are exclusive, non transient in nature, and which occupy a discrete area of state marine waters. Amends the definitions of noncommercial lease and state marine waters. -- Amends provisions relating to conservation district use application, leasing of state marine waters and submerged lands for private uses, and leasing procedure. Requires applications to include an initial description users and their uses of the state marine waters, including Hawaiian rights, and the board not to lease until after detailed consideration of present uses. Provides that the board shall require the highest qualified bidder to indemnify the applicant for all legitimate costs incurred in the preparation of any environmental assessment or environmental impact statement included in an application. -- Requires the board to minimize costs to those applicants submitting complete applications. Amends lease provisions. Requires the amount of a bond executed by the lessee to be sufficient to restore or remediate waters and submerged lands to the satisfaction of the department of land and natural resources. Requires each lease to contain a statement of the degree of exclusivity or access to the site by the public, including compatibility with existing uses, perceived liability and risk to the lessee's investment. -- Provides that revenues obtained from the leasing of state marine waters shall be deposited into the special land and development fund to be used for planning, research and development of the aquaculture industry. Repeals the amendments made to ocean and submerged lands leasing laws 5 years after the effective date of this Act (sunset). Provides that the leases granted shall not be affected by the repeal. Requires the department of land and natural resources with the cooperation of the department of agriculture to annually submit a progress report on the implementation of this chapter to the legislature. -- SB1321 CD1

Committee Reports: SSCR 133 (ECD) SSCR 551 (WLH) HSCR 1332 (OMR) HSCR 1831 (FIN) CCR 2

Current Status:

SENATE BILLS WHICH PASSED THE LEGISLATURE

May-04 99 Passed Legislature

Sections Affected: 171-53, 190D-2, 190D-3, 190D-11, 190D-21, 190D-22, 190D-23, 190D-32, 190D-33, 190D-34

SB1325 SD1 HD2 (HSCR 1840)

RELATING TO TAXATION. Introduced by: Mizuguchi N (BR) (586-6870)

Establishes the qualified improvement tax credit law. Provides an improvement income tax credit for a taxpayer subject to income taxes, general excise taxes, transient accommodations taxes, and public service company taxes, for qualified improvement costs incurred during the taxable year for a qualified resort facility or a qualified general facility. Provides that a qualified resort facility is any building or improvement located or to be located on property designated primarily for resort or hotel use by county zoning ordinances or general plan or on property not so designated, but primarily for commercial or recreational use to support or service a hotel or resort use. Tax available for costs incurred before January 1, 2006 (sunset). Provides that impact fees shall be collected over a 7 year period. -- SB1325 HD2
Committee Reports: SSCR 816 (WAM) HSCR 1420 (TSM/ EDB/) HSCR 1840 (FIN)

Current Status:

May=04 99 Passed Legislature

Sections Affected: (5 SECTIONS) QUALIFIED IMPROVEMENT TAX CREDIT

SB1326

RELATING TO LENDER EXEMPTIONS. Introduced by: Mizuguchi N (BR) (586-6870)

Amends mortgage brokers and solicitors provisions to provide an exemption for foreign lenders. Repeals filing and effect statement and cancellation of statement provisions. -- SB1326

Committee Reports: SSCR 373 (CPN) SSCR 597 (WAM) HSCR 1219 (CPC) HSCR 1800 (FIN)

Current Status:

Apr-15 99 Received by the Governor

Apr-26 99 Approved by Governor (Act 43 1999)

Sections Affected: 454-2, 454D-2, 207-14, 207-15

SB1403

RELATING TO THE TRAFFIC CODE. Introduced by: Mizuguchi N (BR) (586-6870)

Provides that with respect to highways under their jurisdiction, the director of transportation is authorized to and counties by ordinance may prohibit or restrict the stopping, standing, or parking of vehicles by the placement of curb markings. -- SB1403

Committee Reports: SSCR 249 (TIA) HSCR 1242 (TRN) HSCR 1757 (JHA)

Current Status:

Apr-15 99 Received by the Governor

Apr-26 99 Approved by Governor (Act 44 1999)

Sections Affected: 291C-111

SB1421 SD1 HD2 (HSCR 1784)

RELATING TO TAXATION. Introduced by: Mizuguchi N (BR) (586-6870)

Adds probation for attempted tax evasion, wilful failure to file a tax return, and aiding and abetting preparation of a false tax return. -- SB1421 HD2

Committee Reports: SSCR 869 (JDC) HSCR 1292 (JHA) HSCR 1784 (FIN)

Current Status:

May=04 99 Passed Legislature

Sections Affected: 231-34, 231-35, 231-36

SENATE BILLS WHICH PASSED THE LEGISLATURE

SB1452 HD3 CD1 (CCR 121)

RELATING TO HEALTH. Introduced by: Chun Oakland S (586-6130)

Amends patients bill of rights and responsibilities to require the insurance commissioner to report to the legislature. Requires the commissioner to contract with 1 or more certified vendors of the consumer assessment health plan survey, beginning January 1, 1999, to conduct a survey and educational program of all managed care plans actively offering managed care plans in this State. Requires each mutual benefit society, health maintenance organization (HMO), and any other entity offering or providing health benefits or services to deposit with the commissioner a fee to provide for the actual cost of the survey and educational program, and a 1 time assessment to the health insurance regulation fund. -- Defines emergency medical condition, emergency services, and stabilize. -- Adds that a managed care plan shall demonstrate to the commissioner, upon request, payment or reimbursement for adequately documented emergency services, and allow standing referrals to specialists capable of providing and coordinating primary and specialty care for an enrollee's life threatening, chronic, degenerative, or disabling disease or condition. -- Requires the managed care plan to send notice of its final internal determination of complaint or appeal to the enrollee and the enrollee's appointed representative, if applicable, and the commissioner. -- Adds that the enrollee's treating provider or appointed representative may appeal an adverse decision of a managed care plan to a 3 member review panel. Amends information to enrollees and requires a managed care plan to provide generic participating provider contracts to enrollees, upon request. -- Amends Act 246, session laws of 1998. Adds to the health plan options to reimburse an emergency provider and an emergency department for any items or services not necessary to stabilize the patient, but that are determined to be medically necessary by the emergency provider, or immediately arrange for an alternate plan of treatment for the member if a non participating emergency provider and the plan are unable to reach an agreement on services necessary beyond those immediately needed to stabilize the member. Repealed on July 1, 2003 (sunset). -- Requires the patient rights and responsibilities task force to develop proposed legislation addressing issues within the scope of the task forces' responsibilities. Report to the legislature. -- SB1452 CD1

Committee Reports: SSCR 411 (CPN/ HHS/) SSCR 818 (WAM) HSCR 1202 (HLT) HSCR 1403 (CPC) HSCR 1842 (FIN) CCR 121

Current Status:

May-04 99 Passed Legislature

Sections Affected: 432E- (3 SECTIONS), 431:10C-103, 432E-3, 432E-5, 432E-6, 432E-7, 432E-10, ACT 246 1998

SB1460

RELATING TO CERTIFIED SUBSTANCE ABUSE STAFF. Introduced by: Ihara L (586-6250)

Amends mental health, alcohol, drug abuse treatment provisions by including a psychologist who holds a current certification from the American Psychological Association College of Professional Psychology in the treatment of alcohol and other psychoactive substance use disorders. -- SB1460

Committee Reports: SSCR 581 (CPN) HSCR 1256 (HLT) HSCR 1672 (CPC)

Current Status:

Apr-12 99 Received by the Governor

Apr-23 99 Approved by Governor (Act 36 1999)

Sections Affected: 431M-1

SB1470 HD2 CD1 (CCR 152)

RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS. Introduced by: Mizuguchi N (BR) (586-6870)

Appropriation for salary increases and other cost adjustments for the office of the auditor, ethics commission, legislative reference bureau, ombudsman, house of representatives, and senate. (\$\$) -- SB1470 CD1

Committee Reports: SSCR 110 (LRE) SSCR 755 (WAM) HSCR 1186 (LAB) HSCR

SENATE BILLS WHICH PASSED THE LEGISLATURE

1723 (FIN) CCR 152

Current Status:
May-04 99 Passed Legislature

SB1478

RELATING TO PLANTS. Introduced by: Inouye L (586-7335)

Requires the department of agriculture to designate specific plants that may spread or may be likely to spread an infestation or infection of an insect, pest, or disease that is detrimental or potentially harmful to agriculture, horticulture, animal or public health, or natural resources including native biota, or may have an adverse effect on the environment as determined by the board. Provides that these plants, or plant species designated by rule as noxious weeds, are to be designated as restricted plants. --

SB1478

Committee Reports: SSCR 557 (ECD) HSCR 1668 (AGR)

Current Status:
Apr-08 99 Received by the Governor
Apr-22 99 Approved by Governor (Act 21 1999)

Sections Affected: 150A-6

SB1485 SD1 HD1 CD1 (CCR 33)

RELATING TO MINORS. Introduced by: Ige M (586-9405)

Amends waiver of jurisdiction standards for minors, by including court waiver of jurisdiction after a full investigation and hearing. -- Amends provision relating to confidentiality of a minor records and proceedings. Provides that in proceedings involving the death of a victim and a defendant minor 14 or older who has been adjudicated or a minor 16 or older taken into custody, records and proceedings shall be open for public inspection. -- SB1485 CD1

Committee Reports: SSCR 893 (JDC) HSCR 1702 (JHA) CCR 33

Current Status:
May-04 99 Passed Legislature

Sections Affected: 571-22, 571-84, 571-84.6

SB1499 SD1 HD2 CD1 (CCR 118)

RELATING TO THE RANDOLPH-SHEPPARD REVOLVING ACCOUNT. Introduced by: Bunda R (586-6090)

Amends provisions relation to blind and visually handicapped persons by allowing the state committee of blind vendors to hire private attorneys, provided that the committee 1st seek representation by the attorney general and the attorney general is unwilling to provide representation, the court determines that representation by the attorney general is directly adverse to another client of the attorney general, or the committee finds that the representation is inadequate. Requires the attorney general to determine if it is unwilling to provide representation within 30 days. -- Adds provisions relating to the Randolph Sheppard revolving account. Adds that the account shall be used for services for the state committee of blind vendors including but not limited to the hiring of private attorneys. Requires any money deposited in the revolving account from vending machine income to be identified as to whether the income is generated from federal, state, or county operations. Provides that all federal moneys shall be segregated into a federal source subaccount. Prohibits the state committee of blind vendors from spending more than 30,000 dollars for each fiscal year. Requires the director of human services or its designee to transfer 30,000 dollars from the revolving account to an interest bearing account in a federally insured financial institution at the beginning of each fiscal year. Report to the legislature. Appropriation to the department of human services, out of the non federal source subaccount of the Randolph Sheppard revolving account, to enable the director to transfer the appropriate amount to the account of the blind vendors. -- SB1499 CD1

Committee Reports: SSCR 463 (HHS) SSCR 706 (WAM) HSCR 1393 (HSH) HSCR 1827 (FIN) CCR 118

Current Status:

SENATE BILLS WHICH PASSED THE LEGISLATURE

May-04 99 Passed Legislature

Sections Affected: 347- (1 SECTION), 28-8.3, 347-12.5

SB1501 SD3 HD3 CD1 (CCR 119) RELATING TO EDUCATION. Introduced by: Chumbley A (586-6030)

Establishes provisions for new century charter schools. Provides that schools designated as student centered schools shall be designated as new century charter schools. Allows up to 25 schools to be established as new century schools by the creation of a new school as a new century charter school upon request through a letter of intent, an existing school by establishing a local school board as its governing body, or the creation of a new school comprised of programs or sections of existing school populations and using existing school facilities by establishing a new century charter school upon request through a letter of intent. Allows any community or any program within an existing school to submit a letter of intent to the board of education for the establishment of a new century charter school. Requires the local school board to formulate and develop a detailed implementation plan. Exempts new century charter schools from state laws except collective bargaining, discriminatory practices, and health and safety requirements. Schools shall receive an allocation of state funds based upon the operational and educational funding requirements of the schools. Requires the legislative auditor to determine the appropriate allocation based on the total department general fund appropriation and per pupil expenditure for the previous year. Requires every school to conduct annual self evaluations and report to the board of education. Requires the board to evaluate each school every 4 years. Requires the department, representatives of the major divisions in the department, unions, as well as individuals from the schools to collaborate together on a system of technical assistance. Also requires the department, through the board and superintendent of education to provide information and technical assistance to the new schools.

Repeals student centered school provisions. -- SB1501 CD1

Committee Reports: SSCR 340 (EDU) SSCR 819 (WAM) - filed FLOOR
AMENDMENT 9 HSCR 1214 (HSH/ HLT/) HSCR 1404 (EDN/ LAB/) HSCR 1792 (FIN)
CCR 119

Current Status:

May-04 99 Passed Legislature

Sections Affected: 302A- (8 SECTIONS) NEW CENTURY CHARTER SCHOOLS,
302A-101, 302A-1114, 302A-1302, 302A-1123, 302A-1123.5, 302A-1123.6

SB1502 SD1 HD1 CD1 (CCR 27) RELATING TO CAMPAIGN SPENDING. Introduced by: Chumbley A (586-6030)

Establishes provision relating to electioneering communications. Requires every person making a disbursement for electioneering communication in an aggregate amount of 2,000 dollars during any calendar year to file a statement with 24 hours of each disclosure (disbursement) date. Provides criteria for statements and defines electioneering communication and disclosure date. -- Amends provision relating to other contributions and expenditures. -- SB1502 CD1

Committee Reports: SSCR 871 (JDC) HSCR 1470 (JHA) CCR 27

Current Status:

May-04 99 Passed Legislature

Sections Affected: 11- (1 SECTION), 11-207

SB1512 SD1 HD1 (HSCR 1701) RELATING TO THE UNIFORM PARTNERSHIP ACT. Introduced by: Taniguchi B (586-6460)

Repeals and replaces the uniform partnership act. Also establishes provisions for limited liability partnerships and foreign limited liability partnerships. -- SB1512 HD1
Committee Reports: SSCR 97 (CPN) SSCR 707 (WAM) HSCR 1701 (JHA)

Current Status:

May=04 99 Passed Legislature

SENATE BILLS WHICH PASSED THE LEGISLATURE

Sections Affected: 425-101, 425-102, 425-103, 425-104, 425-105, 425-106, 425-107, 425-108, 425-109, 425-110, 425-111, 425-112, 425-113, 425-114, 425-115, 425-116, 425-117, 425-118, 425-119, 425-120, 425-121, 425-122, 425-123, 425-124, 425-125, 425-126, 425-127, 425-128, 425-129, 425-130, 425-131, 425-132, 425-133, 425-134, 425-135, 425-136, 425-137, 425-138, 425-139, 425-140, 425-141, 425-142, 425-143, 425-144, 425-145, 425-1, 425-9, 425-166

SB1518 HD1 CD1 (CCR 112)

RELATING TO GOVERNMENT OPERATIONS. Introduced by: Tam R (586-6450)

Amends provision relating to interest within the pension and retirement system statutes. Provides that actuarial investment earnings in excess of 10 per cent of yield rate be applied to annual contributions by the State and counties for fiscal years 1997 and 1998. Prohibits similar law requiring the employees retirement system to apply actuarial investment earnings to offset State and county contributions. -- Amends provision relating to the scope of negotiations within the collective bargaining statutes. -- Requires savings realized be used for funding retroactive cost items for HGEA and UPW contracts. -- Appropriation to the counties. -- Requires every department and agency to annually develop and report to the legislature, submit a statement of goals, objectives, policies, action plan with a time table indicating how objectives and policies will be implemented, and process to measure performance. (\$\$) -- SB1518 CD1
Committee Reports: SSCR 222 (GOH) SSCR 740 (WAM) HSCR 1742 (FIN) CCR 112

Current Status:
May-04 99 Passed Legislature

Sections Affected: 88-107, 89-9

SB1519 SD3 HD2 CD1 (CCR 17)

RELATING TO HOUSING. Introduced by: Tam R (586-6450)

Establishes a federally assisted rental housing preservation program. Provides that at least 1 year prior to the anticipated date of termination of a subsidy contract or mortgage prepayment on an assisted housing development, the owner proposing the termination or prepayment of governmental assistance shall provide a notice of the change to each affected tenant household residing in the development, the housing and community development corporation of Hawaii, the county where the property is located and the state legislature. Provides that an owner of an assisted housing development who has not, prior to July 1, 1999, given notice of intent to terminate a subsidy contract or prepay the mortgage, shall not sell or otherwise dispose of the development unless the owner provides the entities an opportunity to purchase the development at a price upon terms which represent a bona fide intention to sell. Entities with right to purchase shall include, the tenant association, local nonprofit organizations and public agencies, regional and national nonprofit organizations and public agencies. Provides criteria. -- Requires the housing and community development corporation of Hawaii to publish a summary of rights and obligations and compile and maintain a list of entities who have expressed an interest in purchasing a development in the subject area or have been identified by the corporation as potentially having an interest in participating in a right of 1st refusal program. -- SB1519 CD1

Committee Reports: SSCR 137 (GOH) SSCR 616 (WAM) - filed FLOOR
AMENDMENT 2 HSCR 1331 (HSH) HSCR 1830 (FIN) CCR 17

Current Status:
May-04 99 Passed Legislature

Sections Affected: 201G- (4 SECTIONS) FEDERALLY ASSISTED RENTAL HOUSING PRESERVATION PROGRAM

SB1583 SD2 HD2 CD1 (CCR 122)

RELATING TO TECHNOLOGY. Introduced by: Ige D (586-6230)

Establishes a special advisor for technology development within the office of the governor to develop, coordinate, and implement long and short term state policies and directives to enhance the development of high technology industries. -- Establishes the governor's special advisory council for technology development to review and make recommendations on matters relating to the marketing and promotion of Hawaii as a

SENATE BILLS WHICH PASSED THE LEGISLATURE

location for high technology companies and to assist the advisor. Repealed on December 31, 2005 (sunset). Appropriation. -- Requires the office of tourism to use existing and potential information and communication technology networks and services in the State. -- Provides that the Hawaii tourism authority shall develop and include in its marketing plan goals and objectives for marketing the State to the techno tourism niche, as well as for integrating marketing objectives with existing and potential state telecommunications and information resources in the public and private sectors. Also to coordinate with the department of accounting and general services. -- Establishes the Hawaii internet tax freedom act. Provides that no discriminatory income tax, general excise tax, or use tax shall be imposed on internet electronic commerce. -- Authorizes the university of Hawaii office of technology transfer to expend up to 4 million dollars from the discoveries and inventions revolving fund for the purposes of the fund. -- Establishes provision relating to the millennium workforce development training program. Appropriation to the department of labor and industrial relations. -- Appropriation to the university of Hawaii to implement programs pursuant to the millennium workforce development program. -- Requires the department of education, in conjunction and coordination with the university of Hawaii to provide e mail accounts at no charge to any student who applies to the department for such an account. Student must be 9th grade or above. -- Requires the department of education to establish E academies throughout the State with onsite locations based at selected high schools in each district. Also for the department to develop new and challenging high school courses in math, science, and technology in the authorized course code and number guide. Also to provide innovative training program for E academy teachers and conduct instructional assessment activities. E academy means a virtual site based school which provides students with industry and academic standards based instruction and assessments in technology, science, math, and engineering. -- Amends the state planning act to include the increase and improvement of the use of information technology in education by the availability of telecommunication equipment for the electronic exchange of information, statewide electronic mail, and access to the internet. -- Provides an income tax exemption for income received from stock options from qualified high technology businesses. -- Provides an income tax deduction for amounts received by an individual or a qualified high technology business as royalties and other income derived from patents and copyrights. -- Provides a high technology business investment income tax credit which shall be operative for the tax on banks and financial corporations and for fees for insurance companies. -- Provides an income tax credit for increasing research activities. (\$\$) -- SB1583 CD1

Committee Reports: SSCR 365 (EDU/ ECD/ LRE/) SSCR 820 (WAM) HSCR 1422 (EDB) HSCR 1845 (FIN) CCR 122

Current Status:
May-04 99 Passed Legislature

Sections Affected: (2 SECTIONS), 201-97, 201B-6, 231- (1 SECTION), (1 SECTION), 302A- (1 SECTION), 226-107, 235- (1 SECTION), 235- (1 SECTION), 235- (1 SECTION), 235- (1 SECTION), 241- (1 SECTION), 431:7- (1 SECTION), 235-2.3

SB1635 SD2 HD2 CD1 (CCR 125) RELATING TO PUBLIC LAND TRUST. Introduced by: Anderson W (586-6840)

Requires the auditor to coordinate the resolution of the issues and controversies surrounding the public land trust by facilitating the identification of lands within the public lands trust, assets and natural resources, and with the cooperation of the department of land and natural resources, the office of Hawaiian affairs, and any other state agency and department to complete a comprehensive inventory and mapping database. Provides criteria. Progress and final report to the legislature.

Appropriation. Requires matching funds from the office of Hawaiian affairs. -- Amends provision relating to interim revenue. Appropriation to the office of Hawaiian affairs, which shall be credited towards any settlement or judgment against the State. (\$\$) -- SB1635 CD1

Committee Reports: SSCR 398 (WLH) SSCR 821 (WAM) HSCR 1326 (JHA) HSCR 1771 (FIN) CCR 125

Current Status:
May-04 99 Passed Legislature

SENATE BILLS WHICH PASSED THE LEGISLATURE

Sections Affected: 10-13.3

SB1638 SD2 HD1 CD1 (CCR 16) RELATING TO EDUCATIONAL OFFICERS. Introduced by: Mizuguchi N (586-6870)

Requires the department of education and the exclusive representative for bargaining unit 6 to conduct a study on the issue of compensational parity for educational officers of the department. Study to include a review of the educational officer classification / compensation plan and position descriptions, an examination of the compensational parity implications of the movement of a teacher from the teacher salary schedule to placement on the educational officer's salary schedule, an assessment on whether implementing a salary classification system for educational officers similar to the teacher salary classification system is appropriate, an assessment on whether educational officers should be similarly compensated for continuing educational achievement in the manner teachers who earn additional educational credits are compensated, and recommendations that will address the issue of providing compensational parity between long time educational officers and newly hired educational officers who have transferred over from high level teaching positions. The report shall also review and evaluate the classification and compensation schedules of adult education educational officers as to whether adult education educational officers are appropriately compensated when compared to K - 12 educational officers. Report to the legislature. -- SB1638 CD1

Committee Reports: SSCR 359 (LRE/ EDU/) SSCR 641 (WAM) HSCR 1188 (EDN) HSCR 1412 (LAB) HSCR 1686 (FIN) CCR 16

Current Status:

May-04 99 Passed Legislature

SB1639 SD1 (SSCR 822) MAKING AN EMERGENCY APPROPRIATION FOR KAPOLEI HIGH SCHOOL. Introduced by: Mizuguchi N (BR) (586-6870)

Amends Act 328, session laws of 1997, as amended by Act 116, session laws of 1998, relating to the state budget, by changing the appropriation to lao intermediate school and Kapolei high school. (\$\$) -- SB1639 SD1

Committee Reports: SSCR 291 (EDU) SSCR 822 (WAM) HSCR 1149 (FIN)

Current Status:

Mar-22 99 Received by the Governor

Mar-25 99 Approved by Governor (Act 2 1999)

Sections Affected: Act 328 1997, ACT 116 1998

SB1641 SD2 (SSCR 668) RELATING TO THE PUBLIC LIBRARY SYSTEM. Introduced by: Mizuguchi N (BR) (586-6870)

Amends the annual reports made by the state librarian on the status of the libraries special fund and the library fee for enhanced services special fund to include allocations to each public library including allocations established for both the fiscal year and the subsequent year; financial information regarding receipt sources by individual libraries; and actual expenditure of receipts by individual libraries. Repeals the provision that requires the balance of the enhanced services special fund on July 1, 1996 (sunset) to be deposited into the general fund. -- SB1641 SD2

Committee Reports: SSCR 268 (EDU) SSCR 668 (WAM) HSCR 1388 (EDN) HSCR 1796 (FIN)

Current Status:

Apr-15 99 Received by the Governor

Apr-26 99 Approved by Governor (Act 45 1999)

Sections Affected: 312-3.6, 312-22

HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB0001 HD1 SD1 (SSCR 931) RELATING TO CHILD PASSENGER SAFETY. Introduced by: Hiraki K (586-6180)
- Amends child passenger restraint provisions (car seat) by repealing the provision that allows the option for a child between 3 years of age and 4 years of age to be restrained by a seat belt assembly and requires any child under 4 years of age to be restrained by a child passenger restraint system. -- HB0001 SD1
Committee Reports: HSCR 2 (TRN) HSCR 940 (JHA) SSCR 931 (TIA) SSCR 1484 (JDC)
- Current Status:
Apr-29 99 Received by the Governor
- Sections Affected: 291-11.5
- HB0004 HD1 SD1 CD1 (CCR 61) RELATING TO POLICE ROADBLOCK PROGRAMS. Introduced by: Hiraki K (586-6180)
- Amends intoxicating liquor and drug control roadblock programs to add that in the case of internal police procedures that do not fall within the definition of rule under administrative procedure provisions, failure to comply scrupulously with internal police procedures shall not invalidate a roadblock that otherwise meets the minimum statutory criteria. -- HB0004 CD1
Committee Reports: HSCR 71 (TRN) HSCR 941 (JHA) SSCR 958 (TIA) SSCR 1485 (JDC) CCR 61
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 286-162.5
- HB0007 SD1 (SSCR 937) RELATING TO MOTOR VEHICLES. Introduced by: Hiraki K (586-6180)
- Amends traffic violations provisions relating to size of vehicles by increasing the allowable length of truck tractor and semitrailer from 60 feet to 65 feet and increasing the length of semitrailer from 45 feet to 48 feet. -- HB0007 SD1
Committee Reports: HSCR 4 (TRN) HSCR 804 (JHA) SSCR 937 (TIA)
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 291-34
- HB0008 HD1 SD2 (SSCR 1585) RELATING TO MOTOR VEHICLE DRIVER LICENSING. Introduced by: Hiraki K (586-6180)
- Prohibits the examiner of drivers to issue or renew any driver's license using the driver's social security number on the driver's license. Adds that every driver's license application shall state the social security number of the applicant. -- HB0008 SD2
Committee Reports: HSCR 9 (TRN) HSCR 518 (JHA) HSCR 980 (FIN) SSCR 1025 (TIA) SSCR 1585 (JDC)
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 286-109, 286-111
- HB0010 RELATING TO MOTOR VEHICLES. Introduced by: Hiraki K (586-6180)
- Requires every employer and job placement center who employs a commercial motor vehicle driver who drives a motor vehicle with a gross vehicle weight rating in excess of 10,000 pounds to provide the driver a driver improvement program. -- HB0010
Committee Reports: HSCR 5 (TRN) HSCR 805 (JHA) SSCR 1536 (TIA)
- Current Status:

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Apr-15 99 Received by the Governor
Apr-26 99 Approved by Governor (Act 46 1999)

Sections Affected: 286-202.5

HB0020 HD2 SD2 CD1 (CCR 148) RELATING TO THE JUDICIARY. Introduced by: Hiraki K (586-6180)

Amends provisions relating to the employees' retirement system and the judiciary. Provides that any member as a judge or justice enters or reenters service after June 30, 1999, without vested benefit status, or who is a former retirant, may retire if a member has 5 years credited service as a judge or justice and attained the age of 55 or has at least 25 years credited service. Provides if a member has credited service as a judge before June 30, 1999, the retirement allowance for each year of service shall be 3 and 1/2 per cent of the member's average final compensation in addition to an annuity. -- Provides for increased salaries effective July 1, 1999 and July 1, 2000, chief justice of the supreme court; each associate justice of the supreme court; the chief judge of the intermediate appellate court; each associate judge of the intermediate appellate court; each circuit court judge of the various circuit courts; and each district court judge of the various district courts. Appropriation to the judiciary. (\$\$) -- HB0020 CD1
Committee Reports: HSCR 521 (JHA) HSCR 1011 (FIN) SSCR 1155 (JDC/ CPN/ SSCR 1474 (WAM) CCR 148 - filed

Current Status:
May-04 99 Passed Legislature

Sections Affected: 88-73, 88-74, 602-2, 602-52, 603-5, 604-2.5

HB0032 HD2 SD2 CD1 (CCR 76) RELATING TO AGRICULTURE. Introduced by: Chang J (586-6120)

Establishes provision relating to an affirmative defense for the possession or cultivation of marijuana. -- Authorizes the State to allow privately fund industrial hemp research to be conducted in Hawaii, provided that the department of public safety issues a controlled substance registration and the US Department of Justice, Drug Enforcement Administration issues a federally controlled substance registration for research on the agronomic potential of industrial hemp. Authorizes the department of public safety in cooperation with the Drug Enforcement Administration and appropriate county law enforcement agencies to monitor all phases of the research. Annual reports to the legislature and quarterly status reports to county law enforcement agencies. Provides that all agronomic data derived from the privately funded industrial hemp research shall not be subject to disclosure when data is proprietary in nature and disclosure of it would frustrate a legitimate government function. Act to be repealed on June 30, 2002 (sunset). -- HB0032 CD1
Committee Reports: HSCR 562 (AGR) HSCR 955 (JHA/ PSM/) SSCR 1137 (ECD) SSCR 1574 (JDC) CCR 76

Current Status:
May-04 99 Passed Legislature

Sections Affected: 712- (1 SECTION)

HB0050 RELATING TO TEMPORARY DISABILITY INSURANCE. Introduced by: Takumi R (586-6170)

Amends provision relating to eligibility for benefits under temporary disability insurance law by changing requirement that an individual be in employment for at least 14 weeks during the 4 completed calendar quarters immediately preceding the 1st day of disability to requiring individual to be in employment for at least 14 weeks during the 52 weeks immediately preceding the 1st day of disability. Act to apply to all injuries occurring after December 31, 1999. -- HB0050
Committee Reports: HSCR 192 (LAB) HSCR 850 (FIN) SSCR 998 (LRE) SSCR 1414 (WAM)

Current Status:

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Apr-12 99 Received by the Governor
Apr-23 99 Approved by Governor (Act 30 1999)

Sections Affected: 392-25, 392-43

HB0072 HD2 SD1 CD1 (CCR 82) RELATING TO ELECTIONS. Introduced by: Oshiro P (586-6360)

Amends election provisions relating to campaign contributions and expenditures. Amends definition of qualifying campaign contribution to mean a monetary contribution of 100 dollars or less of the aggregate contribution made by any person during any matching payment period. -- Amends provision relating to voluntary campaign expenditure limitation by repealing the candidate's option to withdraw the candidate's affidavit no later than 30 days prior to a primary election. Provides that affidavits shall be filed by the time of filing of nomination papers with the chief elections officer or county clerk. -- Requires all contributors to be notified in writing within 30 days of the day on which expenditure limits are exceeded. -- Provides that application for public funds shall be accompanied by a qualifying campaign contribution statement and to be filed no later than 30, rather than 60, days after the general election. Changes the days, from 10 to 20, that the comptroller shall distribute the public fund to each eligible candidate, after initial application to the commissioner. -- Provides that each candidate, on the deadline for filing of a final report for any primary, special primary, special, or general election, shall return all unexpended public funds to the Hawaii election campaign fund after filing a final report for any election. Amends Act 27, special session law of 1995, as amended by Act 13, session laws of 1996. -- HB0072 CD1

Committee Reports: HSCR 523 (JHA) HSCR 1036 (FIN) SSCR 1390 (JDC) CCR 82

Current Status:
May-04 99 Passed Legislature

Sections Affected: 11-191, 11-203, 11-208, 11-209, 11-217.5, 11-218, 11-219, 11-222, 11-223, ACT 27 1995 1SP, ACT 13 1996

HB0077 HD1 SD1 (SSCR 1387) RELATING TO REAL PROPERTY ENCROACHMENT. Introduced by: Hamakawa E (586-8480)

Amends provisions relating to quieting title and to de minimus structure position discrepancies. Amends definition to include industrial property and makes the actual location of a boundary line based on the most recent survey. Provides that in the event that the property owner who constructed the improvement is not readily identifiable, the owner of the improvement shall be determined to be the owner of the property upon which the improvement is substantially located. Amends Act 131, session laws of 1997, by providing that this act shall apply to all structure position discrepancies without regard to when the facts or actions giving rise to the discrepancy occurred. -- HB0077 SD1

Committee Reports: HSCR 407 (WLU) HSCR 934 (JHA) SSCR 1387 (JDC)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 669-11, 669-12, ACT 131 1997

HB0085 HD1 SD1 (SSCR 2) MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN. Introduced by: Takamine D (586-6200)

Appropriation for the expenses of the legislature, the office of the legislative auditor, the legislative reference bureau, the office of the ombudsman, for defraying expenses of the legislative information system, and for the legislative broadcast program. (\$\$) -- HB0085 SD1

Committee Reports: HSCR 1 (FIN) SSCR 2 (WAM)

Current Status:

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Feb-04 99 Received by the Governor
Feb-04 99 Approved by Governor (Act 1 1999)

HB0086 SD1 CD1 (CCR 143) RELATING TO STATE BONDS. Introduced by: Takamine D (586-6200)

Provides declaration of findings on debt limit with respect to general obligation refunding bonds and provides authorization for the issuance of general obligation bonds. -- HB0086 CD1
Committee Reports: HSCR 723 (FIN) SSCR 1601 (WAM) CCR 143

Current Status:
May-04 99 Passed Legislature

HB0098 HD1 SD1 (SSCR 1117) RELATING TO PENSIONERS' BONUS. Introduced by: Yoshinaga T (586-8450)

Amends Act 339, session laws of 1990, as amended by Act 98, session laws of 1993, Act 275, session laws of 1994, and Act 327, session laws of 1997, relating to pensioners' bonuses, by extending the repeal date to June 30, 2001 (sunset). -- HB0098 SD1
Committee Reports: HSCR 188 (LAB) HSCR 828 (FIN) SSCR 1117 (CPN) SSCR 1251 (WAM)

Current Status:
May-04 99 Passed Legislature

Sections Affected: Act 339 1990, ACT 98 1993, ACT 275 1994, ACT 327 1997

HB0100 HD1 SD1 CD1 (CCR 140) RELATING TO THE STATE BUDGET. Introduced by: Say C (BR) (586-6100)

General Appropriations Act of 1999 (state budget). Appropriations for general operating and capital improvement funds for the support of state government operations over the 1999 - 2001 fiscal biennium. Authorizes the issuance of general obligation bonds. (\$\$) -- HB0100 CD1
Committee Reports: HSCR 1107 (FIN) SSCR 1608 (WAM) CCR 140

Current Status:
May-04 99 Passed Legislature

Sections Affected: Act 296 1991, ACT 300 1992, ACT 316 1989, ACT 299 1990, ACT 216 1987, ACT 390 1988, ACT 300 1985, ACT 345 1986, ACT 301 1983, ACT 285 1984, ACT 1 1981 1SP, ACT 264 1982, ACT 328 1997, ACT 116 1998, ACT 218 1995, ACT 287 1996, ACT 289 1993, ACT 252 1994, ACT 7 1993 1SP, ACT 214 1979, ACT 300 1980, ACT 10 1977 1SP, ACT 243 1978, ACT 195 1975, ACT 226 1976, ACT 68 1971, ACT 202 1972, ACT 40 1968

HB0102 HD2 (HSCR 945) RELATING TO WAGE PAYMENTS. Introduced by: Yoshinaga T (586-8450)

Amends provisions relating to the payment of wages and other compensation. Provides that any employer who fails to pay wages without equitable justification shall be liable to the employee, in addition to the wages legally proven to be due, for a sum equal to the amount of unpaid wages and interest at a rate of 6 per cent per year from the date the wages were due. -- HB0102 HD2
Committee Reports: HSCR 643 (LAB) HSCR 945 (JHA) SSCR 1383 (LRE)

Current Status:
Apr-08 99 Received by the Governor
Apr-22 99 Approved by Governor (Act 22 1999)

Sections Affected: 388-10

HB0104 HD1 SD2 CD1 (CCR 190) RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND. Introduced by: Yoshinaga T (586-8450)

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Amends Act 309, session laws of 1996, relating to the public employees health fund, by requiring the director of finance to include representatives from state and county public employers, and public employee organizations on the committee established to develop and recommend a proposal to implement alternative concepts for determining and administering public employee and retiree health benefits. -- Requires the state and county public employers and the public employee organizations to appoint a co chair from among their respective committee members to lead the committee. Provides that the committee shall also include 1 retiree member of the public employees health fund, who shall be selected by the governor from a list submitted by the fund. Provides criteria. Reports to the legislature. Provides that the committee shall cease to exist on June 30, 2001 (sunset). -- HB0104 CD1
Committee Reports: HSCR 242 (LAB) HSCR 842 (FIN) SSCR 985 (CPN) SSCR 1533 (WAM) CCR 190

Current Status:
May-04 99 Passed Legislature

Sections Affected: Act 309 1996

HB0138 HD2 SD1 CD1 (CCR 70) RELATING TO AGRICULTURAL GOODS. Introduced by: Say C (586-6100)

Establishes provisions relating agricultural goods and commodities, ownership and movement certification. Provides that every owner upon sale or transportation of lots over 200 pounds or value of at least 100 dollars of any agricultural commodity marketed for commercial purposes shall complete a certificate describing the commodity and indicating the seller, owner, buyer or consignee, the origin, and destination. Provides criteria. Defines agricultural commodity to mean any fruit, nut or vegetable that is considered to be a food product of any tree, vine, or plant, or any aquacultural, horticultural, or floricultural product. Changes regulation of dealers in farm produce law to regulation of farm produce law. -- HB0138 CD1
Committee Reports: HSCR 561 (AGR) HSCR 944 (JHA) SSCR 1189 (ECD) SSCR 1566 (JDC) CCR 70

Current Status:
May-04 99 Passed Legislature

Sections Affected: 145- (8 SECTIONS) OWNERSHIP AND MOVEMENT OF AGRICULTURAL COMMODITIES

HB0154 HD1 SD1 CD1 (CCR 99) RELATING TO PUBLIC TELEVISION. Introduced by: Say C (586-6100)

Repeals the Hawaii public broadcasting authority on July 2, 2000 (sunset) and transfers records, equipment, licenses issued by the Federal Communications Commission, rights and obligations of the authority, and revolving fund to the Hawaii public television foundation. -- HB0154 CD1
Committee Reports: HSCR 34 (CAR) HSCR 1059 (FIN) SSCR 1112 (EDU) SSCR 1415 (WAM) CCR 99

Current Status:
May-04 99 Passed Legislature

Sections Affected: 314-1, 314-2, 314-3, 314-4, 314-5, 314-6, 314-7, 314-8, 314-9, 314-10, 314-11, 314-12, 314-13, 314-13.5, 314-14, 314-15, 314-16, 314-17

HB0160 SD1 CD1 (CCR 83) RELATING TO STATE AND COUNTY IMMUNITY FROM LIABILITY. Introduced by: Say C (586-6100)

Amends Act 190, session laws of 1996, relating to public land liability immunity, by extending the sunset date of June 30, 2003. Requires the task force on beach and water safety to annually report to the legislature. -- HB0160 CD1
Committee Reports: HSCR 724 (JHA) SSCR 1215 (JDC) CCR 83

Current Status:
May-04 99 Passed Legislature

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Sections Affected: Act 190 1996

HB0161 HD1 SD2 CD1 (CCR 84) RELATING TO SEARCH AND RESCUE COSTS. Introduced by: Say C (586-6100)

Establishes the search and rescue reimbursement law. Authorizes any governmental entity to seek reimbursement for search and rescue expenses from the person, the person's estate, guardians, custodians, or other entity responsible for the person's safety. Provides that reimbursement shall be allowed only if the need for search and rescue was caused by any act or omission by the person searched for or rescued, constituting intentional disregard for the person's safety, including intentionally disregarding a warning or notice. Allows any governmental entity to bring an action in any court of competent jurisdiction. -- HB0161 CD1
Committee Reports: HSCR 524 (JHA) HSCR 787 (FIN) SSCR 1028 (TIA) SSCR 1575 (JDC) CCR 84

Current Status:
May-04 99 Passed Legislature

Sections Affected: (3 SECTIONS) SEARCH AND RESCUE REIMBURSEMENT ACT

HB0165 HD1 SD1 CD1 (CCR 85) RELATING TO ELECTIONS. Introduced by: Say C (586-6100)

Amends election provisions relating to campaign contributions and expenditures. Limits a contribution from a political party or political committees established and maintained by a national political party, to a candidate. Prohibits a person or any entity from making contributions in an aggregate amount greater than 25,000 dollars, or a political party from making contributions in an aggregate amount greater than 50,000 dollars, to a political party in any 2 year election period. Defines political committees established and maintained by a national political party. -- HB0165 CD1
Committee Reports: HSCR 732 (JHA) SSCR 1391 (JDC) CCR 85

Current Status:
May-04 99 Passed Legislature

Sections Affected: 11-191, 11-204, 11-205

HB0167 HD3 SD2 CD1 (CCR 75) RELATING TO MOTOR VEHICLE DRIVER LICENSING. Introduced by: Say C (586-6100)

Establishes that a person who is 15 years and 6 months old may be granted an instruction permit and increases the age that a person can obtain a driver's license from 15 years of age to 16 years of age. Provides that a person 16 to 17 years of age may be granted a driver's license. Requires the examiner of drivers to require proof from an applicant under 18 years of age that the applicant has completed a behind the wheel driver training course certified by the director of transportation. Prohibits a person who is not licensed to operate the category of motor vehicles to which the driving training course applies to operate a motor vehicle in connection with the driving training course without a valid temporary instruction permit. Requires the director to establish and certify a statewide driver education program and behind the wheel driver training program. -- HB0167 CD1
Committee Reports: HSCR 17 (TRN) HSCR 571 (JHA) HSCR 1067 (FIN) SSCR 1029 (TIA) SSCR 1599 (JDC) CCR 75

Current Status:
May-04 99 Passed Legislature

Sections Affected: 286-104, 286-108, 286-110

HB0170 HD2 SD1 CD1 (CCR 168) RELATING TO LONG-TERM CARE TAX BENEFITS. Introduced by: Say C (586-6100)

Repeals the provision which provides that section 213 (with respect to medical and dental expenses) of the Federal Internal Revenue Code shall be operative and that long term care premiums shall not be operative for State income tax purposes. --

HOUSE BILLS WHICH PASSED THE LEGISLATURE

HB0170 CD1

Committee Reports: HSCR 122 (HSH/ HLT/) HSCR 457 (CPC) HSCR 1018 (FIN) SSCR 945 (CPN) SSCR 1416 (WAM) CCR 168

Current Status:

May-04 99 Passed Legislature

Sections Affected: 235-2.4

HB0171 HD2 SD2 CD1 (CCR 80) RELATING TO HEALTH CARE DECISIONS. Introduced by: Say C (586-6100)

Repeals medical treatment decisions provisions and establishes the uniform health care decisions act (modified). Allows an adult or emancipated minor to execute a power of attorney for health care which may authorize the agent to make any health care decision the principal could have made while having capacity. Provides that unless otherwise specified in a power of attorney for health care, the authority of an agent becomes effective only upon a determination that the principal lacks capacity and ceases to be effective upon determination that the principal has recovered capacity. -- Provides that a health care provider or institution, acting in good faith and in accordance with generally accepted health care standards applicable to the provider or institution shall not be subject to civil or criminal liability or to discipline for unprofessional conduct. -- Amends provisions relating to the durable power of attorney for health care decisions and repeals the durable power of attorney sample form provisions. -- HB0171 CD1

Committee Reports: HSCR 286 (HLT) HSCR 976 (JHA) SSCR 1102 (HHS) SSCR 1600 (JDC) CCR 80

Current Status:

May-04 99 Passed Legislature

Sections Affected: (16 SECTIONS) UNIFORM HEALTH-CARE DECISIONS ACT (MODIFIED), 551D-2.5, 551D-2.6, 327D-1, 327D-2, 327D-3, 327D-4, 327D-4.5, 327D-5, 327D-6, 327D-7, 327D-8, 327D-9, 327D-10, 327D-11, 327D-12, 327D-13, 327D-14, 327D-15, 327D-16, 327D-17, 327D-18, 327D-19, 327D-20, 327D-21, 327D-22, 327D-23, 327D-24, 327D-25, 327D-26, 327D-27

HB0172 HD1 SD2 CD1 (CCR 169) RELATING TO HOSPICE SERVICES. Introduced by: Say C (586-6100)

Requires hospice homes to be considered a residential use of property and to be a permitted use in all residentially designated zones, including but not limited to zones for single family dwellings. Prohibits conditional use, permit, variance, or special exception to be required for residences used as hospice homes. -- Establishes provisions within the department of health to license hospice service agencies. -- Establishes a schedule of payment for hospice care for all authorized insurers under accident and sickness provisions, individual and group hospital or medical service plans, policies, contracts, or agreements under mutual benefit societies provisions, and each health maintenance organization (HMOs). -- HB0172 CD1

Committee Reports: HSCR 133 (HLT) HSCR 435 (CPC) HSCR 793 (FIN) SSCR 1010 (HHS) SSCR 1417 (WAM) CCR 169

Current Status:

May-04 99 Passed Legislature

Sections Affected: 46- (1 SECTION), 321- (1 SECTION), 431:10A- (1 SECTION), 432:1- (1 SECTION), 321-15.1, 321-15.7, 432D-23

HB0177 HD1 SD1 CD1 (CCR 86) RELATING TO HARASSMENT. Introduced by: Say C (586-6100)

Amends provisions relating to the power of the district court to enjoin and temporarily restrain harassment. Provides that upon determination of probable cause the court may temporarily restrain a person named in a petition. -- Authorizes the court to grant a temporary restraining order effective for up to 90 days from the date granted. Provides that if service is not effected the court may set a new hearing date, not to

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exceed 90 days from the date the order was granted. -- Provides that service shall be made personally, by certified mail or proof that the respondent at the hearing. -- Provides criteria for any knowing or intentional violation of a restraining order or injunction. -- Provides that any order issued shall be transmitted to the chief of police of the county in which the order is issued. -- HB0177 CD1
Committee Reports: HSCR 733 (JHA) SSCR 1492 (JDC) CCR 86

Current Status:
May-04 99 Passed Legislature

Sections Affected: 604-10.5

HB0212 HD1 SD1 CD1 (CCR 77)

RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR.
Introduced by: Hiraki K (586-6180)

Establishes penalties for driving under the influence of intoxicating liquor and having a passenger less than 15 years of age in or on the vehicle. -- HB0212 CD1
Committee Reports: HSCR 69 (TRN) HSCR 943 (JHA) SSCR 933 (TIA) SSCR 1572 (JDC) CCR 77

Current Status:
May-04 99 Passed Legislature

Sections Affected: 291-4, 291-4.4

HB0221 HD2 SD1 CD1 (CCR 67)

RELATING TO THE HAWAII TOURISM AUTHORITY. Introduced by: Chang J (586-6120)

Allows the Hawaii tourism authority board to hold a meeting closed to the public relating to the formulation of its strategic tourism marketing plan, if 2/3 of the members of the board agree that public disclosure would frustrate the ability of the authority to implement its tourism plan and maximize the economic benefit of its expenditures, contracts, and agreements. Provides that the Hawaii tourism authority shall be responsible to develop and complete a long range policy plan which shall be presented to the legislature by January 1, 2000. Requires that a long range policy plan to identify other departments and agencies involved and specify a program of action for those departments and agencies. Requires the authority to also be responsible for the strategic tourism marketing plan, update the plan every 2 years, and implement the recommendations of the long range policy plan. -- HB0221 CD1
Committee Reports: HSCR 134 (TSM) HSCR 770 (FIN) SSCR 914 (ECD) SSCR 1253 (WAM) CCR 67

Current Status:
May-04 99 Passed Legislature

Sections Affected: 92-5, 92F-12, 201B-3, 201B-6

HB0248 HD1 SD1 (SSCR 1052)

RELATING TO THE UNIVERSITY OF HAWAII. Introduced by: Morihara D (586-6330)

Allows the board of regents of the university of Hawaii to request and secure legal services from the attorney general and the department of the attorney general for the university, for the board, or its members, or for the university's officers and employees, upon mutual agreement. Provides that nothing shall preclude the board from requesting and securing legislative money to fund the settlement of any claim or judgment against the university, its regents, officers, or agents. -- HB0248 SD1

Committee Reports: HSCR 94 (HED) HSCR 812 (FIN) SSCR 1052 (EDU) SSCR 1418 (WAM)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 304-4.3, 304-6

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- HB0250 HD2 (HSCR 880) RELATING TO THE MANAGEMENT OF FINANCING AGREEMENTS FOR THE UNIVERSITY OF HAWAII. Introduced by: Morihara D (586-6330)
- Amends provisions relating to the management of financing agreements. Allows the board of regents of the university of Hawaii to enter into a financing agreement without the approval of the director of finance and of the attorney general as to form and legality if the principal amount of the financing agreement does not exceed 3 million dollars. -- HB0250 HD2
Committee Reports: HSCR 48 (HED) HSCR 880 (FIN) SSCR 1113 (EDU) SSCR 1419 (WAM)
- Current Status:
Apr-12 99 Received by the Governor
Apr-23 99 Approved by Governor (Act 31 1999)
- Sections Affected: 37D-2
- HB0252 HD3 SD2 CD1 (CCR 135) RELATING TO DEGREE GRANTING INSTITUTIONS. Introduced by: Morihara D (586-6330)
- Amends unaccredited degree granting institutions law. Establishes provisions relating to the state post secondary education commission, exceptions to this law, and power and duties of the director of commerce and consumer affairs. Amends definitions of degree, degree granting institutions, and unaccredited institution. Adds definitions of director, employee, office, presence, and student. Provides that if the unaccredited institution includes in its catalogs, promotional materials, or contracts for instruction any other information relating in any manner to accreditation, or to accreditation by an agency not nationally recognized by the US Secretary of Education, the disclosure required by this section shall be repeated on every page on which the information appears. Also provides that where the information is presented electronically, the disclosure shall be made directly preceding or following the information. Amends the text of the disclosure. Requires records of student enrollment, courses, fees, and matriculation rates to be retained for 5 years. Provides that any person who violates this law shall be deemed to have engaged in an unfair or deceptive act or practice. Requires any unaccredited institution to designate and continuously maintain an agent in this State authorized to accept service of process on behalf of the institution and information of the agent to the director of commerce and consumer affairs. Prohibits an institution not accredited by the American Bar Association to issue a juris doctor degree, master of law degree, or any equivalent or comparable degree. Prohibits any institution not accredited by the Liaison Committee on the Medical Education to issue a doctor of medicine degree or any equivalent or comparable degree. Prohibits an unaccredited institution to issue degrees unless they have an office with at least 1 full time employee and at least 25 full time enrolled students in Hawaii in each academic year. -- Prohibits any degree granting institution that operates in or from the State or has a presence in this State to accept or receive tuition payment or other fees until it complies with the requirements for registration. Prohibits an unaccredited institution to disclose in any catalog, promotional material or written contract for instruction whether it is a candidate for accreditation. -- HB0252 CD1
Committee Reports: HSCR 51 (HED) HSCR 597 (CPC) HSCR 965 (FIN) SSCR 1150 (EDU) SSCR 1489 (CPN) CCR 135
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 446E- (3 SECTIONS), 446E-1, 446E-2, 446E-3, 446E-4, 446E-5
- HB0260 HD2 SD1 CD1 (CCR 170) RELATING TO EARLY CHILDHOOD. Introduced by: Arakaki D (586-6050)
- Establishes early childhood screening provisions. Requires parents or guardians to have their child screened for psychological and physiological development. Provides that screening and certification of screening shall be provided by the department of health, the department of education, the department of human services, the child's pediatrician, or any primary health care provider. Provides for information and referrals to programs and services, information to parents and guardians of their

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responsibilities, assistance and advice to parents and guardians, additional screenings or referrals, and use of a standardized screening instrument and referral protocol. Requires the departments in conjunction with the American Academy of Pediatrics to plan and develop the standardized screening and referral protocol. -- HB0260 CD1
Committee Reports: HSCR 297 (HSH/ HLT/) HSCR 1076 (FIN) SSCR 1013 (HHS) SSCR 1420 (WAM) CCR 170

Current Status:
May-04 99 Passed Legislature

Sections Affected: 321- (1 SECTION)

HB0266 HD2 SD2 CD1 (CCR 90)

RELATING TO NEW MOTHERS BREASTFEEDING PROMOTION AND PROTECTION ACT. Introduced by: Arakaki D (586-6050)

Provides that no employer shall prohibit an employee from breastfeeding or expressing milk during any meal period or other break period. -- Provides that it shall be unlawful discriminatory practice for any employer or labor organization to refuse to hire or employ, to bar or discharge, or to withhold pay, demote, or penalize a lactating employee who breastfeeds or expresses milk at the workplace. -- Requires the Hawaii civil rights commission to accumulate, compile, and publish data concerning incidences of discrimination involving breastfeeding or expressing breastmilk in the workplace. Report to the legislature. -- HB0266 CD1

Committee Reports: HSCR 399 (LAB) HSCR 974 (JHA) SSCR 1071 (LRE) SSCR 1542 (JDC) CCR 90

Current Status:
May-04 99 Passed Legislature

Sections Affected: 378- (1 SECTION), 378-2

HB0273 HD2 SD2 CD1 (CCR 79)

RELATING TO CHILDREN. Introduced by: Arakaki D (586-6050)

Establishes provisions relating to the offense of child abuse in the 1st, 2nd and 3rd degree. Provides that a person who intentionally or knowingly causes serious bodily injury to a minor 12 years or younger commits the offense of child abuse in the 1st degree; if the person intentionally or knowingly causes substantial bodily injury, or recklessly causes serious bodily injury commits the offense in the 2nd degree; and if the person recklessly causes substantial bodily injury the offense shall be child abuse in the 3rd degree. Establishes child abuse in the 1st degree as a class A felony, in the 2nd degree as a class B felony, and in the 3rd degree as a class C felony. -- Amends provisions relating to use of force by persons with special responsibility for care, discipline, or safety of others. Provides that the condition of a minor is a factor when force is employed in the general care and supervision. -- Amends provisions relating to the criteria for extended terms of imprisonment to include a defendant who commits the offense of child abuse in the 1st, 2nd or 3rd degree. -- Amends provision relating to assault in the 1st and 2nd degree, by replacing the term person, with a person 13 years of age or older. -- HB0273 CD1

Committee Reports: HSCR 58 (HSH) HSCR 973 (JHA) SSCR 1088 (HHS) SSCR 1568 (JDC) CCR 79

Current Status:
May-04 99 Passed Legislature

Sections Affected: 707- (3 SECTIONS), 703-309, 706-662, 707-710, 707-711

HB0274 HD3 SD2 CD1 (CCR 171)

RELATING TO FAMILIES. Introduced by: Arakaki D (586-6050)

Requires the department of human services to establish a medical and health case management procedure to govern the timely enrollment of foster children into an appropriate health insurance program. -- Amends provisions relating to child placing organizations, child caring institutions, and foster boarding homes. Provides that no foster boarding home shall receive for care and maintenance, any child unless it meets with the standards of conditions, management, and competence set by the department

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and the applicants successfully complete foster parent training. Requires persons providing special licensed or relative foster home care to successfully complete foster parent training within 1 year of the child's initial placement. -- Amends provisions relating to child abuse reports. Requires the department to inform the police department of all reports of child abuse or neglect received by the department. Provides that the name of the reporter shall be made available to the police pursuant to court order or the person's consent. -- Provides that a police officer may assume protective custody of a child without a court order or the consent of the child's family, if the child has no willing or able legal custodian to provide a safe family home, or where there is evidence that a parent or guardian has subject the child to harm or threatened harm, and the parent or guardian is likely to flee the jurisdiction of the court with the child. -- HB0274 CD1

Committee Reports: HSCR 59 (HSH) HSCR 508 (JHA) HSCR 771 (FIN) SSCR 1171 (HHS/ JDC/) SSCR 1459 (WAM) CCR 171

Current Status:
May-04 99 Passed Legislature

Sections Affected: 587- (1 SECTION), 346-17, 350-1.1, 350-2, 587-22

HB0294 HD1 SD2 CD1 (CCR 126) RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS. Introduced by: Takai K (586-8455)

Amends smoking law to prohibit any person from engaging in the distribution of samples or coupons of cigarette or tobacco products or promotional materials in or on any public street, sidewalk, or park, or within 1000 feet of any elementary, intermediate, or high school. Defines to distribute to mean to pass out to members of the general public free of charge for the exclusive purpose of promoting a product. Exempts provisions within the boundaries of private commercial establishments where tobacco products are sold and commercial establishments where access to premises is prohibited to persons under 18 years old. Establishes penalties. -- HB0294 CD1
Committee Reports: HSCR 31 (HLT) HSCR 802 (FIN) SSCR 1014 (HHS) SSCR 1577 (JDC) CCR 126

Current Status:
May-04 99 Passed Legislature

Sections Affected: 328K- (2 SECTIONS)

HB0300 HD1 SD1 (SSCR 1493) RELATING TO THE PENAL CODE. Introduced by: Takai K (586-8455)

Establishes provisions relating to assault against a police officer in the 1st degree. Provides that assault against a police officer is committed when a person intentionally or knowingly causes bodily injury to a police officer engaged in the performance of duty. Requires the assault to be a class C felony. Amends provision relating to assault against a police officer in the 2nd degree. Provides that assault against a police officer is committed when a person recklessly, or negligently with a dangerous instrument causes bodily injury to a police officer engaged in the performance of duty. -- HB0300 SD1

Committee Reports: HSCR 736 (JHA) SSCR 1493 (JDC)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 707- (1 SECTION), 707-712.5

HB0307 HD2 SD1 CD1 (CCR 100) RELATING TO HIGHER EDUCATION. Introduced by: Takai K (586-8455)

Establishes a college savings program to enable families to save for college tuition and other expenses through college accounts. Requires the director of finance to implement the program through the use of financial organizations as account depositories and managers. Allows a college account to be opened by any person who desires to save money for the payment of the qualified higher education expenses on behalf of a designated beneficiary. Establishes the college savings program trust

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fund which shall consist of a trust account and an operating account. Requires the director of finance or the program manager to report to the director of taxation. -- Amends immediate possession of personal property to include provisions for the college savings program. -- HB0307 CD1
Committee Reports: HSCR 336 (HED) HSCR 772 (FIN) SSCR 1151 (EDU) SSCR 1421 (WAM) CCR 100

Current Status:
May-04 99 Passed Legislature

Sections Affected: (7 SECTIONS) COLLEGE SAVINGS PROGRAM, 654- (1 SECTION)

HB0310 HD1 SD1 (SSCR 1054) RELATING TO PLANNING AND BUDGETING FOR NEW SCHOOLS. Introduced by: Takai K (586-8455)

Provides that funding for coaches' salaries, athletic health care trainers' salaries, equipment and supplies, and the transportation of athletic teams shall be considered standard workload increase items when planning and budgeting for new public schools. Requires the director of finance to consult with the superintendent of education. Provides that the term education programs includes coaches' salaries, athletic health care trainers' salaries, athletic equipment and supplies, and the transportation of athletic teams for new schools. Requires the department of education to study the implications of setting coaches' salaries in the same manner as increases for A Plus (A+, A +) site supervisors and drivers education instructors. Report to the legislature. -- HB0310 SD1
Committee Reports: HSCR 81 (EDN) HSCR 1002 (FIN) SSCR 1054 (EDU) SSCR 1396 (WAM)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 37- (1 SECTION), 37-71

HB0314 SD2 (SSCR 1422) RELATING TO THE STATE AQUARIUM. Introduced by: Takai K (586-8455)

Amends Act 184, session laws of 1995, as amended by Act 187, session laws of 1997, relating to the state aquarium transition, by extending the deadline to end the current management arrangements with the research corporation of the university of Hawaii (RCUH) and the university of Hawaii foundation and for a new management arrangement to be approved by the board of regents to June 30, 2004 (sunset). -- HB0314 SD2
Committee Reports: HSCR 36 (CAR/ HED/) HSCR 845 (FIN) SSCR 1055 (EDU) SSCR 1422 (WAM)

Current Status:
May-04 99 Passed Legislature

Sections Affected: Act 184 1995, ACT 187 1997

HB0325 HD2 SD1 CD1 (CCR 81) RELATING TO HEALTH. Introduced by: Santiago A (586-6380)

Amends provisions relating to patients bill of rights and responsibilities law. Requires the medical director of any managed care plan providing services in the State to have an unlimited license to practice medicine in the State. Defines medical director. -- Amends provisions relating to registration with the department of health. Requires biennial, rather than annual, registration with the department for specified health occupations, except where superseded by federal law. -- HB0325 CD1
Committee Reports: HSCR 374 (HLT) HSCR 1032 (CPC) SSCR 1490 (CPN) CCR 81

Current Status:
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Sections Affected: 432E- (1 SECTION), 432E-1, 321-15

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HB0326 HD1 SD1 CD1 (CCR 172) RELATING TO HEALTH INSURANCE. Introduced by: Santiago A (586-6380)

Provides that public assistance recipients receiving medical assistance shall be allowed coverage for medical foods and low protein modified food products for the treatment of inborn error of metabolism. -- Requires each group health policy, contract, plan, or agreement under accident and sickness provisions, individual and group hospital and medical service contracts under benefit societies provisions, and each health maintenance organization (HMOs) to provide coverage for medical foods and low protein modified food products for the treatment of inborn error of metabolism. -- HB0326 CD1

Committee Reports: HSCR 106 (HLT/ HSH/) HSCR 699 (CPC) HSCR 886 (FIN) SSCR 946 (CPN) SSCR 1423 (WAM) CCR 172

Current Status:
May-04 99 Passed Legislature

Sections Affected: 346- (1 SECTION), 431:10A- (1 SECTION), 432:1- (1 SECTION), 432D-23

HB0328 HD1 SD2 (SSCR 1392) RELATING TO SUBSTANCE ABUSE. Introduced by: Santiago A (586-6380)

Amends mental health, alcohol, drug abuse treatment provisions by adding that a certified substance abuse staff includes physicians who are certified by the American Society of Addiction Medicine or who are board certified in addiction psychiatry. -- HB0328 SD2

Committee Reports: HSCR 289 (HLT) HSCR 862 (CPC) SSCR 1015 (HHS) SSCR 1392 (CPN)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 431M-1

HB0333 HD2 SD1 CD1 (CCR 144) MAKING AN APPROPRIATION FOR AGRICULTURE. Introduced by: Abinsay F (586-6010)

Appropriation to the department of agriculture for agricultural research and development to be performed by the Hawaii agricultural research center. (\$\$) -- HB0333 CD1

Committee Reports: HSCR 318 (AGR) HSCR 832 (FIN) SSCR 987 (ECD) SSCR 1477 (WAM) CCR 144

Current Status:
May-04 99 Passed Legislature

HB0336 HD1 SD1 CD1 (CCR 145) RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE. Introduced by: Abinsay F (586-6010)

Establishes provisions relating to importation of microorganisms by certified importers. Allows the board of agriculture to issue a certificate authorizing the importation and possession of microorganisms other than those on the list of nonrestricted or prohibited microorganisms. Requires the importation and possession to be for medical or scientific purposes, the microorganism be contained, the microorganisms be used in a manner that will not be detrimental to agriculture, horticulture, the environment, animals, or humans, and the importer to be able to meet the requirements established by the board. Provides conditions for suspension or revocation of certificate, summary suspension, and emergency remediation. Establishes the microorganism import certification revolving fund, to be administered by the department of agriculture, for the development, administration, and operation of the microorganism import certification program. -- Amends provisions relating the prohibition of the importation or possession of soil, plants, and animals. Provides that the board shall maintain a list of nonrestricted, restricted, and prohibited microorganisms to be entered into the State. Authorizes the department of agriculture to issue an emergency permit on a case by case basis to a state or federal agency or

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state university for the import and possession of a microorganism on the list of prohibited microorganism for the purpose of remediating medical emergencies or agricultural or ecological disasters pursuant to the board's determination and if the importer is able to meet permit requirements. Provides that any microorganism that is not on any of the lists may not enter the State until reviewed by the board and placed on 1 of the lists. -- Repeals provisions exempting snakes to be brought into the State for research or training of snake detector dogs, or for exhibition without a permit from the department. -- Provides for user fees that may be assessed for the processing and issuance of permits issued by the department and for the inspections relating to permit conditions, as established by rule. -- Amends provisions relating to interim rules. Provides that any interim rule shall be published at least once statewide within 10 days of issuance. -- Appropriation to the department of agriculture to be deposited into the microorganism import certification revolving fund for the development, administration, and operation of the program. (\$\$) -- HB0336 CD1
Committee Reports: HSCR 914 (AGR) SSCR 1139 (ECD) SSCR 1593 (WAM) CCR 145

Current Status:
May-04 99 Passed Legislature

Sections Affected: 150A- (8 SECTIONS) CERTIFIED IMPORTERS OF MICROORGANISMS, 150A-2, 150A-6, 150A-7, 150A-7.5, 150A-9.5

HB0351 HD2 SD1 CD1 (CCR 92)

RELATING TO PRIVACY OF HEALTH CARE INFORMATION. Introduced by: Menor R (586-6150)

Establishes the privacy of health care information law. Provides that an entity (health care provider, health plan, employer, health care data organization, insurer, or educational institution) shall permit an individual who is the subject of protected health information to inspect and copy protected health information concerning the individual. Requires an entity to establish and maintain appropriate administrative, technical, and physical safeguards to protect the confidentiality, security, accuracy, and integrity of protected health information created, received, obtained, maintained, used, transmitted, or disposed of by the entity. Provides that the protected health information may be disclosed for treatment, payment, or qualified health care operations; to a coroner or medical examiner; to a designated individual; for identification of deceased individuals; for emergency circumstances; to health oversight agency; to public health authority; to a health researcher; for disclosure in a civil action or state administrative proceeding; or for payment card and electronic payment transactions. Protected health information shall continue to apply after the death of an individual. Requires the custodian of medical records from a health care provider, health plan, public health authority, employer, insurer, law enforcement official, educational institution, health oversight agency, health researcher, or medical facility, in a civil action or other proceeding to provide the medical records described in a subpoena duces tecum that is accompanied by a court order. Requires the office of information practices and life insurers, disability income insurers, long term care insurers, and property and casualty insurers to report to the legislature. Requires the legislative reference bureau to conduct a study to determine the most appropriate method to implement and enforce this Act. Report to the legislature. -- HB0351 CD1
Committee Reports: HSCR 37 (HLT) HSCR 596 (CPC) HSCR 1035 (JHA) SSCR 1573 (HHS/ JDC/) CCR 92

Current Status:
May-04 99 Passed Legislature

Sections Affected: (26 SECTIONS) PRIVACY OF HEALTH CARE INFORMATION, 334-5, 622-52

HB0377 HD2 SD2 CD1 (CCR 98)

RELATING TO ECONOMIC DEVELOPMENT. Introduced by: Case E (BR) (586-8475)

Authorizes the issuance of special purpose revenue bonds to assist the Ohana Foundation and / or 1 or more of its non profit affiliates in financing costs related to the

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acquisition and development of facilities of, or for, or to assist the high technology industry including facilities for research, development, technology development, and technology support. -- Amends provision relating to special purpose revenue bonds to allow the assistance of an industrial enterprise. (\$\$) -- HB0377 CD1
Committee Reports: HSCR 394 (TSM/ EDB/) HSCR 1063 (FIN) SSCR 1165 (EDU/ ECD/) SSCR 1425 (WAM) CCR 98

Current Status:
May-04 99 Passed Legislature

Sections Affected: 39A-151

HB0411 HD1 SD1 (SSCR 1539) RELATING TO MOTOR VEHICLES. Introduced by: Ito K (BR) (586-8470)

Amends provisions relating to the motor vehicle industry licensing Act. Establishes that whether or not the buyer has taken possession of the vehicle, a new or used motor vehicle purchase or lease agreement is void if the agreement is contingent upon financing and the buyer is unable to qualify. Allows the motor vehicle industry licensing board to suspend, revoke, fine, or deny the renewal of any license, or prior to notice and hearing deny the issuance of any license for any cause authorized by law, including but not limited to circumstances where the board finds that the applicant or holder, has sold or leased a new or used motor vehicle without written documentation that contains the salesperson's or dealer's indication of the type of sale, and which both the customer and salesperson or dealer shall place their initials in the designated spaces, prior to the signing of the contract of sale or lease of the 3 day right to cancel. -- HB0411 SD1

Committee Reports: HSCR 907 (CPC) SSCR 1539 (CPN)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 437- (1 SECTION), 437-28

HB0424 HD2 SD2 (SSCR 1426) RELATING TO FOREST RESERVES. Introduced by: Cachola R (586-6110)

Amends provision relating to income from forest reserves. Requires that moneys accrued from harvest of native from degraded forests, or non native forest products, dead forest products found lying on the ground, or the sale of tree seedlings from state nurseries be deposited into the forest stewardship fund. Provides that the stewardship program assist in developing education and training programs for sustainable forestry. Allows the board of land and natural resources to use the fund for the purpose of replanting, managing, and maintaining designated timber management areas, enhancing the management of public forest reserves with emphasis on restoring degraded koa forests, and developing environmental education and training programs pertaining to sustainable forestry. Amends provision relating to the contents of the annual report to the governor and legislature. -- HB0424 SD2

Committee Reports: HSCR 178 (WLU) HSCR 1004 (FIN) SSCR 1190 (ECD/ WLH/) SSCR 1426 (WAM)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 183-16, 195F-3, 195F-4, 195F-6

HB0440 HD2 SD2 (SSCR 1427) RELATING TO CONTROLLED SUBSTANCES. Introduced by: Yamane B (586-8515)

Amends provisions relating to confidentiality and disclosure of information under the uniform controlled substance act. Authorizes disclosure of investigative information to law enforcement officers in furtherance of an ongoing criminal investigation or prosecution; or dentists, physicians, osteopaths or podiatrists registered to administer, prescribe, or dispense controlled substances, provide that the information disclosed relate only to the registrant's own patient and that the information be transmitted by certified mail or a means requiring the dispenser's signature for delivery. -- Appropriation to the department of public safety for 1 full time equivalent (1.00 FTE)

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data processing systems analyst IV position and other current expenses. (\$\$) --
HB0440 SD2

Committee Reports: HSCR 44 (PSM) HSCR 380 (CPC) HSCR 896 (FIN) SSCR 1041
(JDC) SSCR 1427 (WAM)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 329-104

HB0460 HD2 SD1 CD1 (CCR 133) RELATING TO CHECK CASHING. Introduced by: Lee M (586-9460)

Establishes check cashing law. Requires any person who cashes 1 or more checks for a fee to post, in a conspicuous place, fees charged for cashing a check, consumer complaints filed with the department of commerce and consumer affairs; provide a written notice to each customer of the fees charged; obtain a written acknowledgment from the customer of the written notice of fees; and provide each customer with a receipt documenting any and all fees charged. Provides authorized fees. Provides exemptions for a check casher to defer the deposit of a check. Violators shall be deemed to have engaged in unfair or deceptive act or practice. Act to be repealed on July 1, 2001 (sunset). -- HB0460 CD1

Committee Reports: HSCR 437 (CPC) HSCR 819 (FIN) SSCR 1546 (CPN) CCR 133

Current Status:
May-04 99 Passed Legislature

Sections Affected: (7 SECTIONS) CHECK CASHING

HB0499 HD2 SD2 CD1 (CCR 191) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Introduced by: Chang J (586-6120)

Amends provisions relating to employees' retirement system allowance on service. Provides that conservation and resources law enforcement officers of the department of land and natural resources shall have the same retirement benefits (class A) as police officers, firefighters, corrections officers, investigators of the departments of the prosecuting attorney and the attorney general, narcotics enforcement investigators, and water safety officer and requires them to make the same contributions to the retirement system. Requires all conservation and resources law enforcement officers to contribute 12 and 2/10 per cent of their compensation to the annuity savings fund for service, unless the officer opts not to become a class A member. Provides that after June 30, 1999 if the member has at least 10 years of credited service of which the last 5 or more years prior to retirement are credited service as a conservation and resources law enforcement officer, then for each year of service the retirement allowance shall be 2 and 1/2 per cent of the member's average final compensation. Provides that members who have 25 years credited service and the last 5 or more years prior to retirement as a conservation and resources law enforcement officer, shall be eligible to receive a normal retirement benefit unreduced for age. -- Allows the enforcement officers who are in service prior to the effective date of this act to convert to class A membership, provided that their membership service before July 1, 1999 shall remain at class C. -- Provides that all enforcement officers hired after June 30, 1999 shall be class A members. -- HB0499 CD1

Committee Reports: HSCR 634 (LAB) HSCR 1091 (FIN) SSCR 1122 (CPN/ WLH)/
SSCR 1478 (WAM) CCR 191

Current Status:
May-04 99 Passed Legislature

Sections Affected: 88-21, 88-45, 88-47, 88-74, 88-281

HB0500 HD3 SD1 CD1 (CCR 62) RELATING TO FIREARMS. Introduced by: Chang J (586-6120)

Amends provisions relating to firearms brought into the State. Authorizes non resident alien, for a period not exceeding 90 days, to bring into the State firearms not otherwise prohibited by law into the State by meeting the registration requirements of this

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section, possessing a valid Hawaii hunting license, a commercial or private shooting preserve permit, a written document indicating the person has been invited to the State to shoot on private land, or written notification from a firing range or target shooting business indicating that the person actually engaged in target shooting. Limits the non resident to a non transferable registration of not more than 10 firearms. -- HB0500 CD1

Committee Reports: HSCR 45 (WLU) HSCR 509 (JHA) HSCR 962 (FIN) SSCR 1586 (JDC) CCR 62

Current Status:
May-04 99 Passed Legislature

Sections Affected: 134-3

HB0519 SD2 (SSCR 1462)

RELATING TO THE HAWAII TEACHER STANDARDS BOARD. Introduced by: Ito K (586-8470)

Repeals the sunset date for the provisions which allows the department of education to issue a license or credential to a teacher who is not required to obtain a license or a credential from the teacher standards board. Provides that the initial term of the members of the board appointed by the governor after June 30, 2000, shall be staggered. -- Amends Act 122, session laws of 1996, by extending the sunset date of the teacher standards board to June 30, 2010. -- HB0519 SD2

Committee Reports: HSCR 258 (EDN) HSCR 601 (CPC) HSCR 840 (FIN) SSCR 1152 (EDU) SSCR 1462 (WAM)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 302A-501, 302A-801, ACT 122 1996, 302A-809

HB0522 HD3 SD2 CD1 (CCR 182)

RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT. Introduced by: Ito K (586-8470)

Amends Act 343, session laws of 1997, establishing the school to work opportunities pilot project by allowing the superintendent of education to employ an executive director for the project and other staff without regard to civil service and compensation laws. Requires the executive director to be nominated by the superintendent and approved by the Hawaii school to work opportunities executive council. Repeals the authority for the executive council to appoint staff. Transfers officers and employees from the executive council to the department of education. Requires the executive council and the superintendent to develop a transition plan and agree upon it by July 1, 1999. -- HB0522 CD1

Committee Reports: HSCR 397 (LAB) HSCR 672 (EDN) HSCR 815 (FIN) SSCR 1085 (LRE/ EDU/) SSCR 1463 (WAM) CCR 182

Current Status:
May-04 99 Passed Legislature

Sections Affected: Act 343 1997

HB0532 HD3 SD2 (SSCR 1507)

RELATING TO GENDER EQUITY IN SPORTS. Introduced by: Catalani I (586-6490)

Establishes the gender equity in sports provisions. Prohibits a person, on the basis of sex, to be excluded from participating in, be denied the benefits of, or be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by a public school. Allows a public school to operate or sponsor separate athletic teams for members of each sex if the selection for the teams is based upon competitive skill or the activity involved is a bodily contact sport. -- Establishes an advisory commission on gender equity in sports within the department of education. Requires the commission to examine gender

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equity in athletics in the public school system (Title IX) and MAY make recommendations to the board of education, the superintendent of education, and the legislature. -- Requires the superintendent of education to define equity in athletics and develop and recommend rules for appropriate enforcement mechanisms to ensure equity. Also requires a strategic plan to be developed to implement the recommendations over 3 years. Requires the superintendent to submit an annual report to the legislature and the advisory commission on gender equity in sports. -- HB0532 SD2

Committee Reports: HSCR 183 (EDN) HSCR 573 (JHA) HSCR 759 (FIN) SSCR 1128 (EDU) SSCR 1507 (WAM)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 302A- (7 SECTIONS) GENDER EQUITY IN SPORTS

HB0547 HD3 SD2 CD1 (CCR 173) RELATING TO ANATOMICAL GIFTS. Introduced by: Arakaki D (586-6050)

Repeals and replaces provisions relating to procedures for obtaining organ donation. Requires an acute care hospital to contact the local organ procurement organization on or before the occurrence of a patient's death. Contact to be noted on the patient's medical records. Provides that each acute care hospital shall develop a protocol for identifying potential organ and tissue donors, no later than July 1, 2000. Requires the local organ procurement organization, in consultation with the patient's attending physician or designee, to determine the suitability for donation. Requires the organization to conduct an annual death record review at each acute care hospital to determine the hospital's compliance to these provisions. -- Establishes the Hawaii organ and tissue education special fund to be administered by the department of health for educational purposes to promote organ, tissue, and eye donation programs. -- Allows the county directors of finance to collect a donation of 1 dollar from driver's license application or renewal to be deposited into the special fund. -- Provides that a person, hospital, or organization that relies on a document of gift and acts in good faith shall not be subject to criminal or civil liability for any action taken within the requirements of these provisions. -- Requires the examiner of drivers to adopt rules to allow an appropriate organ, tissue, and eye recovery agency or organ procurement organization to a 24 hour telephone access to the driver's license database information for the purpose of determining a driver's willingness to be an organ donor. -- Requires the department of health, with the assistance of the Organ Donor Center of Hawaii, to report to the legislature. -- Appropriation out of the organ and tissue education special fund to the department as a grant to the Organ Donor Center of Hawaii. -- Provisions relating to the 1 dollar donation collected by the county directors of finance and the Hawaii organ and tissue education special fund shall be repealed on June 30, 2003 (sunset). -- HB0547 CD1

Committee Reports: HSCR 107 (HLT) HSCR 485 (CPC/ JHA/) HSCR 833 (FIN) SSCR 1172 (HHS/ JDC/) SSCR 1428 (WAM) CCR 173

Current Status:
May-04 99 Passed Legislature

Sections Affected: 286- (2 SECTIONS), 327- (2 SECTIONS), 327-2, 327-5

HB0562 SD2 CD1 (CCR 71) RELATING TO MEASUREMENT STANDARDS. Introduced by: Hamakawa E (586-8480)

Amends labeling requirements on consumer packages of raw or processed macadamia nuts grown in Hawaii to read Hawaii grown macadamia nuts, 100 per cent Hawaiian macadamia nuts, or Hawaiian macadamia nuts. -- HB0562 CD1
Committee Reports: HSCR 339 (AGR) HSCR 863 (CPC) SSCR 988 (ECD) SSCR 1393 (CPN) CCR 71

Current Status:
May-04 99 Passed Legislature

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Sections Affected: 486-120.5

HB0582 HD2 SD2 (SSCR 1587)

RELATING TO LANDOWNER LIABILITY. Introduced by: Oshiro M (586-8505)

Establishes provision relating to limitation on liability, within the statewide trail and access system statutes. Provides that the State shall not be liable for any injury arising from use, unless injury results from gross negligence on the part of the State. -- HB0582 SD2

Committee Reports: HSCR 463 (WLU) HSCR 951 (JHA) SSCR 972 (WLH) SSCR 1587 (JDC)

Current Status:

May-04 99 Passed Legislature

Sections Affected: 198D- (1 SECTION)

HB0602 SD1 CD1 (CCR 65)

RELATING TO REGISTRATION OF A TRAILER. Introduced by: Hiraki K (586-6180)

Increase the number of days the transferee of a trailer has to forward a certificate of ownership to the director of finance from 20 to 30 days. Increases the transfer fee from 5 to 50 dollars. -- HB0602 CD1

Committee Reports: HSCR 76 (TRN) HSCR 987 (FIN) SSCR 1380 (TIA) CCR 65

Current Status:

May-04 99 Passed Legislature

Sections Affected: 286-52.5

HB0622 HD2 (HSCR 836)

RELATING TO HEALTH INSURANCE. Introduced by: Morita H (586-8435)

Changes age and frequency guidelines for accident and sickness and benefit societies coverage for screening by low dose mammography for occult breast cancer. -- HB0622 HD2

Committee Reports: HSCR 101 (HLT) HSCR 487 (CPC) HSCR 836 (FIN) SSCR 1090 (HHS) SSCR 1234 (CPN)

Current Status:

Apr-07 99 Received by the Governor

Apr-15 99 Approved by Governor (Act 13 1999)

Sections Affected: 431:10A-116, 432:1-605

HB0634 HD1 SD1 CD1 (CCR 179)

ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE PUERTO RICANS TO HAWAII. Introduced by: Santiago A (586-6380)

Establishes a Puerto Rican centennial celebration commission within the office of the governor for the commemoration of the centennial anniversary of the arrival of the 1st Puerto Ricans to Hawaii. Provides that the commission shall cease to operate after December 23, 2001 (sunset). Report to the governor. Creates an ethnic celebration trust fund. -- HB0634 CD1

Committee Reports: HSCR 35 (CAR) HSCR 892 (FIN) SSCR 1057 (EDU) SSCR 1508 (WAM) CCR 179

Current Status:

May-04 99 Passed Legislature

HB0635 HD2 SD1 CD1 (CCR 127)

RELATING TO HEALTH. Introduced by: Santiago A (586-6380)

Authorizes the issuance of special purpose revenue bonds to assist the Hilo Residency Training Program, Inc. in financing, refinancing, or both, for retirement of outstanding debt; retirement of outstanding debt and purchase of leases on the existing equipment; planning, design, construction, and operation of new additions; acquisition and installation of additional equipment and other assets; and renovation or repair of

HOUSE BILLS WHICH PASSED THE LEGISLATURE

existing health care facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0635 CD1
Committee Reports: HSCR 375 (HLT) HSCR 658 (HLT) HSCR 1017 (FIN) SSCR 1091 (HHS) SSCR 1556 (WAM) CCR 127

Current Status:
May-04 99 Passed Legislature

HB0661 HD3 SD2 CD1 (CCR 128) RELATING TO ENHANCED WIRELESS EMERGENCY 911 SERVICE. Introduced by: Menor R (BR) (586-6150)

Establishes the enhanced 911 services for mobile phones act. Establishes the wireless enhanced 911 board within the department of health and the wireless enhanced 911 fund, to be administered by the board to ensure adequate cost recovery for the deployment of wireless enhanced 911 service in Hawaii. Requires the board to establish a monthly wireless enhanced 911 surcharge on each connection, provided that a public safety answering point has requested the service in accordance with the Federal Communications Commission order. Requires all providers and resellers to bill to and collect from each of their customers a monthly surcharge at the rate established by the board for each commercial mobile radio service connection. -- Allows a provider to request cost recovery assistance from the wireless enhanced 911 fund. -- Allows any public safety answering point to provide and implement phase I or phase II wireless enhanced 911 service in a particular county or counties, to recover reasonable cost to lease, purchase, or maintain all necessary equipment. -- Exempts the fund from contributing to central service and administrative expenses of the government. -- Amends Act 216, session laws of 1997 and Act 142, session laws of 1998, by adding that amendments made to exempt the contribution of the fund for government expenses be retained. -- Exempts the fund from legislative and executive budgetary control. -- HB0661 CD1
Committee Reports: HSCR 223 (HLT) HSCR 718 (CPC) HSCR 1073 (FIN) SSCR 1153 (CPN) SSCR 1497 (WAM) CCR 128

Current Status:
May-04 99 Passed Legislature

Sections Affected: (11 SECTIONS) ENHANCED 911 SERVICES FOR MOBILE PHONES, 36-27, 36-30, ACT 216 1997, 37-51, 37-53, ACT 142 1998

HB0700 HD1 SD2 CD1 (CCR 142) RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET. Introduced by: Say C (BR) (586-6100)

Appropriations to the office of Hawaiian affairs (OHA budget) for the 1999 - 2001 fiscal biennium. (\$\$) -- HB0700 CD1
Committee Reports: HSCR 1109 (FIN) SSCR 1062 (WLH) SSCR 1479 (WAM) CCR 142

Current Status:
May-04 99 Passed Legislature

HB0715 SD1 (SSCR 1486) RELATING TO REGISTRATION OF VEHICLES. Introduced by: Hiraki K (586-6180)

Amends the provision that any vehicle registered in the names of 2 or more persons shall be presumed to be owned in joint tenancy unless otherwise stated by a written form provided by the director of finance. Replaces the form provided by the director of finance with a written document. -- HB0715 SD1
Committee Reports: HSCR 70 (TRN) HSCR 806 (JHA) SSCR 934 (TIA) SSCR 1486 (JDC)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 286-49

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- HB0719 HD2 SD1 CD1 (CCR 66) RELATING TO ABANDONED MOTOR VEHICLES. Introduced by: Goodenow K (586-9450)
- Increases the maximum additional fee that the counties may establish by ordinance for each additional certificate of registration for highway beautification from 1 dollar to 2 dollars. Exempts u drive motor vehicles from the additional fee. -- HB0719 CD1
Committee Reports: HSCR 477 (TRN) HSCR 1006 (FIN) SSCR 1032 (TIA) SSCR 1430 (WAM) CCR 66
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 286-51
- HB0743 HD3 SD1 CD1 (CCR 129) RELATING TO ADVANCED PRACTICE REGISTERED NURSES. Introduced by: Lee M (586-9460)
- Requires all individual and group hospital and medical service plan contracts and medical service corporation contracts under mutual benefit societies, and accident and sickness insurance provisions to provide reimbursement for health plan covered services by advanced practice registered nurses. -- Amends workers' compensation provisions to include advanced practice registered nursing under medical care provider. -- Amends motor vehicle insurance provisions to include advanced practice nursing. -- HB0743 CD1
Committee Reports: HSCR 216 (HLT) HSCR 719 (CPC) HSCR 834 (FIN) SSCR 979 (CPN) SSCR 1400 (WAM) CCR 129
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 432:1- (1 SECTION), 386-1, 431:10A-116, 431:10C-103.5
- HB0746 HD1 SD1 (SSCR 1381) RELATING TO HULA. Introduced by: Kawakami B (586-6280)
- Provides that hula is adopted, established and designated as the official dance of the state. -- HB0746 SD1
Committee Reports: HSCR 201 (CAR) HSCR 952 (JHA) SSCR 1381 (EDU)
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 5- (1 SECTION)
- HB0753 HD2 SD2 (SSCR 1582) RELATING TO THE ESTABLISHMENT OF SPECIAL IMPROVEMENT DISTRICTS. Introduced by: Chang J (586-6120)
- Establishes provisions relating to special improvement district. Provides that any county may authorize the creation of special improvement districts for the purpose of providing and financing supplemental maintenance and security services and other improvements, services and facilities within the special improvement district as the council of the county determines will restore or promote business activities. Allows the county to issue and sell bonds to finance improvements within the special improvement districts. -- HB0753 SD2
Committee Reports: HSCR 392 (TSM) HSCR 878 (FIN) SSCR 1079 (TIA/ ECD/) SSCR 1582 (WAM)
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 46- (1 SECTION)
- HB0765 HD1 SD2 CD1 (CCR 184) RELATING TO MOTOR VEHICLE RENTAL INDUSTRY. Introduced by: Cachola R (586-6110)

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Changes the rental motor vehicle and tour vehicle surcharge tax for the period September 1, 1999, to August 31, 2007, from 2 dollars to 3 dollars a day. Provides an exemption if the lessor is renting the vehicle to replace a vehicle of the lessee that is being repaired and the repair order is retained by the lessor for 4 years for verification purposes. -- Amends provisions relating to motor vehicle rental industry license and registration fees. Authorizes a lessor to visibly pass on to a lessee rents or fees paid to the department of transportation under concession contracts or service permits. -- Authorizes the appropriation of 11 million dollars from the state highway fund to the general fund. (\$\$) -- HB0765 CD1
Committee Reports: HSCR 73 (TRN) HSCR 957 (CPC) SSCR 1116 (CPN) SSCR 1561 (WAM) CCR 184

Current Status:
May-04 99 Passed Legislature

Sections Affected: 251-2, 437D-8.4

HB0791 HD2 (HSCR 1020)

RELATING TO REAL ESTATE BROKERS AND SALESPERSONS. Introduced by: Menor R (BR) (586-6150)

Amends provisions relating to real estate brokers and salespersons by requiring principal brokers to have direct management and supervision of the brokerage firm and its real estate licensees. Authorizes the real estate commission to set requirements for continuing education courses, providers, and instructors, determine whether requirements have been met, specify mandatory core course or courses or equivalencies, assigning the number of continuing education hours to those courses, and develop its own continuing education courses or approve courses developed elsewhere, and allow alternative delivery methods with interactive instructional techniques. Requires continuing education providers to certify that instructors have met the requirements, are competent and current in their knowledge, and ensure that the course is based on current information, laws, and rules. Provides that the courses shall be designed to improve a licensee's competency, or professional standards and practice. Requires the Hawaii Association of Realtors to initiate a work study group during the legislative interim to discuss continuing education and administration issues with the real estate commission, the department of commerce and consumer affairs, and other interested parties. Report to the legislature. -- HB0791 HD2
Committee Reports: HSCR 703 (CPC) HSCR 1020 (FIN) SSCR 1468 (CPN)

Current Status:
Apr-15 99 Received by the Governor
Apr-26 99 Approved by Governor (Act 47 1999)

Sections Affected: 467- (2 SECTIONS), 467-11.5, 467-1

HB0792 HD1 (HSCR 871)

RELATING TO BAIL BONDS. Introduced by: Menor R (BR) (586-6150)

Exempts bail bonds rates from insurance rate filing requirements. -- HB0792 HD1
Committee Reports: HSCR 871 (CPC) SSCR 942 (CPN)

Current Status:
Mar-29 99 Received by the Governor
Apr-06 99 Approved by Governor (Act 5 1999)

Sections Affected: 431:14-104

HB0797 HD2 SD1 (SSCR 989)

RELATING TO OUTDOOR RECREATION. Introduced by: Cachola R (586-6110)

Amends provision relating to private and commercial shooting preserve and farmer's license. Authorizes nonresident hunters to use a valid license from any other state or country issued within the previous 5 years or proof of having completed a hunter education training course. Requires the department of land and natural resources to develop and maintain a list of approved hunter education courses. -- HB0797 SD1
Committee Reports: HSCR 268 (WLU) HSCR 566 (WLU) HSCR 1101 (FIN) SSCR 989 (ECD) SSCR 1503 (WAM)

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Current Status:
May-04 99 Passed Legislature

Sections Affected: 183D-22, 183D-28, 183D-34

HB0801 HD1 (HSCR 422)

RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES. Introduced by: Kanoho E (586-6270)

Authorizes the issuance of special purpose revenue bonds to assist CEATECH USA in planning and building a processing plant for shrimp. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0801 HD1
Committee Reports: HSCR 422 (AGR) HSCR 846 (FIN) SSCR 915 (ECD) SSCR 1254 (WAM)

Current Status:
May=04 99 Passed Legislature

HB0806 HD2 SD2 CD1 (CCR 63)

RELATING TO LAND EXCHANGE. Introduced by: Whalen P (586-9385)

Establishes the legislature's approval of land and deed exchange involving private lands along the Kona coast, Hawaii, owned by the Hawaii International Motor Speedway and public lands in north Kona, Hawaii. Authority of the department of land and natural resources to negotiate and enter into a land exchange agreement to be repealed on June 30, 2000 (sunset). Provides that any agreement between the department and Hawaii International Motor Speedway shall remain in force and effect until the termination of that agreement. Requires the department and the Speedway to comply with historic preservation, land use commission, coastal zone management, environmental emergency response, air pollution, asbestos and environmental impact statement provisions. -- HB0806 CD1

Committee Reports: HSCR 567 (WLU) HSCR 1007 (FIN) SSCR 1063 (WLH) SSCR 1481 (WAM) CCR 63

Current Status:
May-04 99 Passed Legislature

HB0827 HD3 SD1 CD1 (CCR 68)

RELATING TO PUBLIC LANDS. Introduced by: Chang J (586-6120)

Establishes provision relating to leases on banyan drive resort area. Authorizes the department of land and natural resources to issue new resort leases to existing banyan drive resort lessees, not to exceed 55 years. Provides criteria. Authorizes the department to set lease terms and issue a request for proposal (RFP) or other means to determine competition. Requires the department to develop a process to ensure that no market demand assumption holds true. Requires all cost for the issuance of a new lease to be paid for by the lessees interested in acquiring a new lease. Act to be repealed July 1, 2004. -- HB0827 CD1

Committee Reports: HSCR 175 (TSM) HSCR 593 (WLU) HSCR 1021 (FIN) SSCR 1082 (WLH/ ECD/) SSCR 1558 (WAM) CCR 68

Current Status:
May-04 99 Passed Legislature

HB0842 HD2 SD1 (SSCR 999)

RELATING TO GLASS CONTAINER RECOVERIES. Introduced by: Kawakami B (586-6280)

Amends provisions relating to glass container recoveries. Exempts persons who deals in glass containers designed to hold not more than 2 1/2 fluid ounces of a product meant for human consumption, from payment of the advance glass disposal fee. Changes the advance disposal fee from .015 to 1.5 cents. -- HB0842 SD1

Committee Reports: HSCR 461 (EEP) HSCR 778 (FIN) SSCR 999 (LRE) SSCR 1401 (WAM)

Current Status:

HOUSE BILLS WHICH PASSED THE LEGISLATURE

May-04 99 Passed Legislature

Sections Affected: 342G-85

HB0849 HD1 (HSCR 80)

RELATING TO SPECIAL FACILITY REVENUE BONDS FOR AIRPORTS. Introduced by: Hamakawa E (586-8480)

Amends the definition of special facility to include buildings, structures, or facilities for air cargo operations. -- HB0849 HD1
Committee Reports: HSCR 80 (TRN) HSCR 989 (FIN) SSCR 935 (TIA) SSCR 1257 (WAM)

Current Status:

Apr-07 99 Received by the Governor

Apr-15 99 Approved by Governor (Act 14 1999)

Sections Affected: 261-51

HB0850 HD1 SD1 CD1 (CCR 132)

RELATING TO MOTOR VEHICLE INSURANCE. Introduced by: Hamakawa E (586-8480)

Amends the motor vehicle proof of financial responsibility law by repealing the offense of driving without a valid motor vehicle insurance policy if the conviction occurs within a 5 year period from any prior conviction. -- Extends the amnesty period for uninsured motorists from December 31, 1998, to December 31, 1999 (sunset). -- HB0850 CD1
Committee Reports: HSCR 486 (CPC/ JHA/) HSCR 1103 (FIN) SSCR 981 (CPN) CCR 132

Current Status:

May-04 99 Passed Legislature

Sections Affected: 287-20, 431:10C-104.5

HB0854 SD1 CD1 (CCR 183)

RELATING TO EDUCATION. Introduced by: Say C (586-6100)

Reduces the general excise tax revenues for the state educational facilities improvement special fund. -- HB0854 CD1
Committee Reports: HSCR 866 (FIN) SSCR 1130 (EDU) SSCR 1255 (WAM) CCR 183

Current Status:

May-04 99 Passed Legislature

Sections Affected: 237-31

HB0877 HD1 SD1 (SSCR 1240)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KUAKINI MEDICAL CENTER. Introduced by: Ahu Isa L (586-9415)

Authorizes the issuance of special purpose revenue bonds to assist Kuakini medical center and any 1 or more of its not for profit affiliates in financing or refinancing the costs of construction of, improvements to, and equipment for its health care facilities, the purchase of tangible assets, including land and improvements, and other capital related projects. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0877 SD1
Committee Reports: HSCR 273 (HLT) HSCR 1023 (FIN) SSCR 1104 (HHS) SSCR 1240 (WAM)

Current Status:

May-04 99 Passed Legislature

HB0895 HD2 SD2 CD1 (CCR 130)

RELATING TO EMERGENCY MEDICAL SERVICES. Introduced by: Souki J (586-9444)

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Requires the department of health to establish and maintain an emergency aeromedical medical services information system to collect and analyze data to measure the efficiency and effectiveness of each phase of an aeromedical quality improvement program. Requires the system to serve the emergency health needs of the people by identifying system strengths and weaknesses and the allocation of resources. Provides that the department shall plan, coordinate, and provide assistance to all entities and agencies, public and private, involved in the system. System to include communication and dispatch, medical oversight by physicians, and license information of emergency aeromedical services based on national standards. Amends provisions to include, within the state comprehensive emergency medical services system, emergency aeromedical services. Requires the department to support the interagency dispatch policy and procedures for aeromedical transports as part of its function and duties. Requires the department to establish an emergency aeromedical services quality improvement advisory committee to analyze information collected from the aeromedical quality improvement performance measures. --

HB0895 CD1

Committee Reports: HSCR 373 (HLT) HSCR 762 (FIN) SSCR 1018 (HHS) SSCR 1515 (WAM) CCR 130

Current Status:

May-04 99 Passed Legislature

Sections Affected: 321-222, 321-224, 321-230

HB0898 HD2 SD1 (SSCR 1402)

RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI. Introduced by: Nakasone B (586-6210)

Provides that the board of agriculture shall have the power to conduct surveys, studies and engineering for the construction of water facilities to adequately serve the quantity of agricultural water demands to the region (upcountry Maui district) and shall have the power to operate, maintain and improve the system. Provides that the board shall collect water tolls in order to defray the cost of operation and to make the system self sufficient and may have the power to contract with other government agencies for construction or financing. Allows the board of agriculture to have power of eminent domain to acquire the necessary easements, rights of way and real property for diverting, conveying, pumping, storing, distribution, and transmitting agricultural water for agriculture uses. Establishes that the moneys in the irrigation system revolving fund be expended upon warrants drawn by the comptroller for expenses directly attributable to the cost of the systems. Appropriation to the department of agriculture. (\$\$) -- HB0898 SD1

Committee Reports: HSCR 320 (AGR) HSCR 831 (FIN) SSCR 939 (ECD) SSCR 1402 (WAM)

Current Status:

May-04 99 Passed Legislature

HB0936 HD2 (HSCR 937)

RELATING TO COMMERCIAL PAPER. Introduced by: Morihara D (586-6330)

Amends uniform commercial code to allow holder of a dishonored check to assess a reasonable service charge of not more than 20 dollars. Amends provisions relating to dishonored check and action for treble damages and procedures. Requires that the plaintiff may recover from the defendant damages on any check, draft, or order for payment of money which has been dishonored for lack of funds for any service charge and attorney's fees. Provides criteria. -- HB0936 HD2

Committee Reports: HSCR 439 (CPC) HSCR 937 (JHA) SSCR 1083 (CPN) SSCR 1543 (JDC)

Current Status:

Apr-15 99 Received by the Governor

Apr-26 99 Approved by Governor (Act 48 1999)

Sections Affected: 490:3- (1 SECTION), 490:3-506

HB0945 HD1 SD1 CD1 (CCR 72)

RELATING TO AGRICULTURAL PARKS. Introduced by: Abinsay F (586-6010)

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Establishes provision relating to commercial activity in agricultural parks. Allows the department of agriculture the disposition of no more than 2 lots within an agricultural park, to process, market, and display agricultural crops, or commodities, in each of its existing and future agricultural parks, including any products created through value added processes. Requires the department to allow agricultural based commercial venture operations to sell to the general public, provided that such lots be leased and operated by an agricultural park lessee in good standing with the department. --

HB0945 CD1

Committee Reports: HSCR 915 (AGR) SSCR 1141 (ECD) SSCR 1504 (WAM) CCR 72

Current Status:

May-04 99 Passed Legislature

Sections Affected: 166- (1 SECTION)

HB0955 HD1 SD1 CD1 (CCR 87) RELATING TO CRIME. Introduced by: Whalen P (586-9385)

Establishes provision relating to violation of privacy in the 1st degree. Prohibits the intentional or knowing installation or use, without consent, of any device for observing, photographing, videotaping, filming, recording, amplifying or broadcasting a person in a stage of undress or sexual activity. Establishes violation of privacy in the 1st degree as a class C felony. Amends provision relating to violation of privacy in the 2nd degree. -- Amends provision relating to the crime victim compensation special fund. Requires moneys from the criminal injuries compensation fund to be used for compensation payments, operating expenses, salaries of positions as authorized by the legislature, and collection of fees. Repeals amendment to the crime victim compensation special fund on July 1, 2001 (sunset). --

HB0955 CD1

Committee Reports: HSCR 728 (JHA) SSCR 1579 (JDC) CCR 87

Current Status:

May-04 99 Passed Legislature

Sections Affected: 711- (1 SECTION), 711-1111, 351-62.5

HB0970 HD1 SD1 (SSCR 1174) AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES. Introduced by: Oshiro M (586-8505)

Authorizes the issuance of special purpose revenue bonds to assist Pacific Cardiac Institute, Inc., a not for profit Hawaii corporation, or a Hawaii nonprofit affiliate of same, for acquisition or leasing of land, for planning, design, construction, and operation of a new health care facility, and for acquisition and installation of additional capital equipment. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) --

HB0970 SD1

Committee Reports: HSCR 275 (HLT) HSCR 1024 (FIN) SSCR 1174 (HHS) SSCR 1241 (WAM)

Current Status:

May-04 99 Passed Legislature

HB0971 HD1 SD1 (SSCR 1175) AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES. Introduced by: Oshiro M (586-8505)

Authorizes the issuance of special purpose revenue bonds to assist Wahiawa General Hospital, Inc., a not for profit Hawaii corporation, or a Hawaii nonprofit affiliate of Wahiawa General Hospital, Inc., for retirement of outstanding debt on existing health care facilities and capital equipment, for acquisition or leasing of land for a new facility, for planning, design, construction, and operation of a new health care facility, for acquisition and installation of additional capital equipment, and for renovation or repair of existing health care facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) --

HB0971 SD1

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Committee Reports: HSCR 276 (HLT) HSCR 1025 (FIN) SSCR 1175 (HHS) SSCR 1242 (WAM)

Current Status:
May-04 99 Passed Legislature

HB0972 HD1 SD1 (SSCR 1176)

AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES. Introduced by: Oshiro M (586-8505)

Authorizes the issuance of special purpose revenue bonds to assist Wahiawa Central Oahu Health Center, Inc., a not for profit Hawaii corporation, or a Hawaii nonprofit affiliate of Wahiawa Central Oahu Health Center, Inc., for acquisition or leasing of land for a new facility, for planning, design, construction, and operation of a new health care facility, and for acquisition and installation of additional capital equipment. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0972 SD1

Committee Reports: HSCR 277 (HLT) HSCR 1009 (FIN) SSCR 1176 (HHS) SSCR 1243 (WAM)

Current Status:
May-04 99 Passed Legislature

HB0973 HD1 SD1 (SSCR 1177)

AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES. Introduced by: Oshiro M (586-8505)

Authorizes the issuance of special purpose revenue bonds to assist Pacific Sports Medicine & Research, Inc., a not for profit Hawaii corporation, or a Hawaii nonprofit affiliate, for acquisition or leasing of land for a new facility, for planning, design, construction, and operation of a new health care facility, and for acquisition and installation of additional capital equipment. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0973 SD1

Committee Reports: HSCR 278 (HLT) HSCR 1026 (FIN) SSCR 1177 (HHS) SSCR 1244 (WAM)

Current Status:
May-04 99 Passed Legislature

HB0978 SD1 CD1 (CCR 146)

RELATING TO AGRICULTURE. Introduced by: Say C (BR) (586-6100)

Establishes provision relating to agricultural loans. Provides that the department of agriculture may guarantee up to 90 per cent of principal balance, plus interest, of loans made to a qualified farmer or cooperative. Provides that the state's liability shall not exceed 10 million dollars. Authorizes guarantee of loans classed A, B, C and E. Prohibits guarantee of D and F class loans. Provides criteria. Requires the department to issue the lender a guaranty of principal and interest for approved loan applications. Requires the lender to collect, service the loan, remit a 1 time insurance fee of 2 per cent of the principal and give the department 30 days notice on foreclosure proceedings. -- HB0978 CD1

Committee Reports: HSCR 321 (AGR) HSCR 853 (FIN) SSCR 943 (ECD) SSCR 1431 (WAM) CCR 146

Current Status:
May-04 99 Passed Legislature

Sections Affected: 155- (1 SECTION)

HB0979 HD2 (HSCR 830)

RELATING TO AGRICULTURAL LOANS. Introduced by: Say C (BR) (586-6100)

Amends provision relating to restrictions on agricultural loans to require the authorization of agricultural loans only if such loans cannot be made by 2 lenders which may include private lenders, members of the farm credit system or the US

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Department of Agriculture, except that the board of agriculture may waive this requirement for emergency loans. Adds that private lender includes credit unions. Provides that when a participating loan has been approved by the department of agriculture, its share may be paid to the participating private lender for disbursement to the borrower. -- Provides that for out of the interest collected, the private lender may be paid a service fee to be determined by the department, that not exceed 1 per cent of the unpaid principal balance of the loan. Further provides that the private lender services the loan. -- Amends provisions relating to agricultural farm operating loans to include qualified farmers affected by state eradication programs who shall be subject to class C loans, provided that the interest rate shall be at 3 per cent per annum. -- HB0979 HD2

Committee Reports: HSCR 302 (AGR) HSCR 830 (FIN) SSCR 953 (ECD) SSCR 1432 (WAM)

Current Status:

Apr-12 99 Received by the Governor

Apr-23 99 Approved by Governor (Act 32 1999)

Sections Affected: 155-1, 155-3, 155-6, 155-9

HB0980 HD2 SD1 (SSCR 1464)

RELATING TO IRRIGATION WATER DEVELOPMENT. Introduced by: Say C (BR) (586-6100)

Amends provision relating to the administration of irrigation projects. Provides that acreage assessment be based upon cultivatable acres and excludes streams, dry gulches and noncultivable or nonusable lands. Provides that the board of agriculture may set rules on minimum acreage assessment upon uncultivable or unusable lands. -- HB0980 SD1

Committee Reports: HSCR 338 (AGR) HSCR 827 (FIN) SSCR 954 (ECD) SSCR 1464 (WAM)

Current Status:

May-04 99 Passed Legislature

Sections Affected: 167-19

HB0982

RELATING TO AQUACULTURE. Introduced by: Say C (BR) (586-6100)

Repeals provision relating to aquaculture programs management and administration by the department of land and natural resources. -- HB0982

Committee Reports: HSCR 117 (AGR) HSCR 978 (WLU) SSCR 990 (ECD)

Current Status:

Mar-29 99 Received by the Governor

Apr-06 99 Approved by Governor (Act 6 1999)

Sections Affected: 26-15, 171-3

HB0983

MAKING AN EMERGENCY APPROPRIATION FOR THE AGRIBUSINESS DEVELOPMENT CORPORATION. Introduced by: Say C (BR) (586-6100)

Appropriation to the department of agriculture to reimburse the papaya industry for securing patent licenses needed to commercialize the transgenic papaya and to allow the corporation to carry out its ongoing projects. (\$\$) -- HB0983

Committee Reports: HSCR 200 (AGR) HSCR 745 (FIN) SSCR 955 (ECD) SSCR 1404 (WAM)

Current Status:

Apr-12 99 Received by the Governor

Apr-23 99 Approved by Governor (Act 33 1999)

HB0985 HD1 SD2 (SSCR 1603)

RELATING TO PROCUREMENT. Introduced by: Say C (BR) (586-6100)

Amends provision relating to the expenditure of public money and public contracts to

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include the definitions of the Hawaii public procurement code. -- Amends provisions relating to the Hawaii public procurement code by establishing the use of indigenous land plant species in plans, designs, and specifications for new or renovated landscaping. -- Requires all public contracts to make provisions for pollution control. -- Requires the procurement policies of the state and counties to include energy efficiency standards and policies, including life cycle costing. -- Requires the state and counties to insert clauses providing for value engineering incentives in all public works contracts for amounts in excess of 250,000 dollars. Provides criteria. -- Establishes provisions relating to taxpayer preference and qualified community rehabilitation programs. -- Provides that a package bid or purchase price by a bidder exempt from the general excise tax shall be increased by the rate of the tax in order to determine the lowest price bid. -- Changes contracting officer to procurement officer. -- Amends provision relating to retainage. Requires retainage to not include sums deducted as liquidated damages. -- Requires offerors entering into contracts with government agencies to perform services in excess of 25,000 dollars to certify that all wage, workers' compensation, unemployment compensation, and safety laws are complied with. Provides criteria. Exempts contracts for professional services. -- Amends provision relating to the application of the Hawaii public procurement code. Exempts grants and subsidies made by the State, contracts for purchases of health and human services and contracts by governmental bodies to procure services of attorneys employed or retained to advise, represent, or provide any other legal service to the State or any of its agencies, on matters arising under laws of another state or foreign country, or in an action brought in such jurisdictions, when substantially all legal services are expected to be performed outside the State. -- Provides that the chief procurement officers of the Honolulu, Kauai, and Maui boards of water supply shall be the respective managers and chief engineers of the boards of water supply, or as designated by county charter. Provides that the manager of the Hawaii board of water supply shall be the chief procurement officer for the Hawaii board of water supply, or as designated by county charter. -- Amends provision relating to settlement of default by contractor. -- Defines direct labor, fair market price, person with disabilities, public agency, and qualified community rehabilitation program. -- Provides for the annual inventory return of all nonexpendable state and county property. -- Repeals provisions relating to contract provision to consider traffic, definition of officer, services of the handicapped, indigenous and polynesian plants use in landscaping, value engineering clauses, tax adjustment for out of state vendors and tax exempt bidders, wages of certain laborers paid weekly, pay days, only citizens employed exception, officers forbidden interest in government contracts, violation voids contract, penalty, energy efficiency through life cycling costing, pollution control and products and services of handicapped individuals provisions within the expenditure of public money statutes. -- HB0985 SD2

Committee Reports: HSCR 781 (FIN) SSCR 1185 (GOH) SSCR 1603 (WAM)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 103- (1 SECTION), 103D- (4 SECTIONS), 103D- (4 SECTIONS), 103D-1001, 76-55, 103-11, 103-32.1, 103-32.2, 103-39.5, 103-55, 103-72, 103D-102, 103D-201, 103D-203, 103D-309, 103D-321, 103D-703.5, 103D-1001.5, 103D-1003, 103D-1007, 103D-1206, 103D-1207, 103D-1208, 128-10, 128-13, 382-3, 103-15, 103-21, 103-22.1, 103-24.6, 103-49, 103-53.5, 103-54, 103-56, 103-57, 103-58, 103-59, 103-60, 103-71, 103-61, 103-81, 103-82, 103-83

HB0988 HD2 SD2 CD1 (CCR 138) MAKING AN EMERGENCY APPROPRIATION FOR STATE GOVERNMENT TO IMPLEMENT YEAR 2000 COMPLIANCE EFFORTS. Introduced by: Say C (BR) (586-6100)

Appropriation to the department of accounting and general services to support the State's year 2000 (Y2K) remediation efforts. Allows the department to delegate responsibility and transfer funds to other state agencies with the approval of the governor. Report to the legislature. (\$\$) -- HB0988 CD1

Committee Reports: HSCR 577 (JHA) HSCR 760 (FIN) SSCR 1059 (EDU) SSCR 1433 (WAM) CCR 138

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Current Status:
May-04 99 Passed Legislature

HB0989 HD1 SD2 CD1 (CCR 186) RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR. Introduced by: Say C (BR) (586-6100)

Appropriation for the purpose of satisfying claims for legislative relief to persons, firms, corporations, and entities which have claims against the State due to overpayment of taxes, refunds, reimbursements, payments of judgments or settlements, or other liabilities. Amends claims for legislative relief to add that claims be filed within 6 years from the date on which the claim for payment matured. Requires the attorney general to consult with the governor prior to entering into any settlement agreement for awards exceeding 75,000 dollars. Also requires the attorney general to develop and implement a procedure for advising its client agencies on how to avoid future claims by requesting client agencies to take corrective action to eliminate or mitigate those factors identified by the attorney general as contributing to the State's negligence. Requires the client agencies to develop new policies or modify existing practices to avoid repetition of similar claims. Annual report by the attorney general to the legislature. (\$\$) -- HB0989 CD1
Committee Reports: HSCR 514 (JHA) HSCR 890 (FIN) SSCR 1045 (JDC) SSCR 1583 (WAM) CCR 186

Current Status:
May-04 99 Passed Legislature

Sections Affected: (1 SECTION), 37-77

HB0990 HD1 SD1 CD1 (CCR 187) MAKING AN EMERGENCY APPROPRIATION FOR LEGAL SERVICES FOR DEPARTMENT OF HAWAIIAN HOME LANDS INDIVIDUAL CLAIMS REVIEW. Introduced by: Say C (BR) (586-6100)

Appropriation to the department of the attorney general to continue its legal representation of the department of Hawaiian home lands. (\$\$) -- HB0990 CD1
Committee Reports: HSCR 515 (JHA) HSCR 795 (FIN) SSCR 1538 (WLH/ WAM/ CCR 187

Current Status:
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HB0992 HD1 (HSCR 752) RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION. Introduced by: Say C (BR) (586-6100)

Amends provision relating to information to be secured for civil identification. Requires the applicants right and left index fingerprints. -- HB0992 HD1
Committee Reports: HSCR 516 (JHA) HSCR 752 (FIN) SSCR 1238 (JDC)

Current Status:
Apr-07 99 Received by the Governor
Apr-15 99 Approved by Governor (Act 15 1999)

Sections Affected: 846-28, 846-30

HB0996 RELATING TO MEETINGS OF STATE AND COUNTY BOARDS. Introduced by: Say C (BR) (586-6100)

Amends provision relating to public agency meetings and records. Authorizes a board to hold a meeting closed to the public to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a state or federal law, or a court order. -- HB0996
Committee Reports: HSCR 725 (JHA) SSCR 1216 (JDC) SSCR 1580 (JDC)

Current Status:
Apr-15 99 Received by the Governor

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Apr-26 99 Approved by Governor (Act 49 1999)

Sections Affected: 92-5

HB0997 HD1 SD1 (SSCR 1494) RELATING TO MONEY LAUNDERING. Introduced by: Say C (BR) (586-6100)

Amends provision relating to the penalty for money laundering. Changes the minimum value or aggregate value amount to 8,000 dollars. Establishes a class C felony offense and fines for property valued at 10,000 dollars or less, and class B felony for 10,000 dollars or more. -- HB0997 SD1
Committee Reports: HSCR 734 (JHA) SSCR 1494 (JDC)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 708A-3

HB0999 HD1 SD1 (SSCR 1496) RELATING TO ORGANIZED CRIME. Introduced by: Say C (BR) (586-6100)

Amends provision relating to the violation of the organized crime laws. Repeals fine and 10 year minimum term of imprisonment. Amends provision relating to the failure to report income by including income derived directly or indirectly from racketeering or collection of an unlawful debt, violation shall be a class B felony and shall be subject to assessment and collection of income and general excise taxes. -- HB0999 SD1
Committee Reports: HSCR 738 (JHA) SSCR 1496 (JDC)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 842-3, 842-11

HB1008 SD2 (SSCR 1406) RELATING TO TOBACCO LIABILITY. Introduced by: Say C (BR) (586-6100)

Establishes the tobacco liability act. Requires tobacco manufacturers that do not participate in the tobacco manufacturers master settlement agreement to pay a per cent of sales, on an ascending scale, into a qualified escrow fund. -- Manufacturers to receive interest on funds placed in escrow. Funds shall be released to pay a judgment or settlement against the manufacturers on any released claim brought by the State or any releasing party located or residing in the State. Funds deposited in excess of the State's yearly allocable share under the master agreement shall revert back to the tobacco manufacturer. Escrow funds not released 25 years after the date of deposit revert back to the tobacco manufacturer. -- Provides criteria and civil remedies against any tobacco manufacturers that fail to place funds into escrow as required. -- Requires annual certification of compliance to the attorney general. -- HB1008 SD2
Committee Reports: HSCR 659 (HLT) HSCR 789 (FIN) SSCR 1044 (JDC) SSCR 1406 (WAM)

Current Status:
May-04 99 Passed Legislature

Sections Affected: (3 SECTIONS) TOBACCO LIABILITY ACT

HB1012 HD1 SD1 (SSCR 1407) RELATING TO THE CLEAN HAWAII FUND. Introduced by: Say C (BR) (586-6100)

Establishes the clean Hawaii special fund within the state treasury which shall be administered by the department of business, economic development, and tourism, to market and promote the development of local processing and manufacturing industries for collected recyclables. Requires moneys derived from sources be deposited into the fund. Provides criteria. -- Amends Act 202, session laws of 1994, as amended by Act 2, special session laws of 1995. -- HB1012 SD1
Committee Reports: HSCR 348 (EEP/ EDB/) HSCR 775 (FIN) SSCR 991 (ECD) SSCR 1407 (WAM)

Current Status:

HOUSE BILLS WHICH PASSED THE LEGISLATURE

May-04 99 Passed Legislature

Sections Affected: 201- (2 SECTIONS), ACT 202 1994, ACT 2 1995 1SP

HB1013 SD1 (SSCR 1207)

MAKING AN APPROPRIATION FOR THE HAWAII TOURISM AUTHORITY.
Introduced by: Say C (BR) (586-6100)

Appropriation to the Hawaii tourism authority for tourism research. Requires the authority to reimburse the general fund for amounts expended by the authority from the general fund since January 1, 1999, for the authority's operations. (\$\$) -- HB1013 SD1

Committee Reports: HSCR 135 (TSM) HSCR 746 (FIN) SSCR 916 (ECD) SSCR 1207 (WAM)

Current Status:

Apr-22 99 Received by the Governor

Apr-28 99 Approved by Governor (Act 55 1999)

HB1017 HD1 SD2 CD1 (CCR 180)

RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM. Introduced by: Say C (BR) (586-6100)

Amends of Act 50, session laws of 1979, as amended by Act 288, session laws of 1980, as amended by Act 13, 1st special session laws 1981, Act 224, session laws of 1984, Act 171, session laws of 1991, and Act 1, special session laws of 1995, by changing the housing finance development corporation to the housing and community development corporation of Hawaii. Also changes the aggregate principal amount of revenue bonds not to exceed 2,275 million dollars. -- HB1017 CD1

Committee Reports: HSCR 252 (HSH) HSCR 769 (FIN) SSCR 1169 (GOH) SSCR 1584 (WAM) CCR 180

Current Status:

May-04 99 Passed Legislature

Sections Affected: Act 50 1979, ACT 288 1980, ACT 13 1981 1SP, ACT 224 1984, ACT 171 1991, ACT 1 1995 1SP

HB1020 HD2 SD2 CD1 (CCR 53)

RELATING TO THE HAWAII CAPITAL LOAN PROGRAM. Introduced by: Say C (BR) (586-6100)

Amends Act 311, session laws of 1996, relating to the capital loan program, by repealing the sunset date. Amends Act 104, session laws of 1998, relating to the Hawaii capital loan program, by repealing the sunset date. Amends Act 118, session laws of 1998, by repealing direct loans, terms, and restrictions provisions. -- HB1020 CD1

Committee Reports: HSCR 677 (EDB) HSCR 1010 (FIN) SSCR 1070 (ECD) SSCR 1434 (WAM) CCR 53

Current Status:

May-04 99 Passed Legislature

Sections Affected: 210-6, ACT 311 1996, ACT 104 1998, ACT 118 1998

HB1026 HD1 (HSCR 599)

RELATING TO INSURANCE PREMIUM TAXES. Introduced by: Say C (BR) (586-6100)

Provides that the low income housing income tax credit shall be operative and may be claimed against insurance premium taxes. -- HB1026 HD1

Committee Reports: HSCR 227 (HSH) HSCR 599 (CPC) HSCR 847 (FIN) SSCR 1039 (GOH) SSCR 1435 (WAM)

Current Status:

Apr-12 99 Received by the Governor

Apr-23 99 Approved by Governor (Act 24 1999)

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Sections Affected: 431:7- (1 SECTION)

HB1028 HD1 SD1 CD1 (CCR 59)

RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION. Introduced by: Say C (BR) (586-6100)

Amends provision relating to the aloha tower development corporation. Provides that its chief executive officer may appoint officers, agents, and employees, prescribe their duties and qualifications, and fix their salaries without regard to civil service and public employee compensation provisions. -- HB1028 CD1

Committee Reports: HSCR 505 (EDB/ TRN/) - notwithstanding SSCR 1565 (ECD/ WAM/) CCR 59

Current Status:

May-04 99 Passed Legislature

Sections Affected: 206J-5

HB1034

RELATING TO MOTOR CARRIERS. Introduced by: Say C (BR) (586-6100)

Amends provisions allowing the public utilities commission to grant temporary authority to enable provision of service where there is an immediate and urgent need for carrier service by repealing the requirement that every application for temporary authority to be made in writing and verified under oath. Also repeals the requirement that the application to be accompanied by proof of service upon every current holder of a certificate or public convenience and necessity in the classification for which temporary authority is applied and contain information that the commission shall by rule, require. -- HB1034

Committee Reports: HSCR 474 (TRN) HSCR 1029 (CPC) SSCR 1236 (CPN)

Current Status:

Apr-07 99 Received by the Governor

Apr-15 99 Approved by Governor (Act 16 1999)

Sections Affected: 271-16

HB1035 HD1 SD2 (SSCR 1483)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Introduced by: Say C (BR) (586-6100)

Amends provision relating to the public employees' retirement system to require the board of trustees to appoint, by a majority vote of its members, a chief investment officer. -- HB1035 SD2

Committee Reports: HSCR 239 (LAB) HSCR 817 (FIN) SSCR 964 (CPN) SSCR 1483 (WAM)

Current Status:

May-04 99 Passed Legislature

Sections Affected: 88-29

HB1037 SD1 (SSCR 1595)

MAKING AN EMERGENCY APPROPRIATION FOR THE UNCLAIMED PROPERTY PROGRAM. Introduced by: Say C (BR) (586-6100)

Appropriation to the department of budget and finance for the payment of judgments and claims under the unclaimed property program. Requires the director of finance to report on the disbursement of funds to the legislature. (\$\$) -- HB1037 SD1

Committee Reports: HSCR 528 (JHA) HSCR 794 (FIN) SSCR 1595 (WAM)

Current Status:

May-04 99 Passed Legislature

HB1038 HD1 SD2 CD1 (CCR 193)

MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS. Introduced by: Say C (BR) (586-6100)

Appropriation to the department of budget and finance and the judiciary for negotiated

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collective bargaining cost items for: public employees in collective bargaining unit 1 (nonsupervisory blue collar employees) and state officers and employees excluded from collective bargaining unit 1; public employees in collective bargaining unit 2 (supervisory blue collar employees); public employees in collective bargaining unit 3 (nonsupervisory white collar employees) and state officers and employees excluded from collective bargaining unit 3; public employees in collective bargaining unit 4 (supervisory white collar employees) and state officers and employees excluded from collective bargaining unit 4; public employees in collective bargaining unit 6 (educational officers and other personnel of the department of education) and state officers and employees excluded from collective bargaining unit 6; public employees in collective bargaining unit 8 (personnel of the university of Hawaii and community college system) and for state officers and employees excluded from collective bargaining unit 8; public employees in collective bargaining unit 9 (registered professional nurses) and for state officers and employees excluded from collective bargaining unit 9; public employees in collective bargaining unit 10 (nonprofessional hospital and institutional workers) and for state officers and employees excluded from collective bargaining unit 10; and public employees in collective bargaining unit 13 (other professional and scientific employees) and for state officers and employees excluded from collective bargaining unit 13. (\$\$) -- HB1038 CD1
Committee Reports: HSCR 187 (LAB) HSCR 1027 (FIN) SSCR 1072 (LRE) SSCR 1535 (WAM) CCR 193

Current Status:
May-04 99 Passed Legislature

HB1042 HD2 (HSCR 825)

RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND. Introduced by: Say C (BR) (586-6100)

Amends provision relating to determination of health benefits plan, contract with carriers, by allowing board of trustees to determine more than 1 plan. -- HB1042 HD2
Committee Reports: HSCR 361 (LAB) HSCR 825 (FIN) SSCR 966 (CPN) SSCR 1436 (WAM)

Current Status:
Apr-12 99 Received by the Governor
Apr-23 99 Approved by Governor (Act 25 1999)

Sections Affected: 87-22

HB1044 HD1 (HSCR 395)

RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES. Introduced by: Say C (BR) (586-6100)

Establishes provision relating to state health benefits by requiring the board of trustees to offer medical, hospital, and surgical benefits plans, after July 1, 2000, to part time, temporary, and seasonal or casual employees, at no cost to the employer and excluded from the minimum group requirements of accident and sickness insurance. Allows the board to contract for health benefits plans, as provided by the following plans, an indemnity benefit plan, a service benefit plan, a health maintenance organization plan (HMO) and a noninsured schedule of benefits. Allows that benefits provided under each respective plan to be equally available to all part time, temporary and seasonal or casual employees, regardless of age, and for each employee that enrolled for health benefits shall pay a monthly contributions directly to the board's designated carrier. -- HB1044 HD1

Committee Reports: HSCR 395 (LAB) HSCR 844 (FIN) SSCR 967 (CPN) SSCR 1408 (WAM)

Current Status:
Apr-12 99 Received by the Governor
Apr-23 99 Approved by Governor (Act 26 1999)

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Sections Affected: 87- (1 SECTION)

HB1064 HD1 (HSCR 822)

RELATING TO HAWAII HURRICANE RELIEF FUND BONDS. Introduced by: Say C (BR) (586-6100)

Amends provisions relating to the Hawaii hurricane relief fund. Provides that after each covered event, the board of directors of the Hawaii hurricane relief fund shall determine if the moneys in the fund excluding moneys determined by the board to be needed to continue fund operations following that covered event, will be insufficient to pay claims and other obligations of the fund, the fund is authorized to levy a surcharge. Allows the surcharge to remain in effect until all claims and other obligations of the fund have been fully discharged. -- Amends Act 339, session laws of 1993, as amended by Act 17, special session laws of 1995, as amended by Act 222, session laws of 1997, to extend the authorization for the issuance of reimbursable general obligation bonds for the Hawaii hurricane relief fund and for the hurricane reserve trust fund until 2001 (sunset). -- HB1064 HD1

Committee Reports: HSCR 383 (CPC) HSCR 822 (FIN) SSCR 941 (CPN) SSCR 1499 (WAM)

Current Status:

May=04 99 Passed Legislature

Sections Affected: 431P-16, ACT 339 1993, ACT 17 1995 1SP, ACT 222 1997

HB1070 HD1 (HSCR 873)

RELATING TO THE INSURANCE CODE. Introduced by: Say C (BR) (586-6100)

Authorizes the insurance commissioner or an examiner authorized by the commissioner to conduct an examination of any captive insurance company as often as appropriate, but at least once every 3 years. -- HB1070 HD1

Committee Reports: HSCR 873 (CPC) SSCR 982 (CPN)

Current Status:

Mar-29 99 Received by the Governor

Apr-06 99 Approved by Governor (Act 7 1999)

Sections Affected: 431:19-108

HB1072 HD1 (HSCR 910)

RELATING TO REVERSE MORTGAGES. Introduced by: Say C (BR) (586-6100)

Establishes provision relating to reverse mortgage loans. Requires lenders to refer every borrower to counseling from an approved housing counseling agency, and

receive certification that the borrower has received counseling. Provides criteria.

Defines reverse mortgage loan. -- HB1072 HD1

Committee Reports: HSCR 910 (CPC) SSCR 1470 (CPN)

Current Status:

Apr-15 99 Received by the Governor

Apr-26 99 Approved by Governor (Act 50 1999)

Sections Affected: 506- (1 SECTION)

HB1079 HD3 SD1 (SSCR 969)

RELATING TO THE CONVERSION OF BUSINESS ENTITIES. Introduced by: Say C (BR) (586-6100)

Amends the Hawaii business corporation act, professional corporation act, nonprofit corporation act, partnerships, uniform limited partnership act, and uniform limited liability company act to allow the conversion to any other entity. Defines other entity as domestic or foreign corporation, whether organized for profit or not, a domestic or foreign limited liability company, general partnership, limited partnership, or limited liability partnership. -- Changes mergers and consolidations to mergers, consolidations, and conversions. -- Establishes filing and issuing fees for articles of conversion. -- Repeals provisions relating to the conversion of partnerships or limited partnerships to limited liability company. -- HB1079 SD1

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Committee Reports: HSCR 265 (EDB) HSCR 701 (CPC) HSCR 970 (FIN) SSCR 969 (CPN) SSCR 1500 (WAM)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 415- (4 SECTIONS), 415A- (4 SECTIONS), 415B- (4 SECTIONS), 425- (4 SECTIONS), 425D- (4 SECTIONS), 428- (2 SECTIONS), 415-2, 415A-2, 415B-2, 425-152, 425D-101, 428-901, 415-128, 415B-155, 425-12, 425-169, 425-191, 425D-1107, 425D-1109, 428-903, 428-908, 428-1301, 428-902

HB1081 HD1 (HSCR 779)

RELATING TO CORPORATIONS. Introduced by: Say C (BR) (586-6100)

Amends the Hawaii business corporation act to enable a shareholder to authorize another person to act as a proxy. -- HB1081 HD1

Committee Reports: HSCR 779 (CPC) SSCR 983 (CPN)

Current Status:
Mar-29 99 Received by the Governor
Apr-06 99 Approved by Governor (Act 8 1999)

Sections Affected: 415-33

HB1085 HD1 SD1 CD1 (CCR 137)

MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION. Introduced by: Say C (BR) (586-6100)

Appropriation to the department of education for operational expenses, for books and equipment for Kapolei middle school, and for books and equipment for Keaau high school. (\$\$) -- HB1085 CD1

Committee Reports: HSCR 554 (EDN/ HLT/) HSCR 1045 (FIN) SSCR 1132 (EDU) SSCR 1256 (WAM) CCR 137

Current Status:
May-04 99 Passed Legislature

HB1086 SD1 CD1 (CCR 58)

RELATING TO EDUCATION. Introduced by: Say C (BR) (586-6100)

Repeals the requirement that the course of study and instruction in the 1st 8 grades be regulated so at least 50 per cent of the study and instruction in each school day be devoted to oral expression, the written composition, and the spelling of the English language except for special projects using the Hawaiian language as approved by the board of education. Provides that the course of study and instruction be regulated in accordance with the statewide performance standards. -- HB1086 CD1

Committee Reports: HSCR 113 (EDN) SSCR 1115 (EDU) CCR 58

Current Status:
May-04 99 Passed Legislature

Sections Affected: 302A-1128

HB1088 HD2 SD2 CD1 (CCR 95)

RELATING TO SCHOOL ATTENDANCE. Introduced by: Say C (BR) (586-6100)

Requires the board of education to conduct a study examining the minimum age that children should attain to attend kindergarten. Requires the study to include reviews of reports on issues relevant to the kindergarten age, the kindergarten age established by other jurisdictions, the issue of whether "late born" children are not mature enough or not ready for kindergarten, the logic of how proposals to raise the kindergarten age eliminates the problem of children starting school at an earlier age than their peers, the issue of whether the kindergarten curriculum and instruction should be designed in a developmentally appropriate manner for children who now qualify for kindergarten, the provisions of H.B. No. 1088, H.D. 2 (HB1088 HD2) and H.B. No. 1088, H.D. 2, S.D. 2 (HB1088 SD2), establishment of readiness standards, the use of department of education funds, and implementation of programs for children affected by the change in entrance age and deemed not ready for kindergarten. Requires the board to consult

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with public and private agencies that have expertise in this area, such as the college of education of the university of Hawaii, the Good Beginnings Alliance, and the Hawaii Association for the Education of Young Children. Report to the legislature. -- HB1088 CD1

Committee Reports: HSCR 429 (EDN) HSCR 829 (FIN) SSCR 1133 (EDU) SSCR 1510 (WAM) CCR 95

Current Status:
May-04 99 Passed Legislature

HB1095 HD1 SD2 CD1 (CCR 149) RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS. Introduced by: Say C (BR) (586-6100)

Amends provisions to relating to the salary commission for the members of the board of trustees for the office of Hawaiian affairs. Provides that the salary commission shall consist of 7 members appointed from nominations submitted by native Hawaiian organizations and selected by the governor on or before August 31, 1999. Further provides that before the 20th legislative day of the regular session of 2000 and every 4 years thereafter, the salary commission shall study and make recommendations for the salary of the members of the board of trustees for the office of Hawaiian affairs. -- HB1095 CD1

Committee Reports: HSCR 544 (JHA) HSCR 783 (FIN) SSCR 930 (WLH) SSCR 1409 (WAM) CCR 149

Current Status:
May-04 99 Passed Legislature

Sections Affected: 10-9.5

HB1111 HD2 SD2 CD1 (CCR 150) RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS. Introduced by: Say C (BR) (586-6100)

Establishes the year 2000 (Y2K) errors in computer based systems law. Provides that the a year 2000 error is the failure of a computer based system to accurately store, display, transmit, receive, process, calculate, compare or sequence date and time data from, into or between year 1999 and 2000 and beyond and leap year calculations, and a computer based system includes any computer or other information technology system, and any electronic device that controls, operates, monitors, assists in the operation or functioning of equipment, machinery, plant, or a device using an embedded or installed microprocessor or chip. Prohibits noneconomic damages, statutory minimum or treble damages being awarded under any theory of recovery, including contract and tort law, for claims arising out of a year 2000 error unless the error was intentionally created, the respondent had entered into an agreement to discover or remedy errors with the intent to defraud the claimant, or the damage or injury was caused by the dissemination of corrupted data to recipients. Provides definitions. Requires the plaintiff to contact the court to schedule a conference to discuss alternative dispute options. Requires all arbitration and judgments to state whether the claimant and the respondent engaged in commercially reasonable efforts to avoid the impact of year 2000 errors. Defines remediation steps. Provides that any award to a claimant shall be reduced by the extent of the claimants failure to engage in commercially reasonable efforts. Excludes software and hardware manufacturers from liability exemption. Prohibits credit reporting agencies from reporting negative credit information resulting from a year 2000 error. -- Amends the state tort liability law by excluding any claims arising out of a year 2000 (Y2K) error produced, calculated, or generated by a government computer system or other computer based system, regardless of the cause for the year 2000 error. -- Changes the government computer system and year 2000 compliance law to the claims against government arising out of or relating to year 2000 errors law. Provides that no action, including, without limitation, any action for declaratory or injunctive relief to be brought against the State, its political subdivisions, a board, or a government employee arising out of or relating to a year 2000 error produced, calculated or generated by a government computer system or other computer based system, regardless of cause. Authorizes an exception for gross negligence, and provides that a failure to fix or prevent an error

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after a good faith effort shall not constitute gross negligence. Provides similar immunity for any person arising out of or relating to a year 2000 error by a government computer system. -- Provides that amendments to the state tort liability and the claims against government arising out of year 2000 errors provisions shall take effect retroactive of the effective date of Act 213, session laws of 1998. Year 2000 errors in computer based systems law to be repealed on December 31, 2003 (sunset). --
HB1111 CD1

Committee Reports: HSCR 579 (JHA) HSCR 959 (FIN) SSCR 1166 (EDU/ CPN/)
SSCR 1589 (JDC) CCR 150

Current Status:
May-04 99 Passed Legislature

Sections Affected: (7 SECTIONS) YEAR 2000 ERRORS IN COMPUTER-BASED SYSTEMS, 662-15, 662E-1, 662E-2, 662E-3, 662E-4, ACT 213 1998

HB1114 HD1 (HSCR 739)

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED. Introduced by: Say C (BR) (586-6100)

Amends Hawaiian homes commission Act. Provides that each lease made under the authority granted by the department of Hawaiian home lands and the tract in respect to which the lease is made, shall be deemed subject to the following conditions, whether or not stipulated in the lease. Provides that the lessee shall not in any manner transfer to, or otherwise hold for the benefit of any other person, group of persons, organizations of any kind, except a native Hawaiian. Further provides that the lessee may also with the approval of the department, transfer the lessee's interest in the tract to husband, wife, child or grandchild of the lessee who are at least 1/4 Hawaiian. --
HB1114 HD1

Committee Reports: HSCR 739 (JHA) SSCR 917 (WLH) SSCR 1258 (WAM)

Current Status:
Apr-07 99 Received by the Governor
Apr-15 99 Approved by Governor (Act 17 1999)

Sections Affected: HAWAIIAN HOMES COMMISSION ACT 1920 208

HB1115 HD2 SD1 CD1 (CCR 93)

RELATING TO FOSTER BOARDING HOMES. Introduced by: Say C (BR) (586-6100)

Amends provisions relating to the department of human services by requiring the department to make a name inquiry into the criminal history record checks for the 1st 2 years of certification and annually or biennially thereafter, depending on the certification status of the home. Also adds that foster boarding home includes any boarding home in which 6 or more minor siblings are placed together, in the best interest of the children, for care and maintenance apart from their parents or guardians on a 24 hour basis for fee or charge. -- HB1115 CD1

Committee Reports: HSCR 26 (HSH) HSCR 334 (CPC) HSCR 888 (FIN) SSCR 1105 (HHS) SSCR 1569 (JDC) CCR 93

Current Status:
May-04 99 Passed Legislature

Sections Affected: 346-16, 346-19.6

HB1117 HD3 SD2 CD1 (CCR 94)

RELATING TO THE CHILD PROTECTIVE ACT. Introduced by: Say C (BR) (586-6100)

Amends provision relating to the child protective Act. Defines abandoned infant and redefines aggravated circumstances. Amends provision relating to service of summons. Provides that service to a party residing outside the state shall be made by registered or certified mail addressed to the last known address. -- Amends provision relating to disposition hearings. Changes the period that a child has been residing without a family home from 18 to 12 consecutive months. Provides that amended section shall not prevent the court from setting a show cause hearing or permanent

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plan hearing. -- Amends provisions relating to show cause, permanent plan and review hearings. -- Provides that if the child has been residing without the family home for a period of 12 months, or if the court determines aggravated circumstances are present, the court shall set the case for a show cause hearing at which the child's family shall present evidence to the court regarding the reasons and considerations as the family has to offer as to why the case should not be set for a permanent plan hearing. -- Provides that if the child has been residing outside of the family home for an aggregate period of 15 of the most recent 22 months to set the case for a permanent plan hearing, unless the department of human services has documented in the safe family home guidelines a compelling reason why it would not be in the best interest of the child, or the state has not provided services deemed necessary for the safe return of the child to the family home. -- HB1117 CD1
Committee Reports: HSCR 27 (HSH) HSCR 527 (JHA) HSCR 773 (FIN) SSCR 1092 (HHS) SSCR 1570 (JDC) CCR 94

Current Status:
May-04 99 Passed Legislature

Sections Affected: 587-2, 587-33, 587-71, 587-72, 587-73

HB1119 HD1 SD1 CD1 (CCR 97) RELATING TO CHILD PROTECTIVE SERVICES. Introduced by: Say C (BR) (586-6100)

Amends Act 302, session laws of 1996, relating to the child protective and diversion services pilot project. Changes the membership of the child protective services reform coordinating committee to be at least 15 members appointed by the director of human services instead of the governor. Allows the department of human services to share information with the neighborhood places. Extends the project to June 30, 2002 (sunset) and requires annual reports to the legislature. -- Establishes the child welfare services demonstration project within the department of human services to assist and support social workers to improve the delivery of child welfare services. Allows the department to hire employees for the project without regard to civil services, compensation, and public service laws. Project to cease to exist on June 28, 2001 (sunset). -- HB1119 CD1
Committee Reports: HSCR 126 (HSH) HSCR 764 (FIN) SSCR 1158 (HHS) SSCR 1571 (JDC) CCR 97

Current Status:
May-04 99 Passed Legislature

Sections Affected: Act 302 1996

HB1120 RELATING TO PERSONAL CARE SERVICES PAYMENT. Introduced by: Say C (BR) (586-6100)

Repeals provisions relating to personal care services to medical assistance recipients under the department of human services. -- HB1120
Committee Reports: HSCR 253 (HSH) HSCR 797 (FIN) SSCR 1019 (HHS) SSCR 1516 (WAM)

Current Status:
Apr-15 99 Received by the Governor
Apr-26 99 Approved by Governor (Act 51 1999)

Sections Affected: 346-64

HB1121 RELATING TO THE SUNSET CLAUSE IN ACT 128, SESSION LAWS OF HAWAII 1997. Introduced by: Say C (BR) (586-6100)

Amends Act 128, session laws of 1997, relating to public assistance, by repealing the sunset date. -- HB1121
Committee Reports: HSCR 129 (HSH) HSCR 546 (JHA) HSCR 887 (FIN) SSCR 1093 (HHS) SSCR 1437 (WAM)

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Current Status:
Apr-12 99 Received by the Governor
Apr-23 99 Approved by Governor (Act 27 1999)

Sections Affected: Act 128 1997

HB1124 SD1 (SSCR 1020)

RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION. Introduced by: Say C (BR) (586-6100)

Changes the name of the state advisory council on rehabilitation to the state rehabilitation council. Increases the membership to 21. Requires the council to consult with the state workforce development council and advise the vocational rehabilitation division of the department of human services. -- HB1124 SD1
Committee Reports: HSCR 254 (HSH) HSCR 788 (FIN) SSCR 1020 (HHS) SSCR 1384 (LRE)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 348-8

HB1125 HD2 (HSCR 881)

RELATING TO RECOVERY OF MEDICAL PAYMENTS. Introduced by: Say C (BR) (586-6100)

Amends the department of human services provisions relating to the recovery of payments and cost of medical assistance to include the department's right to full reimbursement of the costs of medical assistance or burial payment as a subrogee of a claimant shall not be diminished by the recovery of any judgment, settlement, or award of an amount less than the value of the original or settled claim as perceived or calculated by the claimant or any other person. Requires the claimant, claimant's attorney, or claimant's heirs, representatives, or beneficiaries to give the department timely written notice of any claim or action against a 3rd person if an actual notice of right to reimbursement has been received, or if there is a reason to believe that the claimant has received or is receiving medical assistance from the department. Provides that the department shall have a right to recover the full amount of the costs of medical assistance or burial payment made, if liability exists, or if the issue of 3rd party liability is settled or compromised without a finding of liability. Further provides that the department shall have a 1st lien in the full amount of the costs of medical assistance or burial payment made against the proceeds from all damages awarded in a suit or settlement. If a notice of lien is properly served to the claimant's attorney, the attorney shall pay the full amount of the lien, prior to the disbursing any proceeds to the attorney's client. If a notice of lien is properly served to the 3rd person, the 3rd person's agent, attorney, or insurance company, the person receiving the notice shall pay the full amount of the lien, prior to disbursing any proceeds to the claimant's attorney. If there is no action from the department after receiving timely written notice, the department shall determine its fair contribution toward attorney fees and costs based solely upon legitimate costs and services rendered by the claimant or claimant's attorney in recovering the lien amount. -- HB1125 HD2
Committee Reports: HSCR 130 (HSH) HSCR 575 (JHA) HSCR 881 (FIN) SSCR 1178 (HHS/ JDC/) SSCR 1517 (WAM)

Current Status:
Apr-15 99 Received by the Governor
Apr-26 99 Approved by Governor (Act 52 1999)

Sections Affected: 346-37

HB1138 HD1 SD2 CD1 (CCR 166)

RELATING TO EPIDEMIOLOGIC INVESTIGATIONS. Introduced by: Say C (BR) (586-6100)

Establishes provision relating to epidemiologic investigations allowing the department of health to conduct investigations to determine the nature and extent of a disease and injuries believed to be threatening to public health and safety. Provides criteria. -- Appropriation, out of the environmental response revolving fund, to the department of

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health to conduct soil testing at Village Park and West Loch Fairways to determine if the soil is a cause of the illnesses, and the physical and learning disabilities of children and families living in the area. Testing to be completed by December 15, 1999. Requires the department, with the assistance of the department of agriculture, Citizens for a Safe Environment, and Life of the Land, to report to the legislature. (\$\$) --
HB1138 CD1

Committee Reports: HSCR 291 (HLT) HSCR 861 (CPC) SSCR 1179 (HHS/ JDC/)
SSCR 1438 (WAM) CCR 166

Current Status:
May-04 99 Passed Legislature

Sections Affected: 321- (1 SECTION), 321-1

HB1142 HD3 SD2 CD1 (CCR 54) RELATING TO ENVIRONMENT. Introduced by: Say C (BR) (586-6100)

Changes the Hawaii law for mandatory certification of private cesspool pumping firms and operating personnel in wastewater treatment plants to wastewater treatment personnel. Amends water pollution provisions to include management practices, including treatment, processing, storage, transport, use and disposal. Includes domestic sewage and recycled water in water pollution provisions. Amends provisions relating to violations of water pollution laws. Allows the director of health to require the maintenance of records. Repeals the certification of private cesspool pumping firms. -- HB1142 CD1

Committee Reports: HSCR 176 (EEP) HSCR 576 (JHA) HSCR 1074 (FIN) SSCR 1148 (LRE) SSCR 1590 (JDC) CCR 54

Current Status:
May-04 99 Passed Legislature

Sections Affected: 342D-1, 342D-4, 342D-6, 342D-8, 342D-10, 342D-16, 342D-30, 342D-31, 342D-55, 340B-21

HB1146 SD2 CD1 (CCR 167) RELATING TO VITAL RECORD FEES. Introduced by: Say C (BR) (586-6100)

Amends Act 216, session laws of 1997, relating to vital record fees, by repealing the sunset date. -- HB1146 CD1

Committee Reports: HSCR 401 (HLT) HSCR 786 (FIN) SSCR 1021 (HHS) SSCR 1518 (WAM) CCR 167

Current Status:
May-04 99 Passed Legislature

Sections Affected: Act 216 1997

HB1151 HD1 SD1 (SSCR 924) MAKING AN EMERGENCY APPROPRIATION FOR THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION. Introduced by: Say C (BR) (586-6100)

Appropriation to the department of health for services provided to certain emotionally disturbed children and adolescents. Report to the legislature. (\$\$) -- HB1151 SD1
Committee Reports: HSCR 96 (HLT) HSCR 547 (EDN) HSCR 997 (FIN) SSCR 924 (WAM)

Current Status:
Mar-25 99 Received by the Governor
Apr-01 99 Approved by Governor (Act 3 1999)

HB1153 HD1 SD1 (SSCR 1098) RELATING TO RETAIL LIQUOR SALES TO MINORS. Introduced by: Say C (BR) (586-6100)

Allows any person between the ages of 18 and 20 years of age to participate in a controlled purchase as part of a law enforcement activity or a study authorized by the department of health to determine the level of incidence of liquor sales to minors. --

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HB1153 SD1

Committee Reports: HSCR 661 (HLT) HSCR 810 (JHA) SSCR 1098 (HHS) SSCR 1591 (JDC)

Current Status:

May-04 99 Passed Legislature

Sections Affected: 281-101.5

HB1162 HD2 SD1 (SSCR 1002)

RELATING TO SAFETY. Introduced by: Say C (BR) (586-6100)

Amends provisions relating to the boiler and elevator safety law. Changes the boiler and elevator inspection bureau to boiler and elevator inspection branch. -- Requires the department of labor and industrial relations to issue a permit to operate to any boiler, pressure system, amusement ride, or elevator and kindred equipment if found to be safe, or immediately revoke if found to be in unsafe condition or if prior orders by the department to correct conditions are ignored. Repeals the certificate of inspection. -- Increases penalties for violation from 1,000 dollars to 10,000 dollars. -- Amends Act 142, session laws of 1998, by adding the amendments made to provisions relating to the transfer from special funds for central service expenses shall not be repealed when it is reenacted pursuant to Act 216, session laws of 1997. -- HB1162 SD1
Committee Reports: HSCR 638 (LAB) HSCR 882 (FIN) SSCR 1002 (LRE) SSCR 1439 (WAM)

Current Status:

May-04 99 Passed Legislature

Sections Affected: 397-4, 397-8, ACT 142 1998

HB1165 HD2 (HSCR 816)

RELATING TO THE OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND. Introduced by: Say C (BR) (586-6100)

Amends provisions relating to the occupational safety and health training and assistance fund by including certification programs to enhance safety and health, that the funds may be used for. -- Amends Act 130, session laws of 1994, as amended by

Act 12, special session of 1995, by extending the repeal date to July 1, 2003 (sunset).
-- HB1165 HD2

Committee Reports: HSCR 357 (LAB) HSCR 816 (FIN) SSCR 1003 (LRE) SSCR 1411 (WAM)

Current Status:

Apr-12 99 Received by the Governor

Apr-23 99 Approved by Governor (Act 28 1999)

Sections Affected: 396-4, ACT 130 1994, ACT 12 1995 1SP

HB1166 HD1 SD2 (SSCR 1440)

RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM. Introduced by: Say C (BR) (586-6100)

Amends provisions relating to employment and training fund. Allows, rather than authorizes, the department of labor and industrial relations to contract for employment, education, and training services from public and private agencies and nonprofit organizations. Provides that contracts and other disbursements shall be exempt from the Hawaii public procurement code and purchase of health and human services laws.
-- HB1166 SD2

Committee Reports: HSCR 363 (LAB) HSCR 823 (FIN) SSCR 1049 (LRE/ GOH/)
SSCR 1440 (WAM)

Current Status:

May-04 99 Passed Legislature

Sections Affected: 383-128

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- HB1168 HD1 (HSCR 140) RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM. Introduced by: Say C (BR) (586-6100)
- Amends Act 327, session laws of 1993, as amended by Act 144, session laws of 1996, relating to fees for enhanced library services program by extending the sunset date to July 1, 2002. -- HB1168 HD1
Committee Reports: HSCR 140 (EDN) HSCR 857 (FIN) SSCR 1060 (EDU) SSCR 1441 (WAM)
- Current Status:
Apr-12 99 Received by the Governor
Apr-23 99 Approved by Governor (Act 29 1999)
- Sections Affected: Act 327 1993, ACT 144 1996
- HB1170 HD2 SD1 (SSCR 1061) RELATING TO COST-RECOVERY FEES FOR DELINQUENT LIBRARY ACCOUNTS. Introduced by: Say C (BR) (586-6100)
- Allows the board of education to charge and add a fee to any amount due in accordance with its duties and powers with respect to libraries, for cost or expenses incurred to enforce the collection or costs of lost books and overdue fines, seminars or workshops, and research and reference materials. Fees deposited into the libraries special fund. -- HB1170 SD1
Committee Reports: HSCR 141 (EDN) HSCR 1049 (FIN) SSCR 1061 (EDU) SSCR 1511 (WAM)
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 312- (1 SECTION)
- HB1177 HD2 SD1 CD1 (CCR 56) RELATING TO ABANDONED VESSELS. Introduced by: Say C (BR) (586-6100)
- Amends provision relating to vessels abandoned on business premises by including private marinas and yacht clubs. Amends provision relating to when a vessel is deemed abandoned. Amends provision relating the sale or disposition of vessel. -- HB1177 CD1
Committee Reports: HSCR 293 (OMR) HSCR 936 (JHA) SSCR 993 (ECD) SSCR 1412 (WAM) CCR 56
- Current Status:
May-04 99 Passed Legislature
- Sections Affected: 200-51, 200-52, 200-53
- HB1178 HD1 SD1 CD1 (CCR 51) RELATING TO ENFORCEMENT. Introduced by: Say C (BR) (586-6100)
- Amends provision relating to forfeiture of property, search and seizure in the conservation and resources enforcement program. Provides that unless otherwise directed by the courts pursuant to the criminal forfeiture law, any item, other than a natural resource, seized shall be ordered forfeited to the State for disposition as determined by the department of land and natural resources, or may be destroyed, or may be kept and retained and utilized by the department or any other state agency. Provides that any natural resource seized may be immediately returned to its natural environment or suitable habitat or may be disposed of as determined by the department. Provides that the department shall be liable to the owner for the fair market value of items disposed of if it was unlawfully seized. Authorizes the department to require the person or persons who took natural resources to sell seized items at fair market value and deliver proceeds of the sale. Provides criteria. -- Amends provision relating to criminal forfeiture, by including the seizure of perishable natural resources. -- HB1178 CD1
Committee Reports: HSCR 294 (OMR) HSCR 948 (JHA) SSCR 994 (ECD) SSCR 1567 (JDC) CCR 51

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Current Status:
May-04 99 Passed Legislature

Sections Affected: 199-7, 712A-6

HB1179

RELATING TO COMMERCIAL MARINE LICENSES. Introduced by: Say C (BR) (586-6100)

Amends provision relating to commercial marine license. Repeals provision relating to licenses being in force 1 year from the date of issuance, duplicate license and trainee fee waiver. Amends provision relating to the commercial marine licensee monthly catch report. Any person submitting information to the department in compliance to its requirements shall be kept confidential and not be disclosed, except when required under court order or a subpoena issued by the department of the attorney general. Repeals provision excluding the wet weight harvest of coral. -- HB1179
Committee Reports: HSCR 157 (OMR) HSCR 538 (JHA) HSCR 792 (FIN) SSCR 995 (ECD)

Current Status:
Mar-29 99 Received by the Governor
Apr-06 99 Approved by Governor (Act 9 1999)

Sections Affected: 189-2, 189-3

HB1180 SD1 (SSCR 1382)

RELATING TO THE LICENSE FOR IMPORTED MARINE LIFE. Introduced by: Say C (BR) (586-6100)

Amends provision relating to commercial fishing licenses for marine life from waters not within state jurisdiction. Provides that the department of land and natural resources may specify rules that any berried, undersized, or out of season lobsters taken from the waters of the northwestern Hawaiian islands may not be possessed and sold under authority of the license. -- HB1180 SD1
Committee Reports: HSCR 295 (OMR) HSCR 893 (JHA) SSCR 1382 (ECD)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 189-6

HB1181 HD1 SD2 CD1 (CCR 57)

RELATING TO AQUATIC RESOURCES. Introduced by: Say C (BR) (586-6100)

Amends provisions relating to aquatic resources. Establishes provision relating to receipts and reports stipulating that any person who knowingly misrepresents material facts or makes false statements shall be guilty of a petty misdemeanor. Establishes fines for 1st, 2nd, and 3rd and subsequent petty misdemeanor violations which shall not be suspended or waived. -- Amends fishing rights and regulation penalties by repealing imprisonment for petty misdemeanor convictions and establishing fines for 1st, 2nd, and 3rd offenses which shall not be suspended or waived. Changes the possession or use of explosives, electrocuting devices, and poisonous substances from a misdemeanor to a class C felony with a mandatory minimum period of imprisonment without the possibility of parole for 30 days. -- Amends commercial fishing and marine life conservation program penalties by repealing imprisonment for petty misdemeanor violations and establishing fines for 1st, 2nd, and 3rd offenses which shall not be suspended or waived. -- Amends penal code provisions for the sentencing of repeat offenders to include the possession or use of explosives, electrocuting devices, and poisonous substances in State waters. -- Repeals provisions relating to penalties for misrepresentations or false statements in the issuance of receipts or reports, and violations of commercial fishing authority provisions. -- HB1181 CD1
Committee Reports: HSCR 296 (OMR) HSCR 766 (FIN) SSCR 996 (ECD) SSCR 1487 (JDC) CCR 57

Current Status:
May-04 99 Passed Legislature

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Sections Affected: 187A- (1 SECTION), 187A-6.5, 187A-13, 187A-14, 187A-15, 188-70, 189-4, 189-14, 190-5, 706-606.5, 189-13, 189-16

HB1183 HD2 SD2 CD1 (CCR 96) RELATING TO BEACH LANDS. Introduced by: Say C (BR) (586-6100)

Establishes provision relating to the restoration of beach lands. Allows the board of land and natural resources to do all things necessary, useful, and convenient in connection with the restoration of beach lands, subject to all applicable laws, and may provide any necessary assistance to any county or nongovernmental organization in the restoration of beach lands so long as the public interest is served. Requires the department of land and natural resources to prepare and revise plans for the restoration of beach lands which shall guide the board in identifying those beach lands in need of restoration. Authorizes the board to lease coastal lands for the purpose of generating revenues to be deposited into the beach restoration fund. Provides that the board may undertake on appropriate development, including any building or mining operation, any materials change in use, intensity of use or appearance of any structure or land, fast or submerged, or the division of land into 2 or more parcels, to generate revenue for beach restoration. Establishes the beach restoration special fund. Appropriation out of the special land and development fund for deposit into the beach restoration special fund. Appropriation out of the beach restoration special fund to the department for the restoration of beach lands. (\$\$) -- HB1183 CD1

Committee Reports: HSCR 247 (WLU/ OMR/) HSCR 998 (FIN) SSCR 1066 (WLH/ ECD/) SSCR 1594 (WAM) CCR 96

Current Status:
May-04 99 Passed Legislature

Sections Affected: 171- (6 SECTIONS) RESTORATION OF BEACH LANDS

HB1186 SD1 (SSCR 1488) RELATING TO WILDLIFE PENALTIES. Introduced by: Say C (BR) (586-6100)

Amends provision relating to penalties for violation wildlife laws. -- HB1186 SD1
Committee Reports: HSCR 415 (WLU) HSCR 807 (JHA) SSCR 997 (ECD) SSCR 1488 (JDC)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 183D-5

HB1188 SD1 (SSCR 938) RELATING TO THE STATE WATER CODE. Introduced by: Say C (BR) (586-6100)

Amends provisions relating to the Hawaii water plan and coordination of water resources. Amends provision relating to regulation of water use and designation of water management areas. Amends provision relating to investigations. Changes the report forms requirement from the department to the commission. Amends provision relating to ground water criteria. Amends provision relating to findings of fact, includes the county mayor in consultations. -- HB1188 SD1
Committee Reports: HSCR 416 (WLU) HSCR 808 (JHA) SSCR 938 (WLH)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 174C-2, 174C-31, 174C-32, 174C-41, 174C-43, 174C-44, 174C-46, 174C-50, 174C-59, 174C-67, 174C-68, 174C-87

HB1197 HD2 SD1 (SSCR 1443) RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE. Introduced by: Say C (BR) (586-6100)

Revisions conforming to the Federal Internal Revenue Code for taxable years beginning after December 31, 1998. -- HB1197 SD1

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Committee Reports: HSCR 592 (FIN) HSCR 782 (FIN) SSCR 1443 (WAM)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 235-2.3, 235-2.4, 235-93.5

HB1198 HD1 SD1 CD1 (CCR 185) RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION. Introduced by: Say C (BR) (586-6100)

Establishes the integrated tax information management systems special fund into which shall be deposited the necessary amounts of general excise tax revenues. Money used by the department of taxation to pay for the integrated tax information management systems performance based contracts. Annual report to the legislature. Fund repealed on July 1, 2004 (sunset). Appropriation out of the fund. (\$\$) -- HB1198 CD1

Committee Reports: HSCR 874 (FIN) SSCR 1134 (EDU) SSCR 1512 (WAM) CCR 185

Current Status:
May-04 99 Passed Legislature

Sections Affected: 231- (1 SECTION), 36-27, 36-30, 237-31, ACT 216 1997, ACT 142 1998

HB1203 HD1 SD1 (SSCR 1024) RELATING TO THE COLLECTION OF TAXES. Introduced by: Say C (BR) (586-6100)

Allows a collection agency that enters into a contract with the department of taxation for the collection of delinquent taxes to collect its compensation from the debtor. -- HB1203 SD1

Committee Reports: HSCR 445 (CPC) HSCR 799 (FIN) SSCR 1024 (WAM)

Current Status:
May-04 99 Passed Legislature

Sections Affected: 231-13, 231-26, 443B-9

HB1207 RELATING TO THE CIGARETTE TAX. Introduced by: Say C (BR) (586-6100)

Provides a tobacco tax exemption for all sales of cigarettes and tobacco products to the US sold by any person licensed under tobacco tax provisions. -- HB1207

Committee Reports: HSCR 660 (HLT) HSCR 801 (FIN) SSCR 944 (WAM)

Current Status:
Mar-29 99 Received by the Governor
Apr-06 99 Approved by Governor (Act 10 1999)

Sections Affected: 245-3

HB1257 HD1 SD1 (SSCR 1106) AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES. Introduced by: Oshiro M (586-8505)

Authorizes the issuance of special purpose revenue bonds to assist Pacific Wellness Center, Inc., a not for profit Hawaii corporation, or a Hawaii nonprofit affiliate, for acquisition or leasing of land for a new facility, for planning, design, construction, and operation of a new health care facility, and for acquisition and installation of additional capital equipment. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1257 SD1

Committee Reports: HSCR 279 (HLT) HSCR 999 (FIN) SSCR 1106 (HHS) SSCR 1245 (WAM)

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Current Status:
May-04 99 Passed Legislature

HB1277 HD1 SD1 CD1 (CCR 69) RELATING TO WASTEWATER TREATMENT FACILITIES. Introduced by: Lee M (586-9460)

Adds that a public utility does not include any person who owns, controls, operates, or manages a facility for the reclamation of wastewater if the services are provided pursuant to a service agreement between the person and a state or county agency and at least 10 per cent of the wastewater processed is used directly by the state or county which has entered into the service contract, the primary function is to process secondary treated wastewater that has been produced by a municipal wastewater treatment facility owned by a state or county agency, the facility shall not make sales of water to residential customers, the facility shall not be engaged in the processing of food wastes, directly or indirectly, and the facility may distribute and sell reclaimed or recycled water to entities not covered by a state or county contract, provided that in the absence of competition, the distribution and sale shall be voluntary and its pricing reasonable and fair. -- Requires the city and county of Honolulu department of environmental services to report to the legislature on the volume of recycled or reclaimed water distributed, and the sale prices charged by the US Filter Operating Services, Inc. at its Ewa wastewater reclamation facility to entities not covered by a state or county service contract. -- HB1277 CD1

Committee Reports: HSCR 588 (EEP) HSCR 798 (FIN) SSCR 1149 (LRE) SSCR 1235 (CPN) CCR 69

Current Status:
May-04 99 Passed Legislature

Sections Affected: 269-1

HB1280 HD2 SD2 CD1 (CCR 147) RELATING TO AGRICULTURE. Introduced by: Takamine D (586-6200)

Amends provisions relating to the agribusiness development corporation by changing the membership of the corporation. Requires the board of directors to be selected based on knowledge, experience, and proven expertise in the industry including banking, real estate, and promotion. -- Amends provision relating to the powers of the agribusiness development corporation, by repealing the requirement for board of agriculture approval to develop, promote, assist, and market export corps and other corps for local markets. -- Amends Act 176, session laws of 1998, by extending the effective date for section relating to the board of directors. Appropriation to the department of agriculture for the agribusiness development corporation board. -- Repeals amendment to the provision relating to the composition of the board on June 30, 2001 (sunset). (\$\$) -- HB1280 CD1

Committee Reports: HSCR 680 (AGR) HSCR 1087 (FIN) SSCR 1192 (ECD) SSCR 1505 (WAM) CCR 147

Current Status:
May-04 99 Passed Legislature

Sections Affected: 163D-3, 163D-4, ACT 176 1998

HB1286 HD1 (HSCR 966) RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NORTH HAWAII COMMUNITY HOSPITAL, INC. Introduced by: Takamine D (BR) (586-6200)

Authorizes the issuance of special purpose revenue bonds to assist North Hawaii Community Hospital, Inc. for retirement of outstanding debt on existing health care facilities, for retirement of outstanding debt and purchase of leases on the existing equipment, construction of new additions to existing facilities, for acquisition and installation of additional equipment and other assets, and for renovation and repair of existing facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1286 HD1

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Committee Reports: HSCR 280 (HLT) HSCR 966 (FIN) SSCR 1160 (HHS) SSCR 1246 (WAM)

Current Status:
May=04 99 Passed Legislature

HB1287 HD1 (HSCR 388)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY SERVING THE GENERAL PUBLIC. Introduced by: Takamine D (BR) (586-6200)

Authorizes the issuance of special purpose revenue bonds for the local furnishing of utility gas by The Gas Company, division of Citizens Utilities Company, for multi purpose capital improvement program, transmission and distribution lines, and other gas utility facilities and equipment, provided that approval by the public utilities commission be required for any project. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. Annual report to the legislature. (\$\$) -- HB1287 HD1

Committee Reports: HSCR 63 (EEP) HSCR 388 (CPC) HSCR 993 (FIN) SSCR 948 (CPN) SSCR 1252 (WAM)

Current Status:
May=04 99 Passed Legislature

HB1296 HD1 SD1 CD1 (CCR 52)

RELATING TO KANEOHE BAY. Introduced by: Yamane B (586-8515)

Amends provisions relating to Kaneohe bay ocean use, activities, and permits. Provides that permits issued by the department of land and natural resources for the commercial operation of ocean use activities in Kaneohe bay shall be limited by permit type, vessel and passenger capacity, as provided in the Kaneohe bay master plan developed pursuant to Act 208, session Laws of 1990, in the form the plan existed on June 21, 1993, when Act 317, session laws of 1993, took effect. Provides all rules adopted by the department with regards to Kaneohe bay shall be drafted following the master plan, except to protect public health or safety or to ensure resource preservation or protection. Amends Act 129, session laws of 1998 by requiring the Kaneohe bay regional council, with the assistance of the department of business, economic development, and tourism and the department of land and natural resources to review the Kaneohe bay master plan and submit amendments as it deems appropriate to the department of land and natural resources. -- HB1296 CD1
Committee Reports: HSCR 923 (OMR) SSCR 1067 (WLH/ ECD/) SSCR 1526 (WAM) CCR 52

Current Status:
May-04 99 Passed Legislature

Sections Affected: 200-39, ACT 129 1998

HB1338 HD1 (HSCR 777)

RELATING TO PUBLIC CONTRACTS. Introduced by: Suzuki N (586-6220)

Amends provision relating to a public contract provision for retainage. Provides that sum's withheld from the contractor shall not exceed 5 per cent of the total amount due, provided that the retention amount withheld by the contractor from subcontractors not exceed 5 per cent, the maximum 5 per cent shall also apply to subcontractors who subcontract work to other subcontractors. Repeals 50 per cent retainage provision. -- HB1338 HD1

Committee Reports: HSCR 624 (EDB) HSCR 777 (FIN) SSCR 1495 (GOH)

Current Status:
Apr-29 99 Vetoed

Sections Affected: 103-32.1

HB1350 HD1 (HSCR 423)

RELATING TO THE USE OF RECYCLED OIL. Introduced by: Morita H (586-8435)

Establishes provisions relating to preference for oil products with greater recycled

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content. Provides that any procurement officer that purchases lubricating oil and industrial oil shall purchase the oil from the seller who certifies the oil product containing the greatest percentage of recycled oil, or the procurement officer may purchase an oil product containing a lower percentage of unrecycled oil provided that the specific oil product containing recycled oil with stipulations. Allows each procurement officer to establish and maintain an affirmative program for procuring oils containing the maximum content of recycled oil. Provides definitions. -- HB1350 HD1
Committee Reports: HSCR 423 (EEP) HSCR 809 (JHA) SSCR 1004 (LRE) SSCR 1473 (GOH)

Current Status:

Apr-15 99 Received by the Governor

Apr-26 99 Approved by Governor (Act 53 1999)

Sections Affected: 103D- (4 SECTIONS) PREFERENCE FOR OIL PRODUCTS WITH GREATER RECYCLED CONTENT

HB1361 HD2 SD2 CD1 (CCR 134) RELATING TO CHARTER TOUR OPERATORS. Introduced by: Chang J (586-6120)

Amends travel agencies law to include charter tour operators. Charter tour operator means any person who sells or offers for sale charter tours. -- HB1361 CD1

Committee Reports: HSCR 257 (EDB/ TRN/) HSCR 721 (CPC) HSCR 1086 (FIN) SSCR 1074 (ECD) SSCR 1547 (CPN) CCR 134

Current Status:

May-04 99 Passed Legislature

Sections Affected: 468L-1, 468L- (9 SECTIONS)

HB1401 HD2 SD1 CD1 (CCR 78) RELATING TO MOTOR VEHICLE TOWING. Introduced by: Ahu Isa L (586-9415)

Requires towing companies engaged by the owner, occupant, or person in charge of the property to have permanently affixed on each door of the towing vehicle a sign with the name and telephone number of the towing business. Requires towing companies to maintain motor vehicle insurance sufficient to protect owners of towed vehicles in the event of vehicle loss or damage due to towing. Provides that if a tow operator fails to comply with the insurance requirements no charges may be collected. Allows a person to sue for damages. Requires towing companies to accommodate payment by the owner for charges by cash and by either credit card or automated teller machine located on the premises. Amends Act 138, session laws of 1998, increasing towing fees allowed by repealing the sunset date of July 1, 2000. -- HB1401 CD1
Committee Reports: HSCR 473 (TRN) HSCR 875 (CPC) SSCR 1035 (TIA) SSCR 1394 (CPN) CCR 78

Current Status:

May-04 99 Passed Legislature

Sections Affected: 290-11, 291C-165.5, ACT 138 1998

HB1409 HD2 SD1 (SSCR 1531) RELATING TO THE LAND USE COMMISSION. Introduced by: Cachola R (586-6110)

Allows the land use commission to assess reasonable fees or require reimbursements for court reporter expenses and other reimbursements for hearing expenses as determined by the commission. -- HB1409 SD1

Committee Reports: HSCR 248 (WLU) HSCR 961 (FIN) SSCR 977 (WLH) SSCR 1531 (WAM)

Current Status:

May-04 99 Passed Legislature

Sections Affected: 205-4.1

HOUSE BILLS WHICH PASSED THE LEGISLATURE

HB1413 HD1 (HSCR 1052)

RELATING TO QUEST. Introduced by: Ahu Isa L (586-9415)

Requires the department of human services to conduct an annual review of the risk factor adjustment used to calculate payments to health plans under contract with the department to provide medicaid services. Defines risk factor adjustment as a method of compensation, derived from actual QUEST member experience, that accounts for different risk characteristics associated with the medical assistance eligibility groups. Requires the department, in consultation with all contracted health plans, to include in its methodology the health characteristics of the QUEST patients being served and identify those characteristics which are to be considered high risk. -- HB1413 HD1
Committee Reports: HSCR 653 (HSH/ HLT/) HSCR 1052 (FIN) SSCR 1107 (HHS) SSCR 1444 (WAM)

Current Status:
Apr-27 99 Vetoed

Sections Affected: 346- (1 SECTION)

HB1416 HD2 SD2 CD1 (CCR 192)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Introduced by: Souki J (586-9444)

Amends provisions relating to employees' retirement system allowance on service. Provides that deputy sheriffs of the department of public safety shall have the same retirement benefits (class A) as police officers, firefighters, corrections officers, investigators of the departments of the prosecuting attorney and the attorney general, narcotics enforcement investigators, and water safety officer and requires them to make the same contributions to the retirement system. Requires all deputy sheriffs to contribute 12 and 2/10 per cent of their compensation to the annuity savings fund for service, unless the deputy sheriff opts not to become a class A member. Provides that members who have at least 10 years credited service and the last 5 or more years prior to retirement as a deputy sheriff, then for each year of service the retirement allowance shall be 2 and 1/2 per cent of the member's average final compensation. -- Allows the deputy sheriffs who are in service prior to the effective date of this act to convert to class A membership, provided that their membership service before July 1, 1999 shall remain at class C. -- Provides that all deputy sheriffs and enforcement officers hired after June 30, 1999 shall be class A members. Provides that members with at least 25 years of service, of which the last 5 years as a deputy sheriff or a conservation and resources law enforcement officer, shall receive normal retirement benefits, irrespective of age. -- HB1416 CD1
Committee Reports: HSCR 635 (LAB) HSCR 1092 (FIN) SSCR 1119 (CPN/ JDC/) SSCR 1445 (WAM) CCR 192

Current Status:
May-04 99 Passed Legislature

Sections Affected: 88-21, 88-45, 88-47, 88-74, 88-281

HB1430 HD1 (HSCR 900)

RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS. Introduced by: Say C (BR) (586-6100)

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. -- HB1430 HD1
Committee Reports: HSCR 900 (JHA) SSCR 1239 (JDC)

Current Status:
Apr-07 99 Received by the Governor
Apr-15 99 Approved by Governor (Act 18 1999)

Sections Affected: 53-7, 53-53, 76-28, 291-11.5, 291C-133, 323D-82, 342P-28, 351-62.6, 351-64.5, 351-70, 351-84, 354D-12, 431:14A-103, 468M-17, 485-16,

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571-84, 706-646, 709-906, 712A-4, ACT 240 1991, ACT 53 1998, ACT 78 1998, ACT 176 1998, ACT 219 1998, ACT 229 1998, ACT 242 1998, ACT 311 1998

HB1431

RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS. Introduced by: Say C (BR) (586-6100)

Establishes provisions relating to public financial disclosure statements. Provides that the financial disclosure statements shall be public records and available for inspection and duplication, for members of the board of regents, members of the board of land and natural resources, the board of agriculture and the Hawaiian homes commission. Provides that public financial disclosure statements need not report, where an amount is required to be reported, the actual dollar value of the financial interest or the dollar range of value. -- HB1431

Committee Reports: HSCR 726 (JHA) SSCR 1385 (JDC)

Current Status:
Apr-27 99 Vetoed

Sections Affected: 84-17

HB1444

RELATING TO THE DISPOSITION OF NOTARY RECORDS. Introduced by: Say C (BR) (586-6100)

Transfers responsibility for records of notaries public from the clerk of the circuit court of the judicial circuit in which the notary public resides to the office of the attorney general. -- HB1444

Committee Reports: HSCR 541 (JHA) HSCR 796 (FIN) SSCR 1237 (JDC)

Current Status:
Apr-07 99 Received by the Governor
Apr-15 99 Approved by Governor (Act 19 1999)

Sections Affected: 456-16

HB1450 HD1 SD2 CD1 (CCR 141)

RELATING TO THE JUDICIARY. Introduced by: Say C (BR) (586-6100)

Judiciary appropriations act of 1999 (judiciary budget). Appropriations to the judiciary for the 1999 - 2000 fiscal biennium. (\$\$) -- HB1450 CD1

Committee Reports: HSCR 1108 (FIN) SSCR 1170 (JDC) SSCR 1522 (WAM) CCR 141

Current Status:
May-04 99 Passed Legislature

HB1454 HD2 SD2 CD1 (CCR 165)

RELATING TO FEES. Introduced by: Say C (BR) (586-6100)

Amends provision relating to the fee schedule of court costs. Changes district court fee for institution of action to 100 dollars. Establishes a fee for administrative costs for processing traffic citations involving moving, non moving and parking violations. Repeals fees for application for appointment of special administrator, informal probate or appointment and application for formal testacy proceedings under the uniform probate code. Adds fees for domiciliary foreign personal representative. Allows the courts to assess a person, who fails to appear when issued a bench warrant, or fails to comply with a court order, the cost of issuing the bench warrant, not to exceed 50 dollars. -- HB1454 CD1

Committee Reports: HSCR 545 (JHA) HSCR 751 (FIN) SSCR 1121 (JDC) SSCR 1523 (WAM) CCR 165

Current Status:
May-04 99 Passed Legislature

Sections Affected: 607-4, 607-5, 607- (1 SECTION)

HOUSE BILLS WHICH PASSED THE LEGISLATURE

HB1471 HD1 SD1 CD1 (CCR 139) RELATING TO ELECTIONS. Introduced by: Say C (BR) (586-6100)

Amends Act 27, special session laws of 1995, as amended by Act 13, session laws of 1996 by repealing the sunset date. -- Amends election provisions by establishing the elections review program. Changes the elections appointment panel to the elections appointment and review panel and requires the panel to establish the program. Provides criteria for the establishment of performance standards and conduct of a biennial performance evaluation of the operation of elections and conduct of the chief election officer. Requires the office to provide staff support to the panel. Provides that the panel may reappoint an incumbent chief elections officer based on the performance review, and authorize the chief elections officer to hold office until a successor is appointed. Repeals and replaces the governor with the president of the senate, speaker of the house of representatives, and minority leaders of the house and senate

as the appointing authority for the members of the panel. Also provides that appointments shall not require the advice and consent of the senate. Increases the term of panel members from 4 to 6 years. -- HB1471 CD1

Committee Reports: HSCR 920 (JHA) SSCR 1087 (JDC) SSCR 1524 (WAM) CCR 139

Current Status:

May-04 99 Passed Legislature

Sections Affected: Act 27 1995 1SP, ACT 13 1996, 11- (1 SECTION), 11-1, 11-1.5, 11-1.6, 11-2.5, 11-2.6

HB1485 RELATING TO DISTRICT COURT. Introduced by: Say C (BR) (586-6100)

Amends provision relating to the concurrent jurisdiction of the district court with family court. Provides that the district court shall have concurrent jurisdiction with the family court for any violation of an order relating to domestic abuse protective orders or abuse of a family or household member. -- HB1485

Committee Reports: HSCR 371 (HSH) HSCR 859 (JHA) SSCR 1217 (JDC)

Current Status:

Apr-07 99 Received by the Governor

Apr-15 99 Approved by Governor (Act 20 1999)

Sections Affected: 604-8

HB1492 RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION. Introduced by: Say C (BR) (586-6100)

Amends provision relating to promoting prison contraband in the 2nd degree. Provides that contraband means any article or thing other than a dangerous instrument or drug. -- HB1492

Committee Reports: HSCR 432 (PSM/ JHA/) SSCR 1388 (JDC)

Current Status:

Apr-08 99 Received by the Governor

Apr-22 99 Approved by Governor (Act 23 1999)

Sections Affected: 710-1023

HB1496 HD1 SD1 CD1 (CCR 88) RELATING TO DEADLY OR DANGEROUS WEAPONS. Introduced by: Say C (BR) (586-6100)

Establishes provision relating to butterfly knives. Provides that manufacture, sale, transfer, possession or transportation of any butterfly knife, being a knife having a blade encased in a split handle that manually unfolds with hand or wrist action with assistance of inertia, gravity or both shall be a misdemeanor. Provides that whoever knowingly possess or intentionally uses or threatens to use a butterfly knife while engaged in the commission of a crime shall be guilty of a class C felony. -- Repeals the term butterfly knife from provision relating to deadly and dangerous weapons. --

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HB1496 CD1
Committee Reports: HSCR 731 (JHA) SSCR 1389 (JDC) CCR 88

Current Status:
May-04 99 Passed Legislature

Sections Affected: 134- (1 SECTION), 134-51

HB1497 HD1 SD1 CD1 (CCR 89) RELATING TO SENTENCING. Introduced by: Say C (BR) (586-6100)

Establishes provision relating to repeat violent and sexual offenders. Provides that any person convicted of a violent offense, who has been twice previously convicted of 2nd degree murder or 3 times convicted of manslaughter, 1st degree child abuse or 1st degree robbery, in any jurisdiction, is a habitual violent offender. -- Requires a person who twice previously convicted of sexual assault, or a comparable offense under federal law or the laws of another state, to be sentenced under the extended terms of imprisonment for felony provision. -- Amends provision relating to extended terms of imprisonment for felony convictions. Provides that for murder in the 2nd degree life without parole, class A felony indeterminate life term, class B felony indeterminate 20 year term, and class C indeterminate 10 year term. Provides that the minimum length of imprisonment, except for murder 2nd, shall be determined by the Hawaii paroling authority. -- HB1497 CD1
Committee Reports: HSCR 735 (JHA) SSCR 1529 (JDC) CCR 89

Current Status:
May-04 99 Passed Legislature

Sections Affected: 706- (1 SECTION), 706-661

HB1522 HD1 SD1 CD1 (CCR 64) RELATING TO REAL PROPERTY APPRAISALS. Introduced by: Say C (BR) (586-6100)

Amends provisions relating to findings and purpose, and uniform standards of practice as a real estate appraiser. Exempts an appraiser employed by any county for purposes of valuing real property for ad valorem taxation from licensing and certification requirements. -- HB1522 CD1
Committee Reports: HSCR 330 (CPC) HSCR 1057 (FIN) SSCR 1084 (CPN/ TIA/ SSCR 1553 (WAM) CCR 64

Current Status:
May-04 99 Passed Legislature

Sections Affected: 466K-1, 466K-4

HB1548 HD1 SD1 CD1 (CCR 55) RELATING TO WASTEWATER REUSE. Introduced by: Say C (BR) (586-6100)

Amends water pollution provisions to include the definitions of recycled water and reclaimed water to mean treated wastewater that by design is intended or used for a beneficial purpose. Requires the director of health to give priority to adopting rules to establish the definition and requirements of different categories of recycled water and reclaimed water, as well as recognize different levels of treatment and purpose. -- HB1548 CD1
Committee Reports: HSCR 589 (EEP) HSCR 790 (FIN) SSCR 1005 (LRE) CCR 55

Current Status:
May-04 99 Passed Legislature

Sections Affected: 342D-1

HB1575 HD2 SD1 CD1 (CCR 181) MAKING AN APPROPRIATION FOR THE MILLENNIUM YOUNG PEOPLE'S CONGRESS. Introduced by: Takai K (586-8455)

Appropriation to the office of youth services for home stays in host family homes for the delegates of the Millennium Young People's Congress, including planning,

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coordination, transportation, and family support stipends. (\$\$) -- HB1575 CD1
Committee Reports: HSCR 255 (HSH) HSCR 763 (FIN) SSCR 1108 (HHS) SSCR 1413 (WAM) CCR 181

Current Status:
May-04 99 Passed Legislature

HB1594 HD1 SD1 CD1 (CCR 174) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR AN INTERGENERATIONAL CARE CENTER AT EWA VILLAGES. Introduced by: Say C (586-6100)

Authorizes the issuance of special purpose revenue bonds to assist the EV Community Development Corporation (Ewa villages) for the acquisition, development and construction of an intergenerational care center at Kulana Malama to provide health care services to frail elderly, medically fragile infants, and children. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1594 CD1

Committee Reports: HSCR 282 (HLT) HSCR 1058 (FIN) SSCR 1161 (HHS) SSCR 1247 (WAM) CCR 174

Current Status:
May-04 99 Passed Legislature

HB1595 HD1 (HSCR 465) RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WASTE PROCESSING ENTERPRISES. Introduced by: Say C (586-6100)

Authorizes the issuance of special purpose revenue bonds to assist Plasma Environmental Technologies, or a partnership in which Plasma Environmental Technologies or a wholly owned subsidiary of Plasma Environmental Technologies is a general partner, to establish 1 or more waste processing facilities. Requires that no waste processing facility on Kauai established through this Act shall process waste generated from any county except the county of Kauai. (\$\$) -- HB1595 HD1

Committee Reports: HSCR 465 (EEP) HSCR 972 (FIN) SSCR 1048 (LRE) SSCR 1259 (WAM)

Current Status:
May=04 99 Passed Legislature

HB1616 HD1 SD1 (SSCR 1109) AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES. Introduced by: Oshiro M (586-8505)

Authorizes the issuance of special purpose revenue bonds to assist Pacific Women's Center, Inc., a not for profit Hawaii corporation, or a Hawaii nonprofit affiliate of same, for acquisition or leasing of land for a new facility, for planning, design, construction, and operation of a new health care facility, and for acquisition and installation of additional capital equipment. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1616 SD1
Committee Reports: HSCR 283 (HLT) HSCR 1051 (FIN) SSCR 1109 (HHS) SSCR 1248 (WAM)

Current Status:
May-04 99 Passed Legislature

HB1617 HD1 SD1 (SSCR 1181) AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES. Introduced by: Oshiro M (586-8505)

Authorizes the issuance of special purpose revenue bonds to assist Pacific Saging Center, Inc., a not for profit Hawaii corporation, or a Hawaii nonprofit affiliate of same, for acquisition or leasing of land for new facility, for planning, design, construction, and operation of a new health care facility, and for acquisition and installation of additional capital equipment. Authorizes the issuance of refunding special purpose revenue

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bonds to refund the special purpose revenue bonds. (\$\$) -- HB1617 SD1
Committee Reports: HSCR 284 (HLT) HSCR 1042 (FIN) SSCR 1181 (HHS) SSCR 1249 (WAM)

Current Status:
May-04 99 Passed Legislature

HB1621 HD1 SD1 (SSCR 1110)

AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES.
Introduced by: Oshiro M (586-8505)

Authorizes the issuance of special purpose revenue bonds to assist Pacific Community Health and Wellness, Inc., a not for profit Hawaii corporation, or a Hawaii nonprofit affiliate of that corporation, for acquisition or leasing of land for a new facility, for planning, design, construction, and operation of a new health care facility, and for acquisition and installation of additional capital equipment. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1621 SD1
Committee Reports: HSCR 285 (HLT) HSCR 1043 (FIN) SSCR 1110 (HHS) SSCR 1250 (WAM)

Current Status:
May-04 99 Passed Legislature

HB1622 HD1 SD1 CD1 (CCR 91)

RELATING TO INTOXICATING LIQUOR. Introduced by: Menor R (BR) (586-6150)

Amends the provision which prohibits any holder of a manufacturer's liquor license to have any interest whatsoever in the license or licensed premises of any other licensee by providing that the prohibition shall not prevent the holder of a beer class manufacturer's license under this law or under the law of another jurisdiction from maintaining any interest in the license or licensed premises of a beer and wine class wholesale dealer licensee whose wholesaling is limited to beer, other than direct ownership of a beer and wine class wholesale dealer's license or direct ownership of a partnership share, 1 or more shares of stock or similar proprietary stake in the holder of a beer and wine class wholesaler dealer's license. -- HB1622 CD1
Committee Reports: HSCR 925 (CPC/ JHA/) SSCR 1038 (TIA) SSCR 1576 (JDC) CCR 91

Current Status:
May-04 99 Passed Legislature

Sections Affected: 281-31

HB1628 SD2 CD1 (CCR 73)

RELATING TO AGRICULTURAL LOANS. Introduced by: Abinsay F (586-6010)

Establishes provision relating to cooperation in agricultural loans. Allows the department of agriculture to underwrite and service loans for cooperating private lenders and government loan programs providing loan funds to qualified farmers, for a fee. Requires that loans be limited by class and repayment provisions within the agricultural loan statutes. Prohibits class D and F loans to be made. Provides that the interest rate on class A, B, C, and E loans shall be 2 per cent above the prime rate or at a rate of 8 1/2 per cent. Requires the director of commerce and consumer affairs to publish a notice to specify the prime rate. -- HB1628 CD1
Committee Reports: HSCR 340 (AGR) HSCR 854 (FIN) SSCR 1144 (ECD/ CPN/) SSCR 1446 (WAM) CCR 73

Current Status:
May-04 99 Passed Legislature

Sections Affected: 155- (1 SECTION)

HOUSE BILLS WHICH PASSED THE LEGISLATURE

HB1637 HD2 SD2 CD1 (CCR 74) RELATING TO SCHOOL BUSES. Introduced by: Hiraki K (586-6180)

Requires rather than allows the department of transportation to grant exemptions for the use of vehicles other than school vehicles when the department finds that compliance is impractical due to unavailability of school vehicles or impractical due to economic factors. Adds that a school vehicle is unavailable when it does not meet the requests of a school for a motorcoach with undercarriage storage compartments and public address system. Provides that use of the motorcoach shall be used solely for the transportation of middle, intermediate, or high school student groups to and from school related events or activities. Defines motorcoach. -- HB1637 CD1
Committee Reports: HSCR 616 (TRN/ EDN/) HSCR 1079 (FIN) SSCR 1167 (EDU) SSCR 1513 (WAM) CCR 74

Current Status:
May-04 99 Passed Legislature

Sections Affected: 286-181

HB1649 HD2 SD1 CD1 (CCR 189) RELATING TO THE CONVEYANCE TAX. Introduced by: Souki J (586-9444)

Changes the conveyance tax law to include an exemption for any document or instrument conveying real property, or any interest therein, from an entity that is party to a merger or consolidation under corporation and partnership laws, to the surviving or new entity. Also includes an exemption for any document or instrument conveying real property from a dissolving limited partnership to its corporate or general partner that owns, directly, or indirectly, at least 90 per cent interest in the partnership, determined by applying section 318 (with respect to constructive ownership of stock) of the Federal Internal Revenue Code, to the constructive ownership of interests in the partnership. -- HB1649 CD1
Committee Reports: HSCR 331 (CPC) HSCR 1080 (FIN) SSCR 1527 (WAM) CCR 189

Current Status:
May-04 99 Passed Legislature

Sections Affected: 247-3

HB1660 HD2 SD1 CD1 (CCR 136) RELATING TO HIGHER EDUCATION. Introduced by: Morihara D (586-6330)

Allows the university of Hawaii to retain any appropriation of general funds for operating purposes at the close of the fiscal year and provides that the funds shall not lapse until the following fiscal year. Allows the appropriation to be used by the university to supplement the appropriation for any program. Requires the university to annually report to the director of finance and the legislature. Act to be repealed on June 30, 2001 (sunset). -- HB1660 CD1
Committee Reports: HSCR 151 (HED) HSCR 753 (FIN) SSCR 1135 (EDU) SSCR 1514 (WAM) CCR 136

Current Status:
May-04 99 Passed Legislature

Sections Affected: 37- (1 SECTION), 37-32, 37-41, 37-42

HB1663 HD2 SD2 CD1 (CCR 175) RELATING TO HEALTH. Introduced by: Santiago A (586-6380)

Repeals provisions relating to the state hospital. Establishes provisions for contracts for facilities and services. Authorizes the director of health to contract with any person for the development or operation of private in state psychiatric facilities, the placement of patients in existing private or public psychiatric facilities, and the provision of secure psychiatric rehabilitation services, crisis intervention and stabilization services, intensive treatment and wraparound services, diversion services, special treatment facilities or therapeutic living programs, case management services, housing services, and other mental health treatment and rehabilitation services. Requires the director to be responsible for the appropriate placement of all persons placed in facilities or

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services contracted for or operated by the director who are involuntarily hospitalized for whom the services cannot be reimbursed, covered, or provided by an insurer, plan, or other person, committed to the custody of the director, or hospitalized under provisions of fitness proceed or disposition. -- Requires the director of public safety or the officer in charge of the correctional facility to file with the director of health an application for the transfer for any resident in need of acute psychiatric treatment for mental illness to a facility operated by the department of health or at which the director of health contracts for services. -- Allows any permanent civil services exempt employees of the department of health, who is transferred to a new or different position because of a contract made by the director, to participate in any applicable voluntary severance package offered by the State. Allows the employee, position, and appropriated salary to be transferred to another department or another program within the department of health if the employee elects to continue employment. Requires all appropriations, to compensate the employee being transferred, to be transferred to the program or department where the employee is to continue employment. -- HB1663 CD1

Committee Reports: HSCR 99 (HLT) HSCR 673 (EDN) HSCR 765 (FIN) SSCR 1163 (HHS/ EDU/) SSCR 1520 (WAM) CCR 175

Current Status:
May-04 99 Passed Legislature

Sections Affected: 334- (1 SECTION), 334-3, 334-4, 334-6, 334-74, 334-103, 334-31, 334-32, 334-34, 334-35, 334-36, 334-37, 334-38

HB1664 HD3 SD1 CD1 (CCR 176) RELATING TO HEALTH. Introduced by: Santiago A (586-6380)

Establishes the hospital and medical facilities special fund within the department of health to assist in offsetting program expenses of the department's hospital and medical facilities branch. Requires fees paid and collected by facilities seeking licensure or certification by the department to be deposited into the fund. -- Establishes the state health planning and development special fund, to be administered by the state health planning and development agency, to offset program expenses of the agency. -- HB1664 CD1

Committee Reports: HSCR 110 (HLT) HSCR 671 (CPC) HSCR 1097 (FIN) SSCR 984 (CPN/ HHS/) SSCR 1606 (WAM) CCR 176

Current Status:
May-04 99 Passed Legislature

Sections Affected: 321- (1 SECTION), 323D- (1 SECTION), 321-11.5, 321-27

HB1675 HD1 SD1 CD1 (CCR 177) RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS. Introduced by: Hamakawa E (586-8480)

Amends provisions relating to individual claims resolution under the Hawaiian home lands trust. Extends the deadline for the preparation and transmittal of a final report on individual claims resolution under the Hawaiian home lands trust to the legislature and the governor to 2000 (from 1997). Extends the term of office of each member of the Hawaiian home lands trust individual claims review panel until December 31, 2000 (from 1999). Provides that claimants may file an action no earlier than October 1, 2000. Requires an aggrieved individual claimant to file a written notice with the panel no later than October 1, 2000 (from 1999), that the claimant does not accept the action taken by the legislature in regular session upon the claim. Provides for a limitation on actions unless the action is commenced by December 31, 2000 (from 1999). -- Establishes a Hawaiian home lands trust individual claims compensation commission, within the legislative reference bureau, to develop proposals for alternative means of compensating claimants who have received a favorable ruling under the Hawaiian home lands trust. Report to the legislature. Commission shall cease to exist on June 30, 2000 (sunset). -- HB1675 CD1

Committee Reports: HSCR 542 (JHA) HSCR 1095 (FIN) SSCR 918 (WLH) SSCR 1448 (WAM) CCR 177

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Current Status:
May-04 99 Passed Legislature

Sections Affected: 674-1, 674-4, 674-14, 674-17, 674-19

HB1693 HD1 SD1 CD1 (CCR 178) AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES. Introduced by: Say C (BR) (586-6100)

Authorizes the issuance of special purpose revenue bonds to assist the Honolulu Neighborhood Housing Services, Inc., a Hawaii not for profit corporation, in planning, designing, and constructing a senior citizen lifecare retirement community. Requires the corporation to obtain a certificate of need approval from the state health planning and development agency and be in compliance with laws, ordinances, and rules of the State or any political subdivision or any departments or boards thereof. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB1693 CD1

Committee Reports: HSCR 497 (HSH) HSCR 1044 (FIN) SSCR 1164 (HHS) SSCR 1450 (WAM) CCR 178

Current Status:
May-04 99 Passed Legislature

HB1703 RELATING TO WAIMANALO. Introduced by: Goodenow K (586-9450)

Amends Act 257, session laws of 1996, by changing the sunset date for allowing the department of land and natural resources to continue entering into long term lease negotiations and to execute long term leases with eligible Waimanalo farmers to July 1, 2001. -- HB1703

Committee Reports: HSCR 308 (WLU) HSCR 995 (FIN) SSCR 976 (WLH) SSCR 1559 (WAM)

Current Status:
Apr-15 99 Received by the Governor
Apr-26 99 Approved by Governor (Act 54 1999)

Sections Affected: Act 257 1996

HB1711 HD2 SD1 CD1 (CCR 60) RELATING TO KANEOHE BAY. Introduced by: Ito K (586-8470)

Amends provisions relating to public land. Repeals provisions prohibiting any lease of public lands, including submerged lands, or any extension of any such lease to be issued by the State to any person to construct, use, or maintain a sunbathing or swimming pier. Provides that approval from the governor and authorization from the legislature shall not be required for any grant of easement or lease of submerged lands or lands beneath tidal waters used for private residential noncommercial piers or docks. Requires any existing private residential noncommercial pier in Kaneohe bay located offshore of property between Kealohi Point and Nuupia Pond, on the effective day of this Act, to be considered nonconforming for the purposes of conservation districts, provided that the owner of the pier obtain all necessary approvals and land disposition from the department of land and natural resources. Establishes a lease rent moratorium on all submerged lands and private noncommercial piers in Kaneohe bay, until the department adopts a pier lease rent formula. Requires the department to establish an equitable solution for lessees who have been paying rent. -- HB1711 CD1
Committee Reports: HSCR 219 (OMR) HSCR 1094 (FIN) SSCR 1184 (WLH/ ECD/) SSCR 1605 (WAM) CCR 60

Current Status:
May-04 99 Passed Legislature

Sections Affected: 171-36, 171-53