

BILLS PASSED
BY THE
HAWAII STATE LEGISLATURE
REGULAR SESSION OF 2000

SHOWING ACTIONS TAKEN AS OF

May 2, 2000

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 2, 2000, 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

March 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 - 25¢/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	10¢/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	15¢/page via usage of the internet
Kona Law Library Keakealani Building Kealahou 96750 Phone: 322-8729 (Circuit Ct.)	Ben	Monday - Friday 7:45 am - 4:30 pm	15¢/page via usage of the internet
<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 via usage of the internet

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB0185 SD2 HD1 CD1 (CCR 54) RELATING TO EDUCATION.
Introduced by: Chun Oakland S, Chumbley A, Levin A, Tam R, Kanno B
Transfers the responsibility for occupational therapy services and physical therapy services for evaluation or diagnostic purposes and within funds available, provide for those exceptional children needing such services who attend public school, from the department of health to the department of education. Transfers the rights, powers, functions, duties, and personnel of the school health occupational therapy / physical therapy program from the department of health to the department of education. -- SB0185 CD1
Committee Reports: SSCR 151 (EDU) SSCR 608 (WAM) HSCR 1387 (EDN) HSCR 1363-00 (FIN) CCR 54
Current Status: May-02 00 Passed Legislature
Section Affected: 302A-442 ONLY
- SB0278 SD2 HD1 (HSCR 901-00) RELATING TO HIGHER EDUCATION.
Introduced by: Ihara L (BR)
Increases the number of members of the board of directors of the research corporation of the university of Hawaii from 10 to 11 and changes the composition of the board. -- SB0278 HD1
Committee Reports: SSCR 2079 (EDU) SSCR 2421 (EDU) SSCR 2582 (WAM) HSCR 901-00 (HED) HSCR 1429-00 (FIN)
Current Status: May=02 00 Passed Legislature
Section Affected: 307-2 ONLY
- SB0539 SD1 HD1 CD1 (CCR 112) PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY.
Introduced by: Ige D, Sakamoto N
Proposes to amend the constitution. Provides that the board of regents of the university of Hawaii shall have power to formulate policy, and exercise control over the university of Hawaii and have exclusive jurisdiction over the internal structure, management, and operation of the university. Adds that the legislature shall have the exclusive jurisdiction to identify laws of statewide concern. -- SB0539 CD1
Committee Reports: SSCR 287 (EDU/ WAM/) SSCR 2676 (JDC) HSCR 877-00 (HED) HSCR 1067-00 (JHA) HSCR 1430-00 (FIN) CCR 112
Current Status: May-02 00 Passed Legislature
Section Affected: ART X S6 ONLY
- SB0568 SD2 HD3 (HSCR 1402-00) RELATING TO HISTORIC PRESERVATION.
Introduced by: Hanabusa C
Amends provisions relating to historic preservation program. Provides that the department of land and natural resources shall establish, maintain, and support a burial sites program to include administrative support to the island burial councils, and handling inadvertent discovery of burial sites. -- SB0568 HD3
Committee Reports: SSCR 180 (WLH) SSCR 643 (WAM) HSCR 1129 (WLU) HSCR 1328 (JHA) HSCR 1402-00 (FIN)
Current Status: May=02 00 Passed Legislature
Section Affected: 6E-3, 6E-43.5
- SB0680 SD1 HD2 CD1 (CCR 63) RELATING TO FIREWORKS.
Introduced by: Kawamoto C
Establishes provision relating to importation of aerial common fireworks, special fireworks, or both, for public safety. Provides that aerial common fireworks and special fireworks shall only be imported and stored in an amount sufficient for an anticipated 3 month inventory, or for a 6 month inventory if a licensee uses fireworks for public displays more than once a month. Establishes provision relating to licensee; bill of lading, notification, storage, limits on sales. Requires a person who has obtained a license and ships fireworks into the State to

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clearly designate fireworks on the bill of lading, declare the gross weight and the location of the storage facility, and notify the county how the shipment will be distributed and the expected landing date. Allows the fire department to inspect any shipment declared on a shipping manifest as fireworks. Requires a facility in which fireworks are to be stored to have approval 15 days prior to arrival, and to meet all state and county fire and safety codes. Provides that any fireworks landed in the State shall be subject to seizure and forfeiture if the importer or consignee does not have a valid license to import fireworks, store fireworks, or has not properly declared the fireworks. Establishes penalties. -- Defines cultural, import, and public display. -- Allows non aerial common fireworks to be used only from 9:00 p.m. on new year's eve to 1:00 a.m. on new years day, from 7:00 a.m. to 7:00 p.m. on Chinese new year's day, and from 1:00 p.m. to 9:00 p.m. on the 4th of July, or from 9:00 a.m. to 9:00 p.m. as allowed by permit, provided that the purchase is not more than 5,000 individual firecrackers under each permit. Allows special fireworks and aerial common fireworks to be used only by permit for public display. -- Amends provision relating to application for license. Provides that a license issued by the county is nontransferable, and if a licensee has been convicted of a felony under the fireworks law, the license shall be revoked and shall be issued for 2 years. Allows fireworks only to be sold to a permittee not more than 5 days in advance of the applicable time period. -- Amends provision relating to application for permit by restricting the permit for non aerial common fireworks to 1 event for each permit. Provides that a permit shall be required for the purchase of any non aerial fireworks commonly known as firecrackers upon payment of a fee of 25 dollars. -- Provides that the license fee shall be 3,000 dollars for importers, 2,000 dollars for each wholesaler's site, 1,000 dollars for each storage site, 500 dollars for each retailer's site, and 110 dollars for permits for public display, and that the license fees shall be used by each county fire department to pay the salary of an auditor of fireworks records. Requires a county to exempt nonprofit community groups from the license fees for importation and storage of fireworks for displays once a year. -- Establishes penalties. -- Prohibits a county from enacting ordinances or adopting rules regulating fireworks that are inconsistent with or more restrictive than the provisions of this Act. -- Repeals provision relating to rules under fireworks law. -- SB0680 CD1

Committee Reports: SSCR 528 (TIA/ JDC/) HSCR 1324 (JHA) HSCR 1725 (FIN) CCR 63

Current Status: May-02 00 Passed Legislature

Section Affected: 132D- (1 SECTION), 132D- (1 SECTION), 132D-1, 132D-3, 132D-4, 132D-7, 132D-8, 132D-9, 132D-10, 132D-11, 132D-14, 132D-16, 132D-17, 132D-20, 132D-2, 132D-19

SB0862 SD2 HD1 (HSCR 1319-00)

RELATING TO MEDICAL USE OF MARIJUANA.

Introduced by: Chun Oakland S (BR)

Establishes provisions relating to the medical use of marijuana. Allows the medical use of marijuana by any qualifying patient who has been diagnosed by a physician as having a debilitating medical condition, and has certified in writing that in the physician's professional opinion, the potential benefits of marijuana would likely outweigh the health risks. Extends the legal protections for the patient for the medical use and for administration of marijuana to a patient's primary care giver. Protects a physician from arrest or prosecution for providing a written documentation. Establishes restrictions for patients under 18 years of age. -- SB0862 HD1

Committee Reports: SSCR 527 (HHS) SSCR 2760 (JDC) HSCR 1319-00 (JHA)

Current Status: Apr-26 00 Received by the Governor

Section Affected: 329- (8 SECTIONS) MEDICAL USE OF MARIJUANA, 453-8, 712-1240.1

SB0873 SD1 HD2 (HSCR 1422-00)

RELATING TO REAL PROPERTY APPRAISALS.

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Introduced by: Chun Oakland S
Amends provision relating to lease renegotiations; calculations of rent; definition. Provides that the lease rent, based on fair market value as determined by a real property appraisal, that is less than the rental amount currently being paid shall prevail over existing contract provision which bars the lowering of lease rent upon renegotiation. Requires any disagreement over fair market value that cannot be resolved by negotiation to be determined on a per acre basis pursuant to appraisals performed in conformance with the uniform standards of professional appraisal practices as adopted by the department of commerce and consumer affairs. -- SB0873 HD2
Committee Reports: SSCR 796 (CPN) HSCR 1065-00 (CPC) HSCR 1422-00 (FIN)
Current Status: May=02 00 Passed Legislature
Section Affected: 519-1 ONLY

SB0887

RELATING TO JUDGES FOR THE CIRCUIT COURT.
Introduced by: Mizuguchi N (BR)
Amends provision relating to circuit court judges. Provides that the circuit court of the 5th circuit shall consist of 2 judges, styled as 1st and 2nd judge respectively. -- SB0887
Committee Reports: SSCR 169 (JDC) SSCR 810 (WAM) HSCR 1287 (JHA) HSCR 1431-00 (FIN)
Current Status: Apr-14 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 53 2000)
Section Affected: 603-4 ONLY

SB0914

RELATING TO VOTE COUNT.
Introduced by: Mizuguchi N (BR)
Amends provisions relating to vote count. Provides that each contest or question on a ballot shall be counted independently, if a contest or question requires a majority of the votes for passage, any blank, spoiled or invalid ballot shall not be tallied for passage or as votes cast except that such ballots shall be counted as votes cast in ratification of a constitutional amendment or a question for a constitutional convention. -- SB0914
Committee Reports: SSCR 858 (JDC) HSCR 126-00 (JHA) HSCR 1432-00 (FIN)
Current Status: Apr-14 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 54 2000)
Section Affected: 11-151 ONLY

SB0915 SD1 HD1 (HSCR 1291-00)

RELATING TO CANDIDATE VACANCIES.
Introduced by: Mizuguchi N
Establishes provisions relating to candidate vacancies. Adds that the name of the replacement candidate to be printed on the ballot, provided that the replacement candidate fills out an application for nomination papers and signs the proper certifications on the nomination paper and takes either the oath or affirmation as provided by law. -- SB0915 HD1
Committee Reports: SSCR 859 (JDC) HSCR 1291-00 (JHA)
Current Status: May=02 00 Passed Legislature
Section Affected: 11-118 ONLY

SB1095 HD2 (HSCR 1364-00)

RELATING TO HUNTING.
Introduced by: Mizuguchi N (BR)
Amends Act 254, session laws of 1997, relating to allowing a person to carry and use any lawfully acquired pistol or revolver while engaged in hunting game mammals or traveling to or from the place of hunt. Extends sunset date to June 30, 2002. Provides that the possession by licensed hunters and minors; target shooting; game hunting provision and licenses to carry provision shall be reenacted in the form in which they read on the day before the approval of this Act. -- SB1095 HD2

SENATE BILLS WHICH PASSED THE LEGISLATURE

Committee Reports: SSCR 132 (ECD) SSCR 865 (JDC) HSCR 1132 (WLU)
HSCR 554-00 (JHA) HSCR 1364-00 (FIN)
Current Status: Apr-26 00 Received by the Governor
Section Affected: ACT 254 1997 ONLY

SB1276 SD1 HD2 CD1 (CCR 95)

RELATING TO THE SUPERINTENDENT OF EDUCATION.

Introduced by: Mizuguchi N (BR)

Amends provision relating to department heads and executive officers. Provides that the salary of the superintendent of education shall be set by the board of education at a rate no greater than 150,000 dollars a year rather than 90,041 dollars a year. -- SB1276 CD1

Committee Reports: SSCR 119 (EDU) SSCR 666 (WAM) HSCR 1302 (EDN)
HSCR 1820 (FIN) CCR 95

Current Status: May-02 00 Passed Legislature

Section Affected: 26-52 ONLY

SB1345 SD2 HD2 (HSCR 32-00)

RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY.

Introduced by: Mizuguchi N (BR)

Increases the salaries effective July 1, 1999, for the 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. Provides for additional salaries increase effective July 1, 2000. -- SB1345 HD2

Committee Reports: SSCR 350 (JDC/ CPN/) SSCR 817 (WAM) HSCR 1334
(JHA) HSCR 32-00 (FIN)

Current Status: Feb-10 00 Received by the Governor

Feb-16 00 Approved by Governor (Act 2 2000)

Section Affected: 602-2, 602-52, 603-5, 604-2.5

SB2001 SD2 (SSCR 2670)

RELATING TO COUNTY TORT LIABILITY.

Introduced by: Inouye L

Amends provision relating to defense of state employees to include indemnification of counties. Provides that the attorney general shall defend and the State shall indemnify a county against all damages in any civil action or proceeding brought in any court against the county based on an allegedly negligent or wrongful act or omission of persons employed by a county as lifeguards and designated to provide lifeguard services at a designated state beach park under an agreement between the State and a county or at any beach park operated by that county under a license or lease from any state agency or pursuant to an executive order of the governor; or a natural condition existing at a beach park or any natural or unnatural condition of the beach and ocean adjacent to the beach park. -- SB2001 SD2

Committee Reports: SSCR 2354 (TIA/ ECD/) SSCR 2670 (JDC) HSCR
1316-00 (JHA)

Current Status: Apr-26 00 Vetoed

Section Affected: 662-1, 662-16

SB2005

RELATING TO PUBLIC LANDS.

Introduced by: Inouye L

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, 2005 (sunset). -- SB2005

Committee Reports: SSCR 2168 (WLH/ ECD/) SSCR 2557 (WAM) HSCR

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Current Status: 960-00 (TSM/ WLU/) HSCR 1433-00 (FIN)
Apr-13 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 55 2000)

SB2021 SD2 HD1 CD1 (CCR 89)

RELATING TO HOUSING.

Introduced by: Tam R

Establishes a federally assisted rental housing preservation program. Requires the owner of an assisted housing development to provide the housing and community development corporation of Hawaii copies of all housing and urban development required notification letters regarding the owner's intention to opt out of the section 8 project based contract, and pertinent and available information, including the physical condition of the project and current market rates. Requires the housing and community development corporation to collaborate with housing and urban development in efforts to encourage the owner to preserve the long term affordability of the housing project when an owner of an assisted housing development gives the corporation notice of intent to terminate a subsidy contract or prepay the mortgage. Provides criteria. -- SB2021 CD1

Committee Reports: SSCR 2418 (GOH) SSCR 2599 (WAM) HSCR 1010-00 (HSH) HSCR 1434-00 (FIN) CCR 89

Current Status: May-02 00 Passed Legislature

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

SB2024 HD1 (HSCR 885-00)

MEDICAL RESEARCH ON CANCER STUDIES.

Introduced by: Chun Oakland S

Amends provision relating to sources of information protected. Provides that free standing radiation oncology facilities, and other treatment or pathology facilities be included to submit a report of persons diagnosed as having cancer to the Hawaii tumor registry or participating hospital registry. Requires physicians who diagnose or treat a patient for cancer to also submit a report unless the patient has previously been admitted or treated at a hospital, skilled nursing home, intermediate care home, or free standing radiation oncology facility for that particular cancer. Provides that hospital based registry staff may be included to assist hospitals, institutions, treatment or pathology facilities, and physician offices in the preparation of reports. -- SB2024 HD1

Committee Reports: SSCR 2061 (HHS) HSCR 885-00 (HLT) HSCR 1094-00 (CPC/ JHA/)

Current Status: Apr-03 00 Received by the Governor

Apr-11 00 Approved by Governor (Act 17 2000)

Section Affected: 324-21 ONLY

SB2056 SD1 HD1 CD1 (CCR 90)

RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS.

Introduced by: Chun Oakland S, Fukunaga C, Hanabusa C, Buen J, Matsunaga M, Chumbley A, Kanno B, Nakata B

Provides an individual development account contribution income tax credit. Provides that the credit shall be equal to 50 per cent of the amount contributed to a fiduciary organization by an individual, organization, or business as matching funds for individual development accounts. Provides that if a deduction is taken under section 170 (with respect to charitable contributions and gifts) of the Federal Internal Revenue Code, no tax credit shall be allowed for that portion of the contribution for which the deduction was taken. Requires verification and certification by the department of human services and requires the certificate to be filed with the department of taxation. Requires the department of human services to total all contributions that the department certifies and when the total reaches 1 million dollars, the department shall discontinue certifying contributions and notify the department of taxation. Provides that the credit shall be available for taxable years beginning after December 31, 1999, and before January 1, 2005 (sunset). -- Amends Act 160,

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session laws of 1999, relating to individual development accounts to take effect for taxable years after December 31, 1999. -- SB2056 CD1

Committee Reports: SSCR 2432 (WAM) HSCR 870-00 (HSH) HSCR 1435-00 (FIN) CCR 90

Current Status: May-02 00 Passed Legislature

Section Affected: 235- (1 SECTION), 257-10, ACT 160 1999

SB2061 SD1 HD2 (HSCR 1413-00)

RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES.

Introduced by: Chun Oakland S, Fukunaga C, Hanabusa C, Buen J, Matsunaga M, Chumbley A, Kanno B, Nakata B

Establishes provision relating to wage disclosure, recordkeeping, and reporting requirements. Requires the director of human resources development to make and retain records that provide employees information. Provides criteria. Provides that there shall be an examination of the data to determine whether there is a concentration of employees by gender in classes, any discrimination against women with regard to wages, and shall also determine whether there are unequal wages for males and females performing the same types of job or jobs of equivalent value. Establishes a 4 year pay equity task force to be conducted under the auspices of the office of the governor, beginning in fiscal year 2001 - 2002 through fiscal year 2004 - 2005 (sunset) to review the material, other relevant information, as appropriate, develop recommendations to the legislature for funds and specific actions needed to correct any gender based pay inequities discovered. Annually report to the legislature. Provides that this Act does not permit any individual to bring an action for monetary or injunctive relief in reliance hereon; nor does this Act create any legal or equitable right in any person to seek back pay or benefits for allegedly equivalent work. -- SB2061 HD2

Committee Reports: SSCR 2342 (LRE) SSCR 2527 (WAM) HSCR 1048-00 (LAB) HSCR 1413-00 (FIN)

Current Status: May=02 00 Passed Legislature

Section Affected: 76- (1 SECTION) ONLY

SB2062 SD1 HD3 CD1 (CCR 64)

RELATING TO LONG-TERM CARE.

Introduced by: Chun Oakland S, Fukunaga C, Hanabusa C, Matsunaga M, Chumbley A, Kanno B, Nakata B, Ihara L, Taniguchi B

Amends Act 339, session laws of 1997, as amended by Act 93, session laws of 1999 by extending the joint legislative committee on long term care to June 30, 2002 (sunset). -- Amends Act 93, session laws of 1999. Requires the committee to contract for an actuarial study to determine the cost of establishing a state sponsored program of long term care that offers comprehensive, protective coverage to the largest number of people as reasonably possible through a funding approach that considers factors of expense, ease of administration, and actuarial soundness. Requires the study to be limited to the number of alternatives that can be supported by the funds appropriated. -- Adds that the study shall also examine how to integrate a state sponsored universal program of long term care with the insurance model; include a proposed model for financing a program for a target population that cannot afford long term care insurance; specify the amount of moneys that must be collected to adequately finance the program and the mechanism for collection; and make recommendations. Allows the study to include an examination of universal long term care financing models of other countries. -- Repeals provisions requiring the study to analyze the Hawaii family hope program. -- Requires the joint legislative committee on long term care to consider the knowledge of the contractor of past efforts of the State to establish a universal long term care program when selecting a contractor by bid for the study. -- Requires all state agencies to cooperate with the contractor. -- Extends the date for the consultants contracted to report to the governor and legislature to be November 15, 2001, and for legislation to be introduced in the regular session of 2002. -- Appropriation to the legislature, rather than the joint

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legislative committee on long term care. (\$\$) -- SB2062 CD1
Committee Reports: SSCR 2033 (HHS/ CPN/) SSCR 2513 (WAM) HSCR
889-00 (HSH/ CPC/) HSCR 998-00 (LMG) HSCR
1367-00 (FIN) CCR 64
Current Status: May-02 00 Passed Legislature
Section Affected: ACT 339 1997, ACT 93 1999

SB2074 SD2 HD2 CD1 (CCR 91)

RELATING TO CORRECTIONS.
Introduced by: Chun Oakland S, Fukunaga C, Buen J, Kanno B, Nakata B
Establishes a task force on parity for female offenders within the department of public safety to review all programs currently offered to female adult and juvenile offenders in the custody of the department, identify inadequacies with the current system, and develop a plan to increase interagency cooperation to address the needs unique to female offenders. Report to the legislature. -- SB2074 CD1
Committee Reports: SSCR 2278 (JDC) SSCR 2538 (WAM) HSCR 938-00 (PSM/ HSH/) HSCR 1393-00 (FIN) CCR 91
Current Status: May-02 00 Passed Legislature

SB2088

RELATING TO SHORT-TERM INVESTMENT OF STATE MONEYS.
Introduced by: Fukunaga C, Levin A
Amends provision relating to short term investment of state moneys. Authorizes the director of finance to use any moneys of the State as a short term investment to Federal Farm Credit System notes and bonds; Student loan marketing association notes and bonds (Sallie Mae); and Tennessee Valley Authority notes and bonds (TVA) for meeting the immediate requirements of the State and where in the director's judgment the action will not impede or hamper the necessary financial operations of the State. Repeals Federal land bank bonds and replaces it with Federal Farm Credit System notes and bonds. -- SB2088
Committee Reports: SSCR 2433 (WAM) HSCR 1334-00 (FIN)
Current Status: Apr-13 00 Received by the Governor
Apr-20 00 Approved by Governor (Act 26 2000)
Section Affected: 36-21 ONLY

SB2108 SD2 HD2 CD1 (CCR 101)

RELATING TO THE PUBLIC LAND TRUST.
Introduced by: Hanabusa C
Requires the auditor to initiate and coordinate all efforts to establish a public land trust information system. Provides criteria. Provides that beginning July 1, 2000, the auditor shall identify all of the lands which are to be included in the public land trust inventory. Provides criteria. Requires all state and county agencies to assist the auditor in facilitating the establishment of the public land trust information system and to comply with any and all requests that the auditor may make for any information and services pertinent to the completion of the information system. Requires the auditor to report to the legislature. Requires the inventory and information system to be completed and operational by December 31, 2002, unless the auditor advises otherwise. Appropriation to the auditor. Requires matching funds from the office of Hawaiian affairs. (\$\$) -- SB2108 CD1
Committee Reports: SSCR 2017 (WLH) SSCR 2693 (WAM) HSCR 904-00 (JHA) HSCR 1011-00 (WLU) HSCR 1414-00 (FIN) CCR 101
Current Status: May-02 00 Passed Legislature

SB2112 SD1 (SSCR 2035)

RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT.
Introduced by: Hanabusa C
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

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development, and tourism. (\$\$) -- SB2112 SD1
Committee Reports: SSCR 2035 (ECD) SSCR 2720 (WAM) HSCR 1615-00
(FIN)
Current Status: May-02 00 Passed Legislature
Section Affected: ACT 314 1997 ONLY

SB2115 SD1 HD2 CD1 (CCR 84)

RELATING TO FALSE CLAIMS.
Introduced by: Hanabusa C
Establishes provision relating to qui tam actions or recovery of false claims to the State. Provides that a person who knowingly presents or causes to be presented to an officer or employee of the State a false claim for payment or approval; knowingly makes, uses, or causes to be made or used a false record or statement to get a false claim paid or approved by the State; conspires to defraud the State by getting a false claim allowed or paid; has control of property or money used by the State and, intending to defraud the State or wilfully to conceal the property, delivers, less property than the amount for which the person receives a certificate or receipt; is authorized to make or deliver a document certifying receipt of property used by the State and, intending to defraud the State makes or delivers the receipt without completely knowing that the information on the receipt is true; knowingly buys, or receives as a pledge of an obligation or debt, public property from any officer or employee of the State who lawfully may not sell or pledge the property; knowingly makes, uses, or causes to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the State; or is a beneficiary of an inadvertent submission of a false claim to the State, who discovers the falsity of the claim and fails to disclose the false claim within a reasonable time after discovery; shall be liable to the State for a civil penalty of up to 10,000 dollars plus 3 times the amount of damages which the State sustains due to the act committed by that person. -- Requires the attorney general to investigate violations. Authorizes the attorney general to bring civil action. -- Requires action for false claims to the State to be brought within 6 years after the false claim is discovered. -- Establishes rights of parties to qui tam actions and awards. -- Provides that no court shall have jurisdiction over an action under this provision unless the action is brought by the attorney general or the person bringing the action is an original source of the information. -- Provides that the State shall not be liable for expenses or fees that a person incurs in bringing an action under this part and shall not elect to pay those expenses or fees. -- SB2115 CD1
Committee Reports: SSCR 2281 (JDC) SSCR 2729 (WAM) HSCR 1028-00 (JHA) HSCR 1368-00 (FIN) CCR 84
Current Status: May-02 00 Passed Legislature
Section Affected: 661- (9 SECTIONS) QUI TAM ACTIONS OR RECOVERY OF FALSE CLAIMS TO THE STATE ONLY

SB2121 SD1 HD1 CD1 (CCR 61)

RELATING TO OBSOLETE LAWS.
Introduced by: Mizuguchi N (BR)
Repeals the Hawaii administrative rules that are found to be unnecessary and by virtue of the fact that they are already null and void under the office of the governor, office of the lieutenant governor, department of accounting and general services, department of agriculture, department of budget and finance, department of Hawaiian home lands, department of health, department of labor and industrial relations, department of business, economic development, and tourism, department of land and natural resources, department of commerce and consumer affairs, department of transportation, and department of taxation. Provides that no agency affected by any rules that have been repealed by this Act shall be required to give advanced public notice, provide a public hearing, distribute copies of repealed rules, or take any other action required with respect to those administrative rules that have been repealed. Provides that all contracts entered into pursuant to administrative rules that have been repealed by this part shall continue to be honored until their termination. Further

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provides that the provisions of this part shall not be applied so as to impair any contract existing as of the effective date of this Act. Amends provision relating to procedure for adoption, amendment, or repeal of rules. Provides that whenever an agency seeks only to repeal 1 or more provisions of the agency's rules because the rules are either null and void or unnecessary, and not adopt, amend, or compile any other rules, the agency shall give 30 days' public notice at least once statewide of the proposed date of repeal and a list of the provisions being repealed; a statement of when, where, and during what times the provisions proposed to be repealed may be reviewed in person; post the full text of the proposed provisions to be repealed on internet. Allows any interested person to petition the agency regarding the provisions to be repealed. Provides that this provision does not apply to the repeal of 1 or more provisions, paragraphs, clauses, words, phrases, or other material within a provision that does not constitute the entire provision to be repealed. -- SB2121 CD1

Committee Reports: SSCR 2441 (JDC) HSCR 1290-00 (EDB) CCR 61
Current Status: May-02 00 Passed Legislature
Section Affected: 91-3 ONLY

SB2134 SD1 HD2 CD1 (CCR 125)

RELATING TO AGRICULTURE AND ANIMALS.

Introduced by: Kawamoto C

Amends provision relating to animal quarantine special fund. Provides that moneys in the special fund shall be expended to cover all costs of quarantine including the defraying of quarantine fees. Appropriation to the department of agriculture for deposit into the animal quarantine special fund to be used to reduce quarantine user fees. Provides that the reductions shall be made on the basis of the public health, safety, and welfare; fairness and equity to users; and economic factors, including the ability to pay by a person or class of persons, to ensure that individuals and families moving to Hawaii relocate without creating an economic hardship. (\$\$) -- SB2134 CD1

Committee Reports: SSCR 2237 (ECD/ TIA/) SSCR 2605 (WAM) HSCR 1051-00 (AGR/ PSM/) HSCR 1369-00 (FIN) CCR 125
Current Status: May-02 00 Passed Legislature
Section Affected: 142-28.5 ONLY

SB2151 SD1 HD1 CD1 (CCR 71)

RELATING TO FIREARMS.

Introduced by: Matsunaga M, Kanno B, Ihara L, Hanabusa C, Iwase R, Inouye L, Taniguchi B

Establishes provision relating to seizure of firearms upon disqualification. Provides that if any applicant is denied a permit, the chiefs of police of the respective counties shall send, by certified mail, a notice setting forth the reasons for the denial and may require that the applicant voluntarily surrender all firearms and ammunition to the chief of police where the applicant resides or dispose of all firearms and ammunition. Further provides that if the applicant fails to voluntarily surrender or dispose of all firearms and ammunition within 30 days from the date notice was mailed, the chief of police may seize all firearms and ammunition. Requires the chief of police of each county to adopt procedures to implement and administer these provisions by December 31, 2001. -- Establishes provision relating to disclosure for firearm permit and registration purposes. Requires a health care provider or public health authority to disclose health information, including protected health information, relating to an individual's mental health history, to the appropriate county chief of police in response to a request for the information from the chief of police, provided that the information shall be used only for the purposes of evaluating the individual's fitness to acquire or own a firearm; and the individual has signed a waiver permitting release of the health information for that purpose. -- Amends provision relating to disposal of firearms. Requires the court to immediately notify the chief of police of the county where the defendant resides that the defendant has been ordered to voluntarily surrender all firearms and ammunition to the chief of police or dispose of all firearms and ammunition

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within the defendant's possession. Provides that if the defendant fails to voluntarily surrender or dispose of all firearms and ammunition within 48 hours of the issuance of the order, the chief of police may seize all firearms and ammunition. -- Establishes the violent firearm crime coalition within the attorney general to clarify and articulate the best process to seize firearms from those individuals who are no longer qualified to own or possess firearms for mental health reasons, and who do not voluntarily relinquish firearms or transfer ownership of firearms. Requires the coalition to provide consultation to the attorney general regarding the establishment of strategic partnerships among law enforcement, prosecution, corrections, and the community with the goal of reducing violent firearm crime. Requires the department of the attorney general, in collaboration with the coalition to report to the legislature. -- SB2151 CD1

Committee Reports: SSCR 2673 (JDC/ TIA/ HSCR 1293-00 (JHA) CCR 71

Current Status: May-02 00 Passed Legislature

Section Affected: 134- (1 SECTION), 134-7, 323C- (1 SECTION), 806-11

SB2152 SD1 HD1 CD1 (CCR 83)

RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS.

Introduced by: Chumbley A

Establishes the interstate compact for the supervision of adult offenders. Authorizes compacting states, pursuant to the bylaws and rules of this compact to travel across state lines both to and from each compacting state in such a manner as to track the location of offenders, transfer supervision authority, and when necessary return offenders to the originating jurisdictions. Requires the creation of the interstate commission for adult offender supervisions. Requires each member state to create a state council for interstate adult offender supervision. -- Establishes the state council for interstate adult offender supervision for Hawaii within the judiciary. Annual report to the legislature. -- Requires the governor to execute the compact on behalf of the State. -- SB2152 CD1

Committee Reports: SSCR 2080 (JDC) SSCR 2607 (WAM) HSCR 981-00 (PSM/ JHA/ HSCR 1436-00 (FIN) CCR 83

Current Status: May-02 00 Passed Legislature

Section Affected: (18 SECTIONS) INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS ONLY

SB2154 SD1 HD1 CD1 (CCR 69)

RELATING TO PROTECTIVE ORDERS.

Introduced by: Chumbley A

Amends the domestic abuse protective orders law. Defines dating relationship to mean a romantic, courtship, or engagement relationship, often but not necessarily characterized by actions of intimate or sexual nature, but does not include a casual acquaintanceship or ordinary fraternization between persons in a business or social context. Amends the definition of family or household members to include persons who have or have had a dating relationship. Amends provision relating to temporary restraining order. Provides that for any person who is alleged to be a family member or household member by virtue of a dating relationship, the court may consider the length of the relationship; the nature of the relationship; and the frequency of the interaction between the parties in determining whether a dating relationship exists. Amends provision relating to reports by the department of human services. Provides that in cases where there are allegations of domestic abuse involving a minor or an incapacitated person, the employee or agency designated by the family court to assist the petitioner shall report the matter to the department of human services. -- Establishes provisions relating to foreign protective orders. Requires any valid protective order issued by a court or tribunal of another state, tribe, or territory of the US to be accorded full faith and credit by the courts of this State and shall be enforced as if it were issued in this State. Provides criteria. Provides that any violation of a foreign protective order entitled to full faith and credit shall be a misdemeanor. -- SB2154 CD1

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Committee Reports: SSCR 2443 (JDC) HSCR 1294-00 (JHA) CCR 69
Current Status: May-02 00 Passed Legislature
Section Affected: 586-1, 586-3, 586-4, 586-10, 586-10.5, 586- (6 SECTIONS) FOREIGN PROTECTIVE ORDERS

SB2160 SD1 HD1 (HSCR 916-00)

RELATING TO GENERAL EXCISE TAX.
Introduced by: Fukunaga C, Kawamoto C
Amends general excise tax provisions to allow contractors to report on a cash basis provided the taxpayer notifies the department of taxation of the basis upon which the tax imposed is to be reported. -- SB2160 HD1
Committee Reports: SSCR 2446 (WAM) HSCR 916-00 (EDB) HSCR 1437-00 (FIN)
Current Status: May=02 00 Passed Legislature
Section Affected: 237-3 ONLY

SB2166 HD2 (HSCR 1423-00)

RELATING TO WIND FARMS.
Introduced by: Levin A
Amends provision relating to state enterprise zones. Redefines qualified business to include a business engaged in producing electric power from wind energy for sale primarily to a public utility company for resale to the public. -- SB2166 HD2
Committee Reports: SSCR 2239 (ECD/ CPN) SSCR 2606 (WAM) HSCR 1056-00 (EEP/ CPC/) HSCR 1423-00 (FIN)
Current Status: May=02 00 Passed Legislature
Section Affected: 209E-2 ONLY

SB2186 SD2 HD2 CD1 (CCR 76)

RELATING TO INSURANCE.
Introduced by: Kanno B
Establishes provisions for an independent bill reviewer. Provides that a reviewer is an individual who acts on behalf of either the insurer as an independent contractor or as an employee of an independent contractor and reviews or audits billings for medical services. Establishes provisions for the compensation and qualifications of a reviewer. Requires the insurance commissioner to license reviewers. Includes a licensing fee and service fee. Creates a permanent position to carry out the purposes of this Act and to provide additional compliance and enforcement resources for the insurance division. Appropriation out of the insurance regulation fund to the department of commerce and consumer affairs. (\$\$) -- SB2186 CD1
Committee Reports: SSCR 2383 (CPN) SSCR 2697 (WAM) HSCR 955-00 (CPC) HSCR 1370-00 (FIN) CCR 76
Current Status: May-02 00 Passed Legislature
Section Affected: 431:9- (3 SECTIONS), 431:2-303, 431:2-305, 431:7-101, 431:9-101, 431:9-201, 431:9-206, 431:9-228, 431:9-229

SB2205 SD1 (SSCR 2653)

RELATING TO NONPROFIT CORPORATIONS.
Introduced by: Ihara L
Establishes provisions relating to the tax exempt status of private foundations. Prohibits any nonprofit corporation which is a private foundation to engage in any act of self dealing, retain any excess business holdings, make any investments in such a manner as to subject it to tax, and make any taxable expenditures. Provides that each nonprofit corporation shall distribute such amounts at such time and in such manner as shall be required so as not to subject it to tax. -- SB2205 SD1
Committee Reports: SSCR 2653 (CPN) HSCR 1310-00 (CPC)
Current Status: Apr-13 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 56 2000)
Section Affected: 415B- (1 SECTION) ONLY

SB2218 SD1 HD2 CD1 (CCR 123)

RELATING TO NEW CENTURY CHARTER SCHOOLS.
Introduced by: Chumbley A, Ige D

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Requires the board of education to adopt guidelines under which new charter schools shall be reviewed by the board. -- Amends immunity from or indemnification for civil liability provisions to include members of the local school board of any new charter school. -- Amends new century charter school provisions. Requires the local school board plan to include a comprehensive assessment and accountability system and a system of financial accountability.

Increases the time the board has to review the completed implementation plan for a proposed new century charter school from 30 to 60 days. Allows a group of teachers to submit a letter of intent to the board of education for the establishment of a charter school. Requires the legislative auditor to also consider the advice of the local school board in setting the allocation of state general funds. Provides that small schools with less than 120 students shall be given a state subsidy or small school allotment as determined by the department of education. Allows the department to provide a limited start up and planning grant formulated by the auditor to a charter school upon the issuance of its charter. Also requires the auditor to consider changes to the department's budget made by the governor and to develop a methodology for allocating funds that can be applied to alternatives forms of public schools. Requires new century charter school self evaluations to include a profile of the school's enrollment and community it serves. -- SB2218 CD1

Committee Reports: SSCR 2368 (EDU) SSCR 2583 (WAM) HSCR 977-00 (EDN) HSCR 1466-00 (LAB/ FIN/) CCR 123

Current Status: May-02 00 Passed Legislature

Section Affected: 302A- (1 SECTION), 26-35.5, 302A-1182, 302A-1183, 302A-1185, 302A-1186

SB2221 SD1 HD2 CD1 (CCR 116)

RELATING TO ETHANOL.

Introduced by: Chumbley A, Matsunaga M

Provides an ethanol investment income tax credit for the investment in a qualifying ethanol production facility. Defines qualifying ethanol production as ethanol produced from renewable, organic feedstocks, or waste materials, including municipal solid waste. Requires all qualifying production to be fermented, distilled, and dehydrated at the facility. Defines qualifying ethanol production facility as a facility located in the Hawaii which produces motor fuel grade ethanol meeting the minimum specification by the American Society of Testing and Materials standard D-4806. -- Repeals the general excise tax exemption for the sale of alcohol fuels for consumption or use by the purchaser and not for resale on December 31, 2006 (sunset). -- SB2221 CD1

Committee Reports: SSCR 2036 (ECD) SSCR 2484 (WAM) HSCR 932-00 (EEP/ AGR/ EDB/) HSCR 1371-00 (FIN) CCR 116

Current Status: May-02 00 Passed Legislature

Section Affected: 235- (1 SECTION), 237-27.1

SB2254 SD1 HD2 CD1 (CCR 65)

RELATING TO PRIVACY OF HEALTH CARE INFORMATION.

Introduced by: Nakata B (BR)

Amends provisions relating to privacy of health care information by repealing the requirement that an entity may only use or disclose protected health information within the entity for the purposes of treatment or qualified health care operations. Redefines nonidentifiable health information to mean any information that would otherwise be protected health information except that the information in and of itself does not reveal the identity of the individual whose health or health care is the subject of the information and will not be used in any way that would identify the subjects of the information or would create protected health information. -- Establishes the medical privacy task force within the office of information practices. Provides that the task force shall advise and assist the office in analyzing health care information issues to draft rules to implement the requirements of the privacy of health care information law. Report to the legislature. Requires the task force to continue until terminated by the director of the office of information practices (sunset). -- SB2254 CD1

Committee Reports: SSCR 2360 (HHS) SSCR 2623 (JDC) HSCR 924-00

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(HLT) HSCR 1359-00 (CPC/ JHA/) CCR 65
Current Status: May-02 00 Passed Legislature
Section Affected: 323C-1, 323C-21, 323C-37

SB2283 SD1 HD1 CD1 (CCR 77)

RELATING TO THE PUBLIC UTILITIES COMMISSION.
Introduced by: Taniguchi B, Kanno B, Fukunaga C, Ihara L
Establishes that the public utilities commission may require the parties in any matter to participate in non binding arbitration, mediation, or other alternative dispute resolution process prior to hearing. -- SB2283 CD1
Committee Reports: SSCR 2504 (CPN) HSCR 1209-00 (CPC) CCR 77
Current Status: May-02 00 Passed Legislature
Section Affected: 269- (1 SECTION) ONLY

SB2289 SD2 (SSCR 2533)

RELATING TO PREPAID TELEPHONE CALLING SERVICE.
Introduced by: Taniguchi B, Kanno B
Establishes a general excise tax on sales of telecommunications services through prepaid telephone calling service. Provides that when a person sells prepaid telephone calling services to a licensed retail merchant, jobber, or other licensed seller for the purposes of resale the person shall be taxed as a wholesaler selling tangible personal property to a licensed retailer. Provides that all other sales shall be taxed as retail sales of tangible personal property. Provides that the taxes paid shall be in lieu of public service company taxes. -- SB2289 SD2
Committee Reports: SSCR 2141 (CPN) SSCR 2533 (WAM) HSCR 1042-00 (EDB/ CPC/) HSCR 1439-00 (FIN)
Current Status: Apr-13 00 Received by the Governor
Apr-20 00 Approved by Governor (Act 27 2000)
Section Affected: 237- (1 SECTION), 238-1

SB2293 HD1 (HSCR 1313-00)

RELATING TO INSURANCE.
Introduced by: Taniguchi B, Kanno B
Establishes that any request for approval by the insurance commissioner shall be deemed granted on the 30th day if the commissioner does not take any affirmative action to grant or deny the approval within 30 calendar days of the request. Repeals the requirement that the insurance commissioner hold public hearings on workers' compensation rate filings. -- SB2293 HD1
Committee Reports: SSCR 2429 (CPN/ LRE/) HSCR 1313-00 (CPC)
Current Status: May=02 00 Passed Legislature
Section Affected: 431:2- (1 SECTION), 431:14-120

SB2301 SD2 HD1 (HSCR 1032-00)

RELATING TO HARBORS.
Introduced by: Kawamoto C
Amends provision relating to development guidance policies of the Kakaako community development district. Requires piers 1 and 2 and certain contiguous state owned lands to be limited for maritime use. Provides definition of maritime lands to mean any public lands required for commercial and industrial activities that are dependent on being adjacent to the harbor, excluding the sand island business association industrial lease area; state boating facilities which the department of land and natural resources shall manage for their highest and best use; and lands under the jurisdiction of the Hawaii community development authority. -- SB2301 HD1
Committee Reports: SSCR 2264 (TIA/ WLH/) SSCR 2701 (WAM) HSCR 876-00 (TRN) HSCR 1032-00 (WLU) HSCR 1440-00 (FIN)
Current Status: May=02 00 Passed Legislature
Section Affected: 206E-33, 266-2

SB2303 SD2 HD2 CD1 (CCR 121)

RELATING TO HARBORS.
Introduced by: Kawamoto C
Amends public service company tax provisions to establish that portions of the

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tax revenues from passenger ticket sales from contract carriers by water engaged in the business of transporting persons between harbors or wharves of the various counties for interisland cruises shall be deposited into the general fund and portions shall be deposited into the harbor special fund and the boating special fund for specified years. Provides that moneys deposited into the harbor special fund shall be expended by the harbors division of the department of transportation and moneys deposited into the boating special fund shall be expended by the department of land and natural resources for making improvements and additions to the passenger cruise facilities identified in the Leo A. Daly Statewide Passenger Cruise Facility Study. Annual report to the legislature. -- SB2303 CD1

Committee Reports: SSCR 2212 (TIA/ ECD/) SSCR 2590 (WAM) HSCR 927-00 (TRN) HSCR 1424-00 (FIN) CCR 121

Current Status: May-02 00 Passed Legislature

Section Affected: 239-10 ONLY

SB2311 SD1 HD1 (HSCR 921-00)

RELATING TO MANDATORY USE OF SEATBELTS.

Introduced by: Kawamoto C

Amends the seat belt assembly provisions by providing that any passengers in the front seat and back seats of a motor vehicle, 14 years of age or less must be restrained by a seat belt assembly or a child passenger restraint (car seat). Further provides that any passenger between 15 and 17 years of age in the back seat of a motor vehicle must be restrained by a seat belt assembly. Increases the fine for violations from 20 dollars to 45 dollars. -- SB2311 HD1

Committee Reports: SSCR 2324 (TIA) SSCR 2666 (JDC) HSCR 921-00 (TRN) HSCR 1357-00 (JHA)

Current Status: May=02 00 Passed Legislature

Section Affected: 291-11.6 ONLY

SB2312 SD1 HD1 CD1 (CCR 122)

RELATING TO A HOISTING MACHINE OPERATORS CERTIFICATION REVOLVING FUND.

Introduced by: Kawamoto C

Appropriation to the department of labor and industrial relations for deposit into the hoisting machine operators certification revolving fund. Appropriation out of the hoisting machine operators certification revolving fund for purposes specified in provision relating to hoisting operators certification revolving fund. (\$\$) -- SB2312 CD1

Committee Reports: SSCR 2272 (CPN) SSCR 2534 (WAM) HSCR 1047-00 (LAB) HSCR 1372-00 (FIN) CCR 122

Current Status: May-02 00 Passed Legislature

SB2333 SD2 (SSCR 2748)

RELATING TO CONDOMINIUMS PROPERTY REGIMES.

Introduced by: Kanno B

Amends provision relating to priority of lien. Provides that the board of an association of apartment owners may specially assess the amount of the unpaid regular monthly common assessments for common area expenses against a person who, in a judicial or nonjudicial power of sale foreclosure, purchases a delinquent apartment. Provides criteria. Provides that the amount of the special assessment assessed shall not exceed the total amount of unpaid regular monthly common assessments that were assessed during the 6 months immediately preceding the completion of the judicial or non judicial power of sale foreclosure, and for which the association of apartment owners had filed a notice of lien against the delinquent apartment, nor shall the amount of the special assessment exceed the amount of 1,800 dollars. Defines completion and regular monthly common assessment. Act to be repealed on December 31, 2003 (sunset). -- SB2333 SD2

Committee Reports: SSCR 2416 (GOH) SSCR 2748 (CPN) HSCR 1277-00 (CPC)

Current Status: Apr-10 00 Received by the Governor

Apr-26 00 Approved by Governor (Act 39 2000)

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Section Affected: 514A-90 ONLY

SB2354 SD1 HD2 CD1 (CCR 87)

RELATING TO PUBLIC ACCESS.

Introduced by: Ihara L, Fukunaga C, Ige D, Inouye L, Levin A, Iwase R
Appropriation to the senate and house of representatives to purchase hardware and software to upgrade the legislative internal computer network. (\$\$) -- SB2354 CD1

Committee Reports: SSCR 2452 (WAM) HSCR 995-00 (LMG) HSCR 1425-00 (FIN) CCR 87

Current Status: May-02 00 Passed Legislature

SB2369 SD1 HD1 (HSCR 1341-00)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Levin A

Amends provision relating to withdrawal of funds from the public employees' retirement system. Authorizes the 1 time withdrawal of funds from the member's contributions in the event of economic hardship. Defines economic hardship. Provides that upon approval of the member's election to withdraw, all rights as a class A member shall be extinguished and the member shall become a class C member, be refunded the member's contribution, and not be required to make any further contributions. -- SB2369 HD1

Committee Reports: SSCR 2273 (CPN) SSCR 2608 (WAM) HSCR 1341-00 (LAB/ FIN/)

Current Status: May=02 00 Passed Legislature

Section Affected: 88- (1 SECTION), 88-271

SB2409 SD1 HD2 CD1 (CCR 119)

RELATING TO TAXATION.

Introduced by: Mizuguchi N

Provides a general excise tax exemption for amounts received from a person operating a call center by a person engaged in business as a telecommunications common carrier for interstate or foreign telecommunications services, including toll free telecommunications, telecommunication capabilities for electronic mail (e mail), voice, and data telecommunication, computerized telephone support, facsimile (fax), wide area telecommunication services, or computer to computer communication.

Provides that public service company tax shall not apply to such persons and businesses. Further provides that these exemptions shall not apply to gross proceeds or gross income received after June 30, 2010 (sunset). -- Amends the qualified improvement tax credit law. Redefines qualified improvement costs to be on property designated primarily for hotel or resort / commercial use by the applicable county zoning ordinances or general plan, on residential property within an area designated for hotel, resort, or time share use, or on property not so designated, but the primary purpose of which is for hotel or resort use including time share use. Repeals the transient accommodations tax credit for improvement costs. Establishes credits for improvement costs less than 1 million dollars, between 1 million and 5 million dollars, between 5 million and 10 million dollars, between 10 million and 30 million dollars, and over 30 million dollars. Repealed on January 1, 2006 (sunset). -- SB2409 CD1

Committee Reports: SSCR 2240 (ECD/ EDU/) SSCR 2551 (WAM) HSCR 1020-00 (EDB) HSCR 1406-00 (FIN) CCR 119

Current Status: May-02 00 Passed Legislature

Section Affected: 237- (1 SECTION), 239- (1 SECTION), 235D-1, 235D-2, 235D-3, 235D-4

SB2411 SD1 HD1 CD1 (CCR 52)

RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES.

Introduced by: Mizuguchi N

Authorizes the issuance of special purpose revenue bonds to assist Kauai Coffee Company, Incorporated in planning and building a processing plant for freeze dried coffee. Requires the department of budget and finance to evaluate the company's application for financing of the processing plant and report to the

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legislature. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB2411 CD1
Committee Reports: SSCR 2016 (ECD) SSCR 2735 (WAM) HSCR 934-00 (AGR) HSCR 1373-00 (FIN) CCR 52
Current Status: May-02 00 Passed Legislature

SB2419 SD1 HD1 (HSCR 1374-00)

RELATING TO CAPITAL ACCESS PROGRAM.
Introduced by: Ihara L, Fukunaga C, Chun Oakland S, Chumbley A
Establishes the capital access program law. Requires the department of business, economic development, and tourism to establish a capital access program to assist a participating financial institution in making loans to businesses and nonprofit organizations that face barriers in accessing capital. Requires an eligible financial institution to participate in the program to enter into an agreement with the department under which the department will make contributions to the institution's reserve account and specifies the criteria for a loan to qualify as a capital access loan. Provides that the participating institution making a loan shall establish a reserve account, on approval by the department and after entering into an agreement. Account to be used by the institution only to cover any losses arising from a default of a capital access loan made by the institution. Requires participating institutions to annually report to the department. Requires the department to annually report to the legislature. -- SB2419 HD1
Committee Reports: SSCR 2386 (CPN) SSCR 2535 (WAM) HSCR 917-00 (EDB) HSCR 1374-00 (FIN)
Current Status: May=02 00 Passed Legislature
Section Affected: (12 SECTIONS) CAPITAL ACCESS PROGRAM ONLY

SB2420 SD2 HD2 CD1 (CCR 113)

RELATING TO TECHNOLOGY.
Introduced by: Fukunaga C, Chumbley A, Inouye L, Iwase R, Levin A, Ihara L, Ige D, Chun Oakland S, Sakamoto N
Establishes the new economy technology scholarship pilot program within the department of business, economic development, and tourism. Allows the department to provide scholarship grants to an eligible student upon confirmation from an approved educational institution that the student has been accepted for enrollment in an approved course of study. Requires the department to establish a list of approved courses of study for the program. Requires a written agreement with the department and the student which includes the commencement of employment in this State within 1 year after completion of an approved undergraduate degree or certificate program for a period of 1 year for each year of scholarship. Establishes scholarships for bachelor's degree programs and associate and certificate programs. Annual report by the department to the governor and legislature. Appropriation. Act to be repealed on June 30, 2005 (sunset). (\$\$) -- SB2420 CD1
Committee Reports: SSCR 2376 (EDU) SSCR 2783 (WAM) HSCR 1077-00 (EDB/ HED/) HSCR 1394-00 (FIN) CCR 113
Current Status: May-02 00 Passed Legislature
Section Affected: (7 SECTIONS) NEW ECONOMY TECHNOLOGY SCHOLAR PROGRAM ONLY

SB2426 SD1 (SSCR 2043)

RELATING TO CRIME VICTIM COMPENSATION.
Introduced by: Matsunaga M, Chumbley A
Amends provisions relating to criminal injuries compensation. Adds the definition of mass casualty incident to mean an incident with multiple deceased victims, killed during a continuous course of criminal conduct. Authorizes the criminal injuries compensation commission to order the payment of compensation in cases involving a mass casualty incident for mental health counseling to or for the benefit of a relative of the deceased victim, a witness to the incident, or an individual engaged in business or educational activities at the scene of the incident. Provides that compensation to a victim shall have priority over compensation to a relative, witness, or another individual under this

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provision. -- SB2426 SD1
Committee Reports: SSCR 2043 (JDC) SSCR 2730 (WAM) HSCR 979-00
(PSM/ JHA/) HSCR 1441-00 (FIN)
Current Status: Apr-13 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 57 2000)
Section Affected: 351-2, 351-31, 351-33

SB2427 SD1 HD1 CD1 (CCR 85)

MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS.
Introduced by: Chumbley A
Appropriation to the department of public safety to be deposited into the crime victim compensation special fund for compensating victims of crime pursuant to criminal injuries compensation law. (\$\$) -- SB2427 CD1
Committee Reports: SSCR 2044 (JDC) SSCR 2775 (WAM) HSCR 1068-00
(JHA) HSCR 1442-00 (FIN) CCR 85
Current Status: May-02 00 Passed Legislature

SB2432 SD1 HD1 (HSCR 1060-00)

RELATING TO A SENTENCING SIMULATION MODEL.
Introduced by: Matsunaga M, Chumbley A
Appropriation to the department of public safety to develop, implement, and maintain a sentencing simulation model. Requires matching federal funds from the Edward Byrne memorial state and local law enforcement assistance formula grant program. (\$\$) -- SB2432 HD1
Committee Reports: SSCR 2082 (JDC) SSCR 2542 (WAM) HSCR 1060-00
(JHA/ PSM/) HSCR 1443-00 (FIN)
Current Status: May=02 00 Passed Legislature

SB2433 SD2 HD2 CD1 (CCR 126)

RELATING TO PRISONS.
Introduced by: Chumbley A, Matsunaga M, Chun Oakland S, Ihara L, Fukunaga C, Inouye L, Sakamoto N, Ige D, Iwase R
Requires the department of public safety to use a managed competition process to determine who shall operate the new state correctional facility that shall be for a 6 year interval from the date of completion of construction. Provides that at least 18 months prior to the scheduled completion of the new facility, the director of public safety, with the assistance of a committee comprising as many department of public safety managers as the director designates, representatives from the department of human resources development, and exclusive representatives of the employees of the department of public safety, shall develop an operational plan for the operation of the new facility. Provides that the director shall consult with the director of human resources development and the chief negotiator for the State to determine whether and to what extent existing collective bargaining agreement needs to be amended to allow in house implementation of the operational plan. Requires the director of public safety to revise the total cost of operating the new facility quantified in the operational plan to reflect the effect of the amendments to the existing collective bargaining agreements and compare this revised total cost to the price of the proposal determined to be most advantageous to the State. Provides that if the contract for operation of the new state correctional facility is awarded to a private contractor, the director of public safety shall appoint a state monitor to oversee all aspects of the operation of the facility and to report to the director any conditions which the monitor perceives to be a threat to the safety of the inmates, the employees, and the public. Allows the director of public safety to enter into contracts pursuant to the Hawaii public procurement code to obtain the advice and services of consultants, who shall be exempt from civil service and compensation provisions, to develop the operational plan. -- Repeals provisions relating to the development of out of state Hawaii corties and provisions relating to the contracts for construction of correctional facilities by private entities. -- Redefines agency to include any corporation, partnership, business, firm, governmental entity, or person who is providing privatized correctional services under contract with the state. -- Authorizes the governor to negotiate with any person for the development of a private correctional facility

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capable of housing both minimum and medium security inmates to be situated on lands identified as a portion of TMK 3-1-6-001-025 and 3-1-6-001-002. Requires the facility to have the capacity to accommodate a minimum of 1,700 live in inmates, offer rehabilitation and treatment programs, have sufficient classrooms, and offer a variety of programs for successful transition back to society. -- Provides that any funds appropriated for the development of a new correctional facility may be used to match federal funds as may be available. -- SB2433 CD1

Committee Reports: SSCR 2374 (JDC/ LRE/) SSCR 2776 (WAM) HSCR 1076-00 (PSM/ LAB/) HSCR 1403-00 (FIN) CCR 126

Current Status: May-02 00 Passed Legislature

Section Affected: 353-16.35, 353-16.3, 353-16.36, 96-1

SB2438

RELATING TO JUDGMENTS.

Introduced by: Matsunaga M, Chumbley A

Amends on judgment provision by allowing that the post judgment interest rate to be 10 per cent per year on the total judgment amount in any court of any civil suit in the State. -- SB2438

Committee Reports: SSCR 2674 (JDC) HSCR 1317-00 (JHA)

Current Status: Apr-26 00 Vetoed

Section Affected: 478-3 ONLY

SB2448 SD2 HD2 CD1 (CCR 97)

RELATING TO AUTISM.

Introduced by: Chun Oakland S, Tam R

Establishes the Hawaii autism center of excellence within the university of Hawaii school of medicine at Manoa. Requires the center to serve as a central clinical and academic resource for state of the art autism and autism spectrum disorder diagnostic assessment and evaluation as well as therapeutic and educational interventions, consultation, training, and applied clinical research. -- SB2448 CD1

Committee Reports: SSCR 2393 (HHS/ EDU/) SSCR 2516 (WAM) HSCR 1083-00 (HLT) HSCR 1375-00 (FIN) CCR 97

Current Status: May-02 00 Passed Legislature

Section Affected: 304- (1 SECTION) ONLY

SB2465 SD1 (SSCR 2297)

RELATING TO PORNOGRAPHY.

Introduced by: Chun Oakland S, Kanno B, Tam R, Kawamoto C, Iwase R

Amends provision relating to promoting pornography for minors. Exempts a person who commits any act specified therein in the person's capacity and within the scope of the person's employment as a member of the staff of any public library. -- SB2465 SD1

Committee Reports: SSCR 2297 (EDU) SSCR 2672 (JDC) HSCR 926-00 (EDN) HSCR 1304-00 (JHA)

Current Status: Apr-10 00 Received by the Governor

Apr-19 00 Approved by Governor (Act 21 2000)

Section Affected: 712-1215 ONLY

SB2467 SD2 HD1 CD1 (CCR 82)

RELATING TO UNLICENSED CONTRACTORS.

Introduced by: Sakamoto N

Amends contractors provisions by providing that if an investigator finds any person who has acted in the capacity of, or engaged in the business of a contractor without having a current license, and the person is or was a defendant or respondent in a separate citation or lawsuit filed with or by the department of commerce and consumer affairs, the investigator may issue a notice of forfeiture of property and the property shall be turned over to the department for disposition. Requires all proceeds generated from any forfeiture action to be deposited in the compliance resolution special fund. -- SB2467 CD1

Committee Reports: SSCR 2274 (CPN) SSCR 2671 (JDC) HSCR 1332-00 (CPC/ JHA/) CCR 82

Current Status: May-02 00 Passed Legislature

SENATE BILLS WHICH PASSED THE LEGISLATURE

Section Affected: 444- (1 SECTION), 444-23

SB2470 SD1 (SSCR 2473)

RELATING TO EDUCATION.

Introduced by: Sakamoto N

Amends the vocational education under federal aid law to the career and technical education under federal aid. Amends the Hawaii workforce development council law by changing the state board for vocational education to the state board for career and technical education. Also changes references to the Carl D. Perkins Vocational and Applied Technology Education Amendments of 1998, Public Law 105-332 to the Carl D. Perkins Vocational and Technical Education Amendments of 1998, Public Law 105-332. -- SB2470 SD1

Committee Reports: SSCR 2473 (EDU) HSCR 1328-00 (EDN)

Current Status: Apr-13 00 Received by the Governor

Apr-26 00 Approved by Governor (Act 58 2000)

Section Affected: 202-2, 305A-2, 305A-3, 305A-4, 373C-11

SB2475 SD1 HD3 CD1 (CCR 124)

RELATING TO GENDER EQUITY IN SPORTS.

Introduced by: Sakamoto N

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 subjected to discrimination in athletics offered by a public high school. -- Establishes factors that the superintendent of education and the advisory commission on gender equity in sports shall consider. -- Establishes an advisory commission on gender equity in sports within the department of education. Requires the commission to determine if any school does not exhibit substantial progress toward compliance with Title IX and may make recommendations to the board of education, the superintendent of education, and the legislature. Commission shall expire 3 years after the effective date of this Act (sunset). -- Requires the superintendent of education to define equity in athletics and recommend rules for appropriate enforcement mechanisms to ensure equity. Also requires a strategic plan containing recommendations and a timetable to achieve equity to be developed. Requires the superintendent to submit a compliance report to the legislature and the advisory commission on gender equity in sports. -- Provides that no private right of action at law shall arise under these provisions. -- SB2475 CD1

Committee Reports: SSCR 2205 (EDU) SSCR 2584 (WAM) HSCR 900-00 (EDN) HSCR 1045-00 (JHA) HSCR 1426-00 (FIN) CCR 124

Current Status: May-02 00 Passed Legislature

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

SB2477 SD1 (SSCR 2497)

RELATING TO THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS.

Introduced by: Hanabusa C (BR)

Amends provision relating to the qualifications of board members of the office of Hawaiian affairs. Requires the candidates for the office of Hawaiian affairs trustee elections to be of Hawaiian descent. Repeals the requirements that a registered voter for the board member of the office of Hawaiian affairs to be Hawaiian. -- SB2477 SD1

Committee Reports: SSCR 2497 (WLH/ JDC/) HSCR 1303-00 (JHA)

Current Status: Apr-13 00 Received by the Governor

Apr-26 00 Approved by Governor (Act 59 2000)

Section Affected: 13D-2, 13D-3

SB2480 SD1 HD1 CD1 (CCR 56)

RELATING TO ANNULMENT, DIVORCE, AND SEPARATION.

Introduced by: Hanabusa C

Amends provision relating to service of annulment, divorce, and separation. Provides that if the plaintiff, as a result of impoverishment, is unable to publish notice, the plaintiff shall file an affidavit attesting to impoverishment and to the

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fact that after due and diligent search, the whereabouts of the individual sought to be served are unknown. Provides that upon those filings, the court shall order that service be made by forwarding a certified copy of the pleadings and process to the individual at the last known address by registered or certified mail, with a return receipt requested and a directive to deliver to addressee only, sending a certified copy of the pleadings and process to the defendant's closest known relative, and by posting a copy of the pleadings and process at the courthouse in which the pleadings and process has been filed. Requires service to be completed 30 days after mailing. Provides that the plaintiff shall attest to the fact of the mailing and the date thereof by affidavit, attaching the sender's receipt for that mail and, if available, the return receipt and envelope. -- SB2480 CD1

Committee Reports: SSCR 2469 (JDC) HSCR 1296-00 (JHA) CCR 56
Current Status: May-02 00 Passed Legislature
Section Affected: 580-3 ONLY

SB2486 SD2 HD2 CD1 (CCR 98)

RELATING TO TAXATION.

Introduced by: Chun Oakland S, Levin A, Fukunaga C, Matsunaga M, Chumbley A, Ihara L, Inouye L, Iwase R

Establishes a tax on cigarettes through the use of stamps. Prohibits the sale of individual packages of cigarettes to the public without the stamp beginning April 1, 2001. Allows the department of taxation to enter into agreements to permit the sale of stamps by designated financial institutions. Establishes civil and criminal penalties. Provides that enforcement jurisdiction shall be under the attorney general. Requires the director of taxation to provide a report to the legislature on the effectiveness of this Act in reducing the loss of cigarette tax revenues to the State from the illegal sale of untaxed cigarettes. Requires the attorney general to report on the Act prior to the regular sessions of 2002 and 2003. Appropriation to the department of taxation for the start up cost for implementing the stamp tax system. Appropriation to the attorney general. (\$\$) -- SB2486 CD1

Committee Reports: SSCR 2070 (HHS) SSCR 2764 (WAM) HSCR 1073-00 (CPC/ JHA) HSCR 1376-00 (FIN) CCR 98

Current Status: May-02 00 Passed Legislature
Section Affected: 245- (22 SECTIONS) STAMPING OF CIGARETTES, 245-1, 245-3, 245-5, 245-6, 245-7, 245-8, 245-9, 245-15, 712A-5, 712A-16

SB2490 SD2 HD1 CD1 (CCR 99)

RELATING TO LONG-TERM RESIDENTIAL CARE.

Introduced by: Chun Oakland S, Kanno B, Tam R, Kawamoto C, Iwase R, Chumbley A, Fukunaga C, Ihara L, Inouye L, Ige D

Requires the executive office on aging to establish an information and referral process to serve all potential clients of licensed care homes, namely the elderly, the non elderly under age 60, and disabled persons of all ages. Provides that the process shall include a uniform initial information and referral screening using a tool to be developed by the executive office on aging. Further provides that the subcommittee on residential care of the joint legislative committee on long term care shall conduct a study on reorganizing all adult residential care homes and facilities into a new adult residential care facilities category. Encourages the subcommittee on residential care of the joint legislative committee on long term care to solicit the input of organizations concerned with long term care and providers of long term care, including facilities, homes, and hospitals. Report to the legislature. -- SB2490 CD1

Committee Reports: SSCR 2345 (HHS) SSCR 2714 (WAM) HSCR 930-00 (HSH/ HLT/) HSCR 1446-00 (FIN) CCR 99

Current Status: May-02 00 Passed Legislature
Section Affected: 349- (1 SECTION) ONLY

SB2499 SD1 (SSCR 2711)

MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES.

Introduced by: Ihara L

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Appropriation to respective heads of the legislative agencies for salary increases and other cost adjustments for the office of the auditor, ethics commission, legislative reference bureau, and ombudsman. (\$\$) -- SB2499 SD1

Committee Reports: SSCR 2711 (WAM) HSCR 994-00 (LMG) HSCR 1617-00 (FIN)

Current Status: May-02 00 Passed Legislature

SB2513 SD1 HD1 CD1 (CCR 51)

RELATING TO CONVEYANCE TAX.

Introduced by: Nakata B

Establishes the priority for the disbursement of the natural area reserve fund to be for the natural area partnership and forest stewardship programs and projects undertaken in accordance with watershed management plans or watershed management plans negotiated with private landowners. -- SB2513 CD1

Committee Reports: SSCR 2021 (WLH) SSCR 2594 (WAM) HSCR 1000-00 (WLU) HSCR 1448-00 (FIN) CCR 51

Current Status: May-02 00 Passed Legislature

Section Affected: 247-7 ONLY

SB2521 SD1 HD1 CD1 (CCR 118)

RELATING TO PROFESSIONAL SERVICE CONTRACTS.

Introduced by: Mizuguchi N, Tam R

Amends provision relating to procurement of professional services. Provides that the primary selection criteria employed by the screening committee awarding contracts for professional services shall include but not be limited to experience and professional qualifications of the staff to be assigned to the project; past performance on projects of similar scope for public agencies or private industry; and capacity to accomplish the work in the required time. Provides that contracts awarded under this provision shall be posted electronically within 7 days of the contract award by the chief procurement officer and shall remain posted for at least 1 year. Provides criteria. -- SB2521 CD1

Committee Reports: SSCR 2229 (GOH) SSCR 2600 (WAM) HSCR 1323-00 (FIN) CCR 118

Current Status: May-02 00 Passed Legislature

Section Affected: 103D-304 ONLY

SB2527 SD2 (SSCR 2625)

RELATING TO CONDOMINIUMS.

Introduced by: Ihara L

Amends provision relating to condominium management bylaws. Provides that any board of directors of a condominium association that intends to distribute proxies using association funds must post notice at least 30 days prior to distribution. Amends provision relating to proxies to include that a copy, facsimile (fax) telecommunication, or other reliable reproduction of a proxy may be used in lieu of the original proxy for any and all purposes for which the original proxy could be used; provided that any copy facsimile telecommunication, or other reproduction shall be a complete reproduction of the entire original proxy. -- SB2527 SD2

Committee Reports: SSCR 2220 (GOH) SSCR 2625 (JDC) HSCR 1279-00 (CPC)

Current Status: Apr-10 00 Received by the Governor

Apr-19 00 Approved by Governor (Act 22 2000)

Section Affected: 514A-82, 514A-83.2

SB2530 SD1 HD1 CD1 (CCR 53)

RELATING TO AGRICULTURE.

Introduced by: Inouye L, Matsuura D

Authorizes the issuance of special purpose revenue bonds with the approval of the governor, in 1 or more series, for the purpose of assisting Hawaii Gold Cacao Tree, Inc. to finance the establishment of facilities in the county of Hawaii to process cacao beans and to manufacture and produce cacao and

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chocolate products. Requires the department of budget and finance to process applications in accordance with the requirements of its formal application for financing of an industrial enterprise as it existed on October 22, 1987. Report to the legislature. Authorizes the department to issue from time to time refunding special purpose revenue bonds to refund the special purpose revenue. (\$\$) -- SB2530 CD1

Committee Reports: SSCR 2040 (ECD) SSCR 2554 (WAM) HSCR 1012-00 (AGR) HSCR 1377-00 (FIN) CCR 53

Current Status: May-02 00 Passed Legislature

SB2533 SD1 HD2 CD1 (CCR 92)

RELATING TO CRIME VICTIM COMPENSATION.

Introduced by: Chumbley A, Matsunaga M

Amends provision relating to the crime victim compensation special fund and compensation fee. Provides that the court shall impose a compensation fee upon every defendant who has entered a deferred acceptance of guilty plea or nolo contendere to a petty misdemeanor, misdemeanor, or felony to be deposited into the special fund. Further provides that the court shall waive the imposition of the compensation fee if it finds that the defendant is unable to pay. -- SB2533 CD1

Committee Reports: SSCR 2051 (JDC) SSCR 2481 (WAM) HSCR 980-00 (PSM/ JHA/) HSCR 1380-00 (FIN) CCR 92

Current Status: May-02 00 Passed Legislature

Section Affected: 351-62.5, 351-62.6, 853-1

SB2535 HD1 (HSCR 1297-00)

RELATING TO PROBATE.

Introduced by: Matsunaga M, Chumbley A

Amends provision relating to priority among persons seeking appointment as personal representative. Excludes a person aged 18 and over who would be entitled to letters but for the person's age, from persons who may nominate a qualified person to act as a personal representative. -- SB2535 HD1

Committee Reports: SSCR 2455 (JDC) HSCR 1297-00 (JHA)

Current Status: May=02 00 Passed Legislature

Section Affected: 560:3-203 ONLY

SB2536 SD1 HD2 (HSCR 1415-00)

RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT.

Introduced by: Matsunaga M, Chumbley A

Establishes the uniform principal and income Act. Outlines the fiduciary duties of a trustee of an estate or trust. -- Provides guidelines for determining the net income of an estate or trust and its distribution. -- Provides for the allocation and apportionment of receipts and disbursements during the administration of an estate or trust. Provides criteria. -- Repeals the revised uniform principal and income Act. -- SB2536 HD2

Committee Reports: SSCR 2286 (JDC) SSCR 2610 (WAM) HSCR 948-00 (JHA/ CPC/) HSCR 1415-00 (FIN)

Current Status: May=02 00 Passed Legislature

Section Affected: (32 SECTIONS) UNIFORM PRINCIPAL AND INCOME ACT, 554A-3, 557-1, 557-2, 557-3, 557-4, 557-5, 557-6, 557-7, 557-8, 557-9, 557-10, 557-11, 557-12, 557-13, 557-14, 557-15, 557-16

SB2542 SD1 (SSCR 2741)

RELATING TO STATE BONDS.

Introduced by: Fukunaga C, Levin A

Establishes provisions relating to security interest. Provides that any security interest created by a governmental unit pursuant to any authorizing statute is perfected by the adoption of the measure or measures from the date on which the measure takes effect without the need for any physical delivery, filing, or recording in any office. Further provides that the priority of any security interest shall be governed by the contractual terms set forth in the measure or measures. Prohibits any security interest having priority over an existing security interest to be created in violation of the terms of an existing measure

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governing outstanding bonds. Requires the terms of any applicable authorizing statute to govern the enforcement of any security interest to the extent that the authorizing statute contains express provisions relating to the enforcement or authorizes a governmental unit to contract with respect to enforcement. -- SB2542 SD1

Committee Reports: SSCR 2741 (WAM) HSCR 1335-00 (FIN)

Current Status: Apr-13 00 Received by the Governor

Apr-20 00 Approved by Governor (Act 28 2000)

Section Affected: 39- (4 SECTIONS) SECURITY INTERESTS ONLY

SB2545 HD1 (HSCR 1030-00)

RELATING TO GLASS RECOVERY.

Introduced by: Levin A

Amends provisions relating to glass container recovery. Requires all glass container importers, rather than only ones registered with the department of health, to maintain records reflecting the manufacture of their glass containers as well as the importation and exportation of products packaged in glass. Adds the definition of import to mean to buy, bring, or accept delivery of glass containers from an address, supplier, or any entity outside of the State. Provides that any person who violates glass container recovery provision shall be subject to an administrative action, rather than a civil action. -- SB2545 HD1

Committee Reports: SSCR 2056 (LRE) SSCR 2529 (WAM) HSCR 908-00 (EEP) HSCR 1030-00 (JHA) HSCR 1449-00 (FIN)

Current Status: May=02 00 Passed Legislature

Section Affected: 342G-81, 342G-83, 342G-88

SB2563 SD1 (SSCR 2743)

RELATING TO INSURANCE.

Introduced by: Taniguchi B, Kanno B

Amends unfair methods of competition and unfair or deceptive acts or practices in the business of insurance to include refusing to provide or limiting coverage available to an individual because the individual may have a 3rd party claim for recovery of damages. -- SB2563 SD1

Committee Reports: SSCR 2743 (CPN) HSCR 1330-00 (CPC)

Current Status: Apr-13 00 Received by the Governor

Apr-20 00 Approved by Governor (Act 29 2000)

Section Affected: 431:13-103, 663-10

SB2574 SD1 HD1 (HSCR 1404-00)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Ige D, Sakamoto N

Amends provisions relating to the special fund for special programs and activities of the community colleges by establishing provisions for the deposit of tuition and fees into the fund. -- SB2574 HD1

Committee Reports: SSCR 2300 (EDU) SSCR 2732 (WAM) HSCR 879-00 (HED) HSCR 1404-00 (FIN)

Current Status: May=02 00 Passed Legislature

Section Affected: 305-4 ONLY

SB2576 SD2 HD1 CD1 (CCR 106)

RELATING TO STATE OWNED PUBLIC HOUSING.

Introduced by: Tam R

Establishes the resident advisory board provision. Provides that the housing and community development corporation, upon consultation with the state election office and with oversight conducted by an independent monitor, may establish a resident advisory board for advising the corporation in matters relating to the planning and administration of housing programs, and complying with the quality housing and work responsibility Act of 1998. Provides that the board shall be composed of no more than 21 members representing by percentage, federal, section 8, State, and senior citizen housing projects as deemed appropriate by the corporation. Provides that the corporation shall recognize any jurisdiction wide resident council, as defined under federal law, that requests to be designated as a resident advisory board. Requires the board and the resident advisory board to report annually to the legislature.

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Establishes provision relating to notice of vacancies. Requires the corporation to send notices of board vacancies to each occupied housing project unit. Establishes the resident advisory board nomination of board members. Requires the resident advisory board to compile a list of 5 individuals for the governor's consideration for appointment to the board. Provides criteria. Adds the definitions of public housing resident, and tenant based section 8 recipient. Changes the public members of the board from 9 to 12 and limiting the tenant representatives to 2 year terms. Requires the governor to appoint 3 public members representing public housing from the list of candidates compiled by the resident advisory board. Changes the number of members that shall constitute a quorum from 5 to 7. -- SB2576 CD1

Committee Reports: SSCR 2268 (GOH) SSCR 2706 (WAM) HSCR 897-00 (HSH) HSCR 1450-00 (FIN) CCR 106

Current Status: May-02 00 Passed Legislature

Section Affected: 201G- (3 SECTIONS), 201G-1, 201G-3

SB2579 SD1 HD2 CD1 (CCR 103)

RELATING TO HOUSING.

Introduced by: Tam R (BR)

Establishes the special needs housing special fund to be administered by the housing and community development corporation of Hawaii to provide funds for purchase, renovation, or construction of supportive housing for persons with mental illnesses and substance abuse addictions in the homeless population. Provides that all interest earned or accrued on money deposited in the fund shall become part of the fund. Exempts the special needs housing special fund from contributing to central service and administrative expenses of the government. -- SB2579 CD1

Committee Reports: SSCR 2231 (HHS) SSCR 2521 (WAM) HSCR 1025-00 (HSH/ HLT/) HSCR 1405-00 (FIN) CCR 103

Current Status: May-02 00 Passed Legislature

Section Affected: 201G- (1 SECTION), 36-27, 36-30

SB2607 SD1 HD3 (HSCR 1378-00)

RELATING TO THE COMMISSION ON THE STATUS OF WOMEN.

Introduced by: Hanabusa C

Establishes a commission on the status of women trust fund to financially support the programs of the commission on the status of women. Provides that the fund shall be a private charitable trust fund to be administered by a private trust company. -- Changes the duties of the commission to the powers and duties of the commission. Repeals the requirement of the commission to accumulate, compile, and publish information concerning instances of actual discrimination, and discrimination in the law, against women; to cooperate with the department of labor and industrial relations and other state agencies and appropriate federal offices and agencies in correcting unlawful employment practices, in public and private employment, involving discrimination because of sex; and to seek improvements in educational and counseling programs and policies to meet the needs of girls and women in order to better prepare them for their roles in the home and community. -- SB2607 HD3

Committee Reports: SSCR 2129 (HHS) SSCR 2715 (WAM) HSCR 909-00 (LAB) HSCR 1046-00 (JHA) HSCR 1378-00 (FIN)

Current Status: May=02 00 Passed Legislature

Section Affected: 367- (1 SECTION), 367-1, 367-3

SB2621 SD1 HD2 (HSCR 1281-00)

RELATING TO HEALTH.

Introduced by: Iwase R

Establishes provision relating to health care facilities; report of fireworks incidents. Provides that health care facilities in this State shall report all incidents of injuries and fatalities caused by legal and illegal fireworks to the department of health and the police department of the county in which the person was attended or treated. Provides that all reports shall be in writing or in the manner specified by the department of health. Provides that the term health care facilities shall include, but is not limited to health care facilities that are

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commonly referred to as hospitals, nursing homes, skilled nursing facilities, emergency care facilities and centers, home health agencies, and others providing similarly organized services regardless of nomenclature. -- SB2621 HD2

Committee Reports: SSCR 2361 (HHS) SSCR 2646 (TIA) HSCR 1039-00 (HLT) HSCR 1281-00 (JHA)
Current Status: May=02 00 Passed Legislature
Section Affected: 132D- (1 SECTION) ONLY

SB2635

RELATING TO HIGHWAYS.

Introduced by: Mizuguchi N (BR)

Amends the prohibition of vending from state highways provisions. Repeals specification to state highways. Adds the risk of creating a hazardous condition or public nuisance. Defines highway as the entire width, including the beam and shoulder of a public highway. Changes the violation to a petty misdemeanor with a maximum fine of 1,000 dollars or imprisonment of not more than 30 days, or both. -- SB2635

Committee Reports: SSCR 2111 (TIA) SSCR 2628 (JDC) HSCR 880-00 (TRN) HSCR 1305-00 (JHA)
Current Status: Apr-10 00 Received by the Governor
Apr-19 00 Approved by Governor (Act 23 2000)
Section Affected: 264-101, 264-102

SB2655 SD2 HD2 CD1 (CCR 66)

RELATING TO HEALTH.

Introduced by: Chun Oakland S, Kanno B

Amends provisions relating to patients bill of rights. Allows an enrollee to request an internal review of the enrollee's complaint or the external review of the managed care plan's final internal determination. Authorizes an expedited appeal if the application of a 45 day standard review time frame may seriously jeopardize the life or health of the enrollee; seriously jeopardize the enrollee's ability to gain maximum functioning; or subject the enrollee to severe pain that cannot be adequately managed without the care or treatment that is the subject of the expedited appeal. Defines appointed representative, expedited appeal, external review, health care provider, independent review organization, internal review, and medical necessity. Provides that a managed care plan shall decide any expedited appeal as soon as possible after receipt of the complaint. Authorizes an enrollee, or the enrollee's treating provider or appointed representative to file a request for external review of a managed care plan's final internal determination after exhausting all internal complaint and appeal procedures available. -- Authorizes the insurance commissioner to retain an independent medical expert, exempt from civil service and compensation provisions and retain services of an independent review organization from an approved list maintained by the commissioner. -- Amends Act 178, session laws of 1998, by increasing the maximum membership allowed for the Hawaii patient bill of rights and responsibilities task force. -- Requires a health intervention to be covered if it is an otherwise covered category of service, not specifically excluded, recommended by the treating licensed health care provider, and determined by the health plan's medical director to be medically necessary. -- SB2655 CD1

Committee Reports: SSCR 2347 (HHS) SSCR 2689 (CPN) HSCR 884-00 (HLT) HSCR 1071-00 (CPC) HSCR 1452-00 (FIN) CCR 66
Current Status: May-02 00 Passed Legislature
Section Affected: 432E- (1 SECTION), 432E-1, 432E-5, 432E-6, ACT 178 1998, 432E- (1 SECTION)

SB2667 HD1 (HSCR 1299-00)

RELATING TO NO CANDIDATES FILED FOR AN ELECTIVE OFFICE.

Introduced by: Mizuguchi N

Provides that if after the close of filing for an elective office there are no candidates who have filed nomination papers for the primary, special primary,

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or any special election held in conjunction with the primary election, the chief election officer or clerk, in the case of a county election, shall accept nomination papers for that office no later than 4:30 p.m. on the 50th day prior to the primary, special primary, or special election. -- SB2667 HD1
Committee Reports: SSCR 2457 (JDC) HSCR 1299-00 (JHA)
Current Status: May=02 00 Passed Legislature
Section Affected: 12- (1 SECTION) ONLY

SB2670 HD1 (HSCR 1300-00)

RELATING TO ELECTIONS.

Introduced by: Mizuguchi N

Amends the arrangement of names on the ballot provision. Provides that immediately to the left of (before) or to the right of (after) the candidate name or names, according to the requirements of the voting system, 2 vertical lines shall be ruled, so that in conjunction with horizontal lines, a box shall be formed to the left of or to the right of the name. -- SB2670 HD1

Committee Reports: SSCR 2458 (JDC) HSCR 1300-00 (JHA)

Current Status: May=02 00 Passed Legislature

Section Affected: 11-115 ONLY

SB2692 SD2 HD2 CD1 (CCR 93)

RELATING TO SALARIES.

Introduced by: Mizuguchi N (BR)

Provides that the administrative director and the deputy administrative director shall receive salaries no greater than provided in provision relating to administrative director of the State and shall be determined by the chief justice based upon merit and other relevant factors effective July 1, 2000. Provides that the salary levels of the administrative director and deputy administrative director shall be disclosed in the judiciary's annual budget submission to the legislature. -- SB2692 CD1

Committee Reports: SSCR 2086 (JDC) SSCR 2613 (WAM) HSCR 1017-00 (JHA) HSCR 1395-00 (FIN) CCR 93

Current Status: May-02 00 Passed Legislature

Section Affected: 601-3 ONLY

SB2706 SD1 HD2 CD1 (CCR 111)

RELATING TO TAXATION.

Introduced by: Kawamoto C

Provides an aircraft operating lease investment income tax credit of 2 per cent of the lease rent paid by the lessee to a lessor for an aircraft under an operating lease. -- SB2706 CD1

Committee Reports: SSCR 2680 (TIA/ WAM/) HSCR 894-00 (TRN/ EDB/) HSCR 1427-00 (FIN) CCR 111

Current Status: May-02 00 Passed Legislature

Section Affected: 235- (1 SECTION) ONLY

SB2711 SD1 HD1 CD1 (CCR 70)

RELATING TO ADMINISTRATIVE PROCEDURE.

Introduced by: Inouye L

Establishes provision relating to repeal of administrative rules. Provides any administrative rule that has been adopted pursuant to a state statute or county ordinance that have been repealed shall be repealed within 6 months, without regard to the notification requirements. Exempts any administrative rule that has been adopted pursuant to a federal statute or regulation from the requirements of this provision. -- Establishes provision relating to rules with minimum impact required by federal provisions. Requires rules adopted to comply with federal provisions to impose the minimum regulatory requirements necessary. Provides that rules imposing regulatory requirements in excess of those necessary to comply with federal law may be adopted if the state or county agency includes a written statement of justification when the rules are submitted for approval to the governor or mayor of the county, and make the rules and the written statement of justification available for review by the mayor of the county, legislature, or governor. -- Establishes provision relating to rulemaking procedure. Provides that when making, amending, or repealing

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rules, the head of the agency is responsible for ensuring that the rules developed are in concert with the spirit and intent of the law and shall designate a representative to provide assistance in fulfilling this responsibility. -- SB2711 CD1

Committee Reports: SSCR 2459 (JDC) HSCR 1035-00 (EDB) HSCR 1278-00 (CPC) CCR 70

Current Status: May-02 00 Passed Legislature

Section Affected: 91- (3 SECTIONS) ONLY

SB2716 SD1 HD1 CD1 (CCR 109)

RELATING TO TAXATION.

Introduced by: Sakamoto N

Amends general excise tax provisions to provide that sales by a printer to a publisher of magazines or similar printed materials containing advertisements, when the publisher is under contract with advertisers to distribute a minimum number of magazines or similar printed materials to the public or defined segment of the public whether or not there is a charge to the persons who actually receive the magazines or similar printed materials shall be considered sales at wholesale. Provides a use tax exemption for a publisher of magazines or similar printed materials containing advertisements, when the publisher is under contract with advertisers to distribute a minimum number of magazines or similar printed materials to the public or defined segment of the public whether or not there is a charge to the persons who actually receive the magazines or similar printed materials. -- SB2716 CD1

Committee Reports: SSCR 2664 (WAM) HSCR 918-00 (EDB) HSCR 1407-00 (FIN) CCR 109

Current Status: May-02 00 Passed Legislature

Section Affected: 237-4, 238-2

SB2722 SD1 HD2 CD1 (CCR 73)

RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM.

Introduced by: Anderson W, Hanabusa C, Chun J, Tanaka J

Establishes the Hawaiian language immersion law. Provides that the Hawaiian language immersion program may be a complete educational program or schooling experience provided to students in the medium of Hawaiian language.

Allows the department of education to create a separate office of Hawaiian language immersion instruction to direct and control the program. Provides that when 15 or more qualified children in any 1 departmental school district wish to enroll in the program, the superintendent of education may provide facilities or provide transportation to the nearest site. Amends teachers with special assignments to include Hawaiian language immersion teachers. -- SB2722 CD1

Committee Reports: SSCR 2253 (WLH/ EDU/) SSCR 2585 (WAM) HSCR 976-00 (EDN) HSCR 1409-00 (FIN) CCR 73

Current Status: May-02 00 Passed Legislature

Section Affected: (6 SECTIONS) HAWAIIAN LANGUAGE IMMERSION, 302A-630, 302A-1128, 302A-1143

SB2729 SD1 HD2 CD1 (CCR 78)

RELATING TO SERVICE CONTRACTS.

Introduced by: Taniguchi B

Establishes the service contracts law. Defines service contract to mean a contract or agreement for a separately stated consideration and specific duration to perform or indemnify the repair, replacement, or maintenance of property for operational or structural failure due either to a defect in materials or workmanship or to normal wear and tear with or without additional provision for incidental payment or indemnity under limited circumstances including towing, rental, and emergency road service. Provides exemption from the insurance code. Provides that service contract providers fees shall not be subject to premium taxes and that contractual insurance policies shall be subject to premium taxes. Requires registration of providers by the insurance commissioner and establishes registration and certificate of authority fees. -- SB2729 CD1

Committee Reports: SSCR 2744 (CPN) HSCR 985-00 (CPC) HSCR 1418-00

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(FIN) CCR 78
Current Status: May-02 00 Passed Legislature
Section Affected: (12 SECTIONS) SERVICE CONTRACTS, 431:1-209,
431:7-101

SB2731 SD1 HD2 (HSCR 1379-00) RELATING TO INSURANCE.
Introduced by: Taniguchi B
Amends insurance provisions relating to administrative refunds of any insurance tax, fee, or other charge being made out of the insurance regulation funds by providing that a tax refund shall be payable out of the general fund. -- SB2731 HD2
Committee Reports: SSCR 2258 (CPN) SSCR 2740 (WAM) HSCR 940-00 (CPC) HSCR 1379-00 (FIN)
Current Status: May=02 00 Passed Legislature
Section Affected: 431:7-203 ONLY

SB2736 SD2 HD1 (HSCR 1324-00) RELATING TO KIKALA-KEOKEA.
Introduced by: Levin A
Amends Act 242, session laws of 1991 by changing low interest loans to residents who have suffered the loss of their homes and lands to the devastating effects of the continued volcanic eruptions on the island of Hawaii to funds for the development of infrastructure at Kikala Keokea. Appropriation to the department of land and natural resources, rather than the housing finance and development corporation, to provide funding for infrastructure development to benefit residents of Hawaiian ancestry at Kalapana. Establishes an infrastructure development fund to be administered by the department of land and natural resources. Provides that all funding commitments to complete the design and construction of infrastructure improvements shall be executed before any moneys can be disbursed. (\$\$) -- SB2736 HD1
Committee Reports: SSCR 2093 (WLH) SSCR 2596 (WAM) HSCR 1324-00 (FIN)
Current Status: May=02 00 Passed Legislature
Section Affected: ACT 242 1991 ONLY

SB2741 HD2 CD1 (CCR 74) RELATING TO THE STATE WATER CODE.
Introduced by: Mizuguchi N (BR)
Amends Act 101, session laws of 1998 by extending the date required by the chairperson of the board of agriculture to submit the state agricultural water use and development plan to the legislature from 2000 to 2002. -- SB2741 CD1
Committee Reports: SSCR 2169 (WLH/ ECD/) HSCR 1014-00 (AGR/ WLU/) HSCR 1396-00 (FIN) CCR 74
Current Status: May-02 00 Passed Legislature
Section Affected: ACT 101 1998 ONLY

SB2742 RELATING TO PORK.
Introduced by: Mizuguchi N (BR)
Repeals provision relating to labeling to pork products under the advertising and marketing law. -- SB2742
Committee Reports: SSCR 2113 (ECD) SSCR 2721 (WAM) HSCR 886-00 (AGR) HSCR 1026-00 (CPC) HSCR 1453-00 (FIN)
Current Status: Apr-13 00 Received by the Governor
Apr-20 00 Approved by Governor (Act 30 2000)
Section Affected: 148-31 ONLY

SB2745 SD1 HD2 (HSCR 1397-00) RELATING TO AQUACULTURE.
Introduced by: Mizuguchi N (BR)
Establishes provisions relating to fees for aquaculture services. Authorizes the department of agriculture to establish and assess fees for aquatic animal and plant health diagnostic services, and for any items or expert services purchased from the department related to aquaculture planning, disease management, and

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the marketing of seafood products. Establishes the aquaculture development special fund to implement the aquatic disease management programs and activities of the department, including provision of state funds to match federal grants; and to support research and development programs and activities relating to expansion of the state aquaculture industry. Appropriation out of the aquaculture development special fund to the department of agriculture. (\$\$) -- SB2745 HD2

Committee Reports: SSCR 2243 (ECD) SSCR 2556 (WAM) HSCR 1015-00 (AGR/ OMR/) HSCR 1397-00 (FIN)

Current Status: May=02 00 Passed Legislature

Section Affected: 141- (2 SECTIONS) ONLY

SB2758 SD1 HD2 (HSCR 1398-00)

RELATING TO CHILD SUPPORT ENFORCEMENT.

Introduced by: Mizuguchi N (BR)

Amends provision relating to assignment by court order of future income for payments of support. Provides that the order of assignment to the child support enforcement agency shall be in the standard format prescribed by the Social Security Act, as amended by the child support enforcement agency. Provides that the order of assignment shall be effective immediately after service upon an employer of a true copy of the order, which service may be effected by regular mail, by personal delivery, or transmission by electronic means. Provides that an employer withholding income for payment to the child support enforcement agency shall terminate such withholding upon receipt of a notice from the child support enforcement agency to terminate income withholding. -- SB2758 HD2

Committee Reports: SSCR 2470 (JDC) HSCR 968-00 (JHA) HSCR 1398-00 (FIN)

Current Status: May=02 00 Passed Legislature

Section Affected: 571-52, 571-52.2, 576B-101, 576B-501, 576D-14, 576E-16

SB2766 SD1 HD1 (HSCR 1210-00)

RELATING TO CONDOMINIUM PROPERTY REGIMES.

Introduced by: Mizuguchi N (BR)

Establishes provision relating to conformance with county land use ordinances.

Requires any condominium property regime to conform to county zoning for the property and all applicable county permitting requirements, including supplemental rules and regulations. Provides that in the case of a property which includes 1 or more existing structures being converted to condominium status, the condominium property regime shall comply with provisions relating to recordation and contents of declaration and final reports. -- Amends provision relating to the recordation and contents of declaration, within the condominium property regime laws. Requires any declaration under penalty of law that the condominium property regime is in compliance with all zoning, building ordinances, codes and all other permitting requirements, except a project registered pursuant to the notification of intention provision. -- Amends provision relating to final reports, by including the declaration of compliance requirement. -- SB2766 HD1

Committee Reports: SSCR 2164 (TIA) SSCR 2683 (GOH) HSCR 1210-00 (CPC)

Current Status: May=02 00 Passed Legislature

Section Affected: 514A- (1 SECTION), 514A-11, 514A-40

SB2779 SD1 HD2 CD1 (CCR 59)

RELATING TO STATE ENTERPRISE ZONES.

Introduced by: Mizuguchi N (BR)

Amends provision relating to state enterprise zones by establishing the definition of call center to mean a business providing service at an establishment in which customer and technical support service for computer hardware and software companies, manufacturing companies, credit collection services, product fulfillment services, or disaster management services, are provided by telephone; provided that the business shall not include telemarketing or sales. Amends the definition of enterprise zone, qualified

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business, service business, and telecommunications services. Amends the eligibility provision to include qualified business, sales of property or service. Provides that a business may be eligible to be designated a qualified business on a yearly basis by obtaining the approval of the applicable governing county body and department of business, economic development and tourism upon providing satisfactory proof that the business firm is eligible to be a qualified business. Requires the department of business, economic development, and tourism to certify annually to the department of taxation any qualified business that is exempt from the payment of general excise taxes for the engaging in research, development, sale, or production of all types of genetically engineered medical, agricultural, or maritime biotechnology products. -- SB2779 CD1
Committee Reports: SSCR 2176 (ECD) SSCR 2549 (WAM) HSCR 1021-00 (EDB) HSCR 1381-00 (FIN) CCR 59
Current Status: May-02 00 Passed Legislature
Section Affected: 209E-2, 209E-9, 209E-11

SB2781 SD2 HD2 CD1 (CCR 117)

RELATING TO TAXATION.
Introduced by: Mizuguchi N (BR)
Provides a hotel construction and remodeling income tax credit of 4 per cent of the construction or renovation costs incurred during the taxable year for each qualified hotel facility located in Hawaii. Tax credit applies from December 31, 1998, until December 31, 2002 (sunset). -- Provides a general excise tax exemption for amounts received from a person operating a call center by a person engaged in business as a telecommunications common carrier for interstate or foreign telecommunications services, including toll free telecommunications, telecommunication capabilities for electronic mail (e mail), voice, and data telecommunication, computerized telephone support, facsimile (fax), wide area telecommunication services, or computer to computer communication. Provides that public service company tax shall not apply to such persons and businesses. Further provides that these exemptions shall not apply to gross proceeds or gross income received after June 30, 2010 (sunset). -- SB2781 CD1
Committee Reports: SSCR 2177 (ECD) SSCR 2615 (WAM) HSCR 1033-00 (EDB) HSCR 1399-00 (FIN) CCR 117
Current Status: May-02 00 Passed Legislature
Section Affected: 235- (1 SECTION), 237- (1 SECTION), 239- (1 SECTION)

SB2785 SD1 HD1 (HSCR 914-00)

RELATING TO UNCLAIMED PROPERTY.
Introduced by: Mizuguchi N (BR)
Establishes the unclaimed property trust fund, which shall be administered by the director of finance, to pay claims for return of abandoned property to their rightful owners and to other states' unclaimed property programs for owners whose last known address was in that other state. Provides that all moneys collected by the unclaimed property program from holders, and proceeds from the sale of unclaimed property less costs in connection with the sale of the abandoned property shall be deposited into the unclaimed property trust fund. -- Amends provision relating to deposit of funds within the unclaimed property law by replacing general fund with unclaimed property trust fund. Provides that all funds in excess of 1 million remaining on balance in the unclaimed property trust fund on June 30 of each year shall lapse to the credit of the state general fund. Appropriation to the department of budget and finance for the purpose of satisfying claims for return of abandoned property. (\$\$) -- SB2785 HD1
Committee Reports: SSCR 2434 (WAM) HSCR 914-00 (JHA) HSCR 1454-00 (FIN)
Current Status: May=02 00 Passed Legislature
Section Affected: 523A- (1 SECTION), 523A-23, 523A-24

SB2791 HD1 (HSCR 1152-00)

MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS

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DUE TO THE FEDERAL GOVERNMENT.

Introduced by: Mizuguchi N (BR)

Appropriation to the department of budget and finance for the return to the federal government of the federal share of health insurance rate credits and rebates received by the State. (\$\$) -- SB2791 HD1

Committee Reports: SSCR 2464 (WAM) HSCR 1152-00 (FIN)

Current Status: May=02 00 Passed Legislature

SB2808 HD2 (HSCR 1382-00)

RELATING TO THE CONSUMER ADVOCATE.

Introduced by: Mizuguchi N (BR)

Exempts the division of consumer advocacy from the provision prohibiting departments other than the attorney general to employ attorneys by contract or otherwise. Provides that the director of commerce and consumer affairs may appoint or retain without regard to civil service law and compensation law attorneys to provide legal services for the division of consumer advocacy.

Further provides that nothing in this provision precludes the director from requesting and securing legal services from the attorney general and the department of the attorney general. Appropriation to the department of commerce and consumer affairs to hire 2 staff attorneys for the division. (\$\$) -- SB2808 HD2

Committee Reports: SSCR 2207 (CPN) SSCR 2537 (WAM) HSCR 983-00 (CPC) HSCR 1382-00 (FIN)

Current Status: May=02 00 Passed Legislature

Section Affected: 28-8.3, 269-53

SB2814 SD1 (SSCR 2507)

RELATING TO INSURANCE.

Introduced by: Mizuguchi N (BR)

Amends domestic insurer provisions to establish provisions for proxies, consents, and authorizations of domestic stock insurers. -- Amends motor vehicle insurance. Includes provisions for self insurers. Defines alternative care provider, anesthetist, and medical fee schedule. Prohibits identification card to be issued for a period exceeding the paid premium period. Excludes motor vehicles insured under the joint underwriting plan from the driver's education fund assessment. -- Amends holding company provisions to define executive officer, statement, and ultimate controlling person. Amends insurer's surplus provisions. -- Amends mass merchandising provisions. Amends the provision that provides that upon termination of employment or upon the termination of the mass merchandising agreement, an insured employee shall have an option of continuing the employee's individual policy then in force for a period of 1 year upon payment of the applicable premium by providing that the terms, conditions, and coverages for the 1 year period are those that were effective on the date of termination and shall not be more restrictive than those contained in the mass merchandising agreement, the group policy, or the individual policy in force immediately prior to the date of termination. Provides that the establishment and maintenance of an office by any licensed general agent of an insurer shall meet the requirements of these provisions. -- SB2814 SD1

Committee Reports: SSCR 2507 (CPN) HSCR 1280-00 (CPC)

Current Status: Apr-10 00 Received by the Governor

Apr-19 00 Approved by Governor (Act 24 2000)

Section Affected: 431:4- (17 SECTIONS) PROXIES, CONSENTS, AND AUTHORIZATIONS OF DOMESTIC STOCK INSURERS, 431:10C- (8 SECTIONS), 431:10C-103, 431:10C-105, 431:10C-107, 431:10C-115, 431:11-102, 431:11-103, 431:11-106, 431:12-105, 431:12-115

SB2819 SD1 HD1 CD1 (CCR 79)

RELATING TO INSURANCE.

Introduced by: Mizuguchi N (BR)

Amends life insurance provisions. Establishes provisions for policy illustrations and replacement of life insurance policies and annuities. -- SB2819 CD1

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Committee Reports: SSCR 2508 (CPN) HSCR 1315-00 (CPC) CCR 79
Current Status: May-02 00 Passed Legislature
Section Affected: 431:10D- (12 SECTIONS) LIFE INSURANCE POLICY
ILLUSTRATIONS, 431:10D- (10 SECTIONS)
REPLACEMENT OF LIFE INSURANCE POLICIES AND
ANNUITIES

SB2830

RELATING TO EMPLOYMENT OF SCHOOL PRINCIPALS AND VICE PRINCIPALS.

Introduced by: Mizuguchi N (BR)

Replaces acting principal with vice principal for credentialing requirements. -- SB2830

Committee Reports: SSCR 2499 (EDU) HSCR 1329-00 (EDN/ LAB/)

Current Status: Apr-13 00 Received by the Governor

Apr-20 00 Approved by Governor (Act 31 2000)

Section Affected: 302A-605 ONLY

SB2837 SD1 HD2 CD1 (CCR 55)

RELATING TO EDUCATIONAL ACCOUNTABILITY.

Introduced by: Mizuguchi N (BR)

Amends the educational assessment and accountability provisions by repealing assessment. Requires the department of education to implement a comprehensive system of educational accountability to motivate and support the improved performance of students and the education system. Provides that the accountability system include student accountability; school or collective professional accountability; individual professional accountability for teachers, principals, and other employees; and public accounting for other significant partners to the education process. Provides that the system develop a collaborative process with stakeholders, including representatives of appropriate bargaining units, parents, administration and students. Also provides that the system invoke a full and balanced set of appropriate consequences for observed performance; involve a statewide student assessment program that provides annual data on student, school, and system performance at selected benchmark grade levels in terms of student performance relative to statewide content and performance standards and embodies high and rigorous expectations for the attainment of all students and involve an annual assessment in core subjects for each grade level, as conducted by each school; require that teachers and administrators engage in continuous growth and development; and establish an explicit link between professional evaluation results and individual accountability through professional development of the knowledge, skill, and professional behavior necessary to the position, by requiring that results of the professional evaluation be used by the department to prescribe professional development focus and content. Requires the annual report to the legislature, governor, and board of education to include each school's standards implementation design. -- Repeals the sunset date of school by school assessment of educational outcomes. -- Provides that the superintendent of education is responsible for the development and implementation of educational accountability system. -- Provides that negotiations under collective bargaining shall be between the superintendent or the superintendent's designee and the respective exclusive representative and shall be limited to the impact on personnel arising from the superintendent's decision in implementing the system. -- Amends Act 74, session laws of 1999, to require the department to report to the legislature and the governor on the status of the implementation of the educational accountability system. -- SB2837 CD1

Committee Reports: SSCR 2379 (EDU/ LRE/) SSCR 2586 (WAM) HSCR 978-00 (EDN) HSCR 1362-00 (LAB/ FIN/) CCR 55

Current Status: May-02 00 Passed Legislature

Section Affected: 302A-1004, ACT 74 1999

SB2838 SD1 HD1 CD1 (CCR 114)

RELATING TO THE STATE INTERNET PORTAL.

Introduced by: Mizuguchi N (BR)

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Defines internet portal to mean the centralized electronic information system by which information is provided via dial in modem or continuous link to the public through subscription or through public libraries. Defines portal manager to mean the entity or person engaged to manage and operate the internet portal in behalf of the state of Hawaii. Establishes the access Hawaii committee within the office of the governor. Provides that the governor's special advisor for technology development shall serve as the chairperson of the committee. Requires the committee to provide oversight of the portal manager; advise and assist the Hawaii state public library system in providing access to the internet portal; and submit an annual report to legislature. Provides that the committee shall cease to exist on June 30, 2003 (sunset). Provides that government agencies may charge for value added electronic services. Appropriation to the Hawaii state public library system. (\$\$) -- SB2838 CD1

Committee Reports: SSCR 2304 (EDU) SSCR 2778 (WAM) HSCR 896-00 (EDB) HSCR 1455-00 (FIN) CCR 114

Current Status: May-02 00 Passed Legislature

SB2843 HD2 CD1 (CCR 75)

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED.

Introduced by: Mizuguchi N (BR)

Amends the Hawaiian homes commission Act. Provides that the department of Hawaiian home lands is expressly authorized to negotiate, prior to negotiations with the general public, the disposition of Hawaiian home lands or any improvements thereon to a native Hawaiian or an organization or association owned or controlled by native Hawaiians for commercial, industrial, or other business purposes, in accordance with public lands provision. -- SB2843 CD1

Committee Reports: SSCR 2025 (WLH) SSCR 2560 (WAM) HSCR 1058-00 (JHA) HSCR 1383-00 (FIN) CCR 75

Current Status: May-02 00 Passed Legislature

Section Affected: HAWAIIAN HOMES COMMISSION ACT 1920 204 ONLY

SB2849 HD1 (HSCR 1282-00)

RELATING TO REVIEW HEARINGS.

Introduced by: Mizuguchi N (BR)

Amends provision relating to child protective review hearings by redefining the period when the child has been residing outside of the family home to include from the initial date of entry into out of home care. -- SB2849 HD1

Committee Reports: SSCR 2428 (HHS) HSCR 950-00 (HSH) HSCR 1282-00 (JHA)

Current Status: Apr-28 00 Received by the Governor

Section Affected: 587-72 ONLY

SB2850 SD1 HD2 CD1 (CCR 67)

RELATING TO KINSHIP CARE.

Introduced by: Mizuguchi N (BR)

Authorizes the department of human services to develop standards relating to kinship boarding homes that shall be apart from other foster care placement standards and eligibility requirements and the same as for non relative homes, with some exceptions for requirements not related to safety. Provides that the department shall develop procedures for obtaining verifiable information regarding the criminal history of persons who are seeking to serve as operators of kinship boarding homes, including but not limited to criminal history record checks. Further provides that any person who desires to serve as an operator of a kinship boarding home shall submit a signed statement indicating whether the person was ever convicted of an offense for which incarceration is a sentencing option, and the details thereof; provide consent to the department to conduct and obtain criminal history record check; and be fingerprinted. Authorizes the department to deny the request to allow the person to operate a kinship boarding home. Defines kinship boarding home to mean any boarding home in which a child is placed with the child's consanguineous father or mother, grandparent, brother, sister, aunt, uncle, or 1st cousin, who provides care and maintenance to the related child apart from the child's parents or

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guardians on a 24 hour basis for a fee or charge. -- SB2850 CD1
Committee Reports: SSCR 2431 (HHS) HSCR 912-00 (HSH) HSCR 1031-00
(JHA) HSCR 1456-00 (FIN) CCR 67
Current Status: May-02 00 Passed Legislature
Section Affected: 346- (1 SECTION), 346-16

SB2858 SD1 (SSCR 2766)

MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM.
Introduced by: Mizuguchi N (BR)
Appropriation to the department of human services for health care payments for aged, blind and disabled medicaid recipients. (\$\$) -- SB2858 SD1
Committee Reports: SSCR 2366 (HHS) SSCR 2766 (WAM) HSCR 1150-00 (FIN)
Current Status: Apr-13 00 Received by the Governor
Apr-20 00 Approved by Governor (Act 32 2000)

SB2859 SD1 HD1 CD1 (CCR 115)

RELATING TO PUBLIC EMPLOYMENT.
Introduced by: Mizuguchi N (BR)
Amends provision relating to the department of human resources development by repealing the director's authority to adopt rules exercised by the civil service commission. Repeals the civil service commission and replaces it with a merit appeals board that shall consist of 3 members appointed by the governor. Provides that nothing in this provision shall be construed to affect the civil service laws applicable to the several counties, the judiciary, or the Hawaii health systems. Provides that the merit appeals board of each jurisdiction shall decide appeals from any action taken by the chief executive, the director, an appointing authority, or a designee acting on behalf of 1 of these individuals, relating to recruitment and examination; classification and reclassification of a particular position; initial pricing of classes; and other employment actions under this provision. Establishes a special fund which shall consist of 2 separate accounts. Provides that revenues received by the department of human resources development as a result of entrepreneurial efforts in securing new sources of funds not provided for in the department's budget for services rendered by the department shall be deposited into the entrepreneurial account and expended for the department's related activities and programs. Further provides that all revenues received by the department from the charging of participant fees for in service training, that are in addition to general fund appropriations in the department's budget for developing and operating in service training programs, shall be deposited into the in service training account and expended for the department's training activities and programs. Establishes classification provision. Requires each director to establish, implement, and maintain 1 or more classification systems covering all civil service positions, not otherwise exempted by rules. Amends general provisions of civil service by establishing the merit principle. Requires each jurisdiction to establish separately administered civil service system based on the merit principle. Defines the merit principle to mean the selection of persons based on their fitness and ability for public employment and the retention of employees based on their demonstrated appropriate conduct and productive performance. Repeals furnishing of services and facilities provision and replaces it with alternatives in providing human resources program services. Provides that the chief executive may decentralize powers of the director under this provision, except for rule making, to an appointing authority. Provides that whenever consistent with economic and efficient administration, a jurisdiction may enter into agreements of furnishing services and facilities for human resources. If authorized by the legislature, an agreement may be with a private entity and shall be subject to any requirements and parameters set by the legislature or the respective legislative body, as applicable. Amends provision relating to when is chapter inoperative by repealing reference to the compensation law. Adds to the list of exemption from civil service for positions that must be filled without delay to comply with a court order or decree such as the Felix Cayetano

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consent decree; employees of the office of the lieutenant governor; and teaching assistant, educational assistants, bilingual / bicultural school home assistants, school psychologists, psychological examiners, speech pathologists, athletic health care trainers, alternative school work study assistants, alternative school educational supportive / services specialists, and alternative school project coordinators in the department of education. Provides that when it is necessary to release employees due to lack of work, lack of funds, or other legitimate reasons, employees with permanent appointments in civil service positions shall have layoff rights. Repeals appeals from suspensions, dismissals and demotions provision and replaces it with merit appeals boards; appointment, aures. Requires each jurisdiction to establish a merit appeals board that shall have exclusive authority to hear and decide appeals relating to matters concerning the civil service of the jurisdiction. Provides criteria. Amends provisions relating to civil service for the counties of Hawaii, Maui, and Kauai and changes it to special civil service provisions for the counties of Hawaii, Maui, and Kauai. Establishes resolution of disputes; grievances provision. Provides that a public employer shall enter into written agreement with the exclusive representative setting forth a grievance procedure culminating in a final and binding decision, to be invoked in the event of any dispute concerning the interpretation or application of a written agreement. Requires the performance judge to be a neutral 3rd party to be selected from a list mutually agreed upon by the parties. Amends appropriate bargaining unit provision. Authorizes each employer to negotiate independently of one another, supplemental agreements that apply to their respective employees. Amends written agreements provision to include enforceability, cost items. Provides that any collective bargaining agreement reached between the employer and the exclusive representative shall be subject to ratification by the employees concerned, except for an agreement reached pursuant to an arbitration decision. Ratification is not required for other agreements during the term of the collective bargaining agreement, whether a supplemental agreement, an agreement on reopened items, or a memorandum of agreement, and any agreement to extend the term of the collective bargaining agreement. Amends provisions relating to the office of collective bargaining by including managed competition. Provides that the office of collective bargaining and managed competition shall assist the governor in implementation and review of the managed process of public private competition for particular government services through the managed competition process and negotihe State and the exclusive representatives on matter of wages, hours, and other negotiable terms and conditions of employment. Exempts employees of the office of collective bargaining from civil service, any civil service classification system, or any appropriate bargaining unit. Amends provisions relating to adjustments for excluded civil service employees. Provides that each appropriate authority shall determine the adjustments that are relevant for their respective excluded employees who are exempt from civil service in consideration of the compensation and benefit packages provided for other employees in comparable agencies. -- Establishes the voluntary severance benefit. Provides that any civil service employee who is entitled to reduction in force rights and who receives an official notification that their position is being abolished or who is directly affected by the result of a reduction in force or workforce restructuring plan may elect to receive a voluntary severance benefit in lieu of any special retirement incentive benefit. Provides the benefit shall not exceed 50 per cent of the employee's annual base salary. Defines base salary to mean an employee's annual salary for the position from which the employee is to be separated, excluding all other forms of compensation paid or accrued, whether a bonus, allowance, differential, or value of leave or compensatory time off credits, including but not limited to shortage category differential, night shift differential, overtime, compensatory time off credits, vacation or sick leave credits, and workers' compensation benefits. Prohibits the benefit to be considered as a part of a discharged employee's salary, service credit, or a cost item when calculating retirement benefits or sick and vacation leave. Establishes special

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retirement incentive benefit. Provides that any employee who receives official notification that their position is being abolished or who is directly affected by the result of a reduction in force or work force restructure elect to receive special retirement benefits, if the employee is a vested member of the employees' retirement system, in lieu of receiving any voluntary severance benefits. Requires the board of trustees to determine the portion of the additional actuarial present value of benefits to be charged to the State based on retirements under special retirement incentive benefits. Requires employee to meet criteria. Prohibits voluntary severance or special retirement incentive benefit to be payable to an employee discharged for disciplinary reasons or for reasons other than a reduction in force or workforce restructuring plan. Provides exception for employees who have received any benefits to be employed by the State. Requires the head of each affected state department to transmit a report on the positions affected to the directors of finance and human resources development who shall then abolish the vacated positions from the appropriate budget and personnel files. Requires the governor to report to the legislature. Requires the department of human resources development and the department of budget and finance to develop and administer guidelines and timeframes for participating to implement the voluntary separation and special retirement incentive benefits. Requires the department of human resources development, in cooperation with the employees' retirement system and the public health fund, to provide briefings prior to the implementation of any strategic workforce reduction plan to educate those employees whose positions are being eliminated. Requires the department of human resources development to annually report to the legislature. Authorizes the governor to provide funds to obtain matching federal moneys to retrain employees in the state executive branch who separated from service. Authorizes the city and county of Honolulu, the county of Hawaii, the county of Kauai, the county of Maui, the judiciary, the Hawaii health systems corporation, the office of Hawaiian affairs, or the legis opt to provide the special retirement incentive benefit to their respective employees under a workforce restructuring plan. Requires the auditor to conduct a study on the effects on state government and report to the legislature and the governor. Provision shall be repealed on June 30, 2003 (sunset). -- Establishes school personnel engaged in instructional work, other than teachers and educational officers provision. Requires the board of education in consultation with the department of human resources development to prescribe the duties and qualifications for positions, adopt classification systems, classify and fix the compensation of positions accordingly, establish probationary and other requirements for tenure that protects employees from being disciplined without proper cause. Repeals compensation; leave of absence; hours of work; in service training programs; incentive and service awards; and temporary intergovernmental assignment of public employees laws. Appropriation to the department of human resources development for the purpose of the special fund and for the REACH (Resource for Employee Assistance and Counseling Help) program that provides short term counseling for trouble state employees who need help in dealing with personal problems affecting their work performance. Appropriates out of the employee's retirement system's investment earnings to the employees' retirement system to process the special retirement incentive benefit. Requires the department of human resources (development) to report to the legislature. (\$\$) -- SB2859 CD1

Committee Reports: SSCR 2686 (LRE/ WAM/) HSCR 1344-00 (LAB/ FIN/ CCR 115

Current Status: May-02 00 Passed Legislature

Section Affected: 26-5, 76- (1 SECTION), 76-1, 76-5, 76-6, 76-11, 76-12, 76-13, 76-14, 76-15, 76-16, 76-17, 76-18, 76-22.5, 76-23.5, 76-27, 76-28, 76-29, 76-30, 76-41, 76-42, 76-43, 76-45, 76-46, 76-47, 76-49, 76-50, 76-51, 76-71, 76-75, 76-77, 76-2, 76-3, 76-4, 76-5.5, 76-7, 76-8, 76-8.5, 76-9, 76-10, 76-11.5, 76-19, 76-20, 76-21, 76-23, 76-24, 76-25,

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76-26, 76-31, 76-32, 76-33, 76-35, 76-36, 76-37, 76-39, 76-44, 76-48, 76-52, 76-53, 76-54, 76-55, 76-56, 76-72, 76-73, 76-74, 76-78, 76-79, 76-80, 76-81, 78- (12 SECTIONS), 78-1, 78-4, 78-12, 78-17, 78-2, 78-2.5, 78-5, 78-6, 78-14, 78-15, 78-16, 78-19, 78-22, 78-51, 78-61, 78-62, 89- (1 SECTION), 89-1, 89-2, 89-3, 89-5, 89-6, 89-7, 89-9, 89-10, 89-11, 89-12, 89-15, 89-18, 89A-1, 89C- (1 SECTION), 89C-1, 89C-2, 89C-3, 89C-4, 89C-5, 89C-6, 302A- (1 SECTION), 88E-3, 88E-8, 88F-3, 88F-6, 398-1, 77-1, 77-2, 77-2.5, 77-3, 77-4, 77-5, 77-6, 77-7, 77-8, 77-9, 77-9.5, 77-10, 77-11, 77-13, 77-13.1, 77-16, 77-17, 77-31, 77-32, 77-33, 77-34, 77-35, 79-1, 79-2, 79-3, 79-4, 79-5, 79-6, 79-7, 79-8, 79-8.5, 79-9, 79-10, 79-11, 79-12, 79-13, 79-14, 79-15, 79-15.5, 79-16, 79-17, 79-18, 79-19, 79-20, 79-21, 79-22, 79-24, 79-31, 79-32, 79-33, 80-1, 80-2, 80-3, 80-4, 80-5, 80-6, 80-7, 80-8, 80-9, 80-10, 80-11, 80-21, 81-1, 81-2, 81-3, 81-21, 82-1, 82-1.5, 82-2, 82-3, 82-4, 82-5, 82-6, 83-1, 83-2, 83-3, 83-4, 83-5, 83-6, 83-7, 83-8, 88E-10, 88F-8, 302A-634, 302A-635

SB2863 SD1 HD2 CD1 (CCR 68)

RELATING TO ADVANCE HEALTH-CARE DIRECTIVES.

Introduced by: Mizuguchi N (BR)

Requires the examiner of drivers to ask the applicant for any driver's license or license renewal to designate whether the applicant has an advance health care directive. Requires the examiner of drivers to issue or renew a license bearing the designation, advance health care directive, a symbol, or an abbreviation. Also requires the department of the attorney general to ask the applicant registering with the Hawaii criminal justice data center to designate whether the applicant has an advance health care directive. Requires the department to issue or renew an identification certificate bearing designation, advance health care directive, a symbol, or an abbreviation. Appropriation out of the state identification revolving fund. (\$\$) -- SB2863 CD1

Committee Reports: SSCR 2397 (HHS/ TIA) SSCR 2622 (JDC) HSCR 969-00 (JHA) HSCR 1384-00 (FIN) CCR 68

Current Status: May-02 00 Passed Legislature

Section Affected: 286- (1 SECTION), 846-28

SB2869 HD1 (HSCR 962-00)

RELATING TO SAFE DRINKING WATER.

Introduced by: Mizuguchi N (BR)

Amends provision relating to safe drinking water. Provides that any person in violation of this provision shall be administratively or civilly penalized per day for each violation, rather than penalized per day of violation. -- SB2869 HD1

Committee Reports: SSCR 2186 (LRE) SSCR 2636 (JDC) HSCR 962-00 (JHA) HSCR 1458-00 (FIN)

Current Status: May=02 00 Passed Legislature

Section Affected: 340E-8 ONLY

SB2870 SD1 HD2 (HSCR 1385-00)

RELATING TO SAFE DRINKING WATER.

Introduced by: Mizuguchi N (BR)

Changes mandatory certification of operating personnel in water treatment plants to mandatory certification of public water system operators. Provides that all classified distribution systems whether publicly or privately owned, used or intended for use by the public or private persons, shall at all times be under the direct supervision of a certified individual. -- SB2870 HD2

Committee Reports: SSCR 2682 (LRE) HSCR 949-00 (JHA/ CPC/) HSCR 1385-00 (FIN)

Current Status: May=02 00 Passed Legislature

Section Affected: 340F-1, 340F-2, 340F-3, 340F-4, 340F-6, 340F-7, 340F-8

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB2872 SD1 HD1 CD1 (CCR 100) MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION.
Introduced by: Mizuguchi N (BR)
Appropriation to the Hawaii health systems corporation for retroactive and current fiscal year collective bargaining increase payments to state employees assigned to the Hawaii health systems corporation, provided that no funds be released until the Hawaii health systems corporation transmits information relating to its accounts receivables that have been outstanding for over 60 days to the department of accounting and general services. (\$\$) -- SB2872 CD1
Committee Reports: SSCR 2075 (HHS) SSCR 2718 (WAM) HSCR 1325-00 (FIN) CCR 100
Current Status: May-02 00 Passed Legislature
- SB2873 SD1 HD2 CD1 (CCR 104) RELATING TO HAWAII HEALTH SYSTEMS CORPORATION.
Introduced by: Mizuguchi N (BR)
Allows the department of budget and finance, through its director, to guaranty payment of principal of and interest on bonds issued by Hawaii health systems corporation. -- Amends provisions relating to the duties and powers of the Hawaii health systems corporation by prohibiting the corporation to dispose of all or substantially all of its property. -- SB2873 CD1
Committee Reports: SSCR 2132 (HHS) SSCR 2524 (WAM) HSCR 941-00 (HLT) HSCR 1386-00 (FIN) CCR 104
Current Status: May-02 00 Passed Legislature
Section Affected: 323F-7 ONLY
- SB2877 SD1 (SSCR 2773) RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH.
Introduced by: Mizuguchi N (BR)
Appropriation out of the general revenue, the child and adolescent mental health special fund, and the behavioral health administration special fund to the department of health for services provided to certain emotionally disturbed children and adolescents, provided that a minimum of 10 per cent of the funds be expended for any new treatment or service programs to conduct process and outcome evaluations of these programs, the evaluations be conducted by an independent evaluator, reports be submitted to the legislature and auditor, the auditor monitor conduct of the evaluations and report to the legislature or the department of health, or both. (\$\$) -- SB2877 SD1
Committee Reports: SSCR 2233 (HHS) SSCR 2773 (WAM) HSCR 1151-00 (FIN)
Current Status: Apr-10 00 Received by the Governor
 Apr-19 00 Approved by Governor (Act 25 2000)
- SB2879 SD2 HD2 CD1 (CCR 86) RELATING TO MOTOR VEHICLE TIRES.
Introduced by: Mizuguchi N (BR)
Requires all facilities that accept used tires, including but not limited to tire retailers, wholesalers, transporters, collectors, and recyclers to maintain records for a minimum of 3 years. Provides that the records shall be annually submitted to the department of health regarding the listing of the total quantity of used tires collected, and the ultimate disposition of the used tires. -- Effective September 1, 2000, all motor vehicle tire importers shall register with the department of health and maintain records reflecting the importation of tires. -- Establishes a motor vehicle tire surcharge on tires imported into the State after September 30, 2000 until January 1, 2006 (sunset). Provides that the fee shall be deposited into a special account in the environmental management special fund to support permitting, monitoring, and enforcement activities, including personnel costs regarding used tire management, collection, recycling and disposal facilities; promote improved market development and reuse opportunities for recovered motor vehicle tires; promote tire recovery, recycling, and reuse through education, research, and demonstration projects; implement the surcharge program; support programs to prevent illegal dumping; and cleanup improper tire disposal sites. -- Provides that any costs incurred and

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payable from the fund as a result of tire cleanups and associated environmental assessments and remediation, shall be recovered by the attorney general, upon request by the department, from the liable person. -- Allows the department to contract the services of a 3rd party to administer the motor vehicle tire program. -- Provides that the department or other authorized party may enter and inspect any building to investigate suspected violations, conduct tests, take samples, and review and copy records. Penalties for violations shall be deposited into the environmental response revolving fund. -- SB2879 CD1

Committee Reports: SSCR 2341 (LRE) SSCR 2713 (WAM) HSCR 1054-00 (EEP) HSCR 1428-00 (FIN) CCR 86

Current Status: May-02 00 Passed Legislature

Section Affected: 342I- (10 SECTIONS), 342I-21

SB2885

RELATING TO SANITATION.

Introduced by: Mizuguchi N (BR)

Repeals provisions relating to approval of location and sanitary conditions of businesses; and dwellings and lodging houses of the nuisances and sanitary regulations Act. -- SB2885

Committee Reports: SSCR 2135 (HHS) HSCR 954-00 (EEP)

Current Status: Mar-29 00 Received by the Governor

Apr-06 00 Approved by Governor (Act 14 2000)

Section Affected: 322-41, 322-42, 322-51, 322-52, 322-53, 322-54

SB2905 HD2 (HSCR 1387-00)

RELATING TO EMPLOYMENT SECURITY.

Introduced by: Mizuguchi N (BR)

Changes the sunset date for the assessment for the employment and training fund from December 31, 2000 to December 31, 2003. Decreases the employment and training fund assessment for all employers to .03 per cent of taxable wages in 2001, .01 per cent of taxable wages in 2002. Provides that for 2003 and all subsequent years there shall be no employment and training assessments. Requires the auditor to conduct an audit of the employment and training fund and report to the legislature. -- SB2905 HD2

Committee Reports: SSCR 2120 (LRE) SSCR 2483 (WAM) HSCR 1081-00 (LAB/ EDB/) HSCR 1387-00 (FIN)

Current Status: May=02 00 Passed Legislature

Section Affected: 383-129 ONLY

SB2906

RELATING TO GARMENT INDUSTRY HOMEWORK.

Introduced by: Mizuguchi N (BR)

Repeals the garment industry homework Act. -- SB2906

Committee Reports: SSCR 2581 (LRE) HSCR 892-00 (EDB) HSCR 1093-00 (CPC)

Current Status: Mar-30 00 Received by the Governor

Apr-06 00 Approved by Governor (Act 15 2000)

Section Affected: 375-1, 375-2, 375-3, 375-4, 375-5, 375-6, 375-7, 375-8, 375-9, 375-10, 375-11, 375-12, 375-13

SB2924 SD1 HD1 (HSCR 1022-00)

RELATING TO OPEN MEETINGS.

Introduced by: Mizuguchi N (BR)

Amends provision relating to meeting by videoconference; notice; quorum. Requires the board meeting notices to specify that the public may attend the videoconference meetings at any of the specified locations. Repeals the requirement for the board to adopt rules regarding videoconference meetings. -- SB2924 HD1

Committee Reports: SSCR 2460 (JDC) HSCR 1022-00 (EDB) HSCR 1306-00 (JHA)

Current Status: May=02 00 Passed Legislature

Section Affected: 92-3.5 ONLY

SB2927 SD1 (SSCR 2445)

RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT

SENATE BILLS WHICH PASSED THE LEGISLATURE

(MODIFIED).

Introduced by: Mizuguchi N (BR)

Amends access to personal record; initial procedure provision. Provides that an agency shall permit the individual to review the individual's personal record and have a copy made within 10 working days following the date of receipt of the request by the agency rather than the date of request. -- SB2927 SD1

Committee Reports: SSCR 2445 (JDC) HSCR 1613-00 (JHA)

Current Status: May-02 00 Passed Legislature

Section Affected: 92F-23 ONLY

SB2930 SD2 HD1 (HSCR 1301-00)

RELATING TO CONTROLLED SUBSTANCES.

Introduced by: Mizuguchi N (BR)

Amends schedule I of the uniform controlled substances Act relating to opiates. -- Amends provisions relating to schedule II by adding oxycodone and repeals dronabinol under hallucinogenic substances. -- Amends schedule III by adding hallucinogenic substances including dronabinol. -- Amends schedule IV by repealing dextropropoxyphene and adding narcotic drugs. -- Provides that it shall be unlawful for any person knowingly or intentionally to obtain or attempt to obtain any controlled substance or procure or attempt to procure the administration of any controlled substance. -- Provides that the director of public safety or the director's designate may retain books, papers, documents, or objects for 48 hours to examine, audit, copy, test, or photograph. -- SB2930 HD1

Committee Reports: SSCR 2352 (HHS) SSCR 2631 (JDC) HSCR 1301-00 (JHA)

Current Status: Apr-28 00 Received by the Governor

Section Affected: 329-14, 329-16, 329-18, 329-20, 329-42, 329-69

SB2938 SD1 HD1 (HSCR 1326-00)

RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.

Introduced by: Mizuguchi N (BR)

Revisions conforming to the Federal Internal Revenue Code for taxable years beginning after December 31, 1999. -- SB2938 HD1

Committee Reports: SSCR 2224 (WAM) HSCR 1326-00 (FIN)

Current Status: May-02 00 Passed Legislature

Section Affected: 235- (1 SECTION), 235-2.3, 235-2.4, 235-110.91

SB2939 SD1 (SSCR 2435)

RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION.

Introduced by: Mizuguchi N (BR)

Amends Act 155, session laws of 1999, by amending the amount appropriated out of the integrated tax information management systems special fund to provide that appropriations to the department of taxation for the integrated tax information management system. (\$\$) -- SB2939 SD1

Committee Reports: SSCR 2435 (WAM) HSCR 1616-00 (FIN)

Current Status: May-02 00 Passed Legislature

Section Affected: ACT 155 1999 ONLY

SB2941

PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE STATE CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS.

Introduced by: Mizuguchi N (BR)

Proposes to amend the constitution. Changes the tax review commission to be appointed every 10 years instead of every 5 years. -- SB2941

Committee Reports: SSCR 2191 (WAM) SSCR 2642 (JDC) HSCR 961-00 (JHA) HSCR 1459-00 (FIN)

Current Status: Apr-13 00 Received by the Governor

Section Affected: ART VII S3 ONLY

SB2942

RELATING TO THE GENERAL FUND EXPENDITURE CEILING REPORTING

SENATE BILLS WHICH PASSED THE LEGISLATURE

DATES.

Introduced by: Mizuguchi N (BR)

Amends provision relating to the duties of the director of finance by changing the dates on which the director of finance shall determine preliminary and final estimate of the state growth and expenditure ceiling to August 15 and November 15 of each year, respectively. Requires the council on revenues to report its estimates of total state personal income to the director of finance, the governor, the chief justice, and the legislature to each August 5th and November 5th rather than July 20 and October 20 of each year. -- SB2942

Committee Reports: SSCR 2226 (WAM) HSCR 1336-00 (FIN)

Current Status: Apr-13 00 Received by the Governor

Apr-20 00 Approved by Governor (Act 33 2000)

Section Affected: 37-94, 37-113.1

SB2945 SD1 HD3 (HSCR 1388-00)

RELATING TO TAXATION.

Introduced by: Mizuguchi N (BR)

Amends the general excise law by amending sales of services to a licensed seller and adding sales of amusements. -- Amends general excise tax and use tax provisions to include contracting. -- Establishes a public service company tax of 5.5 per cent in calendar year 2000, on a public utility engaged in the business of selling telecommunication services to a person who resells such products or services and upon the portion of the gross income of a motor carrier or contract carrier which consists of the receipts from the sale of its products or services to a person and reduces it .5 per cent a year to .5 per cent in the calendar year 2007. -- Establishes a public service company tax of 3.5 per cent in calendar year 2000, on a motor carrier which consists of the receipts from the sale of its products or services to a contractor and reduces it .5 per cent a year to .5 per cent in the calendar year 2006. -- SB2945 HD3

Committee Reports: SSCR 2746 (CPN/ WAM) HSCR 893-00 (EDB) HSCR 1064-00 (CPC) HSCR 1388-00 (FIN)

Current Status: May=02 00 Passed Legislature

Section Affected: 237-4, 237-6, 237-13, 237-13.3, 237-16, 237-29.53, 238-1, 238-2, 238-2.3, 238-3, 238-5, 238-6, 238-9, 239-5, 239-6

SB2946 SD1 HD1 CD1 (CCR 110)

RELATING TO TAXATION APPEALS.

Introduced by: Mizuguchi N (BR)

Amends tax appeals, income tax, general excise tax, transient accommodations tax, use tax, fuel tax, liquor tax, cigarette and tobacco tax, conveyance tax, and rented motor vehicle and tour vehicle surcharge tax provisions to provide that the respective tax be paid for appeals other than to the district board of review. -- SB2946 CD1

Committee Reports: SSCR 2436 (WAM) HSCR 1327-00 (FIN) CCR 110

Current Status: May-02 00 Passed Legislature

Section Affected: 232-24, 235-114, 237-42, 237D-11, 238-8, 243-14.5, 244D-12, 245-10, 247-4.5, 251-10

SB2947

RELATING TO DISCLOSURE OF TAX INFORMATION.

Introduced by: Mizuguchi N (BR)

Amends general excise tax provisions by adding that a person with a material interest in the return, return information, or report includes a person contractually obligated to pay the taxes assessed against another when the latter person is under audit by the department of taxation. Amends the use tax law to apply general excise tax provisions relating to filing of returns and disclosure of returns unlawful. -- SB2947

Committee Reports: SSCR 2465 (WAM) HSCR 1337-00 (FIN)

Current Status: Apr-13 00 Received by the Governor

Apr-20 00 Approved by Governor (Act 34 2000)

Section Affected: 237-34, 238-13

SENATE BILLS WHICH PASSED THE LEGISLATURE

- SB2961 SD2 HD1 CD1 (CCR 96) RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR.
Introduced by: Mizuguchi N (BR)
Appropriation for the purpose of satisfying claims for legislative relief to persons, firms, corporations, and entities which have claims against the university of Hawaii due to payments of judgments or settlements, or other liabilities. (\$\$) -- SB2961 CD1
Committee Reports: SSCR 2306 (EDU) SSCR 2566 (WAM) HSCR 947-00 (JHA) HSCR 1460-00 (FIN) CCR 96
Current Status: May-02 00 Passed Legislature
- SB2982 SD1 HD1 CD1 (CCR 62) RELATING TO CHILD SUPPORT.
Introduced by: Matsunaga M, Chumbley A
Amends provision relating to liens. Changes the effective date of the lien from immediately upon recordation of the child support order to when the obligor becomes delinquent in child support payments and whenever the dependants of the obligor receive public assistance moneys, thereby establishing public assistance debt by the child support enforcement agency or its designated counsel. Provides that any lien that is provided for by and becomes effective under this provision shall take priority over any lien subsequently acquired or recorded except tax liens. -- SB2982 CD1
Committee Reports: SSCR 2634 (JDC) HSCR 1318-00 (JHA) CCR 62
Current Status: May-02 00 Passed Legislature
Section Affected: 576D-10.5 ONLY
- SB2987 SD1 HD2 CD1 (CCR 102) RELATING TO PUBLIC CONTRACTS.
Introduced by: Tam R
Amends provisions relating to contract retainage to include subcontractors. Provides that where a subcontractor has provided evidence to the contractor of a valid performance and payment bond for the project that is acceptable to the contractor and executed by a surety company authorized to do business in this State; any other bond acceptable to the contractor; or any other form of collateral acceptable to the contractor; the retention amount withheld by the contractor from its subcontractor shall be the same percentage of retainage as that of the contractor. Provides that this provision shall also apply to subcontractors who subcontract work to other subcontractors. Provides that this Act shall apply to all public works contracts entered into after June 30, 2000. -- SB2987 CD1
Committee Reports: SSCR 2200 (GOH) SSCR 2708 (WAM) HSCR 1005-00 (CPC/ LAB/) HSCR 1408-00 (FIN) CCR 102
Current Status: May-02 00 Passed Legislature
Section Affected: 103-32.1 ONLY
- SB2988 SD2 HD2 CD1 (CCR 94) RELATING TO PUBLIC CONTRACTS AND PROCUREMENT.
Introduced by: Tam R
Amends provision relating to prompt payment. Provides that where a subcontractor has provided evidence to the contractor of a valid union trust fund contribution bond acceptable to the contractor in an amount not less than 3 months of the subcontractor's trust fund contribution; a performance and payment bond for the project executed by a surety company authorized to do business in the State; any other bond acceptable to the contractor; or any other form of mutually acceptable collateral; and the contractor fails to pay in accordance with this provision, a penalty of 1 and 1/2 per cent per month shall be imposed on the outstanding amounts due to the subcontractor. Further provides that the penalty may be withheld from future payment due to the contractor. Provides that a contractor found in violation 3 or more times within 2 years of the 1st violation shall be referred to the contractor license board by the procurement agency. Amends provision relating to contract clauses and procurement policy board administration by repealing requirement that the policy board adopt rules requiring the inclusion in contracts of clauses providing

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for prompt payment by contractors to subcontractors. Provides that this Act shall apply to all public contracts entered into after June 30, 2000. -- SB2988 CD1

Committee Reports: SSCR 2338 (GOH) SSCR 2709 (WAM) HSCR 1036-00 (EDB/ LAB/) HSCR 1419-00 (FIN) CCR 94

Current Status: May-02 00 Passed Legislature

Section Affected: 103-10.5, 103D-501

SB3026 SD1 HD1 CD1 (CCR 120)

RELATING TO SCHOOL FACILITIES.

Introduced by: Sakamoto N, Ige D

Appropriation to the department of accounting and general services for repair, maintenance, and improvement projects for the department of education. Appropriation to the university of Hawaii for repair, maintenance, and improvement projects for the university system. -- Provides that expenditures of appropriations made under this Act for any project with an estimated total cost of less than 100,000 dollars shall be exempt from procurement code provisions. (\$\$) -- SB3026 CD1

Committee Reports: SSCR 2685 (EDU/ WAM) HSCR 975-00 (EDN) HSCR 1410-00 (FIN) CCR 120

Current Status: May-02 00 Passed Legislature

SB3038 SD1 HD1 CD1 (CCR 58)

RELATING TO EDUCATION.

Introduced by: Ige D

Repeals and replaces the zero tolerance provision. Provides that any child who possesses, sells, or uses a dangerous weapon or switchblade knife while attending school or while attending department of education supervised activities held on or off school property; any child who possesses, sells, consumes, or uses intoxicating liquor or illicit drugs while attending school or while attending department supervised activities held on or off school property; or any child who reasonably appears to have consumed or used intoxicating liquor or illicit drugs prior to attending school or attending department supervised activities held on or off school property may be excluded from school for up to 92 school days. Provides that if a child is excluded from attending school for more than 10 days the superintendent or designee shall ensure that substitute educational activities or other appropriate assistance are provided. -- SB3038 CD1

Committee Reports: SSCR 2312 (EDU) SSCR 2641 (JDC) HSCR 1007-00 (EDN) HSCR 1307-00 (JHA) CCR 58

Current Status: May-02 00 Passed Legislature

Section Affected: 302A- (1 SECTION), 302A-1134.5

SB3043 SD2 HD1 CD1 (CCR 80)

RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION.

Introduced by: Taniguchi B

Amends the state risk management and insurance administration provision by adding the definition of captive insurance company to mean any pure captive insurance company, risk retention captive insurance company, association captive insurance company, or leased capital facility formed or licensed. Requires the state comptroller to be authorizes to establish a captive insurance company. Provides that the comptroller may obtain appropriate and sufficient reinsurance to cover the liability of a captive insurance company. Provides that the insurance division shall prepare a study of the feasibility and cost effectiveness of providing insurance coverage for damage to real property suffered by the State as a result of fire, flood, or hurricane, and all other insurance coverage that the insurance commissioner deems appropriate through a captive insurance facility. Report to the legislature. Appropriations out of the captive insurance administrative fund to the department of commerce and consumer affairs. Requires the insurance commissioner to transfer the appropriation authorized by this Act to the insurance regulation fund. (\$\$) -- SB3043 CD1

SENATE BILLS WHICH PASSED THE LEGISLATURE

Committee Reports: SSCR 2199 (CPN) SSCR 2619 (WAM) HSCR 986-00
(CPC) HSCR 1462-00 (FIN) CCR 80
Current Status: May-02 00 Passed Legislature
Section Affected: 41D-1, 41D-2, 41D-8.5

SB3045 SD1 HD2 CD1 (CCR 88)

RELATING TO THE AUDITOR.

Introduced by: Mizuguchi N

Amends provision relating to powers of the auditor. Provides that the auditor may issue subpoenas compelling at a specified time and place the appearance and sworn testimony of any person whom the auditor reasonably believes may be able to give information relating to any audit or other investigation under taken; and subpoena duces tecum compelling the production of accounts, books, records, files, papers, documents, or other evidence, which the auditor reasonably believes may relate to an audit or other investigation being conducted under this provision. Further provides that upon application by the auditor, obedience to the subpoena may be enforced by the circuit court in the county in which the person subpoenaed resides or is found in the same manner as a subpoena issued by the clerk of the circuit court. Amends penalty for violation and false evidence provision by including persons subpoenaed by the auditor. -- SB3045 CD1

Committee Reports: SSCR 2437 (WAM) HSCR 992-00 (LMG) HSCR 1358-00
(JHA) CCR 88

Current Status: May-02 00 Passed Legislature

Section Affected: 23-5, 23-10

SB3073 SD2 HD1 CD1 (CCR 57)

RELATING TO IMPAIRED DRIVING.

Introduced by: Mizuguchi N (BR)

Amends implied consent of a driver of a motor vehicle or moped to submit to testing to determine alcohol concentration and drug content provision. Provides that a preliminary alcohol screening shall not replace a breath, blood, or urine test. Provides that the analysis from a preliminary alcohol screening device shall only be used in determining probable cause for the arrest. -- SB3073 CD1

Committee Reports: SSCR 2214 (TIA) SSCR 2755 (JDC) HSCR 946-00 (TRN)
HSCR 1308-00 (JHA) CCR 57

Current Status: May-02 00 Passed Legislature

Section Affected: 286-151 ONLY

SB3079 HD1 (HSCR 1283-00)

RELATING TO CRIMINAL TRESPASS IN THE FIRST DEGREE.

Introduced by: Mizuguchi N (BR)

Amends provision relating to criminal trespass in the 1st degree. Provides that a person commits the offense of criminal trespass in the 1st degree if that person enters or remains unlawfully in or upon the premises of any public or private school after reasonable warning or request to leave by school authorities or a police officer; provided such warning or request to leave shall be unnecessary between 10:00 p.m. and 5:00 a.m. -- SB3079 HD1

Committee Reports: SSCR 2313 (EDU) SSCR 2491 (JDC) HSCR 972-00
(EDN) HSCR 1283-00 (JHA)

Current Status: May=02 00 Passed Legislature

Section Affected: 708-813 ONLY

SB3117

RELATING TO MOTOR VEHICLES.

Introduced by: Mizuguchi N (BR)

Allows the chief of police or officers of the county police who are permanently assigned to conduct vehicle theft investigations to inspect the premises of a motor vehicle repair dealer required to be licensed. -- SB3117

Committee Reports: SSCR 2331 (TIA) SSCR 2692 (CPN) HSCR 1331-00
(CPC/ JHA/)

Current Status: Apr-13 00 Received by the Governor

Apr-20 00 Approved by Governor (Act 35 2000)

Section Affected: 286-44 ONLY

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SB3123 SD2 HD2 CD1 (CCR 105)

RELATING TO POST-SECONDARY EDUCATION.

Introduced by: Nakata B

Establishes within the department of human services a post secondary education benefits program for heads of households in the temporary assistance to needy families program to be known as the bridge to hope program. Requires the single parent to be enrolled as a student each term; maintain passing grades or better throughout the course of study; and meet work activity requirements. -- Requires the university of Hawaii report to the legislature on the expenditure of funds for the bridge to hope program.

Appropriation to the university of Hawaii. (\$\$) -- SB3123 CD1

Committee Reports: SSCR 2402 (HHS/ EDU/) SSCR 2526 (WAM) HSCR 982-00 (HSH/ LAB/) HSCR 1411-00 (FIN) CCR 105

Current Status: May-02 00 Passed Legislature

Section Affected: 346- (1 SECTION) ONLY

SB3129 HD2 (HSCR 1276-00)

RELATING TO HAWAIIAN HEALING PRACTICES.

Introduced by: Kawamoto C

Amends Act 162, session laws of Hawaii 1998 by extending the sunset date from July 1, 2000 to July 1, 2002 for allowing traditional Hawaiian healing practices by traditional native Hawaiian healers, and extends the submission date of the final report to 20 days prior to the regular session of 2002. -- SB3129 HD2

Committee Reports: SSCR 2577 (CPN) HSCR 942-00 (HLT) HSCR 1276-00 (CPC)

Current Status: May=02 00 Passed Legislature

Section Affected: ACT 162 1998 ONLY

SB3133 SD1 HD1 CD1 (CCR 72)

RELATING TO CRIME.

Introduced by: Bunda R

Amends provision relating to street solicitation of prostitution. Provides that it shall be unlawful for any person within the boundaries of areas in this State designated by county ordinance, and while on any public property to offer or agree to engage in sexual conduct with another person in return for a fee. Provides that upon recommendation of the chief of police of a county, that county may enact an ordinance that designates areas as zones of significant prostitution related activity that is detrimental to the health, safety, or welfare of the general public; or alters the boundaries of any existing designated area; provided that no more than 4 areas may be designated within the State.

Provides that any person violating this provision shall be sentenced to a mandatory term of 30 days imprisonment. Further provides that as an option to the mandatory term of 30 days imprisonment, the court may place the defendant on probation for a period not to exceed 6 months, subject to the mandatory condition that the defendant observe geographic restrictions that prohibit the defendant from entering or remaining on public property, in Waikiki and other areas in the State designated by county ordinance. Requires that a person arrested for violating terms of bail or of probation to be detained, without bail, until a hearing can be held. -- SB3133 CD1

Committee Reports: SSCR 2477 (JDC) HSCR 1302-00 (JHA) CCR 72

Current Status: May-02 00 Passed Legislature

Section Affected: 712-1207, 804-4

SB3160 SD2 HD2 CD1 (CCR 107)

RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS.

Introduced by: Tam R

Amends provision relating to sales to owner occupants. Establishes definition of initial date of sale to mean the date of the 1st publication of the announcement or advertisement required. Amends definition of chronological system to include reservations in documents that prospective owner occupants deliver to the developer or designated real estate broker. -- Repeals and

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replaces provision relating to announcement, publication. Provides that all publications, announcements, advertisements, and sales literature shall state that for a 30 day period following the 1st date of sale of this condominium project at least 50 per cent of the units being sold shall be offered only to prospective owner occupants. -- Amends provision relating to designation of residential units. Provides that a developer shall have the right to substitute a unit designated for owner occupants with a unit that is not so designated; provided that the units are similar. -- Changes provision relating to sale of residential units to sale of residential apartments; developer requirements. Provides that the developer may go to sale using either a chronological system or a lottery system at any time after an effective date for a public report has been issued and for which the effective date has not expired. Provides criteria. -- Repeals provision financial institutions and escrow companies, obligations. -- SB3160 CD1

Committee Reports: SSCR 2222 (GOH) SSCR 2568 (WAM) HSCR 936-00 (CPC) HSCR 1420-00 (FIN) CCR 107

Current Status: May-02 00 Passed Legislature

Section Affected: 514A-101, 514A-102, 514A-103, 514A-104, 514A-104.5, 514A-104.6, 514A-105, 514A-107, 514A-107.5, 514A-108, 514A-106

SB3179 HD3 CD1 (CCR 108)

RELATING TO TOBACCO.

Introduced by: Mizuguchi N (BR)

Establishes provisions for export and foreign cigarettes. Prohibits the sale, distribution, transport for sale, or import or cause to be imported for sale; cigarettes labeled not to be sold, distributed, or used in the US; cigarettes that do not comply with federal law regarding warnings and other information; cigarettes whose package do not comply with all federal trademark and copyright laws; cigarettes imported into the US on or after January 1, 2000; and cigarettes for which there has not been submitted the list of ingredients added to the tobacco. Establishes provisions for alteration of packaging prohibited, criminal penalties, confiscation and seizure, forfeiture, affixing of cigarette tax stamps to export cigarettes or altered packages, documentation of foreign cigarettes, illegal sale of export or foreign cigarettes, unfair trade practices, and deceptive cigarette sales. Requires the attorney general, the prosecuting attorneys or deputy prosecuting attorneys of the counties, and the police departments to enforce these provisions. Establishes penalties. -- SB3179 CD1

Committee Reports: SSCR 2262 (CPN/ JDC/) SSCR 2621 (WAM) HSCR 953-00 (HLT) HSCR 1027-00 (CPC/ JHA/) HSCR 1390-00 (FIN) CCR 108

Current Status: May-02 00 Passed Legislature

Section Affected: 245- (13 SECTIONS) EXPORT AND FOREIGN CIGARETTES, 712-1257

SB3190 SD1 HD1 CD1 (CCR 81)

RELATING TO CAPTIVE INSURANCE.

Introduced by: Taniguchi B

Amends captive insurance company provisions. Defines branch captive insurance company and outside captive insurance company. Amends the provision which prohibits a captive insurance company to provide personal motor vehicle or homeowner's insurance coverage or any component thereof, other than as employee benefits for the employees of a parent, association, or its members, and their respective affiliated companies to include reinsurance. Requires the insurance commissioner to determine the amount and form of security to be maintained by the branch captive insurance company. Requires each branch captive insurance company to file copies of all reports and financial statements required to be filed by the outside captive insurance company of the branch captive insurance company laws of the jurisdiction in which the outside captive insurance company is domiciled to the insurance commissioner. Also requires an annual filing of a certificate of compliance issued by the insurance regulatory authority of the jurisdiction in which the

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outside captive insurance company of the branch captive insurance company is domiciled. -- SB3190 CD1

Committee Reports: SSCR 2509 (CPN) HSCR 1320-00 (CPC) CCR 81

Current Status: May-02 00 Passed Legislature

Section Affected: 431:19-101, 431:19-102, 431:19-103, 431:19-104, 431:19-107, 431:19-108, 431:19-115

SB3192 SD1 (SSCR 2510)

RELATING TO CAPTIVE INSURANCE.

Introduced by: Taniguchi B

Amends captive insurance company provisions to establish class 5 companies.

Provides that a class 5 company acts only as a reinsurer or excess insurer, or both. -- SB3192 SD1

Committee Reports: SSCR 2510 (CPN) HSCR 1311-00 (CPC)

Current Status: Apr-13 00 Received by the Governor

Apr-20 00 Approved by Governor (Act 36 2000)

Section Affected: 431:19- (1 SECTION), 431:19-101, 431:19-101.3, 431:19-104, 431:19-107, 431:19-115

SB3199 SD1 HD2 CD1 (CCR 60)

RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE.

Introduced by: Inouye L

Establishes plant import provision. Requires the board of agriculture to maintain a list of restricted plants that require a permit for entry into the State. Requires the department of agriculture to designate specific plants that 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, the environment, animal health, or public health. Provides that these plants, or plant species designated by rule as noxious weeds are designated as restricted plants. Establishes animal import provision. Requires the board to maintain a list of conditionally approved, restricted, and prohibited animals to be entered into the State. Establishes an advisory committee of no fewer than 3 members with applicable expertise in vertebrate biology to identify whether an animal is a prohibited hybrid animal when the department suspects that the lineage of the animals is not as stated by the owner or on other official documents. Requires animals on the lists of conditionally approved and restricted animals to be imported only by permit. Allows the department to issue a special permit on a case by case basis not to exceed 90 days for the importation and possession of an animal that is not on the lists of prohibited, restricted, or conditionally approved animals, for the purpose of filming, performance, or exhibition, if the importer of the animal can meet and bonding requirements as determined by the board. Establishes microorganism import provision. Requires the board of agriculture to maintain a list of nonrestricted microorganisms allowed entry into the State without a permit, a list of restricted microorganisms that requires a permit for import into the State and possession, and a list of microorganisms that are select human pathogens allowed entry into the State without a permit but which require the department to notify the department of health of entry for the purpose of possible department of health monitoring. Authorizes the department of agriculture to issue an emergency permit on a case by case basis to a state or federal agency or state university to allow import and possession of a microorganisms on a list of restricted microorganism or an unlisted microorganism for the purpose of remediating any emergency or disaster affecting agriculture, horticulture, the environment, animal health or public health. Provides criteria. Establishes provision relating to permit requirement. Prohibits any person to possess, propagate, sell, transfer or harbor any animal included on the list of prohibited animals maintained by the board. Provides exceptions. Requires the board of agriculture to adopt rules to establish methods to obtain public input and to notify the public as to any additions to or deletions from the lists required. Establishes the permit revolving fund to be administered by the department of agriculture. Provides that the department shall expend moneys in the permit revolving fund to facilitate the processing and issuance of permits, amendment of lists of creatures prohibited or allowed

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for import, compliance monitoring activities, and for training personnel, educational workshop, materials and equipment, and any other purpose deemed necessary. Defines microbial product and unlisted microorganism. Amends the conditions of importation provision. Requires the department to designate other articles that shall require a department letter of authorization or registration in advance of importation. Provides that if the importer, importer's agent, or transportation company request inspection of sealed containers of the articles at locations other than where the articles are 1st received or discharged and the department determines that inspection at such place is appropriate, the department may require payment of costs necessitated by these inspections, including overtime costs. Amends soil, plants, animals, etc., importation or possession prohibited provision. Authorizes the departees for the registration of microbial products containing certain strains of microorganisms. Provides that any interim rule shall be published at least once statewide within 12 days of issuance. Appropriation. (\$\$) -- SB3199 CD1

Committee Reports: SSCR 2251 (ECD) SSCR 2722 (WAM) HSCR 1013-00 (AGR) HSCR 1391-00 (FIN) CCR 60

Current Status: May-02 00 Passed Legislature

Section Affected: 150A-6.1, 150A-6.2, 150A-6.3, 150A-6.4, 150A-6.5, 150A-6.6, 150A-6.7, 150A-2, 150A-5, 150A-6, 150A-7, 150A-7.5, 150A-9.5, 150A-14, 150A-41

SB3201 SD1 HD2 (HSCR 1392-00)

RELATING TO A SCENIC HIGHWAYS SYSTEM.

Introduced by: Levin A

Requires the director of transportation to establish new design guidelines to govern new construction, reconstruction, resurfacing, restoration, or rehabilitation of bridges, principal and minor arterial roads, collector and local roads, and streets. -- SB3201 HD2

Committee Reports: SSCR 2266 (TIA) SSCR 2592 (WAM) HSCR 957-00 (TRN) HSCR 1392-00 (FIN)

Current Status: May=02 00 Passed Legislature

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HB0037 HD1 SD2 CD1 (CCR 50)

RELATING TO FILM PRODUCTION FUNDING.

Introduced by: Takumi R

Establishes the Hawaii television and film development provision. Establishes the Hawaii television and film development board under the department of business, economic development, and tourism. Provides that the board shall administer the grant and venture capital investment programs and the Hawaii television and film development special fund. Requires the board to assess and consider the overall viability and development of the television and film industries and make recommendations to appropriate state or county agencies.

Establishes the state of Hawaii television and film development special fund to assist in and provide incentives for the production of eligible Hawaii projects.

Requires the board to provide for the implementation of the grant program and venture capital program. Provides criteria. Establishes provision relating to inspection of premises and records. Provides that the board shall have the right to inspect, at reasonable hours, the plant, physical facilities, equipment, premises, books, and records of any applicant in connection with the processing of a grant to the applicant. -- HB0037 CD1

Committee Reports: HSCR 18 (EDB) HSCR 205 (CAR) HSCR 1012 (FIN)
SSCR 1099 (ECD) SSCR 1548 (WAM) CCR 50

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 201- (4 SECTIONS) HAWAII TELEVISION AND FILM
DEVELOPMENT ONLY

HB0101 HD1 SD1 (SSCR 2903)

RELATING TO BUYBACK OF EMPLOYEES' RETIREMENT SYSTEM
MEMBERSHIP SERVICE CREDIT.

Introduced by: Yoshinaga T (BR)

Provides that any retired member who had at least 30 years of credited service in the system, whose services were on loan to another government during 1942 for purposes of civil defense fingerprint identification, may be credited with membership service credit if purchased at the member's last compensation level at the rate specified in the employee contributions provision before December 31, 2000. -- HB0101 SD1

Committee Reports: HSCR 416-00 (LAB) HSCR 604-00 (FIN) SSCR 2903
(CPN) SSCR 3245 (WAM)

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

HB0139 HD1 SD2 CD1 (CCR 142)

RELATING TO FEDERAL CONSTRUCTION.

Introduced by: Say C, Goodenow K, Case E, Abinsay F, Santiago A, Hiraki K, Herkes R, Hamakawa E, Kanohe E, Cachola R, Ahu Isa L, Kahikina M, Suzuki N, Yamane B, Okamura T, Oshiro P, Luke S, Lee M, Takumi R, Catalani I, Morihara D, Takai K, Souki J, Chang J, Kaho'ohalahala S, Kawakami B, Stegmaier D, Arakaki D, Oshiro M, Morita H, Nakasone B, Saiki S, Takamine D
Redefines contractor to include a subcontractor, a specialty contractor, and any person, general engineering, general building, or specialty contractor who performs any of the activities directly or indirectly for the federal government, to the extent allowed under federal law. -- HB0139 CD1

Committee Reports: HSCR 678 (EDB) HSCR 754 (FIN) SSCR 1077 (TIA)
SSCR 1534 (WAM) CCR 142

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 444-1 ONLY

HB0284 HD1 SD1 CD1 (CCR 17)

RELATING TO EDUCATION.

Introduced by: Takai K, Morihara D, Schatz B, Ahu Isa L, Arakaki D, Takumi R, Thielen C, Leong B, Morita H, Kahikina M, Santiago A, Stegmaier D, Yoshinaga T

Establishes the Hawaii state student council within the department of education. Requires the council to consist of a representative from each departmental

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school district. Requires the council to provide for an annual conference of secondary school students or those students in 7th grade to 12th grade to identify, discuss, and arrive at recommended solutions to major youth problems, with emphasis on school problems that require the attention of and joint action by the students, the department, the board of education, and the legislature. Requires the council to determine whether it shall directly select or run an election for the student member of the board of education. Allows the council to invite students from schools represented by the Hawaii association of independent schools to participate in the planning of or to attend the conference. Requires the department of education to assign a staff member to assist the conference committee. Repeals secondary school students conference provisions. -- HB0284 CD1

Committee Reports: HSCR 459 (EDN) HSCR 844-00 (FIN) SSCR 2861 (EDU)
SSCR 3305 (WAM) CCR 17

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 302A- (2 SECTIONS), 317-1, 317-2, 317-3, 317-4, 317-5,
317-6

HB0286 HD2 SD2 (SSCR 3198)

RELATING TO SPEEDING.

Introduced by: Takai K, Arakaki D, Thielen C, Leong B, Marumoto B, Ito K, Case E, Hiraki K, Takumi R, Lee M, Ahu Isa L, Schatz B, Chang J, Kahikina M, Santiago A, Stegmaier D

Prohibits a person from driving a motor vehicle at a speed greater than the maximum speed limit set within a construction area. Requires the director of transportation and the counties, in their respective jurisdictions, to establish maximum speed limits for construction areas and to require the owner, general contractor, or other person responsible to provide proper signs in that area. -- HB0286 SD2

Committee Reports: HSCR 16 (TRN) HSCR 572 (JHA) HSCR 960 (FIN)
SSCR 1030 (TIA) SSCR 3198 (WAM)

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 291C- (1 SECTION) ONLY

HB0536 HD2 (HSCR 309-00)

RELATING TO HUMAN SERVICES.

Introduced by: Arakaki D, Kahikina M

Amends Act 77, session laws of 1997, relating to early childhood education and care. Increases the maximum number of members of the board of directors of the private nonprofit corporation to 14. Includes a member to represent the university of Hawaii, the American academy of pediatrics, the early intervention community, an early childhood resource and referral agency, and head start. Requires the governor to appoint 1 member from the general business community and 1 member from the general philanthropic community to the temporary interdepartmental council. Extends the sunset date to June 30, 2010. -- HB0536 HD2

Committee Reports: HSCR 59-00 (HSH) HSCR 309-00 (HSH) HSCR 605-00
(FIN) SSCR 2804 (HHS) SSCR 3290 (WAM)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 60 2000)

Section Affected: ACT 77 1997 ONLY

HB0540 HD2 SD1 CD1 (CCR 43)

RELATING TO HUMAN SERVICES.

Introduced by: Arakaki D, Kahikina M

Requires the department of human services to provide state funded medical assistance, of up to 200 per cent of the federal poverty level for Hawaii, to persons less than 19 years of age who are legal permanent residents who arrived after August 22, 1996; persons who are permanently residing under color of law; and nonimmigrants from the Trust Territories of the Pacific Islands who are citizens of the Marshall Islands, the Federated States of Micronesia, or

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Palau who are otherwise eligible for benefits under the state's medicaid programs, including QUEST and the State's children's health insurance program (CHIP), but are ineligible due to restricted eligibility rules imposed by title XXI of the Social Security Act, the Personal Responsibility and Work Reconciliation Act of 1996, P.L. 00-239, the compact free association between the US and the government of Palau, P.L. 99-658, or any other provision of federal law denying medical assistance to nonimmigrants who are citizens of the Marshall Islands, the Federated States of Micronesia, or Palau. -- HB0540 CD1

Committee Reports: HSCR 61-00 (HSH) HSCR 367-00 (HSH) HSCR 807-00 (FIN) SSCR 2805 (HHS) SSCR 3363 (WAM) CCR 43

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 346- (1 SECTION) ONLY

HB0645 SD2 CD1 (CCR 155)

RELATING TO VETERANS RIGHTS AND BENEFITS.

Introduced by: Cachola R, Garcia N, Abinsay F, Menor R

Establishes provisions relating to disbursement of world war II Filipino veterans burial grant funds. Requires the office of veterans services to receive, review, and approve requests for payment at the request of a deceased Filipino veteran's survivor or an interested party, for funeral and burial services, and transporting the remains to the Philippines. Requires the office to establish the maximum amount of burial grant funds to be distributed and not expend more than the amount appropriated for the fiscal year. Provides that payment shall be authorized by the office upon the submission of an invoice reflecting that the services will be satisfactorily performed. Appropriation. (\$\$) -- HB0645 CD1

Committee Reports: HSCR 649 (PSM) - notwithstanding SSCR 1031 (TIA) SSCR 1429 (WAM) CCR 155

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB0749 HD3 SD2 CD1 (CCR 27)

RELATING TO DIETITIANS.

Introduced by: Kawakami B, Menor R, Santiago A

Establishes dietitian law under the department of health. Establishes a licensure program within the department. Requires the director of health to examine and approve the qualifications of all applicants; administer, coordinate, and enforce the licensure program; discipline a licensed dietitian for violation of rules or failure to meet the licensure requirements; and appoint an advisory committee. Allows fees acquired through the program to defray costs. Prohibits any individual to purport to be a licensed dietitian without a license. Provides criteria for licensure as a dietitian. Allows licenses to be renewed triennially. Violators will be subject to a fine of not more than 1,000 dollars and each day's violation shall be treated as a separate offense. Establishes the dietitian licensure special fund for costs associated with administering the licensure program, including but not limited to education. -- HB0749 CD1

Committee Reports: HSCR 108 (HLT) HSCR 488 (CPC) HSCR 1053 (FIN) SSCR 1118 (CPN) SSCR 1530 (WAM) CCR 27

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: (12 SECTIONS) DIETITIANS ONLY

HB0750 HD1 SD1 (SSCR 3215)

RELATING TO ISLAND SYMBOLS.

Introduced by: Kawakami B, Kanoho E, Morita H, Kahikina M, Ahu Isa L

Establishes and designates the official island colors and flowers or lei materials for each island. Requires that the following colors and flowers to be authorized for each respective island, the color red and the flower pua lehua or the 'ohi'a lehua (ohia lehua) for the island of Hawai'i (Hawaii), the color pink and the flower lokelani, also known as the damask rose for the island of Maui, the color golden yellow and the flower pua 'ilima (pua ilima) for the island of O'ahu (Oahu), the color purple and the lei material of the mokihana for the island of

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Kaua`i (Kauai), the color green and the lei material of the pua kukui or the candlenut tree for the island of Moloka`i (Molokai), the color orange and the lei material of the kauna`oa (kaunaoa), also known as the native dodder for the island of Lana`i (Lanai), the color white and the lei material of the pupu also known as the momi, laiki, and kafehelani for the island of Ni`ihau (Niihau) and the color gray and the lei material of the hinahina or native heliotrope for the island of Kaho`olawe (Kahoolawe). -- HB0750 SD1

Committee Reports: HSCR 202 (CAR) HSCR 547-00 (JHA) SSCR 3215 (WLH)

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 5- (1 SECTION), 5-16

HB0755 HD2 SD2 (SSCR 3309)

RELATING TO PUBLIC LANDS.

Introduced by: Herkes R

Amends provisions relating to the continuation of rights under homestead leases, certificates of occupation, right of purchase leases and cash freehold agreements. Provides that no existing certificate of occupation or existing homestead lease or fractional interest thereof, shall be transferable or assignable except by conveyance, devise, bequest, or interstate succession and with the prior approval of the board of land and natural resources; provided that transfer or assignment by conveyance, devise, or bequest shall be limited to a member or members of the occupier's or lessee's family. Further provides that all the successors shall be subject to the performance of the unperformed conditions of the certificate of occupation or the homestead lease. Provides that whenever an existing homestead lease is mortgaged, the consent to mortgage from the board of land and natural resources may contain a condition exempting the lease from the certificate of occupation or homestead lease requirements for the duration of the mortgage. -- HB0755 SD2

Committee Reports: HSCR 284-00 (WLU) HSCR 773-00 (FIN) SSCR 2864 (WLH) SSCR 3309 (WAM)

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 171-99 ONLY

HB1387 HD2 (HSCR 541-00)

RELATING TO NURSES.

Introduced by: Okamura T

Amends provision relating to the board of nursing by adding 1 member and that 1 member be an advanced practice nurse, 1 member be a licensed practical nurse, and 2 be public members. -- HB1387 HD2

Committee Reports: HSCR 319-00 (HLT) HSCR 541-00 (CPC) SSCR 2836 (HHS) SSCR 3252 (CPN)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 61 2000)

Section Affected: 457-3 ONLY

HB1457 SD1 (SSCR 3316)

RELATING TO THE TRAFFIC CODE.

Introduced by: Say C (BR)

Changes the violation for spilling loads on highways to be considered an offense as defined under the penal code. -- HB1457 SD1

Committee Reports: HSCR 207 (TRN) HSCR 581 (JHA) HSCR 994 (FIN) SSCR 936 (TIA) SSCR 3316 (JDC)

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 291C-131 ONLY

HB1491 HD1 SD1 (SSCR 3318)

RELATING TO SUBPOENAS.

Introduced by: Say C (BR)

Amends provision relating to the requirements for governmental access. Requires a provider of electronic communication or remote computing services

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to disclose records when presented with an administrative subpoena, grand jury or trial subpoena, which seeks the disclosure of subscriber or customer information. -- Amends provision relating to disclosure in civil, judicial, and administrative procedures. Provides that this provision shall not apply in a case in which the protected health information sought under the discovery request or subpoena is nonidentifiable health information; or related to a party to the litigation whose medical condition is at issue. -- Amends Act 87, session laws of 1999. Amends provision relating to subpoena duces tecum for medical records, compliance by repealing the requirement that whenever a subpoena duces tecum is served upon the custodian of medical records it shall be sufficient compliance if the custodian or other qualified witness delivers by registered or certified mail or by messenger a true and correct copy of all medical records described in the subpoena. -- HB1491 SD1

Committee Reports: HSCR 869 (CPC/ JHA/) SSCR 3318 (JDC)

Current Status: Apr-27 00 Received by the Governor
----- -- PENDING FURTHER ACTION

Section Affected: 803-47.6, 323C-38, ACT 87 1999

HB1632 HD3 SD1 CD1 (CCR 160)

RELATING TO AGRICULTURE.

Introduced by: Abinsay F

Appropriation to the department of agriculture to be deposited into the agriculture loan revolving fund and appropriation out of the fund to finance major sugar cane operations on the island of Kauai to encourage the continuation of sugar production on that island. Allows the department to make direct loans to qualified farmers from the fund. -- Appropriation to the department of agriculture for the intensive control of the papaya ringspot virus, leading to the eradication of the virus from the island of Hawaii. (\$\$) -- HB1632 CD1

Committee Reports: HSCR 325 (AGR) HSCR 560 (AGR) HSCR 814 (FIN)
SSCR 957 (ECD) SSCR 3348 (WAM) CCR 160

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB1691 HD1 (HSCR 31-00)

RELATING TO TAXATION.

Introduced by: Say C, Abinsay F, Hamakawa E, Goodenow K

Provides a general excise tax exemption for amounts received from foreign diplomats and consular officials who are holding cards issued or authorized by the US department of state granting them an exemption from state taxes. Also provides a transient accommodations tax exemption for accommodations furnished to them and a use tax exemption for the use of property, services, or contracting imported by them. -- HB1691 HD1

Committee Reports: HSCR 31-00 (FIN) SSCR 2885 (TIA) SSCR 3205 (WAM)

Current Status: Apr-07 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 38 2000)

Section Affected: 237-24.3, 237D-3, 238-1

HB1757 HD1 (HSCR 489-00)

RELATING TO HIGHWAY SAFETY.

Introduced by: Hiraki K, Goodenow K, Catalani I, Takai K

Amends provisions relating to consuming or possessing intoxicating liquor while operating a motor vehicle or moped or while a passenger in a motor vehicle and storage of an opened container containing intoxicating liquor or consumption at a scenic lookout by repealing the exemption for living quarters of a trailer or camper. -- HB1757 HD1

Committee Reports: HSCR 2-00 (TRN) HSCR 489-00 (JHA) SSCR 2886 (TIA)
SSCR 3271 (JDC)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 62 2000)

Section Affected: 291-3.1, 291-3.2, 291-3.3

HB1759 HD2 SD2 CD1 (CCR 151)

RELATING TO TRAFFIC ENFORCEMENT.

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Introduced by: Hiraki K, Goodenow K, Catalani I, Takai K
Amends the traffic enforcement demonstration project provisions and Act 234, session laws of 1998, and amends Act 234, session laws of 1998, as amended by Act 263, session laws of 1999. Replaces county with the department of transportation and requires consultation with the county police. Changes the requirement that a citation be sent by mail within 48 hours of the incident to allow that a citation to be sent by mail within 3 days of the date of the incident by certified, registered, or 1st class mail with a certificate of mailing obtained as evidence of service. Authorizes the county police to provide oversight and all police services required for the project. Establishes a photo enforcement revolving fund to be administered by the department of transportation. Provides that payments resulting from citations and summons shall be deposited into the fund and shall be used to pay contractors and purchase county police oversight and services. Also allows 20 per cent of the fund to be used to pay non recurring state and county expenses and any temporary state positions needed. Allows photo speed imaging detector system to be mounted on a pole or bridge. Allows a private company to use pictures of license plates to identify the vehicle owners. Amends the definition of photo speed imaging detector and photo red light imaging to include video, conventional, or digital cameras. Allows a contractor to operate the equipment. Adds a progress report to the legislature. Changes the sunset date to July 1, 2003. Appropriation. (\$\$) -- HB1759 CD1

Committee Reports: HSCR 30-00 (TRN) HSCR 858-00 (FIN) SSCR 2986 (TIA/ JDC/) SSCR 3199 (WAM) CCR 151
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 286-45, 286-172, 291C-165, 291C-223, ACT 234 1998, ACT 263 1999

HB1761

RELATING TO MOTOR CARRIERS.

Introduced by: Hiraki K, Goodenow K, Catalani I, Takai K
Amends motor carrier law making it a misdemeanor for any person to advertise as a motor carrier unless the person holds a valid certificate or permit. Redefines advertise to include any and all communications media. -- HB1761

Committee Reports: HSCR 24-00 (TRN) HSCR 538-00 (CPC) SSCR 2887 (TIA) SSCR 3255 (CPN)
Current Status: Apr-12 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 40 2000)
Section Affected: 271-8.5 ONLY

HB1762

RELATING TO MOTOR CARRIERS.

Introduced by: Hiraki K, Goodenow K, Takai K
Amends the motor carrier law relating to civil penalties by changing any shipper or consignee to any person. -- HB1762

Committee Reports: HSCR 23-00 (TRN) HSCR 630-00 (CPC/ JHA/) SSCR 2987 (TIA/ CPN/) SSCR 3317 (JDC)
Current Status: Apr-12 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 41 2000)
Section Affected: 271-27 ONLY

HB1763 HD2 SD2 CD1 (CCR 24)

RELATING TO BICYCLES.

Introduced by: Hiraki K, Hamakawa E, Catalani I, Takai K
Establishes provision relating to bicycle helmets. Prohibits any person under 16 years of age to operate a bicycle unless the person is wearing a properly fitted and fastened bicycle helmet that meets national standards. Also applies this requirement to a person who rides upon a bicycle while in a restraining seat that is attached to the bicycle or who rides in a trailer towed by the bicycle. Prohibits a person who provides bicycles for hire to rent a bicycle to any person unless every person 16 years of age and under is wearing a helmet. Establishes penalties. -- HB1763 CD1

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Committee Reports: HSCR 11-00 (TRN) HSCR 548-00 (JHA) SSCR 2985
(TIA) SSCR 3344 (JDC) CCR 24
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 291C- (1 SECTION) ONLY

HB1773 HD1 SD1 CD1 (CCR 8)

RELATING TO THE MOTOR CARRIER LAW.

Introduced by: Hiraki K

Amends the motor carrier law to require that any motion for reconsideration or rehearing by the public utilities commission be determined and an order issued by the commission within 45 days from the filing date of the motion. Provides that the commission may set aside at its discretion the automatic stay of its final decision if a motion for reconsideration or rehearing is filed. -- HB1773 CD1

Committee Reports: HSCR 507-00 (CPC) SSCR 3278 (CPN) CCR 8

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 271-32 ONLY

HB1836

REPEALING SECTION 327E-13(G), HAWAII REVISED STATUTES.

Introduced by: Lee M, Morita H, Leong B, Ahu Isa L, Marumoto B, Catalani I, Yoshinaga T, Arakaki D, Thielen C, Luke S, Oshiro M, Case E, Takai K, Takumi R, Schatz B

Amends provisions relating to the effect of uniform health care decisions Act. Repeals provisions that excludes a patient that is diagnosed by the attending physician as pregnant. -- HB1836

Committee Reports: HSCR 498-00 (JHA) SSCR 2822 (HHS) SSCR 3327
(JDC)

Current Status: Apr-12 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 42 2000)

Section Affected: 327E-13 ONLY

HB1873 HD2 SD1 CD1 (CCR 144)

RELATING TO EDUCATION.

Introduced by: Say C, Oshiro M, Suzuki N, Souki J, Ahu Isa L, Menor R, Hamakawa E, Takamine D, Kaho'ohalahala S, Schatz B, Espero W, Goodenow K, Morihara D, Chang J, Yoshinaga T, Ito K, Case E, Yonamine N, Garcia N, Arakaki D, Hiraki K, Herkes R, Abinsay F, Morita H, Lee M, Luke S, Kanoho E, Cachola R, Catalani I, Saiki S, Yamane B, Takumi R, Kawakami B

Establishes provisions that provides that federal impact aid, federal department of defense funds, and federal indirect overhead reimbursements received by the department of education shall not be returned to the general fund. Provides that if the federal impact aid and federal department of defense funds received exceeds the authorized appropriations the governor shall allow the department of education to increase the federal fund expenditure ceiling for all program identification numbers. Allows the department to retain the full amount of the general fund offset created by the increased impact aid receipts. Prohibits the department to use the offset to create new programs or expand existing programs. Annual reports by the department to the legislature. -- Allows the department of education to retain and expend federal indirect overhead reimbursements for discretionary grants in excess of the negotiated rate for such reimbursements as determined by the director of finance and the superintendent of education. Annual report to the legislature. -- Establishes a federal grants search, development, and application revolving fund into which shall be deposited the department's share of the indirect overhead reimbursements. Allows money to be expended to search for grants and develop program applications. Annual report to the legislature. -- Provides that if the amount of revenues deposited into a trust fund of the department exceeds the amount appropriated from that fund for that year the superintendent may approve expenditures in excess of the amount appropriated. Annual report to the governor and legislature. Appropriation. (\$\$) -- HB1873 CD1

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Committee Reports: HSCR 104-00 (EDN) HSCR 763-00 (FIN) SSCR 2993
(EDU) SSCR 3200 (WAM) CCR 144
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 29- (1 SECTION), 302A- (3 SECTIONS)

HB1874 HD1 SD2 CD1 (CCR 33)

RELATING TO EDUCATIONAL ACCOUNTABILITY.

Introduced by: Say C, Oshiro M, Suzuki N, Souki J, Ahu Isa L, Menor R, Hamakawa E, Takamine D, Kaho'ohalahala S, Schatz B, Espero W, Goodenow K, Morihara D, Chang J, Yoshinaga T, Ito K, Case E, Yonamine N, Garcia N, Arakaki D, Hiraki K, Herkes R, Abinsay F, Morita H, Lee M, Luke S, Kanoho E, Cachola R, Catalani I, Saiki S, Yamane B, Takumi R, Kawakami B

Establishes an interagency educational accountability working group within the department of education to review all pertinent agency rules which are impeding educational system restructuring and reallocation of educational resources. Also requires the working group to enumerate and report to the board of education, the governor, and legislature any statutes, rules, policies, procedures, and practices identified as needing suspension to allow the department to restructure and reallocate its resources to support student achievement. Reports to the board of education and the legislature. -- HB1874 CD1

Committee Reports: HSCR 105-00 (EDN) HSCR 556-00 (FIN) SSCR 3013
(EDU/ LRE/) SSCR 3227 (WAM) CCR 33
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB1881 HD2 SD2 CD1 (CCR 25)

RELATING TO USE OF INTOXICANTS.

Introduced by: Say C, Oshiro M, Case E, Yonamine N, Espero W, Ahu Isa L, Kawakami B, Catalani I, Suzuki N, Menor R, Takumi R, Souki J, Hamakawa E, Schatz B, Takamine D, Herkes R, Garcia N, Morihara D, Hiraki K, Arakaki D, Abinsay F, Morita H, Lee M, Luke S, Kanoho E, Yamane B, Saiki S, Cachola R, Goodenow K, Chang J, Stegmaier D, Yoshinaga T, Ito K, Kaho'ohalahala S

Changes the penalties for the offense of driving under the influence of drugs. Amends the requirement for the court to refer a person sentenced for the 2nd or 3rd offense of driving under the influence of drugs to a substance abuse counselor for an assessment of the offender's drug dependence and need for treatment by adding appropriate treatment. -- Establishes special series plate (license plate) provisions, failure to surrender license plates provisions, special motor vehicle registration provisions, and provisions prohibiting the transferring of vehicles with revoked license plates. -- Amends administrative revocation of driver's license provisions to include motor vehicle registration. Redefines administrative revocation to mean the termination of the arrestee's driver's license or all motor vehicles registered to the arrestee, or both. Establishes that the registrations of all motor vehicles registered to the arrestee shall be terminated 30 days after the date of arrest whenever an arrestee is a repeat intoxicated driver. Allows the administrative director of the courts to grant a special registration to a qualified household member or to a co owner of any motor vehicle owned by the arrestee upon determination that the person is completely dependent on the motor vehicle for the necessities of life. Requires the arresting officer to cause to remove and revoke the license plates (number plates) of the vehicle driven by the arrestee and issue a temporary motor vehicle license plate and registration to the arrestee. Provides that the periods of administrative revocation, if applicable, shall be imposed. Establishes minimum and maximum periods of revocation. Increases the penalties for the 2nd offense of driving under the influence of intoxicating liquor. Establishes mandatory sentences for a person convicted of habitually driving under the influence of intoxicating liquor or drugs. -- Establishes the use of intoxicants while operating a vehicle law. Repeals and replaces alcohol and boaisions, alcohol, drugs, and highway safety provisions, administrative revocation of driver's license provisions, driving under the influence of intoxicating liquor,

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driving after consuming a measurable amount of alcohol for persons under 21 years of age, habitually driving under the influence of intoxicating liquor or drugs, driving after license suspended or revoked for driving under the influence of intoxicating liquor, evidence of intoxication, medical services, and driving under the influence of drugs. -- Requires the legislative reference bureau to prepare proposed conforming legislation and to transmit such proposed legislation to the legislature. -- HB1881 CD1

Committee Reports: HSCR 70-00 (TRN) HSCR 830-00 (JHA) SSCR 2988 (TIA) SSCR 3347 (JDC) CCR 25

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 291-7, 249- (1 SECTION), 286- (3 SECTIONS), 286-251, 286-252, 286-254, 286-255, 286-256, 286-257, 286-258, 286-259, 286-259.5, 286-261, 286-262, 286-264, 286-265, 291-4, 291-4.4, (37 SECTIONS) USE OF INTOXICANTS WHILE OPERATING A VEHICLE, 199-3, 287-20, 663-1.9, 200-81, 200-82, 200-83, 200-84, 200-85, 200-86, 200-87, 200-88, 200-89, 200-90, 200-91, 200-92, 200-93, 200-94, 200-95, 200-96, 286-151, 286-151.5, 286-152, 286-153, 286-154, 286-155.5, 286-157.3, 286-157.4, 286-157.5, 286-158, 286-158.5, 286-159, 286-159.5, 286-159.6, 286-160, 286-162, 286-162.5, 286-162.6, 286-163, 286-251, 286-252, 286-254, 286-255, 286-256, 286-257, 286-258, 286-259, 286-259.5, 286-261, 286-262, 286-264, 286-265, 286-253, 286-260, 286-263, 286-266, 291-4.3, 291-4.5, 291-5, 291-6, 291-7

HB1884 HD2 (HSCR 784-00)

RELATING TO ENERGY.

Introduced by: Say C, Oshiro M, Case E, Yonamine N, Kawakami B, Garcia N, Arakaki D, Luke S, Morita H, Lee M, Kanoho E, Yamane B, Cachola R, Catalani I, Souki J, Suzuki N, Morihara D, Goodenow K, Chang J, Stegmaier D, Yoshinaga T, Ito K, Espero W, Hiraki K, Herkes R, Abinsay F, Ahu Isa L, Saiki S, Takumi R, Menor R, Hamakawa E, Kaho'ohalahala S, Schatz B, Takamine D
Requires the public utilities commission to conduct a study on the feasibility of implementing a net metering program. Requires the commission to gather data on the department of education's use of net metering in its renewable energy demonstration project. Requires the department of education to assist in the study. Interim and final reports to the legislature by the commission. Act to be repealed 2 years after its effective date (sunset). -- HB1884 HD2

Committee Reports: HSCR 332-00 (EEP) HSCR 784-00 (CPC) SSCR 2928 (CPN/ EDU/) SSCR 3247 (WAM)

Current Status: Apr-12 00 Received by the Governor
Apr-28 00 Approved by Governor (Act 87 2000)

HB1893 HD1 SD1 (SSCR 2871)

RELATING TO ENERGY.

Introduced by: Schatz B, Morita H, Goodenow K
Provides that planning for the state's facility systems with regard to energy shall include the achievement towards reduction, avoidance, or sequestration of greenhouse gas emissions from energy supply and use. Requires the policy of this State is to support actions that reduce, avoid, or sequester greenhouse gases in utility, transportation, and industrial sector applications; and support actions that reduce, avoid, or sequester Hawaii's greenhouse gas emissions through agriculture and forestry initiatives to further achieve the energy objectives. -- HB1893 SD1

Committee Reports: HSCR 278-00 (EEP) HSCR 557-00 (FIN) SSCR 2871 (LRE)

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 226-18 ONLY

HOUSE BILLS WHICH PASSED THE LEGISLATURE

HB1900 HD1 SD1 CD1 (CCR 134)

RELATING TO THE STATE BUDGET.

Introduced by: Say C (BR)

Supplemental Appropriations Act of 2000 (executive budget). Amends Act 91, session laws of 1999, relating to the state budget. (\$\$) -- HB1900 CD1

Committee Reports: HSCR 868-00 (FIN) SSCR 3389 (WAM) CCR 134

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: ACT 91 1999, ACT 328 1997, ACT 116 1998, ACT 218 1995, ACT 287 1996, ACT 289 1993, ACT 252 1994, ACT 296 1991, ACT 300 1992, ACT 316 1989, ACT 299 1990, ACT 216 1987, ACT 390 1988, ACT 347 1986, ACT 300 1985, ACT 345 1986, ACT 301 1983, ACT 285 1984, ACT 60 1999

HB1902 HD1 SD1 CD1 (CCR 7)

RELATING TO THE STATE WATER CODE.

Introduced by: Cachola R, Kanoho E, Meyer C, Thielen C

Amends provision relating to state water code by establishing dual line water supply system; installation in new industrial and commercial developments located in designated water management areas provision. Allows the commission on water resource management as a condition for issuing permits pursuant to the regulation of water use, to require the use of dual line water supply systems in new industrial and commercial developments located in designated water management areas. Provides that the commission shall not require the use of dual line water supply system if there is a threat to existing water quality or to public health and safety; a source of nonpotable water will not be reasonably available in the near future; or there is a serious threat to permitted ground or surface water uses within a designated water management area. Requires the county boards of water supply in consultation with the department of health to adopt standards for nonpotable water distributed through dual line water supply systems, and rules regarding the use of nonpotable water. Adds the term developments to mean 1 or more commercial or industrial subdivisions approved after the effective date of this Act. Prohibits the term to apply to any modification, addition to, or replacement of, any commercial or industrial subdivision in existence prior to the effective date of this Act. -- HB1902 CD1

Committee Reports: HSCR 396-00 (WLU) HSCR 809-00 (FIN) SSCR 2865 (WLH) CCR 7

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 174C- (1 SECTION) ONLY

HB1905 HD2 SD1 (SSCR 2995)

RELATING TO SCHOOL FEES.

Introduced by: Yamane B

Establishes a pilot project at any public school where 70 per cent of all moneys collected by the school from rental fees for usage of facilities by private organizations or individuals shall be deposited with the school for use by the school rather than into the state's general fund. Provides that the remaining 30 per cent shall be allocated to the district office to assist schools that service type 1 and type 2 users. Allows each school to set its own rental fee schedule. Report by the department of education to the legislature. Act to be repealed on June 30, 2002 (sunset). -- HB1905 SD1

Committee Reports: HSCR 296-00 (EDN) HSCR 726-00 (FIN) SSCR 2995 (EDU) SSCR 3228 (WAM)

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

HB1906 HD1 (HSCR 430-00)

RELATING TO LICENSING OF PSYCHOLOGISTS.

Introduced by: Kahikina M

Amends provisions relating to psychologists. Amends the definition of

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professional psychology training program by excluding a doctoral training program that is accredited by the American psychological association. Requires an applicant for licensure to possess a doctoral degree from an American psychological association approved program in clinical psychology or a professional psychology training program; demonstrate that the applicant has completed 1 year of post doctoral supervised experience in health service in psychology and an internship approved by the association or 1 year of supervised experience in health service in psychology. -- HB1906 HD1

Committee Reports: HSCR 430-00 (HLT) HSCR 631-00 (CPC) SSCR 2894 (CPN)

Current Status: Mar-28 00 Received by the Governor
Apr-06 00 Approved by Governor (Act 7 2000)

Section Affected: 465-1, 465-7

HB1912 HD1 SD1 CD1 (CCR 35)

RELATING TO THE MOTOR VEHICLE RENTAL INDUSTRY.

Introduced by: Cachola R, Menor R

Amends provisions relating to the motor vehicle rental industry's unfair trade practices. Provides that charging the lessee more than the actual cash value of a vehicle if it is declared a total loss, or more than the diminution in value of a vehicle if it is not repaired and not declared a total loss; charging the lessee more than the reasonable estimate of the actual income lost for loss of use of a vehicle; and charging the lessee more than actual towing charges shall be violations of unfair competition and practices. -- HB1912 CD1

Committee Reports: HSCR 660-00 (CPC) SSCR 3216 (CPN) CCR 35

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 437D-15 ONLY

HB1925 SD1 CD1 (CCR 34)

RELATING TO ELECTIONS.

Introduced by: Hamakawa E

Amends provision relating to election by extending time for candidate to file organizational report to 10 days after filing nomination papers. Adds candidates for the senate or house of representatives into the list of offices that require electronic filing. Requires an organization report to include a candidate web page address, if any. Repeals the requirement in the case of an organizational report by a committee or party supporting or opposing a ballot question or issue except name and address of the candidate. Allows a candidate, campaign treasurer, or candidate's committee to use campaign funds for any ordinary and necessary expenses incurred in connection with the candidate's duties as a holder of an elected state or county office, and to make contributions from its campaign fund to any community service, education, youth, recreational, charitable, scientific, or literary organization. Prohibits the total amount of all contributions from campaign funds and surplus funds in any election cycle to be more than the maximum amount that 1 person or other entity may contribute to that candidate. Requires any candidate, candidate's committee, or committee to return to the donor any excess donations over the limits and to notify the commission within 30 days of receipt of the contribution if the excess donation was inadvertently made. Changes the maximum amount of public funds available for the office of governor, lieutenant governor, or mayor; and for the office of state senator, state representative, county council member, and prosecuting attorney in any election from 1/5 or 20 to 10 per cent; and from 30 to 15 per cent of the total expenditure limit for each election, respectively. -- HB1925 CD1

Committee Reports: HSCR 634-00 (JHA) SSCR 3326 (JDC) CCR 34

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 11-194, 11-196, 11-200, 11-204, 11-206, 11-218, 11-228, 11-229

HB1938 HD1 SD1 CD1 (CCR 30)

RELATING TO REVISED UNIFORM COMMERCIAL CODE ARTICLE

HOUSE BILLS WHICH PASSED THE LEGISLATURE

9--SECURED TRANSACTIONS.

Introduced by: Menor R (BR)

Repeals and replaces the uniform commercial code article 9, secured transactions. -- HB1938 CD1

Committee Reports: HSCR 526-00 (CPC/ JHA) SSCR 3277 (CPN) CCR 30

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 490:9-101, 490:9-102, 490:9-103, 490:9-104, 490:9-105, 490:9-106, 490:9-107, 490:9-108, 490:9-109, 490:9-110, 490:9-201, 490:9-202, 490:9-203, 490:9-204, 490:9-205, 490:9-206, 490:9-207, 490:9-208, 490:9-209, 490:9-210, 490:9-301, 490:9-302, 490:9-303, 490:9-304, 490:9-305, 490:9-306, 490:9-307, 490:9-308, 490:9-309, 490:9-310, 490:9-311, 490:9-312, 490:9-313, 490:9-314, 490:9-315, 490:9-316, 490:9-317, 490:9-318, 490:9-319, 490:9-320, 490:9-321, 490:9-322, 490:9-323, 490:9-324, 490:9-325, 490:9-326, 490:9-327, 490:9-328, 490:9-329, 490:9-330, 490:9-331, 490:9-332, 490:9-333, 490:9-334, 490:9-335, 490:9-336, 490:9-337, 490:9-338, 490:9-339, 490:9-340, 490:9-341, 490:9-342, 490:9-401, 490:9-402, 490:9-403, 490:9-404, 490:9-405, 490:9-406, 490:9-407, 490:9-408, 490:9-409, 490:9-501, 490:9-502, 490:9-503, 490:9-504, 490:9-505, 490:9-506, 490:9-507, 490:9-508, 490:9-509, 490:9-510, 490:9-511, 490:9-512, 490:9-513, 490:9-514, 490:9-515, 490:9-516, 490:9-517, 490:9-518, 490:9-519, 490:9-520, 490:9-521, 490:9-522, 490:9-523, 490:9-524, 490:9-525, 490:9-526, 490:9-527, 490:9-601, 490:9-602, 490:9-603, 490:9-604, 490:9-605, 490:9-606, 490:9-607, 490:9-608, 490:9-609, 490:9-610, 490:9-611, 490:9-612, 490:9-613, 490:9-614, 490:9-615, 490:9-616, 490:9-617, 490:9-618, 490:9-619, 490:9-620, 490:9-621, 490:9-622, 490:9-623, 490:9-624, 490:9-625, 490:9-626, 490:9-627, 490:9-628, 490:9-701, 490:9-702, 490:9-703, 490:9-704, 490:9-705, 490:9-706, 490:9-707, 490:9-708, 490:5- (1 SECTION), 286-52, 476-1, 506-1, 506-2, 712A-1, 490:1-105, 490:1-201, 490:1-206, 490:2-103, 490:2-210, 490:2-326, 490:2-502, 490:2-716, 490:2A-103, 490:2A-303, 490:2A-307, 490:2A-309, 490:4-210, 490:7-503, 490:8-103, 490:8-106, 490:8-110, 490:8-301, 490:8-302, 490:8-510, 490:10-102, 490:11-106, 490:9-112, 490:9-113, 490:9-114, 490:9-115, 490:9-116, 490:9-402.5

HB1939 HD1 SD1 (SSCR 2825)

RELATING TO KAHOO LAWE ISLAND RESERVE COMMISSION.

Introduced by: Saiki S

Exempts the Kahoolawe island reserve commission from the provision prohibiting departments other than the attorney general to employ attorneys by contract or otherwise. -- HB1939 SD1

Committee Reports: HSCR 42-00 (JHA) HSCR 765-00 (FIN) SSCR 2825 (WLH) SSCR 3241 (WAM)

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 28-8.3 ONLY

HB1946 HD2 SD1 (SSCR 2943)

RELATING TO ENERGY CONSERVATION.

Introduced by: Schatz B, Morita H

Amends energy performance contracting for public facilities provision by including retrofit. Provides that all agencies shall evaluate and identify for implementation energy efficiency retrofitting through performance contracting. Allows agencies that perform energy efficiency retrofitting to continue to receive

HOUSE BILLS WHICH PASSED THE LEGISLATURE

budget appropriations for energy expenditures at an amount that will not fall below the pre retrofitting energy budget but will rise in proportion to any increase in the agency's overall budget for the duration of the performance contract or project payment term. Amends the definition of energy performance contract by providing that the level of payments under the contract is made contingent upon the verified energy savings rather than the measured energy cost savings from retrofitting. Adds definition of verified technique. -- HB1946 SD1

Committee Reports: HSCR 459-00 (EEP) HSCR 861-00 (FIN) SSCR 2943 (ECD) SSCR 3219 (WAM)

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 36-41 ONLY

HB1947 HD2 SD2 CD1 (CCR 4)

RELATING TO FISHERIES.

Introduced by: Schatz B, Takumi R, Morita H

Prohibits a person to knowingly harvest shark fins from the territorial waters of the State, or land shark fins in the State unless the fins were taken from a shark landed whole in the State. Establishes penalties. Defines landed, shark fin, whole, harvest and shark. Provides that the provision shall also apply to vessels that hold a fishing license or permit issued by the State, or that have owners or captains who hold a fishing license or permit issued by the State as a prerequisite to participation in the fishery; vessels that are registered pursuant to the requirement for vessels to be registered and numbered provision; or vessels with federal documentation that lists as a homeport a location within the State when fishing outside the territorial waters of the State. Prohibits the enforcement of this provision to apply to vessels required to be registered and numbered if enforcement of this provision is in violation of, or in conflict with, federal law. -- HB1947 CD1

Committee Reports: HSCR 48-00 (OMR) HSCR 716-00 (JHA) SSCR 2905 (ECD) SSCR 3214 (WLH) CCR 4

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 188- (1 SECTION), 187A-1

HB1949 HD2 SD2 (SSCR 3378)

RELATING TO ALIEN AQUATIC ORGANISMS.

Introduced by: Schatz B, Takumi R, Morita H

Establishes the alien aquatic organisms provision. Defines high risk vessel. Provides that the department of land and natural resources is designated as the lead state agency for preventing the introduction and carrying out the destruction of alien aquatic organisms through the regulation of ballast water discharges and hull fouling organisms. Allows the department to establish an interagency team to address the concerns relating to alien aquatic organisms. Allows the department to adopt rules including penalties; standards for the department and the US Coast Guard to use as part of their respective inspection protocols; and the implementation of a course of action in relation to the arrival or pending arrival of a high risk vessel. Allows the governor to enter into an agreement with US Secretary of Transportation including but not limited to the enforcement of state law to carry out the purpose of this provision. -- HB1949 SD2

Committee Reports: HSCR 47-00 (OMR) HSCR 850-00 (FIN) SSCR 2944 (ECD/ LRE/) SSCR 3378 (WAM)

Current Status: Apr-19 00 Received by the Governor
----- -- PENDING FURTHER ACTION

Section Affected: 187A- (2 SECTIONS) ALIEN AQUATIC ORGANISMS ONLY

HB1955 HD2 SD1 CD1 (CCR 3)

RELATING TO THE CORRECTIONS POPULATION MANAGEMENT COMMISSION.

Introduced by: Garcia N, Chang J, Kaho'ohalahala S, Pendleton D

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Increases the membership of the corrections population management commission from 9 to 11, with an additional member being a member from the private sector who is knowledgeable on issues pertaining to reintegrating offenders into the community appointed by the governor. Adds the president of the senate, and the speaker of the house of representatives, or their designated representatives to be members of the commission. Repeals 1 member to be appointed by the president and 1 member to be appointed by the speaker. -- HB1955 CD1

Committee Reports: HSCR 8-00 (PSM) HSCR 693-00 (FIN) SSCR 3195 (JDC) CCR 3

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 353F-4 ONLY

HB1956 HD1 SD2 CD1 (CCR 158)

RELATING TO SMALL BUSINESS.

Introduced by: Herkes R, Luke S

Exempts the small business defender from the provision prohibiting departments other than the attorney general to employ attorneys by contract or otherwise. -- Amends Act 168, session laws of 1998, relating to the small business defender. Changes the small business defender to be within the department of business, economic development, and tourism instead of the legislature. Requires the defender to be appointed by the governor without regard to civil service and compensation laws. Repeals the sunset date of June 30, 2002. -- HB1956 CD1

Committee Reports: HSCR 35-00 (EDB/ CPC/) HSCR 799-00 (FIN) SSCR 2945 (ECD) SSCR 3220 (WAM) CCR 158

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 28-8.3, ACT 168 1998

HB1969 HD2 SD1 CD1 (CCR 159)

MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS.

Introduced by: Herkes R

Appropriation to the department of business, economic development, and tourism for the establishment of manufacturing extension programs in Hawaii. Requires matching federal funds. (\$\$) -- HB1969 CD1

Committee Reports: HSCR 34-00 (EDB) HSCR 694-00 (FIN) SSCR 2842 (ECD) SSCR 3221 (WAM) CCR 159

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB1982

RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT.

Introduced by: Hamakawa E

Repeals provision relating to disclaimer of property interests and establishes the uniform disclaimer of property interests Act. Establishes provisions relating to power to disclaim; disclaimer of interest in property; disclaimer of rights of survivorship in jointly held property; disclaimer of interest by trustee; disclaimer of power of appointment or other power not held in fiduciary capacity; disclaimer by appointee, object, or taker in default of exercise of power of appointment; disclaimer of power held in fiduciary capacity; delivery or filing; when disclaimer barred or limited; tax qualified disclaimer; recording of disclaimer; and application to existing relationships. Provides definitions. -- HB1982

Committee Reports: HSCR 499-00 (JHA) SSCR 2878 (CPN) SSCR 3267 (JDC)

Current Status: Apr-12 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 43 2000)

Section Affected: (16 SECTIONS) UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT, 553A-18, 560:2-801

HOUSE BILLS WHICH PASSED THE LEGISLATURE

HB1983 HD1 SD2 CD1 (CCR 29)

RELATING TO THE LAND COURT.

Introduced by: Hamakawa E

Amends provision relating to land court registration by including definition of state to mean the state of Hawaii. Amends provision relating to registration application to include that application for registration of title may be made by an unincorporated nonprofit association by a person authorized in a statement of authority recorded in the office of the assistant registrar of the land court or with the registrar of conveyances in the bureau of conveyances. -- Amends provision relating to filing liens, etc., notice to include that every conveyance, lien, order, or entry affecting registered land shall contain a reference to the number of the certificate of title and an indorsement of the current certificate of title, if applicable, of the land to be affected. -- Amends provision relating to alterations upon registration book prohibited when; court hearings; limitations. Provides that no erasure, alteration, or amendment shall be made upon the registration book after the entry of a certificate of title or of a memorandum thereon, and the approval of the same by the registrar, or an assistant registrar, except by order of the court, provided that the registrar or assistant registrar may correct a clerical error. -- HB1983 CD1

Committee Reports: HSCR 502-00 (JHA) SSCR 2929 (CPN/ GOH/) SSCR 3328 (JDC) CCR 29

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 501-20, 501-21, 501-102, 501-108, 501-171, 501-173, 501-196

HB1984 HD1 SD2 CD1 (CCR 13)

RELATING TO ELECTIONS.

Introduced by: Hamakawa E

Amends provision relating to campaign contributions; limits as to persons by repealing other than a candidate for the candidate's own campaign, political party, political committees establishes and maintained by a national political party. Limits the amount of contribution to a candidate seeking nomination or election for a 2 year, 4 year statewide and 4 year nonstatewide offices to 2,000 dollars; 6,000 dollars; and 4,000 dollars, respectively. Provides that the length of term of an office shall be the usual length of term of the office as unaffected by the reapportionment, a special election to fill a vacancy, or any other factor causing the term of the office the candidate is seeking to be less than the usual length of term of that office. Requires all candidates who withdraw or cease to be candidates, or committees directly associated with such candidates, individuals who receive contribution but fail to file for nomination, or committees or parties which discontinue their activities covered in this part, to return all residual private contributions to the donors within 4 years if their identities are known. Provides that in the event of a death of a candidate, the candidate's committee, if any, shall return all residual private contributions to the donors of such contributions. Further provides that any residual contributions not returned to the donors within 60 days of the candidate's death shall escheat to the Hawaii election campaign fund or may donated to a nonprofit organization of the candidate's choice. -- HB1984 CD1

Committee Reports: HSCR 488-00 (JHA) SSCR 2959 (JDC) SSCR 3373 (WAM) CCR 13

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 11-204, 11-214

HB1994 HD2 SD2 CD1 (CCR 147)

MAKING AN APPROPRIATION FOR AGRICULTURE.

Introduced by: Abinsay F, Chang J, Ahu Isa L, Halford C, Kaho'ohalahala S, Ito K, Whalen P, Espero W, Morihara D, Suzuki N

Appropriation to the department of agriculture for agricultural research and development to be performed by the Hawaii agriculture research center. Requires matching funds from the private sector. (\$\$) -- HB1994 CD1

Committee Reports: HSCR 49-00 (AGR) HSCR 692-00 (FIN) SSCR 2843

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Current Status: (ECD) SSCR 3222 (WAM) CCR 147
May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB2005 HD1 (HSCR 508-00)

RELATING TO REVERSE MORTGAGES.

Introduced by: Menor R (BR)

Amends provision relating to reverse mortgage loan by amending the definition of reverse mortgage loan to mean a nonrecourse loan wherein the committed principal amount is secured by a mortgage on residential property owned by the borrower; is due upon sale of the property securing the loan, or upon the death of the last surviving borrower, or upon the borrower terminating use of the real property as a principal residence, or upon the borrower's default; provides cash advances to the borrower based upon the equity or the value in the borrower's owner occupied principal residence; requires no payment of principal or interest until the entire loan becomes due and payable; and is made by a lender licensed or chartered under state or federal law. Provides that this Act shall apply to any transaction made after April 25, 1999. -- HB2005 HD1

Committee Reports: HSCR 508-00 (CPC) SSCR 3253 (CPN)

Current Status: Apr-12 00 Received by the Governor

Apr-27 00 Approved by Governor (Act 63 2000)

Section Affected: 506-10 ONLY

HB2017 HD1 SD1 CD1 (CCR 36)

RELATING TO COLLECTION AGENCIES.

Introduced by: Say C

Amends provisions relating to collection agencies. Provides qualifications for an out of state collection agency may be designated as an exempt out of state collection agency. Prohibits an out of state collection agency to collect or attempt to collect any money or any other forms of indebtedness alleged to be due and owing from any person who resides or does business without 1st registering or receiving an exemption from the director of commerce and consumers affairs. -- HB2017 CD1

Committee Reports: HSCR 521-00 (CPC) SSCR 3264 (CPN) CCR 36

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 443B- (1 SECTION) ONLY

HB2020

RELATING TO OBSOLETE LAWS.

Introduced by: Say C (BR)

Amends provision relating to the interagency federal revenue maximization revolving fund by repealing the requirement of the fund to be reverted back to the general funds. Repeals the reciprocal beneficiary family coverage defined; reciprocal beneficiary employees, State and counties, and fund responsibility costs. Repeals the medical services excise tax credit. Repeals real property tax; determination of rates. -- HB2020

Committee Reports: HSCR 211-00 (EDB) SSCR 3196 (JDC)

Current Status: Apr-06 00 Received by the Governor

Apr-17 00 Approved by Governor (Act 18 2000)

Section Affected: 29-24, 87-25.5, 235-55.9, 248-2

HB2021

RELATING TO ACT 316, SESSION LAWS OF HAWAII 1993, AS AMENDED BY ACT 157, SESSION LAWS OF HAWAII 1995; AND TO ACT 278, SESSION LAWS OF HAWAII 1999.

Introduced by: Say C (BR)

Amends Act 316, session laws of 1993, as amended by Act 157, session laws of 1995, relating to sentencing. Provides that provisions relating to factors to be considered in imposing term of probation and terms of probation shall be reenacted in the form which it was read on the date of repeal. Further provides that amendments to provisions relating to factors to be considered in imposing term of probation by Act 229, session laws of 1994 and Act 172, session laws of 1998 shall not be repealed. -- Amends Act 278, session laws of 1999, relating to

HOUSE BILLS WHICH PASSED THE LEGISLATURE

crime. Provides that provisions relating to the authorization of payments for the crime victim compensation special fund shall be reenacted in the form which it was read on the date of repeal. -- HB2021

Committee Reports: HSCR 496-00 (JHA) SSCR 3197 (JDC)

Current Status: Apr-20 00 Vetoes

----- -- PENDING FURTHER ACTION

Section Affected: ACT 316 1993, ACT 157 1995, ACT 278 1999

HB2022

RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS.

Introduced by: Say C (BR)

Amends or repeals various provisions of the Hawaii revised statutes and the session laws of Hawaii for the purpose of correcting errors, clarifying language, correcting references, and deleting obsolete or unnecessary provisions. -- HB2022

Committee Reports: HSCR 212-00 (EDB) SSCR 2840 (JDC)

Current Status: Mar-23 00 Received by the Governor

Apr-04 00 Approved by Governor (Act 4 2000)

Section Affected: 87-27, 312-3.7, 348-8, 348-9, 425D-102, 431:2-203, 853-4, ACT 93 1999, ACT 115 1999, ACT 122 1999, ACT 163 1999, ACT 172 1999, ACT 174 1999

HB2023 HD2 SD2 CD1 (CCR 156)

RELATING TO AGRICULTURAL INFRASTRUCTURE.

Introduced by: Say C

Provides an agriculture infrastructure improvement income tax credit. -- Provides a drought mitigating water storage facility income tax credit for the construction of a new water storage facility or repair or reconstruction of an existing water storage facility necessary for drought mitigation purposes. Requires certification of the facility by the department of agriculture. Act to be repealed on January 1, 2005 (sunset). -- HB2023 CD1

Committee Reports: HSCR 50-00 (AGR) HSCR 801-00 (FIN) SSCR 2906 (ECD) SSCR 3379 (WAM) CCR 156

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 235- (2 SECTIONS) ONLY

HB2024 HD1 SD2 CD1 (CCR 135)

MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES.

Introduced by: Say C

Appropriation to the office of the auditor for studies and to the legislative reference bureau for the council of state government dues. (\$\$) -- HB2024 CD1

Committee Reports: HSCR 552-00 (FIN) HSCR 646-00 (FIN) SSCR 3387 (WAM) FLOOR AMENDMENT 3 CCR 135

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

HB2060 HD2 SD1 (SSCR 2997)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Morihara D, Takai K, Thielen C

Establishes provisions for the service of process upon the university of Hawaii and an officer or employee of the university. Provides that in the case of the board of regents or a member of the board of regents of the university of Hawaii, the university general counsel shall represent and defend them. -- Allows the university to prepare a list of all uncollectible accounts for review by the university counsel. Requires accounts found to be uncollectible by the counsel to be deleted from the accounts receivable records. -- Exempts the university from the need for approval from the attorney general to acquire real property. -- Changes the provision that any claim compromised or settled against the university be paid solely from the money and property of the

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university and not be a general obligation of the State to be paid from moneys appropriated by the legislature. -- HB2060 SD1

Committee Reports: HSCR 169-00 (HED) HSCR 599-00 (FIN) SSCR 2997 (EDU) SSCR 3229 (WAM)

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 304- (1 SECTION), 26-35.5, 40-82, 107-10, 304-6, 304-6.5

HB2062 HD2 SD1 CD2 (CCR 153)

RELATING TO HIGHER EDUCATION.

Introduced by: Morihara D, Takai K, Thielen C, Ahu Isa L, Ito K

Allows the university of Hawaii to retain any appropriation of general funds for operating purposes at the close of a fiscal year. Provides that the funds retained shall not lapse on June 30 of the following fiscal year. Allows the use of the funds to supplement the appropriation for any university program. Report to the director of finance and the legislature. Allows the university of Hawaii to expend a sum equal to the end of the fiscal year faculty payroll of the university using funds appropriated for the following fiscal year. Provides that any state department may cosponsor with another state department, or with the county or any agency thereof, the application for the federal funds or assistance for any project after certification by the state comptroller that proper and sufficient allotment has been made by the governor to the other department; or receipt of resolution adopted by the county council that proper and sufficient sums for the project have been appropriated and encumbered; with the prior consent of the governor and of the director of the department; and subject to terms and conditions ensuring protection of the State as shall be imposed by the department. Act to repealed on June 30, 2002 (sunset) and provisions shall be reenacted in the form which they read on June 29, 2000. -- HB2062 CD2

Committee Reports: HSCR 121-00 (HED) HSCR 822-00 (FIN) SSCR 2998 (EDU) SSCR 3202 (WAM) CCR 1 CCR 153

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 37- (1 SECTION), 37-32, 37-41, 37-42

HB2066 HD1 SD1 (SSCR 3018)

RELATING TO THE UNIVERSITY OF HAWAII FACILITIES USE REVOLVING FUND.

Introduced by: Morihara D, Takai K, Ahu Isa L, Ito K

Amends the university of Hawaii facilities use revolving fund to be the university of Hawaii real property and facilities use revolving. Requires the university to comply with all statutory and common law requirements in the disposition of ceded lands. Allows excess revenues to be transferred to other university funds to be invested or expended for the administrative or overhead costs of the university. -- HB2066 SD1

Committee Reports: HSCR 213-00 (HED) HSCR 695-00 (FIN) SSCR 3018 (EDU) SSCR 3203 (WAM)

Current Status: Apr-25 00 Received by the Governor

----- -- PENDING FURTHER ACTION

Section Affected: 304-8.957 ONLY

HB2092 SD1 CD1 (CCR 18)

RELATING TO EDUCATION.

Introduced by: Ito K, Stegmaier D, Morihara D

Establishes the running start program within the department of education to allow eligible high school students to enroll in any qualified course offered by the university of Hawaii system. -- HB2092 CD1

Committee Reports: HSCR 184-00 (EDN) HSCR 811-00 (FIN) SSCR 3286 (EDU) CCR 18

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 304- (1 SECTION), 302A-401

HOUSE BILLS WHICH PASSED THE LEGISLATURE

HB2095 SD1 CD1 (CCR 19)

RELATING TO EDUCATION.

Introduced by: Ito K, Stegmaier D, Morihara D

Provides that the board of education shall invite the senior military commander in Hawaii to appoint a nonvoting military representative to the board, who shall serve for a 2 year term without compensation. Allows the representative to be removed only for cause by a majority vote of the members of the board. -- HB2095 CD1

Committee Reports: HSCR 642-00 (EDN) SSCR 3287 (EDU) CCR 19

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 302A-1101 ONLY

HB2098 HD2 SD1 CD1 (CCR 48)

RELATING TO CRIMINAL HISTORY.

Introduced by: Ito K, Stegmaier D, Morihara D

Establishes provision relating to employees of the department of health, its providers and subcontractors; criminal history checks. Requires the department of health to develop procedures for obtaining verifiable information regarding the criminal history of persons who are seeking employment, or seeking to serve as providers or subcontractors in positions which place them in direct contact with clients when providing non witnessed direct mental health services on behalf of the child and adolescent mental health division of the department of health. Provides that the department may refuse to employ or may terminate the employment of any employee or applicant if the person has been convicted of an offense for which incarceration is a sentencing option, and if the department finds by reason of the nature and circumstances of the crime that the person poses a risk to the health, safety, or well being of clients receiving non witnessed direct mental health services. Further provides that such refusal or termination may occur only after appropriate investigation, notification of results and planned action, and opportunity to meet and rebut the finding. Requires provision to be repealed on June 30, 2001 (sunset). -- Amends provision relating to employees of private schools; criminal history record checks. Requires private schools to establish procedures to protect against inappropriate disclosure of information obtained under this provision. Provides that the Hawaii criminal justice data center may charge a reasonable fee to cover the cost of the state and Federal Bureau of Investigation criminal history record check. -- Prohibits provision from being used by the department of health and private schools to secure criminal history record checks on persons who have been employed continuously on a salaried basis prior to July 1, 2000. Appropriation out of the state criminal history record improvement revolving fund to the department of the attorney general. (\$\$) -- HB2098 CD1

Committee Reports: HSCR 441-00 (EDN) HSCR 760-00 (JHA) SSCR 2863 (EDU) SSCR 3345 (JDC) CCR 48

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 846- (1 SECTION), 846-44

HB2123 HD2 (HSCR 854-00)

RELATING TO WAGES AND TIPS OF EMPLOYEES.

Introduced by: Yoshinaga T

Establishes provision relating to service charge. Provides that any hotel or restaurant applying a service charge for the sale of food or beverage services shall distribute the service charge to its employees or else clearly disclose to the purchaser of such services that the service charge is being used to pay for costs or expenses other than wages and tips of employees. -- HB2123 HD2

Committee Reports: HSCR 479-00 (LAB) HSCR 854-00 (FIN) SSCR 3077 (CPN)

Current Status: Apr-04 00 Received by the Governor

Apr-11 00 Approved by Governor (Act 16 2000)

Section Affected: 481B- (1 SECTION) ONLY

HB2129 HD1 SD1 (SSCR 3273)

RELATING TO PAWN BROKERS AND SECONDHAND DEALERS.

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Introduced by: Yoshinaga T
Amends pawnbrokers and secondhand dealers record of transaction provision by adding the definition of government issued identification. Requires every dealer, or the agent, employee, or representative of the dealer to record the Hawaii drivers license number or the number of and description of any government issued identification immediately upon the receipt of any article. -- HB2129 SD1

Committee Reports: HSCR 522-00 (CPC) SSCR 2895 (CPN) SSCR 3273 (JDC)

Current Status: Apr-27 00 Received by the Governor
----- -- PENDING FURTHER ACTION

Section Affected: 486M-1, 486M-2

HB2148

RELATING TO MOTORCYCLE AND MOTOR SCOOTER INSURANCE.

Introduced by: Hamakawa E

Amends the motorcycle and motor scooter insurance law to provide that any person cited shall have an opportunity to present a good faith defense, including a lack of knowledge or proof of insurance. -- HB2148

Committee Reports: HSCR 578-00 (CPC) SSCR 2879 (CPN) SSCR 3268 (JDC)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 64 2000)

Section Affected: 431:10G-108 ONLY

HB2150 HD1 (HSCR 1-00)

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

Introduced by: Takamine D

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. (\$\$) -- HB2150 HD1

Committee Reports: HSCR 1-00 (FIN) SSCR 2001 (WAM)

Current Status: Feb-02 00 Received by the Governor
Feb-02 00 Approved by Governor (Act 1 2000)

HB2151 HD1 SD1 CD1 (CCR 150)

RELATING TO STATE BONDS.

Introduced by: Takamine D

Authorizes the issuance of general obligation bonds. Provides that general obligation bond may be issued from time to time to refund any general obligation bonds. (\$\$) -- HB2151 CD1

Committee Reports: HSCR 649-00 (FIN) SSCR 3342 (WAM) CCR 150

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB2158 HD1 (HSCR 668-00)

RELATING TO MOTOR VEHICLE INSURANCE.

Introduced by: Arakaki D

Amends motor vehicle insurance personal injury protection benefits to include medical equipment and supplies. -- HB2158 HD1

Committee Reports: HSCR 668-00 (CPC) SSCR 3313 (CPN)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 65 2000)

Section Affected: 431:10C-103.5 ONLY

HB2160 HD2 SD2 CD1 (CCR 28)

RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND.

Introduced by: Arakaki D, Kahikina M, Santiago A, Leong B

Establishes the traumatic brain injury trust fund that shall be under the custody of the traumatic brain injury board, for programs to educate the public; programs to train and educate professionals involved with individuals with traumatic brain injuries; and programs to fund research, evaluation, and

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advocacy activities to identify cost effective strategies to meet the needs of traumatic brain injury survivors and their families. -- Allows the board to accept federal funds granted by Congress or executive order, as well as donations from individuals, private organizations, or foundations. -- Authorizes donations to be collected upon designation by an individual or entity from the initial issuance of a driver's license and each subsequent renewal, to be deposited on a quarterly basis into the trust fund. -- Changes the traumatic brain injury advisory board to the traumatic brain injury board. Requires the board, with the approval of the director of health, to have jurisdiction and control over the trust fund. Annual report to the legislature. -- HB2160 CD1

Committee Reports: HSCR 41-00 (HLT) HSCR 727-00 (FIN) SSCR 2960 (JDC/ HHS/) SSCR 3235 (WAM) CCR 28

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: (2 SECTIONS) TRAUMATIC BRAIN INJURY, 286- (1 SECTION), 321-28

HB2183 HD1 SD1 CD1 (CCR 11)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES.

Introduced by: Nakasone B

Authorizes the issuance of special purpose revenue bonds, with approval of the governor, to assist Worldwide Energy Group, Inc., a Hawaii corporation, in the planning, design, construction, and operation of any and all elements of the Hawaii sugar ethanol project, including a multi million gallon per year fuel grade ethanol facility on the island of Kauai and other appropriate locations in the State. Requires the department of budget and finance to process applications in accordance with the requirements of its formal application for financing of an industrial enterprise. Report to the legislature. (\$\$) -- HB2183 CD1

Committee Reports: HSCR 144-00 (EEP/ AGR/) HSCR 813-00 (FIN) SSCR 2946 (ECD) SSCR 3380 (WAM) CCR 11

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB2213 SD1 (SSCR 3280)

RELATING TO BINDING ARBITRATION AWARDS.

Introduced by: Hiraki K

Amends motor vehicle binding arbitration provision to provide that collection of any arbitration award issued under this provision shall be limited to the applicable liability policy limit, unless the insured tortfeasor otherwise agrees. Provides that the amount of arbitration award under this provision shall not be binding on a subsequent underinsured motorist claim. -- HB2213 SD1

Committee Reports: HSCR 485-00 (JHA) SSCR 3280 (CPN)

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 431:10C-213.5 ONLY

HB2216

RELATING TO UNINSURED MOTOR VEHICLES.

Introduced by: Hiraki K

Amends the motor vehicle insurance law by redefining the unidentified motor vehicle portion of an uninsured motor vehicle. Defines it as an unidentified motor vehicle that causes an accident resulting in injury provided the accident is reported to the police or proper governmental authority within 30 days or as soon as practicable thereafter. -- HB2216

Committee Reports: HSCR 505-00 (CPC) SSCR 3256 (CPN)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 66 2000)

Section Affected: 431:10C-103 ONLY

HB2218 HD1 SD1 (SSCR 3250)

RELATING TO INSURANCE.

Introduced by: Menor R (BR)

Allows the insurance commissioner to transfer up to 10 per cent of the total

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moneys credited to the captive insurance administrative fund in the prior fiscal year to the insurance regulation fund to promote Hawaii as a captive insurance domicile, subject to the approval of the director of commerce and consumer affairs. -- HB2218 SD1

Committee Reports: HSCR 152-00 (CPC) HSCR 559-00 (FIN) SSCR 2880 (CPN) SSCR 3250 (WAM)

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 431:19-101.8 ONLY

HB2219 HD1 (HSCR 509-00)

RELATING TO INSURANCE.

Introduced by: Menor R (BR)

Repeals and replaces confidential treatment provisions for captive insurance companies. Replaces pure captive insurance company with class 1, 2 or 4 and not pure captive insurance company with class 3, for financial report provisions.

-- HB2219 HD1

Committee Reports: HSCR 509-00 (CPC) SSCR 3281 (CPN)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 67 2000)

Section Affected: 431:19- (1 SECTION), 431:19-107, 431:19-102.5

HB2220

RELATING TO CAPTIVE INSURANCE.

Introduced by: Menor R (BR)

Establishes provisions for the conversion or merger of captive insurers which allows a captive insurance company to convert into another corporate form to become a converted insurer or merge with another captive insurance company.

Requires the approval of a plan of conversion by the insurance commissioner and filings with the department of commerce and consumer affairs. -- HB2220

Committee Reports: HSCR 506-00 (CPC) SSCR 3282 (CPN)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 68 2000)

Section Affected: 431:19- (1 SECTION) ONLY

HB2222 HD1 SD1 CD1 (CCR 139)

RELATING TO CONDOMINIUMS.

Introduced by: Menor R (BR)

Requires the real estate commission to conduct a review of Hawaii's condominium property regimes law, make findings and formulate recommendations for recodification of the law, and develop draft legislation.

Review to include an examination of the condominium and common interest laws of other states, the uniform common interest Act, and other related laws and issues. Requires the commission to consult with public and private organizations and individuals whose duties and interests are affected by the condominium regimes law, including the department of commerce and consumer affairs, and other state, county, and private agencies; and to conduct a public hearing for the purpose of receiving comments and input on the condominium property regimes law and related issues.

Appropriation out of the condominium management education fund to the department of commerce and consumer affairs to conduct a comprehensive review of the condominium property regimes law and to establish a temporary full time condominium specialist position, exempt from civil service and compensation laws who shall be a licensed attorney. Requires the real estate commission to report to legislature. (\$\$) -- HB2222 CD1

Committee Reports: HSCR 153-00 (CPC) HSCR 560-00 (FIN) SSCR 2904 (CPN/ GOH/) SSCR 3365 (WAM) CCR 139

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB2262 HD2 SD1 (SSCR 2971)

ESTABLISHING A COMMISSION TO CELEBRATE THE ONE-HUNDREDTH ANNIVERSARY OF THE ARRIVAL OF THE KOREANS TO HAWAII.

Introduced by: Luke S, Santiago A, Kaho'ohalahala S, Lee M, Yamane B, Case

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E, Oshiro M, Ahu Isa L, Suzuki N, Takai K

Establishes a temporary commission to be known as the Korean centennial celebration commission within the office of the governor. Provides that the commission shall have charge of all arrangements for the commemoration of the centennial anniversary of the arrival of the 1st Koreans to Hawaii. Provides that the centennial celebration shall be immune from civil liability that may occur in the implementation of the celebration. Requires the commission to consist of 15 members of the Korean community to be appointed by the governor. Provides that an individual appointed to another commission shall be eligible to be appointed as member of this commission. Provides that members of the commission shall be immune from civil liability for any act done in connection with the performance of their duties. Requires the commission to identify a non profit organization that will be responsible for any moneys received or expended for the centennial anniversary celebration. Provides that the commission may seek grants from public and private sources and may accept donations to finance the projects, programs, and activities of the centennial anniversary celebration. Further provides that the grants and subsidies law shall not apply to any grant or subsidy made pursuant to this provision. Requires the commission to report to the governor. Provides that the commission shall cease to operate after December 31, 2003 (sunset). -- HB2262 SD1

Committee Reports: HSCR 256-00 (CAR) HSCR 728-00 (FIN) SSCR 2971 (EDU) SSCR 3306 (WAM)

Current Status: Apr-19 00 Received by the Governor
----- -- PENDING FURTHER ACTION

HB2273 HD2 SD1 CD1 (CCR 44)

RELATING TO THE HAWAII CHILDREN'S TRUST FUND.

Introduced by: Arakaki D, Lee M, Takai K, Fox G

Appropriation out of the Hawaii tobacco settlement special fund to the department of health to be paid into the Hawaii children's trust fund to strengthen families and to prevent child abuse and neglect. Requires the department of health to submit a detailed financial report to the legislature. (\$\$) -- HB2273 CD1

Committee Reports: HSCR 271-00 (HSH) HSCR 776-00 (FIN) SSCR 2807 (HHS) SSCR 3350 (WAM) CCR 44

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB2277 HD1 SD1 CD1 (CCR 141)

RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND.

Introduced by: Santiago A, Arakaki D, Kahikina M

Amends provisions relating to the Hawaii tobacco settlement special fund. Provides that funds shall be transferred, rather than appropriated into the emergency and budget reserve fund (rainy day fund), department of health tobacco special fund, and the Hawaii tobacco prevention and control trust fund. Further provides that the transfers made shall be made without an appropriation act or budget provision. -- Amends provisions relating to the use of tobacco settlement funds by changing it to the department of health tobacco special fund. Requires moneys transferred to the department from the tobacco settlement moneys shall be deposited into the department of health tobacco special fund. Includes healthy Hawaii initiative and the state children's health insurance program (CHIP), which includes services for immigrant and other children that the fund shall be used for. Provides that the moneys received or expended shall not supplant or diminish the funding of existing tobacco prevention and control programs or any health related programs funded in whole or in part by the State. -- Amends the number and membership of the advisory group that shall plan the development and implementation of preventive systems to achieve measurable outcomes and to make recommendations for the expenditure of the tobacco special fund. -- Amends Act 304, session laws of 1999. Changes the amount of money appropriated from the Hawaii tobacco settlement special fund to the department of health

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tobacco special fund for fiscal year 2000 - 2001. -- Requires the department to annually report to the legislature. -- Exempts the department of health tobacco special fund from contributing to central service and administrative expenses of the government. (\$\$) -- HB2277 CD1

Committee Reports: HSCR 72-00 (HLT) HSCR 747-00 (FIN) SSCR 2808 (HHS) SSCR 3351 (WAM) CCR 141

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 328L- (1 SECTION), 36-27, 36-30, 328L-2, 328L-4, ACT 304 1999, ACT 5 2000

HB2278 HD2 SD1 (SSCR 3254)

RELATING TO SOCIAL WORKERS.

Introduced by: Santiago A, Yamane B, Kahikina M, Lee M, Hiraki K, Yonamine N, Garcia N, Arakaki D

Allows the director of commerce and consumer affairs to enter into reciprocity agreements with other states and issue a license to a social worker who has been licensed in that state, provided that the requirements for a license in the state in which the applicant is licensed are deemed by the director to be higher or equivalent to the requirements for a license in this State. Further allows the director to issue a license by endorsement by honoring a passing score on the examination of the Association of State Social Work Boards. -- Repeals the sunset date of the social workers law. -- Requires each applicant for licensure who have passed the Academy of Certified Social Workers examination administered by the National Association of Social Workers prior to June 30, 1995 to be deemed to have satisfied the requirements only if the application is filed with the department by June 30, 2000. -- HB2278 SD1

Committee Reports: HSCR 37-00 (HSH/ HLT/) HSCR 818-00 (CPC) SSCR 3254 (CPN)

Current Status: Apr-19 00 Received by the Governor

----- -- PENDING FURTHER ACTION

Section Affected: 467E- (1 SECTION), 26H-4, 467E-9

HB2280 HD2 SD1 CD1 (CCR 145)

RELATING TO SCHOOL-TO-WORK.

Introduced by: Ito K

Amends Act 343, session laws of 1997, establishing the school to work opportunities pilot project, by repealing the term opportunities and its designation as a pilot project. Changes the membership of the Hawaii school to work executive council to include a member of the board of education designated by the chairperson of the board of education and a member of the board of regents of the university of Hawaii designated by the chair of the board of regents. Transfers the powers of the executive director of the council to the department of education and makes the council an advocacy board. Repeals the councils authority to appoint staff and requires the council to seek federal, state and private resources. Appropriation. (\$\$) -- HB2280 CD1

Committee Reports: HSCR 458-00 (EDN/ HED/ LAB/) HSCR 777-00 (FIN) SSCR 2952 (EDU/ LRE/) SSCR 3230 (WAM) CCR 145

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: ACT 343 1997 ONLY

HB2289

RELATING TO WORKERS' COMPENSATION.

Introduced by: Yoshinaga T

Amends provision relating to workers' compensation by redefining medical care, medical services, or medical supplies to include every type of care, treatment, surgery, hospitalization, attendance, service, and supplies as the nature of the work injury requires, and includes such care, services and supplies rendered or furnished by a physical therapist assistant. -- HB2289

Committee Reports: HSCR 418-00 (LAB/ CPC/) HSCR 608-00 (FIN) SSCR 2872 (LRE/ CPN/) SSCR 3300 (WAM)

Current Status: Apr-12 00 Received by the Governor

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- Section Affected: Apr-27 00 Approved by Governor (Act 69 2000)
386-1 ONLY
- HB2309 HD1 SD1 (SSCR 2826) RELATING TO LAND EXCHANGE IN NORTH KONA, HAWAII.
Introduced by: Cachola R, Takamine D, Hamakawa E, Herkes R, Chang J, Kanoho E, Kawakami B, Rath J, Whalen P
Approves land exchange involving private lands at Kiholo Bay, North Kona, Hawaii, owned by Earl E. Bakken and public lands located inland of Kiholo Bay, North Kona, Hawaii. Provides criteria. Repeals the authority granted to enter into a land exchange agreement on June 30, 2001 (sunset). Provides that any agreement executed between the State and Earl E. Bakken prior to July 1, 2001 shall remain in force and effect regardless of this Act's repeal. -- HB2309 SD1
Committee Reports: HSCR 171-00 (WLU) HSCR 698-00 (FIN) SSCR 2826 (WLH) SSCR 3242 (WAM)
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
- HB2314 HD1 SD2 CD1 (CCR 138) RELATING TO INSURANCE.
Introduced by: Hiraki K
Amends the Hawaii hurricane relief fund provisions for standard extended coverage endorsement. Provides that upon authorization by the insurance commission, insurers may provide standard extended coverage endorsements for residential property. Also provides that if policies are no longer being offered on commercial property by the fund, any standard extended coverage endorsements including coverage of hurricane risks offered by the insurer shall qualify as a comparable coverage. -- Requires the Hawaii hurricane relief fund's advisory committee to study the issue of hazard mitigation including the providing of matching grants to policyholders who install mitigation devices. Also requires the study to include whether the fund can achieve a hazard mitigation program without additional statutory authority and evaluate the feasibility of a program in which the fund sets aside an amount equal to 5 per cent of the amount remaining after deducting any outstanding liabilities from the hurricane reserve trust fund to be used to provide matching grants to policyholders who install wind resistive devices or opening protection coverings for plate and sliding glass openings and garage door retention devices. Report to the legislature. -- HB2314 CD1
Committee Reports: HSCR 636-00 (CPC) SSCR 2930 (CPN) SSCR 3249 (WAM) CCR 138
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 431P-10 ONLY
- HB2349 HD1 (HSCR 641-00) RELATING TO INSURANCE.
Introduced by: Takumi R
Amends motor vehicle insurance provisions to establish additional civil liability. Provides that an insurer whose insured causes death or injury to another person and is not entitled to the reduction in covered loss deductible, may recover the amount of the covered loss deductible that would have applied from the insured whose conduct resulted in inapplicability of the covered loss deductible. -- HB2349 HD1
Committee Reports: HSCR 641-00 (CPC/ JHA/) SSCR 2989 (TIA/ CPN/) SSCR 3270 (JDC)
Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 70 2000)
Section Affected: 431:10C- (1 SECTION) ONLY
- HB2354 HD2 SD2 CD1 (CCR 46) MAKING AN APPROPRIATION FOR THE FIFTIETH ANNIVERSARY COMMEMORATION OF THE KOREAN WAR COMMISSION.
Introduced by: Garcia N (BR)
Appropriation to the department of defense to carry out the functions of the 50th

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anniversary commemoration of the Korean war commission throughout the State. (\$\$) -- HB2354 CD1

Committee Reports: HSCR 222-00 (PSM) HSCR 699-00 (FIN) SSCR 2889 (TIA) SSCR 3338 (WAM) CCR 46

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB2392 HD2 SD1 CD1 (CCR 143)

RELATING TO HEALTH.

Introduced by: Kawakami B, Arakaki D, Lee M, Leong B, Kahikina M, Santiago A

Requires each policy under accident and sickness provisions, individual and group health care contracts under benefit societies provisions, and each health maintenance organization (HMOs) to provide coverage for health care other than an accident only, specified disease, hospital indemnity, medicare supplement, long term care, or other limited benefit health insurance policy to provide coverage for outpatient diabetes self management training, education, equipment, and supplies. Requires each insurer required to provide coverage to conduct a study of their respective coverages and report to the legislature. -- Amends the assessment on health insurers which provides that an assessment of 10,000 dollars for the 1st 70,000 private, nongovernmental members the entity covers and an additional assessment on a pro rata basis to be determined and imposed by the insurance commissioner for covered members exceeding 70,000 to include entities with 0 to 70,000 members. Repealed on June 30, 2003 (sunset). -- Amends mental health, alcohol, drug abuse treatment provisions by repealing the exemption for individual or group hospital or medical service plan contracts and nonprofit mutual benefit association and health maintenance organization (HMOs) health plan contracts providing coverage to employers with 25 or fewer employees, and government employee health benefits plan. Repealed on June 30, 2003 (sunset). -- Amends Act 121, session laws of 1999, relating to Hawaii mental health insurance task force by changing it to the Hawaii mental health task force. Transfers the task force to the insurance division of the department of commerce and consumer affairs from the department of health. Changes the members in the task force. Extends the task force to June 30, 2003 (sunset). -- HB2392 CD1

Committee Reports: HSCR 304-00 (CPC) HSCR 839-00 (FIN) SSCR 3025 (HHS/ CPN/) SSCR 3352 (WAM) - filed CCR 143

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 431:2-216, 431:10A- (1 SECTION), 432:1- (1 SECTION), 432D-23, 431M-5, ACT 121 1999

HB2403

RELATING TO AQUACULTURE.

Introduced by: Say C (BR)

Repeals the aquaculture advisory council provision. -- HB2403

Committee Reports: HSCR 399-00 (AGR) HSCR 611-00 (FIN) SSCR 2975 (ECD) SSCR 3381 (WAM)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 71 2000)

Section Affected: 148D-1, 148D-2, 148D-3, 148D-4, 148D-5

HB2405 HD2 SD1 CD1 (CCR 23)

RELATING TO PESTICIDES.

Introduced by: Say C (BR)

Amends provision relating to pesticides. Adds definition of integrated pest management. Amends the definition of pest to mean the administrator of the US Environmental Protection Agency determines to be a pest pursuant to the Federal Insecticide Fungicide Rodenticide Act. Allows the department of agriculture to expend revolving funds moneys on the establishment of the development of integrated pest management strategies. Provides that the use of moneys from the revolving fund for personnel costs shall be limited to those employees under the registration and education section of the department's

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pesticides branch. Repeals the ceiling on the balance in the fund. Provides that all unobligated, unencumbered, or unexpended funds remaining in the fund in excess of 250,000 dollars at the close of each fiscal year shall lapse to the state general fund. Requires the department of agriculture to submit an annual report to the legislature. Provides that the department may require, by rule, the distinct coloration of certain pesticides as the EPA determines or, for a product registered pursuant to the Hawaii pesticides law, as the department determines to be necessary to protect public health and the environment. Exempts pesticides deregulated by the administrator of the environmental protection agency (EPA) from regulation in Hawaii unless the department has determined that the pesticide may cause unreasonable adverse effects on the environment.

Changes civil penalties to administrative penalties. Provides procedure to recover administrative penalties imposed. -- HB2405 CD1

Committee Reports: HSCR 53-00 (AGR/ EEP/) HSCR 702-00 (FIN) SSCR 2914 (LRE/ ECD/) SSCR 3296 (WAM) CCR 23

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 149A-2, 149A-13.5, 149A-16, 149A-19, 149A-37, 149A-41

HB2406 HD1 SD1 CD1 (CCR 6)

RELATING TO AGRICULTURE.

Introduced by: Say C (BR)

Amends provision relating to the duties of the department of agriculture. Provides that in cooperative agreement with any authorized federal agency, employees of the cooperative agency may be designated to carry out, on behalf of the State the same as department personnel, specific duties and responsibilities, and rules adopted for the effective prosecution of pest control, and animal disease control, and regulation of import into the State and intrastate movement of regulated articles. Repeals the Hawaii pesticides laws and replaces it with plant and nondomestic animal quarantine provision to the department's various duties. -- HB2406 CD1

Committee Reports: HSCR 248-00 (AGR) HSCR 703-00 (FIN) SSCR 2844 (ECD) CCR 6

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 141-1 ONLY

HB2407 HD1 SD2 CD1 (CCR 136)

MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF AGRICULTURE.

Introduced by: Say C (BR)

Appropriation to the department of agriculture to cover all expenses related to temporarily relocating the measurement standards program and its personnel. Authorizes the issuance of general obligation bonds for appropriation to the department of agriculture to finance the cost of plans, design, construction, and equipment of a new building for the measurement standards and commodities programs on Oahu. Allows expending agencies to delegate to another state agency the implementation of projects when it is determined that it is advantageous to do so with the approval of the governor. (\$\$) -- HB2407 CD1

Committee Reports: HSCR 651-00 (FIN) SSCR 2845 (ECD) SSCR 3382 (WAM) CCR 136

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: ACT 328 1997, ACT 116 1998

HB2409 HD1 SD1 (SSCR 2953)

MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION.

Introduced by: Say C (BR)

Appropriation to the department of accounting and general services to be used in support of the state's information processing services program. Requires the

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department of accounting and general services to pursue action against the consultant accountable for reduction in revenues due to an over collection of federal reimbursements during fiscal years 1996 - 1997 and 1997 - 1998. Report to the legislature. (\$\$) -- HB2409 SD1

Committee Reports: HSCR 529-00 (FIN) SSCR 2953 (EDU) SSCR 3307 (WAM)

Current Status: Apr-20 00 Received by the Governor
----- -- PENDING FURTHER ACTION

HB2410 HD1 SD2 CD1 (CCR 42)

RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR.

Introduced by: Say C (BR)

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. (\$\$) -- HB2410 CD1

Committee Reports: HSCR 198-00 (JHA) HSCR 704-00 (FIN) SSCR 2855 (JDC) SSCR 3374 (WAM) CCR 42

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB2418 SD1 CD1 (CCR 39)

RELATING TO CERTIFICATES OF IDENTIFICATION.

Introduced by: Say C (BR)

Amends provision relating to civil identification rules by reducing fees to 10 dollars for any person who is 65 years or older. Amends provision relating to registration and issuance of certificates; fee; revolving fund. Provides that application for renewal of a certificate of identification issued after November 1, 1998, for a person 65 years or older may be done by mailing in a completed application and fee, if there is no change in name and citizenship. Requires the department of the attorney general to adopt rules to allow for renewal by mail for persons with physical or mental disabilities for whom application in person presents a serious burden. Amends provision relating to expiration date. Provides that every certificate of identification issued shall bear an expiration date which shall be on the person's birthday, 6 years after the year of issuance.

Further provides that for the transition to expiration dates that are birthdays of the persons issued certificates, any certificate issued to a person with an expiration date other than the birthday of that person in the year of expiration shall expire on that person's last birthday immediately preceding the certificate's stated expiration date. -- HB2418 CD1

Committee Reports: HSCR 343-00 (JHA) HSCR 561-00 (FIN) SSCR 2869 (JDC) SSCR 3236 (WAM) CCR 39

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 846-23, 846-27, 846-30.5

HB2423 SD1 (SSCR 2856)

RELATING TO TOBACCO PRODUCTS REPORT.

Introduced by: Say C (BR)

Establishes tobacco products report law. Provides that any tobacco product manufacturer selling cigarettes to consumers within this State shall file a report with the attorney general setting forth its name and trade name; the address of its principal place of business; a memorandum or a copy of the invoice covering each and every shipment of cigarettes made during the previous calendar quarter into this state; and other information as may be required by the attorney general. Exempts information that tends to identify customers to tobacco product manufacturers, terms of sale, and non aggregated sales volume data from disclosure under affirmative agency disclosure responsibilities provision. Provides that the attorney general may bring a civil action against any tobacco product manufacturer that fails to file the reports required. -- HB2423 SD1

Committee Reports: HSCR 141-00 (HLT) HSCR 632-00 (JHA) SSCR 2856 (JDC) SSCR 3237 (WAM)

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Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: (3 SECTIONS) TOBACCO PRODUCTS REPORT ONLY

HB2429 HD2 SD2 CD1 (CCR 41)

RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII.

Introduced by: Say C (BR)

Amends provision relating to exception of current owners in housing and community development corporation of Hawaii projects. Changes provision by including household member. Amends definition of housing owner to include very low income, low income. Amends the definition of qualified tenant to mean any single person or family determined by the corporation to have an income that does not exceed the very low income limit. Amends provision relating to the relationship of annual payment to rental and income by changing the requirement that the annual payment to any dwelling unit shall not exceed the amount by which the fair market rental for that unit to not exceed 30 per cent of the tenant's income. Repeals the 2 priorities for eligible persons under the determination of eligibility of occupants and rental charges provision. Authorizes the housing and community development corporation to increase rent contribution up to a maximum of 30 per cent after conducting a public hearings before making any increase. Provides that this provision shall apply only to participants the rent supplement program on June 30, 2000. Further provides that after June 30, 2000 new participants to the rent supplement program shall be required to comply with the relationship of annual payment to rental and income provision. -- HB2429 CD1

Committee Reports: HSCR 272-00 (HSH) HSCR 779-00 (FIN) SSCR 3009 (GOH) SSCR 3337 (WAM) CCR 41

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 201G-128, 201G-232, 201G-233, 201G-234, 201G-235

HB2432 HD1 SD1 (SSCR 3010)

RELATING TO LOW-INCOME HOUSING TAX CREDIT.

Introduced by: Say C (BR)

Provides that section 704 of the Federal Internal Revenue Code (with respect to a partner's distributive share) shall be operative for income tax purposes except that it shall not apply to allocations of low income housing tax credits among partners. Amends the low income housing tax credit to provide that a credit may be claimed regardless of whether or not a claim was filed for federal low income housing tax credit. Requires a building or project to be qualified a low income housing building or a qualified low income housing project under section 42 of the Code. -- HB2432 SD1

Committee Reports: HSCR 135-00 (HSH) HSCR 706-00 (FIN) SSCR 3010 (GOH) SSCR 3204 (WAM)

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 235-2.4, 235-2.45, 235-110.8

HB2443 HD2 (HSCR 719-00)

RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION.

Introduced by: Say C (BR)

Establishes special facility revenue bonds provision. Provides that the high technology development corporation shall not enter into any special facility lease unless the development corporation at or prior to the entering into of the special facility lease find and determine that the facility is to be the subject of the special facility lease will not be used to provide services, which are adequately being made available otherwise in the State; that the result of the use or occupancy of the facility under the special facility lease would not result in the reduction of the revenues derived from the industrial parks or other properties of the development corporation; and the entering into of the special facility lease would not be in violation of or result in a breach of any covenant contained in any resolution or certificate authorizing any bonds of the State then

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outstanding. Requires all special facility revenue bonds authorized to be issued under this provision to be issued pursuant to state revenue bonds. Provides exceptions. Establishes federal tax exempt status provision. Exempts interest on the special purpose revenue bonds from gross income for federal income tax purposes, except as certain minimum taxes, or environmental taxes or other federal taxes or tax consequences may apply. Allows the development corporation to enter into agreements, establish funds or accounts, and take any action required to comply with applicable federal law. Allows the legislature to authorize the issuance of special purpose revenue bonds from time to time in 1 or more series by the development corporation with the approval of the governor to finance a multi project program. Provides that the development corporation shall have the authority to copyright software applications and programs developed for state use with public funds and that such authority shall not apply to software applications and programs developed by or on behalf of private sector qualified persons for which the development corporation purpose revenue bonds under this provision or otherwise provided financing. -- HB2443 HD2

Committee Reports: HSCR 306-00 (EDB) HSCR 719-00 (FIN) SSCR 2972 (EDU/ ECD/) SSCR 3390 (WAM)

Current Status: Apr-14 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 72 2000)

Section Affected: 206M- (5 SECTIONS) SPECIAL FACILITY REVENUE BONDS, 206M- (1 SECTION), 206M-1, 206M-2, 206M-3, 206M-4, 206M-5, 206M-6, 206M-7, 206M-8, 206M-9, 206M-10, 206M-11, 206M-12, 206M-13, 206M-14, 206M-15, 206M-15.5, 206M-16, 206M-17, 206M-34

HB2446 SD1 (SSCR 2896)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Say C (BR)

Establishes provision relating to accidental death claims. Provides that an application for service connected accidental death benefits shall be filed with the board of trustees of the employment retirement system by or on behalf of the claimant no later than 2 years from the date of receipt of the written notification from the system. Provides criteria. Provides that if the medical board certifies that the death was the natural and proximate result of an accident occurring at some definite time and place while the member was in the actual performance of duty, or that the death was due to the result of some occupational hazard, the board shall decide that the death was the result of an accident in the performance of duty and not caused by wilful negligence on the part of the member. Provides that upon approval, benefits shall be paid effective the date the claim was filed with the system. -- Amends provision relating to benefit limitations. Requires the system to establish a benefit restoration plan for the payment of retirement benefits as permitted under the Internal Revenue Code 1986. Provides criteria. -- Amends provision relating to adjustment for deficiency in accumulated contributions. Provides that a deficiency shall be the amount by which a member's accumulated contributions fail to equal the accumulated contributions which would be standing to the member's account had the member contributed at the full rate required by law. Further provides that deficiencies may be paid by the member in advance of retirement, in which case the member's retirement allowance shall not be reduced. -- HB2446 SD1

Committee Reports: HSCR 673-00 (LAB/ FIN/) SSCR 2896 (CPN) SSCR 3368 (WAM)

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 88- (1 SECTION), 88-83.5, 88-87

HB2457

RELATING TO VETERANS LOANS.

Introduced by: Say C (BR)

Repeals the veterans' loans Act. -- HB2457

Committee Reports: HSCR 220-00 (PSM) HSCR 562-00 (FIN) SSCR 2890

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(TIA) SSCR 3206 (WAM)
Current Status: Apr-07 00 Received by the Governor
Apr-17 00 Approved by Governor (Act 19 2000)
Section Affected: 364-1, 364-2, 364-3, 364-4, 364-5, 364-6, 364-7, 364-8,
364-9, 364-10, 364-11, 364-13

HB2458 SD1 CD1 (CCR 146)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.
Introduced by: Say C (BR)
Amends Act 212, session laws of 1994. Provides that the State's and counties' separate payments under this Act will be recalculated so as to liquidate the outstanding balance of each employer's additional actuarial value of benefits as of June 30, 1997. -- HB2458 CD1
Committee Reports: HSCR 679-00 (LAB/ FIN/) SSCR 2941 (CPN) SSCR 3370 (WAM) CCR 146
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: ACT 212 1994 ONLY

HB2463 HD1 (HSCR 543-00)

RELATING TO ADVANCED PRACTICE REGISTERED NURSES RECOGNITION.
Introduced by: Say C (BR)
Requires the board of nursing to grant recognition as an advanced practice registered nurse to a nurse that has an unencumbered recognition as an advanced practice registered nurse or similar designation in all other states in which the nurse has a current and active recognition. Provides that any person who has a current, unencumbered recognition from the board to practice as an advanced practice registered nurse shall use the title and abbreviation, APRN. -- HB2463 HD1
Committee Reports: HSCR 179-00 (HLT) HSCR 543-00 (CPC) SSCR 2897 (CPN)
Current Status: Mar-28 00 Received by the Governor
Apr-06 00 Approved by Governor (Act 8 2000)
Section Affected: 457-8.5 ONLY

HB2464 HD1 (HSCR 595-00)

RELATING TO THE DUTIES OF THE BOARD OF NURSING.
Introduced by: Say C (BR)
Amends provisions relating to the powers and duties of the board of nursing. Authorizes the board to adopt, amend, or repeal rules which include but are not limited to the standards set forth by national certifying bodies recognized by the board; prescribe standards for preparing persons for licensure of practical nurses and registered nurses and for recognition of advanced practice registered nurses; provide consultation, conduct conferences, forums, studies, and research on nursing education and practice; communicate with national organizations that promote the improvement of the legal standards; authorize the administration of examinations; employ, contract, and cooperate with any board approved organization in the preparation and grading of an appropriate nationally uniform examination; and develop and adopt rules necessary relating to the practice of nursing in telehealth. -- Amends provision relating to nursing education programs by replacing accredited with approved. -- HB2464 HD1
Committee Reports: HSCR 180-00 (HLT) HSCR 595-00 (CPC) SSCR 2898 (CPN)
Current Status: Mar-28 00 Received by the Governor
Apr-06 00 Approved by Governor (Act 9 2000)
Section Affected: 457-2, 457-5, 457-11

HB2468 HD1 SD1 (SSCR 2881)

RELATING TO THE PUBLIC UTILITIES COMMISSION.
Introduced by: Say C (BR)
Amends public utilities complaints provisions to provide that the consumer advocate shall counsel utility customers in the handling of consumer complaints before the public utilities commission and that the commission shall provide a

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central clearing house of information by collecting and compiling all consumer complaints and inquiries concerning public utilities. -- HB2468 SD1

Committee Reports: HSCR 523-00 (CPC) SSCR 2881 (CPN) SSCR 3248 (WAM)

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 269-55 ONLY

HB2469 HD1 SD1 CD1 (CCR 10)

RELATING TO SUBPOENAS ISSUED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS.

Introduced by: Say C (BR)

Amends provision relating to subpoenas issued by the department of commerce and consumer affairs. Allows the director of commerce and consumer affairs to delegate the director's authority to the director's designee. -- HB2469 CD1

Committee Reports: HSCR 150-00 (CPC) HSCR 825-00 (FIN) SSCR 2899 (CPN) SSCR 3272 (JDC) CCR 10

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 26-9 ONLY

HB2471 HD1 SD1 (SSCR 3314)

RELATING TO THE HAWAII INSURANCE GUARANTY ASSOCIATION.

Introduced by: Say C (BR)

Amends guaranty association provisions. Repeals the portion of the purpose as to assist in the detection and prevention of insurer insolvencies and to provide an association to assess the cost of such protection among insurers. Amends credit life or credit disability insurance and insurance of warranties or service contracts and includes insurance provided by or guaranteed by government. Redefines covered claim, insolvent insurer, and member insurer. Changes insolvency to order to liquidation. Establishes obligation to the claimant. Allows payment of claims as they are received from the claimants or in groups or categories of claims. Prohibits dividends to be paid during the period of deferment. Allows the association to appoint or substitute and direct legal counsel retained under liability insurance policies for the defense of covered claims. Provides that the plan of operation establish procedures for the disposition of liquidating dividends or other monies received from the state of the insolvent insurer. Provides that the association and a similar organization in another state shall be recognized as claimants in the liquidation of an insolvent insurer for any amounts paid by them on covered claims as determined and shall receive dividends and any other distributions. Changes nonduplication of recovery to exhaustion of other coverage. Allows the board of directors of the association to make recommendations to the insurance commissioner on matters related to improving or enhancing regulation for insolvency and may prepare reports on the history and causes of insolvency. Extends immunity from liability to any person serving as an alternate or substitute representative of any director. -- HB2471 SD1

Committee Reports: HSCR 510-00 (CPC) SSCR 3314 (CPN)

Current Status: Apr-27 00 Received by the Governor

----- -- PENDING FURTHER ACTION

Section Affected: 431:16-102, 431:16-103, 431:16-104, 431:16-105,
431:16-106, 431:16-107, 431:16-108, 431:16-109,
431:16-110, 431:16-111, 431:16-112, 431:16-113,
431:16-116, 431:16-117

HB2472 HD2 SD2 CD1 (CCR 31)

RELATING TO INSURANCE.

Introduced by: Say C (BR)

Establishes that a stock insurer means an incorporated insurer with capital stock divided into shares and owned by its stockholders to whom the earnings are distributed as dividends on their shares. -- Prohibits a person to engage in the business of insurance without holding the required appointment with the insurer. Establishes penalties. -- Requires an insurer to give written notice to

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the insured not less than 10 days prior to the effective date of cancellation and not less than 30 days prior to the effective date of non renewal. -- Allows the insurance commissioner to destroy certificates of authority applications 1 year after the conclusion of the transactions. Adds that complaints and investigation reports shall be confidential and protected from discovery, production, disclosure for so long as the commissioner deems prudent. -- Allows the insurance regulation fund to be used to contract personnel. -- Amends insurance provisions relating to administrative refunds of any insurance tax, fee, or other charge being made out of the insurance regulation funds by providing that a tax refund shall be payable out of the general fund. -- Increase the amount an alien insurer needs in their irrevocable trust. -- Increases penalties for violation of licensing requirements of insurance agents. -- Amends credit life and disability insurance benefits to premium ratio to provide that the ratio of losses for the most recent 3 years is at least 60 per cent. -- Amends motor vehicle insurance misdemeanor violation to be 300 dollars or less. -- Amends insurance holding company system provisions by increasing penalties. -- Replaces the insurance regulation fund with the director of finance and general fund. -- HB2472 CD1

Committee Reports: HSCR 340-00 (CPC) HSCR 862-00 (FIN) SSCR 2882 (CPN) SSCR 3371 (WAM) CCR 31

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 431:3- (1 SECTION), 431:9- (1 SECTION), 431:10- (1 SECTION), 431:2-209, 431:2-215, 431:7-203, 431:8-302, 431:9-105, 431:9-201, 431:10B-108, 431:10C-307.7, 431:11-105, 431:11-111, 431:15-335, 432:2-102

HB2474 HD1 (HSCR 511-00)

RELATING TO INSURANCE.

Introduced by: Say C (BR)

Establishes provisions to require any person who is engaged in the business of insurance or who is about to engage in the business of insurance, who has been convicted of any felony to request the insurance commissioner's written consent to engage in the business of insurance. -- HB2474 HD1

Committee Reports: HSCR 511-00 (CPC) SSCR 2883 (CPN) SSCR 3269 (JDC)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 73 2000)

Section Affected: 431:2- (1 SECTION) ONLY

HB2475 HD1 (HSCR 512-00)

RELATING TO INSURANCE.

Introduced by: Say C (BR)

Amends benefit societies and health maintenance organizations (HMOs) to establish provisions for reserve credit for reinsurance. Also amends requirements of reports made to the insurance commissioner. -- HB2475 HD1

Committee Reports: HSCR 512-00 (CPC) SSCR 3283 (CPN)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 74 2000)

Section Affected: 432:1- (1 SECTION), 432D- (1 SECTION), 432:1-404, 432D-5, 432D-7, 432D-22

HB2476 HD1 SD2 CD1 (CCR 37)

RELATING TO INSURANCE.

Introduced by: Say C (BR)

Amends motor vehicle insurance obligation to pay personal injury protection benefits provisions to provide that for disputes between the provider and the insurer over the amount of a charge or the correct fee or procedure code to be used under the workers' compensation supplemental medical fee schedule shall be governed by the limitation on charges provisions. -- Amends limitation on charges reference to workers' compensation schedules to refer to workers' compensation supplemental medical fee schedule. Provides that the independent medical examiner shall be selected by mutual agreement between

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the insurer and claimant and that if no agreement is reached the selection may be submitted to the insurance commissioner, arbitration, or circuit court. Establishes provisions to submit the dispute to the commissioner, arbitration, or court of competent jurisdiction in the event of dispute between the provider and the insurer over the amount of a charge or the correct fee or procedure code to be used. Requires documentation of the efforts of the insurer and the provider to reach a negotiated resolution of the dispute. -- HB2476 CD1

Committee Reports: HSCR 639-00 (CPC) SSCR 2923 (LRE) SSCR 3315 (CPN) CCR 37

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 431:10C-304, 431:10C-308.5

HB2479 HD1 (HSCR 513-00)

RELATING TO MOTOR VEHICLE EXPRESS WARRANTY ENFORCEMENT (LEMON LAW).

Introduced by: Say C (BR)

Amends the definition of collateral charges to include finance and interest charges paid by a consumer as a result of the acquisition of the motor vehicle. -- Amends provision relating to motor vehicle express warranties and return by repealing the exclusion of finance and interest charges from the amounts that the manufacturer shall provide to the consumer for failure to conform the motor vehicle to any applicable express warranty by repairing or correcting any defect or condition. -- HB2479 HD1

Committee Reports: HSCR 513-00 (CPC) SSCR 3257 (CPN)

Current Status: Apr-12 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 44 2000)

Section Affected: 4811-2, 4811-3

HB2480 HD1 SD1 CD1 (CCR 14)

RELATING TO LIMITED LIABILITY PARTNERSHIPS.

Introduced by: Say C (BR)

Repeals and replaces provisions relating to the limited liability partnership Act. -- Redefines limited liability partnership and statement. -- HB2480 CD1

Committee Reports: HSCR 519-00 (CPC) SSCR 3261 (CPN) CCR 14

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 425- (23 SECTIONS) LIMITED LIABILITY PARTNERSHIPS, 425- (2 SECTIONS) MISCELLANEOUS PROVISIONS, 425-101, 425-103, 425-106, 425-108, 425-145, 425-151, 425-152, 425-153, 425-154, 425-155, 425-156, 425-157, 425-158, 425-159, 425-160, 425-161, 425-162, 425-163, 425-164, 425-165, 425-166, 425-167, 425-168, 425-169, 425-170, 425-171, 425-172, 425-173, 425-174, 425-175, 425-176, 425-177, 425-178, 428-179, 425-180

HB2481 HD1 SD1 (SSCR 3262)

RELATING TO THE UNIFORM SECURITIES ACT.

Introduced by: Say C (BR)

Establishes provision relating to withdrawal under the uniform securities Act. Provides that an application for registration as a dealer, investment adviser, salesperson, or investment adviser representative may be withdrawn without prejudice by the applicant upon notice to the commissioner before the registration becomes effective and shall be effective 90 days after receipt by the commissioner of an application to withdraw, or at such earlier time as the commissioner may allow, unless a proceeding under the uniform securities Act is pending. Provides criteria. Provides for an exclusion to the definition of a dealer regarding Canadian citizens and their Canadian dealers. Prohibits form or order to be adopted, amended, or repealed unless the commissioner of securities finds that the action is necessary or appropriate in the public interest or for the protection of investors, and is consistent with the purposes of this provision. Allows a broker or dealer or investment advisor to file an application

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for the registration of its successor entity for the unexpired portion of the year and shall be no filing fee. Provides the commissioner's ability to deny an application, revoke or suspend any registration, or limit or impose conditions on the securities activities that a registrant may conduct in this State where there has been a failure to supervise on the part of the broker dealer, or agent of a dealer, investment adviser, or employee of an investment adviser who have supervisory responsibilities. -- HB2481 SD1

Committee Reports: HSCR 524-00 (CPC) SSCR 3262 (CPN)

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 485- (1 SECTION), 485-1, 485-2, 485-6, 485-14, 485-15

HB2482 HD1 (HSCR 525-00)

RELATING TO CONTROL SHARE ACQUISITIONS.

Introduced by: Say C (BR)

Amends the Hawaii business corporation Act. Redefines control share acquisition by excluding the acquisition pursuant to a merger or share exchange executed in accordance with applicable law, if the issuing public corporation is a party to plan of merger or share exchange; that is approved by resolution of the board of directors of the issuing public corporation before the acquisition occurs; or that the board of directors of the issuing public corporation determines, by resolution before the acquisition occurs, is not a control share acquisition. -- HB2482 HD1

Committee Reports: HSCR 525-00 (CPC) SSCR 3218 (CPN)

Current Status: Apr-12 00 Received by the Governor

Apr-27 00 Approved by Governor (Act 75 2000)

Section Affected: 415-171 ONLY

HB2483 HD1 SD1 (SSCR 3263)

RELATING TO BUSINESS REGISTRATION.

Introduced by: Say C (BR)

Amends 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. -- Amends the Hawaii business corporation Act, the nonprofit corporation Act, and the uniform limited liability company Act by requiring the name and jurisdiction of incorporation of the corporation, subsidiary corporation, or organization of the limited liability company proposing to merge or consolidate to be filed with the director. -- Amends the professional corporation Act by amending the articles of incorporation and requirements of the annual report to the director. -- Amends the nonprofit corporation Act and the partnership Act by allowing a foreign corporation or partnership to be issued a certificate of authority or certificate of partnership if a written consent from the entity or holder of a reserved or registered name to use the same or substantially identical name; a certified copy of a final decree of a court establishing the prior right of the foreign corporation to the use of the name; or a copy of a certificate of registration of a trade name by the foreign corporation is filed with the director. Provides that whenever a foreign corporation authorized to conduct affairs in this State shall be a party to a statutory merger, the surviving corporation shall, within 30 days after the merger becomes effective, deliver to the director for filing a certificate evidencing the merger. -- Amends the uniform limited partnership Act by repealing the nature of the limited partnership business to be included in the annual statement. -- Amends the uniform limited liability company Act by allowing a limited liability company to amend its articles of organization from time to time so long as its articles as amended contain only those provisions which may be lawfully contained in original articles. Repeals provisions relating to notice of conversion or merger of partnership or limited partnership's statement of change to fees to be paid to the director. -- HB2483 SD1

Committee Reports: HSCR 514-00 (CPC) SSCR 3263 (CPN)

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 428- (1 SECTION), 415-8, 415-10, 415-11, 415-12,

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415-14, 415-54, 415-74, 415-75, 415-75.5, 415-75.6, 415-77, 415-83, 415-84, 415-87, 415-88, 415-89, 415-92, 415-95, 415-108, 415-110, 415-119, 415-125, 415-128, 415A-8, 415A-14.6, 415A-18, 415A-22, 415B-7, 415B-8.5, 415B-8.6, 415B-8.7, 415B-9, 415B-11, 415B-34, 415B-40, 415B-40.5, 415B-84, 415B-86, 415B-91, 415B-94, 415B-96, 415B-98, 415B-122, 415B-124, 415B-131, 415B-133, 415B-134, 415B-155, 425-1, 425-6, 425-12, 425-14, 425-17, 425-164, 425-169, 425-171, 425-172, 425D-102, 425D-201, 425D-203, 425D-203.5, 425D-902, 425D-904, 425D-906, 425D-906.5, 425D-1107, 428-105, 428-203, 428-204, 428-204.5, 428-210, 428-805, 428-807, 428-808, 428-810, 428-905, 428-1002, 428-1005, 428-1007, 428-1301, 482-4, 428-908

HB2484 SD1 CD1 (CCR 15)

RELATING TO THE CORPORATIONS.

Introduced by: Say C (BR)

Repeals and replaces the Hawaii business corporation Act. -- HB2484 CD1

Committee Reports: HSCR 640-00 (CPC) SSCR 3284 (CPN) CCR 15

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: (196 SECTIONS) HAWAII REVISED BUSINESS CORPORATION ACT, 415-1, 415-2, 415-3, 415-4, 415-5, 415-6, 415-7, 415-8, 415-8.5, 415-9, 415-10, 415-11, 415-12, 415-14, 415-15, 415-16, 415-17, 415-18, 415-19, 415-20, 415-22, 415-23, 415-24, 415-25, 415-26, 415-27, 415-28, 415-29, 415-30, 415-31, 415-32, 415-33, 415-34, 415-35, 415-36, 415-37, 415-38, 415-39, 415-40, 415-41, 415-42, 415-43, 415-44, 415-45, 415-47, 415-48, 415-48.5, 415-49, 415-50, 415-51, 415-52, 415-53, 415-54, 415-55, 415-55.5, 415-55.6, 415-55.7, 415-56, 415-57, 415-58, 415-59, 415-60, 415-61, 415-63, 415-64, 415-65, 415-71, 415-72, 415-72A, 415-73, 415-74, 415-75, 415-75.5, 415-75.6, 415-76, 415-77, 415-77.5, 415-77.6, 415-77.7, 415-77.8, 415-78, 415-79, 415-80, 415-81, 415-82, 415-83, 415-84, 415-85, 415-86, 415-87, 415-88, 415-89, 415-90, 415-91, 415-92, 415-93, 415-94, 415-95, 415-96, 415-97, 415-98, 415-99, 415-100, 415-101, 415-102, 415-103, 415-104, 415-105, 415-106, 415-107, 415-108, 415-109, 415-110, 415-111, 415-112, 415-113, 415-114, 415-115, 415-116, 415-117, 415-119, 415-120, 415-121, 415-122, 415-123, 415-124, 415-125, 415-126, 415-127, 415-128, 415-129, 415-131, 415-135, 415-136, 415-137, 415-138, 415-139, 415-140, 415-141, 415-142, 415-143, 415-144, 415-145, 415-146, 415-147, 415-148, 415-149, 415-162

HB2485 HD1 SD1 (SSCR 3079)

RELATING TO EXEMPTIONS FOR PSYCHOLOGIST LICENSURE.

Introduced by: Say C (BR)

Exempts any person who is a member of another profession licensed under the laws of this jurisdiction to render or advertise services, including psychotherapy, within the scope of practice regulating the person's professional practice, provided that the person does not represent the person's self to be a psychologist or does not represent that the person is licensed to practice psychology, from psychologist law. -- HB2485 SD1

Committee Reports: HSCR 515-00 (CPC) SSCR 3079 (CPN)

Current Status: Apr-27 00 Received by the Governor

----- -- PENDING FURTHER ACTION

Section Affected: 465-3 ONLY

HOUSE BILLS WHICH PASSED THE LEGISLATURE

HB2486 HD1 (HSCR 544-00)

RELATING TO CHIROPRACTIC LICENSURE REQUIREMENTS.

Introduced by: Say C (BR)

Amends provision relating to chiropractic licensure requirements. Requires any person applying for a license to practice chiropractic to submit to the board of chiropractic examiners satisfactory proof that the applicant has met the educational requirements prescribed by the rules of the board; and satisfactory proof that the applicant graduated from a chiropractic college accredited by, or recognized as a candidate for accreditation by, any chiropractic college accrediting agency recognized by the US Department of Education. Provides that an applicant shall be licensed if the requirements of the uniform professional and vocational licensing provisions and the chiropractors provisions have been met along with successful completion of the national board of chiropractic examiners (NBCE) and physiotherapy; or successful completion of NBCE, physiotherapy, and special purposes examination (SPEC) and evidence of licensure in good standing under laws of another state after December 31, 1988; or successful completion of NBCE, physiotherapy, and SPEC and evidence of licensure in good standing under the laws of another state prior to January 1, 1989. Provides that the board shall require any licensed chiropractor seeking approval to use physiotherapy modalities and all new applicants for chiropractic licensure to take and pass the NBCE physiotherapy examination. -- HB2486 HD1

Committee Reports: HSCR 181-00 (HLT) HSCR 544-00 (CPC) SSCR 2900 (CPN)

Current Status: Mar-28 00 Received by the Governor
Apr-06 00 Approved by Governor (Act 10 2000)

Section Affected: 442-2, 442-6, 442-7

HB2487 HD1 (HSCR 155-00)

RELATING TO FINANCING THE HAWAII HURRICANE RELIEF FUND.

Introduced by: Say C (BR)

Amends Hawaii hurricane relief fund accumulation of fund requirement to exempt bonds issued or to be issued in response to the occurrence of a covered event. Provides that in the event of a loss from a covered event, the net moneys accumulated shall be used to settle claims and pay current and ongoing expenses of the fund. -- HB2487 HD1

Committee Reports: HSCR 155-00 (CPC) HSCR 564-00 (FIN) SSCR 2932 (CPN) SSCR 3372 (WAM)

Current Status: Apr-13 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 76 2000)

Section Affected: 431P-5.5 ONLY

HB2488 HD1 (HSCR 182-00)

RELATING TO RETURN OF PRESCRIPTION DRUGS.

Introduced by: Say C (BR)

Amends provisions relating to the duties of registered pharmacist. Allows prescription drugs previously dispensed or distributed by a pharmacist to be returned to and redispensed or redistributed by the pharmacist if the prescription drug is in its dispensed, unopened, tamper evident single user unit; has remained at all times in control of a person trained and knowledgeable in the storage and administration of drugs in institutional facilities or supervised living groups using the services of a consultant pharmacist; has not been adulterated or misbranded and has been stored under conditions meeting the US Pharmacopoeia standards; is returned and redispensed or redistributed before the expiration date; and does not include any controlled substance as described in the uniform controlled substances Act. -- HB2488 HD1

Committee Reports: HSCR 182-00 (HLT) HSCR 540-00 (CPC) SSCR 2901 (CPN)

Current Status: Mar-28 00 Received by the Governor
Apr-06 00 Approved by Governor (Act 11 2000)

Section Affected: 461-11 ONLY

HOUSE BILLS WHICH PASSED THE LEGISLATURE

- HB2490 HD1 SD1 CD1 (CCR 20) RELATING TO THE HAWAII TEACHER STANDARDS BOARD.
Introduced by: Say C (BR)
Allows the Hawaii teacher standards board for the 2000 - 2001 and 2001 - 2002 school years only, on a case by case basis, to extend a teaching credential for 1 year, but no more than twice for any credential holder. Establishes provisions for requirements the holder must meet and for a written request to be submitted to the board. Also establishes criteria that the board shall consider in granting any extension. Act repealed on June 30, 2002 (sunset). -- HB2490 CD1
Committee Reports: HSCR 643-00 (EDN) SSCR 3029 (EDU) CCR 20
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 302A-803, 302A-805
- HB2491 HD1 SD1 CD1 (CCR 21) RELATING TO SCHOOL LUNCH
Introduced by: Say C (BR)
Provides that the department of education shall set the price for school lunch to ensure that the moneys received shall be up to 1/3 of the cost of preparing the school lunch. -- HB2491 CD1
Committee Reports: HSCR 393-00 (EDN) HSCR 565-00 (FIN) SSCR 3001 (EDU) SSCR 3330 (WAM) CCR 21
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 302A-405 ONLY
- HB2492 HD1 SD1 CD1 (CCR 49) RELATING TO EDUCATION.
Introduced by: Say C (BR)
Amends provision relating to department of education and carryover of funds. Allows the department of education to retain up to 5 per cent of any appropriations except for EDN 150, comprehensive school support services program. Requires the department of education to submit a report to the director of finance 90 days after the close of each fiscal year, which shall be prepared in the form prescribed by the director of finance and shall identify the total amount of funds that will carryover to the next fiscal year. Repeals the definition of EDN 100. -- HB2492 CD1
Committee Reports: HSCR 229-00 (EDN) HSCR 768-00 (FIN) SSCR 3027 (EDU) SSCR 3201 (WAM) CCR 49
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 37-41.5 ONLY
- HB2495 HD1 (HSCR 644-00) RELATING TO EDUCATION.
Introduced by: Say C (BR)
Allows the board of education to adopt policies to define the terms progressively competent in the use of computer technology and progressive standards of competency in a language in addition to English. Provides that the statewide educational policies shall be exempt from the adoption, amendment, and repeal procedures of the administrative procedure law. -- HB2495 HD1
Committee Reports: HSCR 644-00 (EDN) SSCR 3207 (EDU)
Current Status: Apr-07 00 Received by the Governor
Apr-17 00 Approved by Governor (Act 20 2000)
Section Affected: 302A-1128 ONLY
- HB2501 HD2 SD1 (SSCR 2827) RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED.
Introduced by: Say C (BR)
Amends the conditions of loans provision under the Hawaiian homes commission Act. Provides that all unpaid balance of principal shall bear interest at the rate of 2 and 1/2 per cent or higher that have been established by rule adopted by the department rather than 2 and 1/2 per cent a year for loans made directly from the Hawaiian home loan fund. -- HB2501 SD1

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Committee Reports: HSCR 315-00 (JHA) HSCR 780-00 (FIN) SSCR 2827
(WLH) SSCR 3310 (WAM)
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: HAWAIIAN HOMES COMMISSION ACT 1920 215 ONLY

HB2504

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED.

Introduced by: Say C (BR)

Amends the Hawaiian homes commission Act. Authorizes the chairman of the Hawaiian homes commission to extend the employment contracts of individual employees beyond the 6 year limitation if it is determined that such contract individuals are needed to provide critical services for the department of Hawaiian home lands. -- HB2504

Committee Reports: HSCR 313-00 (JHA) HSCR 613-00 (FIN) SSCR 2828
(WLH/ LRE/) SSCR 3311 (WAM)

Current Status: Apr-28 00 Vetoed
----- -- PENDING FURTHER ACTION

Section Affected: HAWAIIAN HOMES COMMISSION ACT 1920 202 ONLY

HB2505

RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS.

Introduced by: Say C (BR)

Amends provision relating to advance commitment programs. Provides that project loans may be made available for housing projects on Hawaiian home lands pursuant to the Hawaiian homes commission Act. -- HB2505

Committee Reports: HSCR 314-00 (JHA) HSCR 566-00 (FIN) SSCR 2918
(WLH/ GOH/) SSCR 3232 (WAM)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 77 2000)

Section Affected: 201G-195 ONLY

HB2506 HD1 SD2 CD1 (CCR 47)

RELATING TO PROSPECTIVE ADOPTIVE PARENTS.

Introduced by: Say C (BR)

Establishes provision relating to prospective adoptive parents. Requires the department of human services to develop standards to assure the reputable and responsible character of prospective adoptive parents which shall include criminal history record checks. Provides that prospective adoptive parents shall submit a sworn statement indicating whether the person was ever convicted of an offense for which incarceration is a sentencing option, and the details thereof; provide consent to the department to conduct and obtain criminal history record check; and be fingerprinted. Authorizes the department to deny the prospective adoptive parents' petition to adopt a child or children. Allows the department to authorize or contract for prospective adoptive parents' home studies for children under the department's custody by experienced social workers with specialized adoption experience. Defines prospective adoptive parents to mean a person or persons who are married to each other, applying with the department of human services to adopt a child or children. -- HB2506 CD1

Committee Reports: HSCR 17-00 (HSH) HSCR 408-00 (JHA) HSCR 614-00
(FIN) SSCR 2809 (HHS) SSCR 3276 (JDC) CCR 47

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 346- (1 SECTION), 346-16

HB2507

RELATING TO THE PERMANENT PLAN HEARING.

Introduced by: Say C (BR)

Amends provision relating to permanent plan hearing in the child protection Act. Allows the court to waive the approval of the child, age 14 and above, to the permanent plan, if it is in the best interest of the child to do so. -- HB2507

Committee Reports: HSCR 500-00 (JHA) SSCR 3288 (HHS/ JDC/)

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 78 2000)
Section Affected: 587-73 ONLY

HB2510

RELATING TO FOSTER BOARD ALLOWANCES FOR STUDENTS.
Introduced by: Say C (BR)
Amends provisions relating to foster child board allowances for students. Provides that the foster board payments shall be made to an accredited institution of higher learning or to the person's foster parent. -- HB2510
Committee Reports: HSCR 136-00 (HSH) HSCR 615-00 (FIN) SSCR 2810 (HHS) SSCR 3291 (WAM)
Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 79 2000)
Section Affected: 346-17.4 ONLY

HB2511 HD1 (HSCR 788-00)

RELATING TO LONG-TERM CARE.
Introduced by: Say C (BR)
Amends provisions relating to long term care. Authorizes the department of human services to employ civil service and non civil service personnel to service the medicaid home and community based waiver programs. -- HB2511 HD1
Committee Reports: HSCR 82-00 (HSH) HSCR 788-00 (LAB/ FIN/) SSCR 2838 (HHS/ LRE/) SSCR 3292 (WAM)
Current Status: Apr-12 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 45 2000)
Section Affected: 346D-8 ONLY

HB2512

RELATING TO FINANCIAL ASSISTANCE PAYMENTS.
Introduced by: Say C (BR)
Amends provisions relating to determination of amount of assistance for public assistance and child welfare services. Allows the department of human services to increase the assistance allowance for non exempt household for the purpose of providing work incentives or services under the job opportunities and basic skills program. -- HB2512
Committee Reports: HSCR 176-00 (HSH) HSCR 616-00 (FIN) SSCR 2811 (HHS) SSCR 3293 (WAM)
Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 80 2000)
Section Affected: 346-53 ONLY

HB2513 HD1 SD1 (SSCR 3353)

RELATING TO UNCLAIMED CORPSES.
Introduced by: Say C (BR)
Requires the department of human services to authorize the cremation of unclaimed corpses. Defines unclaimed corpses to mean the remains of any deceased person for whom no person has assumed responsibility for disposition of the body within 5 working days, excluding weekends from the date of death and the department and the county medical examiner or coroner have no knowledge of a legally responsible party. -- HB2513 SD1
Committee Reports: HSCR 362-00 (HSH) HSCR 686-00 (JHA) SSCR 2839 (HHS) SSCR 3353 (WAM)
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 346-15, 327-31, 841-10

HB2514 SD2 CD1 (CCR 2)

RELATING TO PUBLIC ASSISTANCE.
Introduced by: Say C (BR)
Amends provision relating to uniform probate code; classification of claims to include any claim by the department of human services pursuant to provision relating to burial of deceased public assistance recipients or unclaimed corpses; recovery of payments and costs of medical assistance for expenses of the last

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illness of the decedent; and any other claim against the estate pursuant to recovery of payments and costs of medical assistance. Amends provision relating to collection of personal property by affidavit. -- HB2514 CD1
Committee Reports: HSCR 366-00 (HSH) HSCR 617-00 (FIN) SSCR 2812 (HHS) SSCR 3354 (WAM) CCR 2
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 560:3-805, 560:3-1201

HB2519 HD1 (HSCR 477-00)

RELATING TO FLEXIBLE SPENDING ACCOUNTS.
Introduced by: Say C (BR)
Establishes provision relating to flexible spending accounts in public service. Defines contributions and flexible spending accounts and plan. Authorizes the department or agency charged with administration of the flexible spending accounts to enter into all contracts necessary to establish, administer, or maintain the plan, and to hold these funds in trust outside the state treasury. Requires the contributions, interest earned, and forfeited participant balances of the plan to be held in trust for the benefit of the participants and the plan. Provides that the contributions, interest earned, and forfeited participant balances shall not be subject to the general creditors of the State, and the interest earned as well as forfeited participant balances shall be used to defray participant fees and other administrative costs as determined by the department or agency charged with administration of the plan. -- HB2519 HD1
Committee Reports: HSCR 477-00 (LAB) HSCR 567-00 (FIN) SSCR 2979 (LRE) SSCR 3301 (WAM)
Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 81 2000)
Section Affected: 78- (1 SECTION) ONLY

HB2521 SD1 CD1 (CCR 9)

RELATING TO SCHOOL HEALTH REQUIREMENTS.
Introduced by: Say C (BR)
Amends immunization upon entering school and tuberculosis clearance by changing the requirement for certification from a licensed physician or advanced practice registered nurse to documentation satisfactory to the department of health. Amends physical examination certification to report and health certificates to student's health record. -- HB2521 CD1
Committee Reports: HSCR 434-00 (HLT/ EDN/) HSCR 618-00 (FIN) SSCR 3015 (EDU/ HHS/) SSCR 3331 (WAM) CCR 9
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 302A-1154, 302A-1155, 302A-1159, 302A-1160, 302A-1162

HB2524

RELATING TO PROPHYLACTICS.
Introduced by: Say C (BR)
Repeals provisions prohibiting any person from publicly vending prophylactics in mechanical coin operated machines without approval from the department of health. Authorizes the department to adopt rules and charge fees to regulate to sale of prophylactics through vending machines. -- HB2524
Committee Reports: HSCR 142-00 (HLT) HSCR 619-00 (FIN) SSCR 2814 (HHS) SSCR 3295 (WAM)
Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 82 2000)
Section Affected: 321-115 ONLY

HB2525 HD2 (HSCR 545-00)

RELATING TO PRESCRIPTION DRUGS.
Introduced by: Say C (BR)
Amends provisions relating to drugs limited to dispensing on prescription. Provides that medical oxygen shall be dispensed only by a medical oxygen distributor pursuant to a valid prescription or valid certificate of medical

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necessity. -- Allows a valid prescription to be communicated in writing, orally, by facsimile (fax), or by electronic transmission. -- Requires oral code numbers or designations to be issued by the department of public safety. -- Authorizes an out of state pharmacy to transfer prescription information for refilling purposes and an out of state medical oxygen distributor to transfer prescription information for the purposes of refilling a medical oxygen order. -- Defines medical oxygen to mean prescription drug oxygen. -- HB2525 HD2

Committee Reports: HSCR 273-00 (HLT) HSCR 545-00 (CPC) SSCR 2815 (HHS) SSCR 3258 (CPN)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 83 2000)

Section Affected: 328-1, 328-16, 328-17.5, 328-17.6, 328-17.7, 461-1, 461-15, 461-16

HB2526 HD1 (HSCR 494-00)

RELATING TO USED OIL.

Introduced by: Say C (BR)

Amends provision relating to procedures for permits of used oil and used oil fuel. Authorizes the director of health to require a public notice or hearing, or both, for permit issuances, reissuances, denial, revocation, suspension, or substantial modifications if the director determines that notice or hearing, or both are in the public interest. -- HB2526 HD1

Committee Reports: HSCR 494-00 (EEP) SSCR 2803 (LRE)

Current Status: Mar-20 00 Received by the Governor
Apr-03 00 Approved by Governor (Act 3 2000)

Section Affected: 342J-5, 342J-54

HB2528 HD2 (HSCR 781-00)

RELATING TO SAFE DRINKING WATER.

Introduced by: Say C (BR)

Amends provision relating to safe drinking water. Provides that any person in violation of this provision shall be administratively or civilly penalized per day for each violation, rather than penalized per day of violation. -- HB2528 HD2

Committee Reports: HSCR 263-00 (JHA) HSCR 781-00 (FIN) SSCR 2852 (LRE) SSCR 3266 (JDC)

Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 84 2000)

Section Affected: 340E-8 ONLY

HB2530 HD1 SD1 CD1 (CCR 5)

RELATING TO AIR POLLUTION CONTROL PUBLIC NOTIFICATION.

Introduced by: Say C (BR)

Amends provisions relating to public participation of air pollution control. Requires the director of health to post information for notice and opportunity for public comment on the department of health's web site. Provides that the director shall give public notification to the county affected by the proposed action once, rather than 2 times a week. -- HB2530 CD1

Committee Reports: HSCR 344-00 (JHA) HSCR 620-00 (FIN) SSCR 2873 (LRE) SSCR 3297 (WAM) CCR 5

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 342B-13 ONLY

HB2534 HD2 SD1 (SSCR 3355)

RELATING TO CRITICAL ACCESS HOSPITALS.

Introduced by: Say C (BR)

Amends provisions relating to medical care payments within the department of human services. Provides that payments to critical access hospitals for services rendered to medicaid beneficiaries shall be calculated on a cost basis using medicare reasonable cost principles. Exempts critical access hospitals from provisions relating to medicaid reimbursement equity. Requires the state's share of matching funds to be provided through Hawaii health systems corporation and other designated critical access hospitals' appropriations. Provides that if funding is not available, medicaid reimbursement to critical

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access hospitals shall revert back to the existing medicaid payment methodology. Act to be repealed on June 30, 2004 (sunset). Appropriation out of interdepartmental funds (U) and federal funds (N). (\$\$) -- HB2534 SD1
Committee Reports: HSCR 120-00 (HLT) HSCR 734-00 (FIN) SSCR 2837 (HHS) SSCR 3355 (WAM)
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 346-1, 346-59, 346D-1, 346D-1.5

HB2537 SD1 (SSCR 3308)

MAKING AN EMERGENCY APPROPRIATION FOR THE ADULT MENTAL HEALTH DIVISION.
Introduced by: Say C (BR)
Appropriation to the department of health for services and activities to improve services to patients and former patients of Hawaii state hospital and persons committed to the custody of the director of health in penal and civil commitment process. Requires 250,000 dollars to be used for process and outcome evaluations of new initiatives or programs in HTH 420 and HTH 430 to be conducted by any agency or agencies external to the department. Report to the legislature. Requires the auditor to assist the legislature in assessing the reports and in overseeing the effectiveness and efficiency for the adult mental health programs. Authorizes the auditor to request progress reports from the department from time to time. (\$\$) -- HB2537 SD1
Committee Reports: HSCR 647-00 (FIN) SSCR 3308 (WAM/ HHS/)
Current Status: Apr-20 00 Received by the Governor
Apr-24 00 Approved by Governor (Act 37 2000)

HB2539 HD2 SD1 (SSCR 3362)

RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND.
Introduced by: Say C (BR)
Amends provision relating to the environmental response revolving fund to allow the fund to be used to support environmental protection and natural resource protection programs, including but not limited to energy conservation and alternative energy development and to address concerns related to air quality, global warming, clean water, polluted runoff, and solid and hazardous waste. -- HB2539 SD1
Committee Reports: HSCR 349-00 (EEP) HSCR 853-00 (FIN) SSCR 2924 (LRE) SSCR 3362 (WAM)
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 128D-2 ONLY

HB2551 HD1 (HSCR 534-00)

RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999.
Introduced by: Say C (BR)
Amends Act 304, session laws of 1999 by changing the fiscal year for the appropriation to be 1999 - 2000, rather than 1999 - 2001. -- HB2551 HD1
Committee Reports: HSCR 534-00 (FIN) SSCR 2841 (WAM/ HHS/)
Current Status: Mar-23 00 Received by the Governor
Apr-04 00 Approved by Governor (Act 5 2000)
Section Affected: ACT 304 1999 ONLY

HB2554 HD1 (HSCR 415-00)

RELATING TO WORKERS' COMPENSATION.
Introduced by: Say C (BR)
Amends provisions relating to subsequent injuries that would increase disability within workers' compensation. Provides that where the director of labor and industrial relations or the appellate board determines that the previous permanent partial disability amounted to less than that was necessary to support an award of 32 weeks of compensation for permanent partial disability, there shall be no liability on the special compensation fund and the employer shall pay the employee or the employee's dependents full compensation for the

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employee's permanent partial or total disability or death. -- HB2554 HD1
Committee Reports: HSCR 415-00 (LAB) HSCR 793-00 (CPC) SSCR 2925
(LRE) SSCR 3360 (WAM)
Current Status: Apr-12 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 46 2000)
Section Affected: 386-33 ONLY

HB2555 HD1 (HSCR 710-00)

RELATING TO WORKERS' COMPENSATION SPECIAL COMPENSATION
FUND EXPENSES.
Introduced by: Say C (BR)
Amends provisions relating to workers' compensation. Provides that
administrative expenses for the protection and preservation of the special
compensation fund shall also be paid from the fund. Appropriation to the
department of labor and industrial relations to carry out the purposes of the
fund, including the hiring of 6 full time permanent equivalent (6.00 FTE)
positions, exempt from civil service and compensation provisions. (\$\$) --
HB2555 HD1
Committee Reports: HSCR 327-00 (LAB) HSCR 710-00 (FIN) SSCR 2927
(LRE) SSCR 3391 (WAM)
Current Status: May=02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 386-155 ONLY

HB2556 HD1 SD1 CD1 (CCR 140)

RELATING TO SAFETY INSPECTION FREQUENCIES FOR REGULATED
EQUIPMENT.
Introduced by: Say C (BR)
Amends provisions relating to boiler and elevator safety. Amends the
requirement that the period between an initial safety inspection of a boiler,
pressure system, amusement ride, or elevator and kindred equipment, or the
inspection used as the basis for the issuance of a permit to operate, and any
subsequent inspection, shall not exceed 7 months nor be less than 5 months, to
be 13 months for boiler or pressure system and not to exceed 8 months for
elevators and kindred equipment. Repeals period for amusement ride. --
HB2556 CD1
Committee Reports: HSCR 481-00 (LAB) HSCR 815-00 (FIN) SSCR 2874
(LRE) SSCR 3361 (WAM) CCR 140
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 397-4 ONLY

HB2559 HD1 SD2 (SSCR 3302)

RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL.
Introduced by: Say C (BR)
Amends provision relating to the workforce development council. Changes the
composition of the workforce development council from 29 to 31 members.
Changes the number of private sector representatives from business from 15 to
16. Adds the governor or the governor's designee to the body of the council.
Requires the governor to appoint the chairperson of the council and the 2
mayors or their designees, as ex officio voting members to the council. --
HB2559 SD2
Committee Reports: HSCR 492-00 (LAB) SSCR 2966 (LRE/ TIA/) SSCR 3302
(WAM)
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 202-1 ONLY

HB2563

RELATING TO THE STATE FIRE COUNCIL.
Introduced by: Say C (BR)
Amends provision relating to composition and functions of the state fire council
by allowing the state fire council to coordinate statewide training, data
collection, and contingency planning needs for firefighters. Provides that

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representatives of the county fire departments be included in prospective members for the advisory committee to assist in carrying out functions of the state fire council. -- HB2563

Committee Reports: HSCR 484-00 (LAB) SSCR 2891 (TIA)

Current Status: Mar-28 00 Received by the Governor

Apr-06 00 Approved by Governor (Act 12 2000)

Section Affected: 132-16 ONLY

HB2568 HD1 (HSCR 711-00)

RELATING TO STATE PARKS.

Introduced by: Say C (BR)

Establishes state parks special fund within the state treasury. Requires all proceeds collected by the state parks programs involving park user fees, any leases or concession agreements, the sale of any article purchased from the department of land and natural resources to benefit the state parks programs, or any gifts or contributions to be deposited into this fund. Provides that proceeds derived for operation of Iolani palace shall be used to supplement its educational and interpretive programs. Repeals the aina hoomalu special fund.

Requires the director of finance to transfer the unexpended balance, including encumbrances and accrued liabilities of the aina hoomalu special fund on June 30, 2000 to the credit of the state parks special fund. Appropriation to the department of land and natural resources for the purposes of the state parks special fund. (\$\$) -- HB2568 HD1

Committee Reports: HSCR 172-00 (WLU) HSCR 711-00 (FIN) SSCR 2909 (ECD) SSCR 3392 (WAM)

Current Status: May=02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 184- (1 SECTION), 184-32

HB2569 HD1 (HSCR 712-00)

RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND.

Introduced by: Say C (BR)

Establishes commercial fisheries special fund provision. Provides that the commercial fisheries special fund shall be administered by the department of land and natural resources and shall be used for programs and activities for projects concerning aquatic life used for commercial purposes; developing and conducting resource monitoring programs, conducting studies to determine the sustainable use of aquatic life for commercial purposes, and developing recommendations for acceptable levels of use; research programs and activities concerning the conservation and management of aquatic life for commercial purposes; programs and activities concerning the importation and management, preservation, propagation, and protection of aquatic life used for commercial purposes; and providing payroll for personnel of the department or awarding of grants in aid to or contracts with the university of Hawaii or other qualified organizations or individuals to develop or implement the programs and activities for conservation and management of aquatic life for commercial purpose. Prohibits the proceeds of the fund to be used as security for, or pledged to the payment of principal or interest on, any bonds or instruments of indebtedness.

Repeals Act 220, session laws of 1996. Requires the director of finance to transfer the unexpended balance including encumbrance and accrued liabilities as of June 30, 2000 to the credit of the commercial fisheries special fund.

Appropriation. (\$\$) -- HB2569 HD1

Committee Reports: HSCR 45-00 (OMR) HSCR 712-00 (FIN) SSCR 2846 (ECD) SSCR 3393 (WAM)

Current Status: May=02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 189- (1 SECTION), ACT 220 1996

HB2570 HD1 (HSCR 600-00)

RELATING TO THE BOATING SPECIAL FUND.

Introduced by: Say C (BR)

Establishes provision relating to transfer from boating special fund. Allows the director of finance to deduct 5 per cent of all receipts and deposits in the

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boating special fund after subtracting therefrom any amounts pledged, charged, or encumbered for the payment of bonds or interest thereon during the time period for which the deduction is to be made for the purpose of defraying the prorated estimate of central service expenses of government in relation to the boating special fund. Provides that the deduction shall be transferred to the general fund of the State and shall become general realizations of the State. Requires the chairperson of the board of land and natural resources to cooperate with the director of finance in effecting the transfer. -- HB2570 HD1

Committee Reports: HSCR 46-00 (OMR) HSCR 600-00 (FIN) SSCR 2910 (ECD) SSCR 3383 (WAM)

Current Status: Apr-12 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 47 2000)

Section Affected: 36- (1 SECTION) ONLY

HB2572 HD1 SD2 CD1 (CCR 26)

RELATING TO KANEOHE BAY.

Introduced by: Say C (BR)

Amends provisions relating to Kaneohe bay ocean use, activities, permits, and restrictions. 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 to the number by permit type, passenger capacity, as provided in the Kaneohe bay master plan until applicable rules consistent with the master plan are adopted by the department. Requires with regard to the provisions of the Kaneohe bay master plan, rules that previously adopted by the legislature shall be in accordance with those provisions; and for rules that not previously adopted by the legislature shall be used as the recommended guideline in the adoption and implementation of rules with regard to the regulation of all activities in Kaneohe bay. Provides that the department of land and natural resources may relocate the permitted use, if the department determines for safety or environmental protection reasons that a permitted use should be relocated. Allows the department to have the discretion to permit vessel substitution with a similar length vessel, provided that the increase is not greater than 10 per cent of the current vessel length. Amends Act 129, session laws 1998. -- HB2572 CD1

Committee Reports: HSCR 659-00 (OMR) SSCR 2976 (ECD/ WLH/) SSCR 3384 (WAM) CCR 26

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 200-39, ACT 129 1998

HB2573 HD1 SD1 (SSCR 2866)

RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION.

Introduced by: Say C (BR)

Amends provision relating to the special land and development fund. Requires the moneys collected from lessees of public land within industrial parks to be set apart in the fund and to be used only as authorized by the legislature. Authorizes the use of the special land and development of fund for the payment of debt service on revenue bonds issued by the department of land and natural resources and to reimburse the general fund for debt service on general obligation bonds issued to finance departmental projects. Repeals the industrial park special fund. Requires the director of finance to transfer the unexpended fund balance, including encumbrances and accrued liabilities to the special land and development fund at the close of business on June 30, 2000. Appropriation out of the special land and development fund to the department of land and natural resources. (\$\$) -- HB2573 SD1

Committee Reports: HSCR 324-00 (WLU) HSCR 601-00 (FIN) SSCR 2866 (WLH) SSCR 3243 (WAM)

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 171-19, 171-138

HB2574 HD1 SD1 CD1 (CCR 22)

RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND.

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Introduced by: Say C (BR)
Amends provision relating to special land and development fund. Requires moneys collected for mineral and water rights to be set apart in the fund and to be used only as authorized by the legislature. Authorizes the use of the special land and development fund for the protection, planning, management, and regulation of water resources under state water code provision. -- HB2574 CD1
Committee Reports: HSCR 173-00 (WLU) HSCR 713-00 (FIN) SSCR 2829 (WLH) SSCR 3244 (WAM) CCR 22
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 171-19 ONLY

HB2576 HD1 SD1 (SSCR 2867)

RELATING TO THE WATER RESOURCE MANAGEMENT FUND.
Introduced by: Say C (BR)
Establishes provision relating water resource management fund. Provides that the fund shall be administered by the commission of water resource management and shall be used for monitoring programs and activities concerning water resource quality, protection, and management; research programs and activities concerning water conservation and investigation of alternative sources of water; preparation and dissemination of information to the public concerning authorized activities; data collection, development, and updating of long range planning documents; and other protection, operational or maintenance functions authorized and deemed necessary by the commission, including but not limited to funding permanent or temporary staff positions. Requires moneys collected to be deposited into the water resource management fund. Provides criteria. Appropriation to the department of land and natural resources. (\$\$) -- HB2576 SD1
Committee Reports: HSCR 465-00 (WLU) HSCR 735-00 (FIN) SSCR 2867 (WLH) SSCR 3312 (WAM)
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 174C- (1 SECTION) ONLY

HB2584

RELATING TO THE FUEL TAX.
Introduced by: Say C (BR)
Amends fuel tax provisions by repealing the requirement that each distributor report the total number of gallons of fuel imported by the distributor or person and sold or used by the distributor or person and if for ultimate use in another county or on either island, the name of that county or island. -- HB2584
Committee Reports: HSCR 218-00 (EDB) HSCR 569-00 (FIN) SSCR 3304 (WAM)
Current Status: Apr-12 00 Received by the Governor
Apr-27 00 Approved by Governor (Act 85 2000)
Section Affected: 243-10 ONLY

HB2585 HD1 SD1 CD1 (CCR 32)

RELATING TO THE UNIFORM ELECTRONIC TRANSACTIONS ACT.
Introduced by: Say C (BR)
Establishes the uniform electronic transaction Act. Provides that a record, signature, or contract shall not be denied legal effect or enforceability solely because it is in electronic form. Further provides that if a law requires a signature or record to be in writing, an electronic signature or record shall satisfy the law. Requires each governmental agency to determine whether and the extent to which it will create and retain electronic records and convert written records to electronic records, and the extent to which it will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and signatures. -- HB2585 CD1
Committee Reports: HSCR 663-00 (CPC) SSCR 3265 (CPN/ EDU/) CCR 32
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Section Affected: (19 SECTIONS) UNIFORM ELECTRONIC
TRANSACTIONS ACT ONLY

HB2615

RELATING TO HAZARDOUS MATERIALS.

Introduced by: Say C (BR)

Amends transportation of hazardous material, hazardous waste, infectious substances, and medical waste. Repeals the definition of extremely hazardous substance. Redefines hazardous material to include hazardous substances, hazardous wastes, infectious substances, medical wastes, marine pollutants, elevated temperature materials, and materials that meet the defining criteria for hazardous classes and divisions in title 49, Code of Federal Regulations, part 173. Adds that transport includes storage incidental to transportation while under active shipping papers and prior to the hazardous material reaching the ultimate consignee. Requires incident reports to include a copy of any written notification required under title 49, Code of Federal Regulations, part 171 to be provided to the director of transportation. -- HB2615

Committee Reports: HSCR 268-00 (TRN/ EEP/) HSCR 633-00 (JHA) SSCR 2957 (LRE) SSCR 3322 (TIA)

Current Status: Apr-12 00 Received by the Governor

Apr-27 00 Approved by Governor (Act 86 2000)

Section Affected: 286-221, 286-222, 286-223, 286-224, 286-225

HB2624 HD1 SD1 (SSCR 2955)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Say C (BR)

Establishes a seed distribution program revolving fund used for the cultivation and production of seeds and for research and development. Requires the fund to be administered by the college of tropical agriculture and human resources of the university of Hawaii. Repeals the seed distribution program and revolving fund from the department of agriculture. -- HB2624 SD1

Committee Reports: HSCR 589-00 (FIN) SSCR 2955 (EDU) SSCR 3332 (WAM)

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 304- (1 SECTION), 150-41

HB2643 HD1 SD2 (SSCR 3339)

RELATING TO ABANDONED MOTOR VEHICLES.

Introduced by: Say C (BR)

Changes the highway beautification and disposal of abandoned vehicles revolving fund to the highway beautification and disposal of abandoned or derelict vehicles revolving fund. Allows the 2 dollars fee for each additional certificate of registration for motor vehicles other than u drive motor vehicles to be increased to a maximum of 5 dollars by the counties through ordinance. Provides that any fee increase over 2 dollars shall be expended to defray the additional cost in the disposition and other related activities of abandoned or derelict vehicles. -- HB2643 SD2

Committee Reports: HSCR 289-00 (TRN) HSCR 816-00 (FIN) SSCR 2892 (TIA) SSCR 3339 (WAM)

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 286-51 ONLY

HB2646 HD1 (HSCR 503-00)

RELATING TO TRUSTS AND ESTATES.

Introduced by: Say C (BR)

Amends provision relating to power of uniform trustees. Provides that a trustee has the power to divide a single trust into 2 or more separate trusts for administration or tax purposes, including the allocation of the generation skipping transfer exemption; provided the terms of the new trust provide, in the aggregate, for the same succession of interests and beneficiaries as are provided in the original trusts. -- Amends provision relating to disposition of unclaimed assets. Provides that when any real or personal property remains in

HOUSE BILLS WHICH PASSED THE LEGISLATURE

the hand of the personal representative or trustee, after all payments have been made, and no heirs or claimants of the decedent, or beneficiaries of a trust, entitled to the property, can be located after reasonable search, the personal representative or trustee, at the filing of the petition for final accounts, or termination of the trust, shall report the fact to the court, which shall enter an order authorizing the transfer of the property to the state director of finance. -- Raises the threshold for classification as a small estate from 60,000 dollars to 100,000 dollars. -- Amends provision relating to estates of persons leaving no known relatives. Increases the limit on the value of a decedent's estate administered by the clerk of the circuit court from 60,000 dollars to 100,000 dollars. -- HB2646 HD1

Committee Reports: HSCR 503-00 (JHA) SSCR 2857 (JDC) SSCR 3238 (WAM)

Current Status: Apr-12 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 48 2000)

Section Affected: 554A-3, 560:2-707, 560:3-905, 560:3-914, 560:3-916, 560:3-1201, 560:3-1205, 560:3-1211, 560:3-1212

HB2648 HD2 SD2 CD1 (CCR 45)

RELATING TO PROBATION.

Introduced by: Say C (BR)

Requires the court, when sentencing a defendant to probation, to order the defendant to pay a probation service fee of 150 dollars for a term of more than 1 year, or 75 dollars for a term of 1 year or less. Establishes the probation services special fund to be used by the judiciary to monitor, enforce, and collect fees, fines, restitution, other monetary obligations owed by defendants, and other terms and conditions of probation. Exempts the fund from contributing to central service and administrative expenses of the government. Appropriation out of the probation services special fund to the judiciary. (\$\$) -- HB2648 CD1

Committee Reports: HSCR 216-00 (JHA) HSCR 827-00 (FIN) SSCR 2858 (JDC) SSCR 3375 (WAM) CCR 45

Current Status: May-02 00 House Agrees to Senate Amendments
----- -- PENDING FURTHER ACTION

Section Affected: 353- (1 SECTION), 706- (2 SECTIONS), 36-27, 36-30, 706-644, ACT 142 1998

HB2649 HD1 SD1
(FLOOR AMENDMENT 2)

RELATING TO NONCONSENSUAL COMMON LAW LIENS.

Introduced by: Say C (BR)

Amends provision relating to liens against public officers and employees. Provides that any claim of lien against a federal, state, or county officer or employee based on the performance or nonperformance of that officer's or employee's duties shall designate in the pleading header that the claim is directed to a federal, state, or county officer or employee, and shall be invalid unless accompanied by a certified order from a state or federal court of competent jurisdiction authorizing the filing of such lien. Provides that the registrar shall not accept for filing a claim for nonconsensual common law lien unless the claim is accompanied by a certified state or federal court order authorizing the filing of the lien. -- Amends provision relating to expungement of invalid lien; penalties; sanctions; for frivolous filings. Provides that any person who knowingly submits for filing an invalid court order in support of a nonconsensual common law lien against a federal, state, or county officer or employee to the registrar for filing, shall be guilty of the crime of tampering with a government record. -- HB2649 SD1

Committee Reports: HSCR 657-00 (JHA) SSCR 3319 (JDC) FLOOR AMENDMENT 2

Current Status: Apr-27 00 Received by the Governor
----- -- PENDING FURTHER ACTION

Section Affected: 507D-5, 507D-7

HB2650 HD1 SD2 CD1 (CCR 133)

RELATING TO THE JUDICIARY.

Introduced by: Say C (BR)

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Judiciary Supplemental Appropriations Act of 2000. Amends Act 156, session laws of 1999, relating to the judiciary budget. (\$\$) -- HB2650 CD1
Committee Reports: HSCR 341-00 (JHA) HSCR 869-00 (FIN) SSCR 2962 (JDC) SSCR 3376 (WAM) CCR 133
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: ACT 156 1999, ACT 155 1997, ACT 126 1998

HB2653 HD2 SD1 CD1 (CCR 40)

RELATING TO THE JUDICIARY.
Introduced by: Say C (BR)
Amends provision relating to civil enforcement. Provides that a certified or exemplified copy of an order of any court of this State for payment of a fine or restitution pursuant to provision relating to authorized disposition of convicted defendants may be filed in the office of the clerk of an appropriate court of this State as a special proceeding without the assessment of a filing fee or surcharge. -- HB2653 CD1
Committee Reports: HSCR 203-00 (JHA) HSCR 602-00 (FIN) SSCR 2859 (JDC) SSCR 3239 (WAM) CCR 40
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 706-647 ONLY

HB2701 HD3 SD1 CD1 (CCR 12)

RELATING TO PUBLIC SCHOOLS.
Introduced by: Schatz B, Morita H
Establishes a renewable energy demonstration project in the department of education. Requires the department with the assistance of the department of business, economic development, and tourism and the department of accounting and general services to select 1 school or 1 planned for construction in each school district to participate in the project. Requires the department to utilize performance contracting for installation of photovoltaic systems or other renewable energy systems, energy storage devices, and energy efficiency retrofitting at each school and to evaluate the feasibility and cost effectiveness of the project. Progress and final report to the legislature. -- HB2701 CD1
Committee Reports: HSCR 124-00 (EEP/ EDN/) HSCR 277-00 (CPC) HSCR 828-00 (FIN) SSCR 2983 (EDU/ LRE/) SSCR 3231 (WAM) CCR 12
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB2760 HD2 SD1 (SSCR 2956)

RELATING TO THE COLLEGE SAVINGS PROGRAM.
Introduced by: Takai K, Morihara D, Stegmaier D, Chang J, Ahu Isa L, Kaho'ohalahala S, Saiki S, Oshiro M, Morita H, Schatz B, Ito K, Lee M, Takumi R, Hiraki K, Catalani I, McDermott B, Rath J, Luke S
Amends the college savings program to include provisions for section 529 of the Federal Internal Revenue Code of 1986. Allows the director of finance to enter into tuition savings agreements with account owners. Provides that a minimum length of times as determined by the director may be required of the account before distributions for qualified higher education expenses can be made. -- HB2760 SD1
Committee Reports: HSCR 291-00 (HED) HSCR 863-00 (FIN) SSCR 2956 (EDU) SSCR 3333 (WAM)
Current Status: Apr-19 00 Received by the Governor
----- -- PENDING FURTHER ACTION
Section Affected: 256-1, 256-3, 256-4, 256-5, 256-6

HB2761 HD1 (HSCR 493-00)

RELATING TO MOTOR VEHICLES.
Introduced by: Takai K, Lee M
Amends the special number plates (license plates) provisions by repealing the requirement that an organization have at least 100 members in good standing. Also provides that an organization also includes a state or county agency

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approved by the county director of finance or any school or accredited institution of higher learning or a college or recognized program thereof. Provides that after an organization's application has been approved a motor vehicle owner may apply for the special number plate. Repeals proof of membership requirement. -- HB2761 HD1

Committee Reports: HSCR 493-00 (TRN) SSCR 2893 (TIA)
Current Status: Mar-28 00 Received by the Governor
Apr-06 00 Approved by Governor (Act 13 2000)
Section Affected: 249-9.3 ONLY

HB2762

RELATING TO ISLAND BURIAL COUNCILS.

Introduced by: Kawakami B, Goodenow K, Ahu Isa L, Morita H, Kahikina M
Provides that the department of land and natural resources records relating to the location and description of historic sites, including burial sites, if deemed sensitive by a council or the Hawaii historic places review board, shall be confidential. -- HB2762

Committee Reports: HSCR 243-00 (WLU) HSCR 628-00 (JHA) SSCR 2868 (WLH)
Current Status: Mar-24 00 Received by the Governor
Apr-04 00 Approved by Governor (Act 6 2000)
Section Affected: 6E-43.5 ONLY

HB2774 SD1 CD1 (CCR 38)

RELATING TO DISCRIMINATION IN PUBLIC PLACES.

Introduced by: Lee M, Morita H, Marumoto B, Moses M, Schatz B, Luke S, Catalani I, Kaho'ohalahala S

Establishes provisions relating to breast feeding in public accommodations. Provides that it is a discriminatory practice to deny or attempt to deny the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodations to a woman because she is breastfeeding a child. Provides that for a private cause of action any person who is injured by an unlawful discriminatory practice under this part the plaintiff shall be awarded reasonable attorney's fee, the cost of suit, and 100 dollars if the decree is for the plaintiff. Provides that any action under this part shall be subject to the jurisdiction of the district courts and may be commenced and conducted in the small claims court. Further provides that this part shall not be subject and enforced by the civil rights commission. Amends provisions relating to complaint against unfair discrimination, reporting requirements; and civil penalty by providing that this provision shall not apply to the complaint and violations of the existing civil right law. -- HB2774 CD1

Committee Reports: HSCR 469-00 (LAB) HSCR 629-00 (JHA) SSCR 2823 (HHS) SSCR 3324 (JDC) CCR 38
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION
Section Affected: 489- (3 SECTIONS) BREAST FEEDING IN PUBLIC ACCOMMODATIONS, 489-6, 489-7.5, 489-8

HB2793 HD1 SD1 CD1 (CCR 157)

RELATING TO AGRICULTURE.

Introduced by: Abinsay F, Takamine D

Amends Act 117, session laws 1999 by allowing any unexpended or unencumbered funds at the close of fiscal year 1999 - 2000 for the expenses incurred in the performance of the duties of the agribusiness development corporation board may be expended or encumbered during fiscal year 2000 - 2001 and shall not lapse until June 30, 2001, and allowing the agribusiness development corporation to use 250,000 dollars for grants for the development of an agricultural subdivision in the Hamakua district on the island of Hawaii. (\$\$) -- HB2793 CD1

Committee Reports: HSCR 194-00 (AGR) HSCR 805-00 (FIN) SSCR 2948 (ECD) SSCR 3223 (WAM) CCR 157
Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Section Affected: ACT 117 1999 ONLY

HB2797 HD1 SD1 CD1 (CCR 16)

RELATING TO INSURANCE CODE.

Introduced by: Hiraki K

Replaces the application of the Health Insurance Portability and Accountability Act of 1996, PL 104-191 to the application of title 42 US Code section 300 (gg), et seq. as it relates to group and individual health insurance and repeals long term care insurance. Defines small group health plans to mean the medical plans currently offered, advertised, or marketed by a group health issuer for small employees. Requires the State to have jurisdiction over any matter that title 42 US Code section 300 (gg), et seq., permits, including jurisdiction over enforcement. -- HB2797 CD1

Committee Reports: HSCR 516-00 (CPC) SSCR 3279 (CPN) CCR 16

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

Section Affected: 431:2-201.5 ONLY

HB2801 HD2 SD2 CD1 (CCR 148)

RELATING TO AGRICULTURE.

Introduced by: Abinsay F, Halford C, Suzuki N, Morihara D, Ito K

Requires the department of agriculture, animal industry division, to conduct a mandatory survey and sampling of swine farms in the State to determine the incidence of porcine respiratory and reproductive syndrome (PRRS) and to establish procedures to certify that swine herds are negative for PRRS and maintain a list of these herds. -- HB2801 CD1

Committee Reports: HSCR 400-00 (AGR) HSCR 752-00 (FIN) SSCR 2848 (ECD) SSCR 3224 (WAM) CCR 148

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

HB2802 SD1 CD1 (CCR 149)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES.

Introduced by: Abinsay F, Halford C, Suzuki N, Morihara D, Rath J, Ito K

Authorizes the issuance of special purpose revenue bonds to assist the Hawaii Food Resource Center in planning and building a multi function food processing facility on Oahu. Requires the department of budget and finance to process applications in accordance with the requirements of its formal application for financing of a processing enterprise. Reports to the legislature. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB2802 CD1

Committee Reports: HSCR 449-00 (AGR) HSCR 623-00 (FIN) SSCR 2849 (ECD) SSCR 3385 (WAM) CCR 149

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

HB2820 HD1 SD1 (SSCR 3003)

RELATING TO EDUCATION.

Introduced by: Ito K, Goodenow K, Arakaki D

Requests the legislative reference bureau to conduct a study on how independent schools can work together to create a consortium to finance the construction and renovation of educational facilities at independent not for profit elementary schools, secondary schools, universities, and colleges. Report to the legislature. -- HB2820 SD1

Committee Reports: HSCR 446-00 (EDN/ JHA/) HSCR 772-00 (FIN) SSCR 3003 (EDU/ WAM/) SSCR 3275 (JDC)

Current Status: May-02 00 Passed Legislature

----- -- PENDING FURTHER ACTION

HB2835 HD2 SD2 CD1 (CCR 152)

RELATING TO WATERSHED PROTECTION.

Introduced by: Say C, Kawakami B, Oshiro M

Establishes a watershed protection board under the department of land and natural resources. Requires the board to develop a watershed protection

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master plan to identify potential watershed management areas to be protected; development of procedures and criteria for selecting eligible watershed management projects; designation of projects including the amount of funds needed for such projects; development of an implementation plan for those designated watershed management projects; identification of potential sources of funding; analysis of problems and issues encountered in the equitable levy, assessment, and collection of the watershed protection assessment on water uses; and any other issues designated by the board. Report to the legislature no later than June 30, 2001. Act to be repealed on June 30, 2002 (sunset). -- HB2835 CD1

Committee Reports: HSCR 398-00 (WLU) HSCR 842-00 (FIN) SSCR 2919 (WLH) SSCR 3340 (WAM) CCR 152

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB2846 HD1 (HSCR 520-00)

RELATING TO CONDOMINIUM PROPERTY REGIMES.

Introduced by: Cachola R

Establishes provision relating to lease rent renegotiation. Provides that the bylaws of any association of apartment owners, any lease or sublease of the property or of an apartment or an undivided interest in the land to an apartment owner, whenever any lease or sublease of the property, an apartment, or an undivided interest in the land to an apartment owner provides for the periodic renegotiation of lease rent, the association of apartment owners shall represent the apartment owners in all negotiations and proceedings for the determination of lease rent as a common expense of the association. Provides criteria. -- HB2846 HD1

Committee Reports: HSCR 520-00 (CPC) SSCR 2936 (GOH) SSCR 3260 (CPN)

Current Status: Apr-12 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 49 2000)

Section Affected: 514A- (1 SECTION) ONLY

HB2895 HD1 (HSCR 689-00)

RELATING TO ENVIRONMENTAL IMPACT STATEMENTS.

Introduced by: Morita H, Kanoho E, Schatz B, Arakaki D, Kahikina M, Lee M, Ahu Isa L, Kaho'ohalahala S, Takumi R, Auwae E, Thielen C

Redefines environmental impact statement to mean an informational document prepared in compliance with rules adopted and which discloses the environmental effects of a proposed action, effects of a proposed action on the economic welfare, social welfare, and cultural practices of the community and the state. -- Redefines significant effect to mean the sum of effects on the quality of the environment, including actions that adversely affect the economic welfare, social welfare, or cultural practices of the community or state. -- HB2895 HD1

Committee Reports: HSCR 145-00 (EEP/ WLU) HSCR 689-00 (JHA) SSCR 2793 (LRE) SSCR 3298 (WAM)

Current Status: Apr-12 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 50 2000)

Section Affected: 343-2 ONLY

HB2901 HD2 SD2 CD1 (CCR 161)

RELATING TO THE NEW ECONOMY.

Introduced by: Morihara D, Herkes R, Case E, Cachola R, Santiago A, Garcia N, Abinsay F, Ahu Isa L, Ito K, Souki J, Takumi R, McDermott B, Kaho'ohalahala S, Stegmaier D, Espero W, Goodenow K, Marumoto B, Kanoho E, Hamakawa E, Say C, Takai K, Luke S, Yoshinaga T, Suzuki N, Catalani I, Kawakami B, Takamine D, Morita H, Lee M, Menor R, Yonamine N, Leong B, Kahikina M, Oshiro M, Hiraki K

Allows a qualified high technology business to sell its unused net operating loss carryover or unused tax credits to another taxpayer in an amount equal to at least 75 per cent of the amount of the surrendered tax benefit, with approval of the department of taxation. Requires the tax benefit purchased by the buyer

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qualified high technology business to be claimed in the year the sale is approved. Provides that this provision shall apply to sales of new operating loss carryovers after December 31, 2000, and before January 1, 2004 (sunset). -- Amends income tax provisions by defining biotechnology, computer data, computer program, computer software, and investment. Provides that section 704 of the Federal Internal Revenue Code (with respect to a partner's distributive share) shall be operative for income tax purposes except that it shall not apply to allocations of high technology business investment tax credit. -- Provides an exception to section 1212 (with respect to capital loss carrybacks and carryforwards) of the Federal Internal Revenue Code which is operative for state income tax purposes to provide that the capital loss carryback provisions shall not be operative and the capital loss carryforward shall be limited to 15 years. -- Amends the income tax exclusion of royalties and other income from high technology businesses to include trade secrets. Defines performing arts products and redefines qualified high technology business to mean a business conducting more than 50 per cent of its activities in qualified research. Also amends the exemption of stock options from qualified high technology businesses, and the high technology business investment income tax to repeal the definition of computer software. -- Amends the income tax credit for increasing research activities to provide that section 41 of the Federal Internal Revenue code shall remain in effect until December 31, 2005 (sunset), even if it is repealed or terminated. -- Amends provisions relating to investments of the pension and ms to allow investments in Hawaii high technology businesses or venture capital investments. -- Appropriation to the department of education for the expansion of E Academies to provide students at virtual onsite locations based a selected high schools with industry and academic standards based instruction and assessments in technology, science, math, and engineering, and for laptops for learning. -- Appropriation to the department of business, economic development, and tourism for marketing and promoting high technology development in Hawaii by the high technology development corporation. -- Amends the governor's special advisory council for technology development to require the council to develop, establish, and implement ethics and conflict of interest guidelines for its members. -- Amends provision relating to the Hawaii tourism authority. Authorizes the authority to enter into contracts and agreements for the promotion of Hawaii, through a coordinated statewide effort, as a place to do high technology business. -- Amends the high technology development corporation provisions. Establishes the Hawaii technology loan revolving fund to invest in technology development in Hawaii. Allows the corporation to contract for the management and operation of the corporation. Establishes confidentiality of trade secrets and limitation of liability provisions. Exempts the high technology special fund from contributing to central service and administrative expenses of the government. -- Amends the Hawaii strategic development corporation provision to require the corporation to establish the Hawaii technology investment program to allow individual investors to contribute to the program to invest venture capital in businesses in Hawaii. (\$\$) -- HB2901 CD1

Committee Reports: HSCR 421-00 (EDB/ HED/) HSCR 722-00 (FIN) SSCR 3019 (EDU/ CPN/ ECD/) SSCR 3334 (WAM) CCR 161

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 235- (1 SECTION), 235-1, 235-2.4, 235-2.45, 235-7.3, 235-9.5, 235-110.9, 235-110.91, 88-119, 27-42, 84-17, 201B-7, 206M- (4 SECTIONS), 206M-1, 36-27, 36-30, 206M-2, 206M-2.5, 206M-3, 206M-15.5, 210-3, 211F-3, 227D-2, 211F- (3 SECTIONS) THE HAWAII TECHNOLOGY INVESTMENT PROGRAM

HB2906 HD1 SD1 (SSCR 3329)

RELATING TO TOWING COMPANIES.

Introduced by: Hiraki K

Establishes that the registered owner or lessee of a tow truck shall permanently

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affix on each door of the truck a sign with the name and telephone number of the tow business and that they maintain insurance coverage sufficient to protect owners of towed vehicles in the event of vehicle loss or damage due to towing. Repeals provision under abandoned and derelict vehicles provisions. Clarifies that the towing company shall unhook the vehicle upon payment by the owner of an unhooking fee and if the owner is unwilling or unable to pay the unhooking fee the vehicle may be towed. -- HB2906 SD1

Committee Reports: HSCR 166-00 (TRN) HSCR 785-00 (CPC) SSCR 3329 (TIA)

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

Section Affected: 291C- (1 SECTION), 290-11, 291C-165.5

HB2983 HD1 (HSCR 517-00)

RELATING TO CAPTIVE INSURANCE.

Introduced by: Menor R

Amends captive insurance company provisions to establish class 5 companies. Provides that a class 5 company acts only as a reinsurer or excess insurer, or both. -- HB2983 HD1

Committee Reports: HSCR 517-00 (CPC) SSCR 3213 (CPN)

Current Status: Apr-26 00 Vetoes
----- -- PENDING FURTHER ACTION

Section Affected: 431:19- (1 SECTION), 431:19-101, 431:19-101.3, 431:19-104, 431:19-107, 431:19-115

HB2996 HD2 (HSCR 740-00)

RELATING TO AGRICULTURAL LOANS.

Introduced by: Abinsay F, Ahu Isa L, Morita H, Suzuki N, Espero W, Morihara D, Rath J, Kaho'ohalahala S

Amends provision relating to agricultural loans. Amends the objectives and powers and duties of the department of agriculture provisions to include food manufacturers. Provides that the department of agriculture may insure up to 90 per cent of the principal balance of a loan, plus interest due thereon, made to a qualified farmer, qualified new farmer or qualified food manufacturer by a private lender who is unable to otherwise lend the applicant sufficient funds at a reasonable rates. Provides that class E loans to food manufacturers shall not be subject to the general eligibility requirements for loans provision. Provides that to be eligible for loans, a food manufacturer shall be licensed to do business in the State, and the controlling interest of the entity shall possess a minimum of 2 years of relevant processing or manufacturing experience as acceptable to the department of agriculture. Requires the entity to process Hawaii grown agricultural products or use Hawaii grown agricultural products as an ingredient in the manufacturing process. Provides that the amount for facility loans shall not exceed 500,000 dollars or 80 per cent of the cost of the project, whichever is the lesser. Further provides that the requirements for loans shall be waived for food manufacturing loans, however, the entity shall be a sound credit risk with the ability to repay the money to borrowed. Establishes class G loans to part time farmers for farm improvement and operating purposes including loans for purchase, construction, improvement of farm production and growing structure; the purchase of farm equipment or livestock; and the payment of production and marketing expenses. Provides that the liquidation of indebtedness incurred for any of the purposes under this provision and for living expenses shall not be authorized purposes. Limits the amount of each loan to 25,000 dollars for a maximum 10 year term. -- HB2996 HD2

Committee Reports: HSCR 249-00 (AGR) HSCR 740-00 (FIN) SSCR 2850 (ECD) SSCR 3386 (WAM)

Current Status: Apr-12 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 51 2000)

Section Affected: 155-1, 155-2, 155-4, 155-5, 155-5.5, 155-6, 155-6.5, 155-8, 155-9, 155-10, 155-11, 155-12, 171-14.5

HB2997

RELATING TO AQUACULTURE LOANS.

HOUSE BILLS WHICH PASSED THE LEGISLATURE

Introduced by: Abinsay F, Ahu Isa L, Morita H, Suzuki N, Espero W, Halford C, Morihara D, Kaho'ohalahala S

Amends provision relating to aquaculture loans by increasing the loan amount that applicants may borrow for class A to 400,000 dollars for aquaculture farm ownership and improvement loans; class B to 400,000 dollars for aquaculture operating loans; class C to 500,000 dollars for facility loans and 300,000 dollars for operating loans. Extends the loan term for class C loans from 3 to 7 years. -- HB2997

Committee Reports: HSCR 195-00 (AGR) HSCR 625-00 (FIN) SSCR 2851 (ECD) SSCR 3394 (WAM)

Current Status: Apr-14 00 Received by the Governor
Apr-26 00 Approved by Governor (Act 52 2000)

Section Affected: 219-6 ONLY

HB3001 HD2 SD1 (SSCR 2833)

RELATING TO NONCOMMERCIAL PIERS.

Introduced by: Ito K, Goodenow K, Catalani I, Ahu Isa L, Takai K, Meyer C
Establishes private residential noncommercial piers. Allows the board of land and natural resources to lease, by direct negotiation and without recourse to public auction, state submerged lands or lands beneath tidal waters for private residential noncommercial piers on such terms and conditions as may be prescribed by the board. Repeals restriction requiring leased public lands to have a sign on piers indicating the public's right to the use of the pier. Allows the board of land and natural resources to grant easement or lease of state submerged lands or lands beneath tidal waters used for moorings, cables or noncommercial piers without the approval of the governor and the legislature. Repeals the authority granted to the department of land and natural resources to enter into lease agreements with owners of private residential noncommercial piers on June 30, 2005 (sunset). -- HB3001 SD1

Committee Reports: HSCR 266-00 (OMR) HSCR 759-00 (FIN) SSCR 2833 (WLH) SSCR 3341 (WAM)

Current Status: Apr-19 00 Received by the Governor
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Section Affected: 171- (1 SECTION), 171-36, 171-53

HB3014 HD1 SD1 CD1 (CCR 137)

RELATING TO SPECIAL PURPOSE REVENUE BONDS.

Introduced by: Say C

Authorizes the issuance of special purpose revenue bonds to assist Rickmar Properties, Inc. or a partnership in which Rickmar Properties, Inc. is a general partner, or the successor in interest or assignee of Rickmar Properties, Inc. for the district cooling project. Requires the department of budget and finance to process applications in accordance with the requirements of its formal application for financing of an industrial enterprise. Reports to the legislature. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB3014 CD1

Committee Reports: HSCR 553-00 (FIN) HSCR 682-00 (FIN) SSCR 2913 (ECD) SSCR 3226 (WAM) CCR 137

Current Status: May-02 00 Passed Legislature
----- -- PENDING FURTHER ACTION

HB3016 HD1 SD1 CD1 (CCR 154)

RELATING TO MEDICAL ASSISTANCE TO LOW-INCOME PERSONS.

Introduced by: Fox G

Requires the State to provide state only funds per individual per month to cover medical expenses not to exceed an amount equal to the difference between the medically needy income standard and 100 per cent of the federal poverty level for a household of 1, to people who derive their income solely or not less than 80 per cent from social security, if they have a terminal or life threatening illness. -- HB3016 CD1

Committee Reports: HSCR 374-00 (HSH) HSCR 852-00 (FIN) SSCR 2824 (HHS) SSCR 3357 (WAM) CCR 154

Current Status: May-02 00 Passed Legislature

HOUSE BILLS WHICH PASSED THE LEGISLATURE

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Section Affected: 321- (1 SECTION) ONLY

HB3018 SD1 (SSCR 3289)

RELATING TO CHILD ABUSE.
Introduced by: Kaho'ohalahala S
Requires suspected child abuse or neglect or the existence of a substantial risk that child abuse or neglect may occur to be reported to the department of human services or to the police department. -- HB3018 SD1
Committee Reports: HSCR 528-00 (JHA) SSCR 3289 (HHS/ TIA/ JDC/)
Current Status: May-02 00 Passed Legislature
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Section Affected: 350-1.1 ONLY

HB3021 HD1 SD1 (SSCR 2854)

RELATING TO GASOLINE.
Introduced by: Stegmaier D
Provides that no gasoline sold in the State for use in motor vehicles shall contain methyl tertiary butyl ether. Establishes a fine of 25,000 dollars for each separate occurrence or an amount equal to 3 times the cost of cleaning up the contamination. Provides that fines received shall be deposited into the environmental response revolving fund. -- HB3021 SD1
Committee Reports: HSCR 334-00 (EEP) HSCR 573-00 (FIN) SSCR 2854 (LRE) SSCR 3299 (WAM)
Current Status: May-02 00 Passed Legislature
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Section Affected: (1 SECTION), 128D-2