



EXECUTIVE CHAMBERS
HONOLULU

**THE LINGLE-AIONA ADMINISTRATION
2006 LEGISLATIVE INITIATIVES**

**AGR-02 (06) HB2271 SB2234
RELATING TO NON-AGRICULTURAL PARK LANDS.**

Allows the Board of Agriculture to manage, develop, and dispose of agricultural lands not within a designated "agricultural park" that were transferred from the Department of Land and Natural Resources.

**AGR-03 (06) HB2272 SB2235
RELATING TO DEPARTMENT OF AGRICULTURE LOANS.**

Increases from \$25,000 to \$75,000 the authority of the Chair of the Department of Agriculture to approve agricultural and aquacultural loans. The amount was last increased in 1982.

**AGS-02 (06) HB2273 SB2236
MAKING EMERGENCY APPROPRIATIONS FOR RISK MANAGEMENT.**

Makes an emergency appropriation of \$1.5 million in general funds for FY 2005-2006 to be deposited into the State Risk Management & Revolving Fund and makes an emergency appropriation of \$6.5 million from the fund. These appropriations are necessary to reimburse costs of the May 2005 Kalaheo Elementary School fire and to pay an anticipated increase in the State's property insurance premium.

**AGS-03 (06) HB2274 SB2237
RELATING TO STATE RISK MANAGEMENT.**

Allows money from the settlement of insurance claims or losses of the state to be deposited directly into the affected agency's account instead of first being put in the State's Risk Management Revolving Fund.

**AGS-05 (06) HB2275 SB2238
MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE.**

Makes an emergency appropriation of \$1.276 million for FY 2005-2006 for higher electricity costs of state facilities assigned to the Department of Accounting and General Services.

**AGS-08 (06) HB2276 SB2239
RELATING TO THE WIRELESS ENHANCED 911 BOARD.**

Provides faster implementation of the enhanced 911 emergency system by allowing Public Service Answering Points to be reimbursed for costs not now covered by law and by allowing wireless telephone carriers to purchase equipment and software above the limits now set in the statute.

**ATG-01 (06) HB2277 SB2240
MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.**

Provides for the payment of claims against the State for refunds of taxes, judgments, settlements, and other miscellaneous payments.

**ATG-02 (06) HB2278 SB2241
MAKING EMERGENCY APPROPRIATIONS FOR THE DEPARTMENT OF THE ATTORNEY GENERAL.**

Makes an emergency appropriation of \$1,214,367 for FY2005-2006 into and from the DNA registry special fund for DNA testing of convicted felons. Makes an emergency appropriation of \$1,076,217 in FY2005-2006 for the prevention of sexual violence and the protection and treatment of victims of sexual violence.

**ATG-03 (06) HB2279 SB2242
RELATING TO GOVERNMENT TORT LIABILITY.**

Repeals the June 30, 2007 sunset date, thereby making permanent liability protections for the staff when we post warning signs at public beaches or parks.

**ATG-04 (06) HB2280 SB2243
RELATING TO BIOLOGICAL EVIDENCE.**

Provides for the immediate DNA testing of all felons who are currently incarcerated.

**ATG-05 (06) HB2281 SB2244
RELATING TO EXPUNGEMENTS.**

Requires deletion of digitized arrest records, rather than return of hard copy materials, if applicable, and limits expungements to applicants that have no criminal convictions.

**ATG-06 (06) HB2282 SB2245
RELATING TO CHAPTER 846E.**

Clarifies that an individual cannot be charged as a repeat offender for multiple charges arising from a single event and clarifies the registration requirements for covered offenders who are not incarcerated.

**ATG-07 (06) HB2283 SB2246
PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII
RELATING TO SEXUAL ASSAULT.**

Proposes a Constitutional amendment to allow the Legislature to define what behavior constitutes a continuing course of conduct in sexual assault crimes against minors.

**ATG-08 (06) HB2284 SB2247
PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF THE STATE OF HAWAII
REGARDING CHALLENGES TO CONSTITUTIONAL AMENDMENTS.**

Proposes a Constitutional amendment to provide a process to expeditiously resolve challenges to proposed constitutional amendments before they are submitted to the voters for ratification.

**ATG-09 (06) HB2285 SB2248
RELATING TO SOLICITATION OF FUNDS FOR CHARITABLE PURPOSES.**

Requires professional solicitors to disclose whether a donation will be tax deductible and to provide their full legal name, address and phone number to contributors.

**ATG-10 (06) HB2286 SB2249
RELATING TO CHILD SUPPORT ENFORCEMENT.**

Clarifies that information maintained by the Child Support Enforcement Agency may be disclosed to persons who are directly involved with the administration and implementation of foster care programs.

**ATG-11 (06) HB2287 SB2250
RELATING TO CHILD SUPPORT ENFORCEMENT.**

Allows the state to suspend the professional license of someone who reneges on his/her agreement to make child support payments.

**ATG-13 (06) HB2288 SB2251
RELATING TO TORT ACTIONS.**

Requires all exceptions to the State's waiver of sovereign immunity to be broadly construed in the State's favor.

**ATG-15 (06) HB2289 SB2252
RELATING TO APPELLATE JURISDICTION.**

Allows the immediate appeal of preliminary orders regarding injunctions to avoid possible harm from erroneous lower court injunction rulings.

**ATG-16 (06) HB2290 SB2253
RELATING TO TESTIMONY.**

Clarifies when lay and expert witness testimony is admissible in a judicial proceeding.

**ATG-17 (06) HB2291 SB2254
RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL.**

Provides the resources to actively monitor state vendors by giving the Attorney General a portion of the proceeds or settlement from certain false claim prosecutions.

**ATG-18 (06) HB2292 SB2255
RELATING TO TIME LIMITATIONS.**

Allows victims of deceptive thefts the benefit of justice that is currently denied to them in cases where they do not discover that they have been victimized until after the statute of limitations has already expired.

**ATG-19 (06) HB2293 SB2256
RELATING TO COURT ADVISEMENT CONCERNING ALIEN STATUS.**

Authorizes courts to advise defendants of the effect of a criminal conviction on alien status with language equivalent to that in the statute rather than requiring a verbatim recitation of the law.

**ATG-20 (06) HB2294 SB2257
RELATING TO DRUGS.**

Restores the criminal penalties and felony classification for the manufacturing of methamphetamine.

**ATG-21 (06) HB2295 SB2258
RELATING TO DRUGS.**

Applies repeat offender sentencing to drug offenders.

**ATG-22 (06) HB2296 SB2259
RELATING TO INFORMATION CHARGING.**

Adds unlawful methamphetamine trafficking to those felonies that may be initiated by information charging.

**ATG-23 (06) HB2297 SB2260
RELATING TO SENTENCING.**

Provides for a mandatory sentence of 30 years to life for habitual violent felons.

**ATG-24 (06) HB2298 SB2261
RELATING TO DISCLOSURE OF VITAL STATISTICS RECORDS TO LAW ENFORCEMENT OFFICERS FOR CRIMINAL INVESTIGATIONS.**

Allows law enforcement officers to inspect public health statistics records or receive a certified copy of a vital statistic record, when investigating or prosecuting a crime.

**ATG-25 (06) HB2299 SB2262
RELATING TO CHAPTER 803.**

To restore the standard required by the United States Constitution that dictates police behavior when an arrested person requests that a message be conveyed to the arrested person's family member or attorney, and that dictates police behavior when entering a house to arrest a person suspected of a crime.

**ATG-26 (06) HB2300 SB2263
RELATING TO CHAPTER 134.**

Conforms Hawaii law to certain federal firearms "Brady Bill" requirements.

**ATG-27 (06) HB2301 SB2264
RELATING TO SEXUAL ASSAULT.**

Defines what behavior constitutes a continuing course of conduct in sexual assault crimes. (Implementing legislation to Constitutional amendment proposed by ATG-07.)

**ATG-28 (06) HB2302 SB2265
RELATING TO CRIMES AGAINST MINORS.**

Adds electronic enticement of a child to the list of crimes subject to repeat offender sentencing; (2) mandates minimum one year incarceration upon conviction of promoting child abuse or electronic enticement of a child; (3) eliminates deferred pleas for those who enter a plea to the crime of promoting child abuse or the crime of electronic enticement of a child; and (4) adds a new misdemeanor for electronic enticement of a child in the third degree.

**ATG-29 (06) HB2303 SB2266
RELATING TO CHILD SUPPORT ENFORCEMENT.**

Allows income withholding to continue when a non-custodial parent's obligation for current child support ends but there are amounts still outstanding.

**ATG-31 (06) HB2304 SB2267
RELATING TO PROMOTING INTOXICATING LIQUOR TO A MINOR.**

Provides for a mandatory jail sentence for those convicted of promoting intoxicating liquor to a minor.

**ATG-32 (06) HB2305 SB2268
RELATING TO INTOXICATING LIQUOR VIOLATIONS INVOLVING MINORS.**

Requires suspension of driver's licenses of those under 21 upon conviction of possession of liquor and, if the defendant does not yet have a driver's license, to postpone eligibility to obtain one until age 18.

**BED-01 (06) HB2306 SB2269
RELATING TO THE HAWAII CAPITAL LOAN PROGRAM.**

Transfers \$6 million in outstanding loans made under the former Hawaii Capital Loan Program to the Hawaii Strategic Development Corporation revolving fund to ensure these loans are monitored, the amounts owed are collected, and the costs of managing the loan portfolio are covered.

**BED-03 (06) HB2307 SB2270
RELATING TO TOURISM.**

Reinstitutes the voting rights on the Hawaii Tourism Authority Board to the Director of the Department of Business, Economic Development, and Tourism or his designee.

**BED-05 (06) HB2308 SB2271
RELATING TO ENERGY.**

Addresses Hawaii's decades-long dependence on imported oil through a series of integrated, strategic, measures to encourage market-based development of more self-reliant energy systems. Includes improved petroleum and energy industry transparency and monitoring, repeal of the gas caps, repeal of the service station anti-encroachment (divorcement) law, alternative transportation fuels standard of 20% by 2020, establishes energy efficiency standards in State facilities, extends the excise tax exemption for alcohol fuels, increases and extends tax credits for photovoltaic and solar systems, tightens and establishes penalties for public utilities who fail to meet the renewable energy standards of 20% by 2020, streamlines permitting of renewable energy projects, increases net energy metering eligibility for systems up to 500 KW, redirects energy demand-side management surcharges to create a new sustainable energy efficiency fund, and creates a world-class Hawaii renewable hydrogen program with a \$10 million fund to attract significant private sector

**BUF-02 (06) HB2309 SB2272
RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.**

Require individuals enrolled in the State Employer Union Health Benefits program who are eligible for Medicare Part B reimbursements to accept direct deposit of their reimbursements into a financial institution of their choice.

**BUF-03 (06) HB2310 SB2273
RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.**

Makes technical amendments to the Employee's Retirement System laws including conforming to new Internal Revenue Service (IRS) requirements, conforming to new Federal laws on retirement credits for armed services personnel, and clarifying definitions of child, beneficiary, accidental death, active members, and related terms.

**BUF-05 (06) HB2311 SB2274
RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.**

Makes amendments to the hybrid retirement plan to ensure that refunds conform to the requirements of the Internal Revenue Service (IRS), and repeals provisions for hardship withdrawals of contributions while still employed.

BUF-08 (06) HB2312 SB2275
MAKING AN APPROPRIATION TO THE EMERGENCY BUDGET AND RESERVE FUND.
Makes an appropriation to the emergency budget and reserve fund

CCA-01 (06) HB2313 SB2276
RELATING TO BUSINESS REGISTRATION.
Enhances effective business registration by clarifying and correcting ambiguities and errors in Hawaii's business registration laws.

CCA-03 (06) HB2314 SB2277
RELATING TO TAX CREDITS FOR ENERGY STAR RATED APPLIANCES.
Encourages greater energy efficiency by providing a tax credit of up to \$1,500 for Energy Star appliance purchases.

CCA-04 (06) HB2315 SB2278
RELATING TO THE CODE OF FINANCIAL INSTITUTIONS.
Ensures that Hawaii's financial institutions will remain current with industry trends in safe and sound operation by improving the procedures for their licensing and regulation.

CCA-07 (06) HB2316 SB2279
RELATING TO MORTGAGE BROKERS.
Better protects consumers by ensuring that mortgage professionals possess appropriate levels of knowledge, skills and experience by providing for more specialized regulation.

CCA-10 (06) HB2317 SB2280
RELATING TO HEALTH INSURANCE.
Deletes the December 31, 2006 expiration date so that trade associations can continue to be treated as a group for purposes of purchasing health insurance.

CCA-12 (06) HB2318 SB2281
RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES.
Provides an independent review process for health insurance coverage disputes and avoids the cost and time associated with arbitration or litigation.

CCA-13 (06) HB2319 SB2282
RELATING TO INSURANCE.
Conforms insurance statutes to federal law and national standards.

CCA-14 (06) HB2320 SB2283
RELATING TO INSURANCE.
Conforms statutes governing insurer examinations and commercial general liability extended reporting requirements with the National Association of Insurance Commissioners (NAIC) Model Acts and Model Regulations.

CCA-16 (06) HB2321 SB2284
RELATING TO TORTS.
Improves the availability of health care services by limiting non-economic damages in medical tort actions to a maximum award of \$250,000 and by capping attorneys' fees.

CCA-17 (06) HB2322 SB2285
RELATING TO EXPEDITED INSURANCE RATE REDUCTIONS.
Allows insurance companies to immediately reduce any property or casualty premium rate by up to 10% without prior approval of the Insurance Commissioner.

CCA-19 (06) HB2323 SB2286
RELATING TO INSURANCE FRAUD.
Allows the insurance fraud investigations branch to more effectively fight insurance fraud in all types of insurance, except worker's compensation insurance.

**CCA-20 (06) HB2324 SB2287
RELATING TO INSURANCE FRAUD.**

Allows the insurance fraud investigations branch to prevent, investigate, and prosecute insurance fraud within the workers' compensation insurance system.

**CCA-23 (06) HB2325 SB2288
RELATING TO MONEYS FOR DISASTER PREPAREDNESS.**

Designates the interest earned on the Hurricane Reserve Trust Fund to be used for disaster preparedness efforts rather than going into the general fund.

**CCA-24 (06) HB2326 SB2289
RELATING TO CONSUMER CREDIT REPORTING AGENCIES.**

Protects Hawaii consumers who are victims of identity theft by allowing them to place a security freeze on their credit reports.

**CCA-25 (06) HB2327 SB2290
RELATING TO PROTECTION FROM SECURITY BREACHES.**

Requires businesses to notify affected persons whenever their personal information has been compromised by unauthorized disclosure.

**CCA-26 (06) HB2328 SB2291
RELATING TO PETROLEUM PRICE GOUGING.**

Protects consumers from price gouging in the purchase of petroleum during periods of abnormal disruption of the marketplace such as natural disasters and emergencies.

**CCA-27 (06) HB2329 SB2292
RELATING TO DESTRUCTION OF PERSONAL INFORMATION RECORDS.**

Requires businesses to protect against unauthorized access to or use of consumers' personal information after its disposal by destroying the information.

**CCA-28 (06) HB2330 SB2293
RELATING TO SOCIAL SECURITY NUMBER PROTECTION.**

Minimizes the abuses associated with fraudulent use of a social security number by restricting its use for identification purposes.

**CCA-29 (06) HB2331 SB2294
RELATING TO AN INACTIVE STATUS FOR PROFESSIONAL AND VOCATIONAL LICENSES.**

Allows professional and vocational licensees to go on inactive status when they are currently not engaged in the practice of their profession or vocation.

**CCA-30 (06) HB2332 SB2295
RELATING TO PRINCIPAL PRIVATE DETECTIVES AND GUARDS.**

Allows a non-Hawaii resident to be licensed as a principal detective and principal guard.

**CCA-31 (06) HB2333 SB2296
RELATING TO NURSES.**

Allows nurses to use continuing education courses to reactivate their license if they have not practiced nursing for five years. Requires automatic forfeiture of a nursing license that is not renewed on a timely basis.

**CCA-32 (06) HB2334 SB2297
RELATING TO MENTAL HEALTH COUNSELORS.**

Ensures licensed mental health counselors have the appropriate specialized education, training, and experience and that they practice accordingly based on their expertise.

**CCA-34 (06) HB2335 SB2298
RELATING TO CHAPTER 448E, HAWAII REVISED STATUTES.**

Strengthens enforcement provisions against unlicensed electrical and plumbing activities.

**CCA-35(06) HB2336 SB2299
RELATING TO INVESTIGATIVE ACCESS FOR UNLICENSED ACTIVITY.**

Allows investigators access to commercial, public, or the exterior of a residential worksite to investigate unlicensed contractor activity.

**CCA-36(06) HB2337 SB2300
RELATING TO INSURANCE.**

Allows self-employed individuals or small businesses with part-time employees to qualify for group health insurance coverage.

**CCA-37(06) HB2338 SB2301
RELATING TO IDENTITY THEFT.**

Provides law enforcement with the tools to better combat identity theft by making possession of confidential personal information without proper authorization illegal.

**DEF-01 (06) HB2339 SB2302
RELATING TO CIVIL DEFENSE AGENCY.**

Increases the salary for the Civil Defense director to reflect his/her duties which are equivalent to an individual at the Colonel level (\$88,855-\$102,906). The salary was lowered as a result of Act 226 that went into effect in 2005.

**DEF-02 (06) HB2340 SB2303
RELATING TO VETERANS' SERVICES.**

Authorizes a 5% increase in the salary of the Director of the Office of Veterans Services, who currently makes \$63,342. This adjustment will better reflect an amount equitable to the duties and responsibilities of this position.

**DEF-03 (06) HB2341 SB2304
RELATING TO CIVIL DEFENSE.**

Comprehensive update to the state's emergency preparedness laws, limiting the liability of private emergency shelters in health care facilities, and expanding emergency definitions to include tsunamis, civil disturbances, and terrorism including bioterrorism.

**DEF-04 (06) HB2342 SB2305
RELATING TO VETERANS' SERVICES.**

Gives West Hawaii a representative on the Policy Advisory Board to the Office of Veterans Services, increasing the size of the Board to eight.

**DEF-06 (06) HB2343 SB2306
RELATING TO THE PENAL CODE.**

Significantly increases the criminal penalties for crimes committed during a State civil defense emergency to deter looting and to protect first responders.

**DEF-07 (06) HB2344 SB2307
RELATING TO EMERGENCY MANAGEMENT ASSISTANCE COMPACT.**

Implements the required legislation to allow Hawaii to join the Emergency Management Assistance Compact that provides mutual assistance between States during an emergency or disaster. Hawaii is the only State that has not joined.

**DEF-08 (06) HB2345 SB2308
RELATING TO TAX CREDITS FOR RETROFITTING PRIVATE FACILITIES.**

Establishes a four percent (4%) tax credit as an incentive to owners of private facilities, such as hospitals, care homes, and hotels, to harden their buildings against hurricanes and other natural disasters.

**EDN-01 (06) HB2346 SB2309
MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF EDUCATION ELECTRICITY.**

Appropriates \$5,169,458 in FY 2005-2006 to cover higher electricity costs in buildings managed by the Department of Education.

**EDN-02 (06) HB2347 SB2310
MAKING AN EMERGENCY APPROPRIATION FOR DEPARTMENT OF EDUCATION STUDENT
TRANSPORTATION.**

Appropriates \$5,785,448 in FY 2005-2006 to cover bus transportation services for children in grades kindergarten to twelve and in special education classes.

**GOV-02 (06) HB2348 SB2311
RELATING TO THE HAWAII TEACHER STANDARDS BOARD.**

Creates an expedited emergency certified teacher program to allow individuals with a bachelor's degree to quickly become teachers to fill the existing teacher gap.

**GOV-03 (06) HB2349 SB2312
RELATING TO THE HIRING OF RETIRED TEACHERS IN THE DEPARTMENT OF EDUCATION.**

Allows retired teachers of the Department of Education and charter schools to be rehired in hard-to-fill classroom teaching positions.

**GOV-04 (06) HB2350 SB2313
RELATING TO THE HAWAII EDUCATOR LOAN PROGRAM.**

Broadens the current Hawaii Educator Loan Program to be used to attend any approved teacher education program, allows forgiveness of the loan when the teacher works in a difficult to fill classroom position, and requires a six-year commitment to teach in a public or charter school. Appropriates \$500,000 for this program.

**GOV-05 (06) HB2351 SB2314
RELATING TO THE HAWAII MASTER TEACHER PROGRAM.**

Establishes a master teacher program offering a \$10,000 bonus to nationally certified teachers who teach in a low performing school for three years and help that school make annual yearly progress.

**GOV-08 (06) HB2352 SB2315
RELATING TO CHARTER SCHOOLS.**

Establishes a new charter school statute that allows sets up a charter school district to receive Federal funds, creates a charter school board to issue new charters, allows charters to own, lease or acquire property, allows teachers to transfer into and out of charter schools without losing seniority, permits charter schools to accept excess supplies and property, and sets up a grievance process for complaints against charter schools.

**GOV-10 (06) HB2353 SB2316
RELATING TO PLANNING.**

Coordinates the functions of the Land Use Commission to support an enhanced county planning process. Counties would request land use designation changes based on regional and countywide plans, rather than parcel-by-parcel reviews.

**GOV-11 (06) HB2354 SB2317
RELATING TO HOUSING FUNDS.**

Requires a two-thirds affirmative vote by the Legislature before money can be transferred from nine housing funds managed by the Hawaii Community Development Housing Corporation.

**GOV-12 (06) HB2355 SB2318
RELATING TO HOUSING.**

Comprehensive improvements to promote affordable workforce housing including allowing projects for families with incomes at or below 140% of the area median level to qualify for Rental Housing Trust Fund financing; broadens the requirements on developers to allow for a reasonable number of low income units in their projects, and authorizes the use of special purpose revenue bonds for affordable workforce housing projects.

**GOV-14 (06) HB2356 SB2319
RELATING TO THE CONVEYANCE TAX.**

Increases the percentage of conveyance tax monies deposited into the rental housing trust fund from 30% to 65%, generating an estimated additional \$12.25 million for this fund in FY 2007.

**GOV-16 (06) HB2357 SB2320
RELATING TO THE STATE RENT SUPPLEMENT PROGRAM.**

Increases, for the first time since 1967, the amount of the rent subsidy (currently \$160 per month) by allowing the Director of the housing agency to set the subsidy amount. Also increases the income limits for participants from 50% to 90% of the area median income, and allows people to use these supplements to rent units in State low income housing projects.

**GOV-17 (06) HB2358 SB2321
PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 1 OF THE STATE CONSTITUTION TO AUTHORIZE THE LEGISLATURE TO ESTABLISH SUBSYSTEMS FOR THE STATE'S SINGLE STATEWIDE SYSTEM OF PUBLIC SCHOOLS.**

This measure proposes a constitutional amendment to allow the subdivision of our single statewide system of public schools. This subdivision would allow subsystems to be recognized as local education agencies, including the charter school system, to directly apply for and receive federal funding they otherwise may not be eligible for.

**GOV-18 (06) HB2359 SB2322
PROPOSING AMENDMENTS TO ARTICLE X, SECTIONS 2 AND 3 OF THE STATE CONSTITUTION TO ADD A FIFTEENTH MEMBER WHO IS APPOINTED BY THE GOVERNOR TO REPRESENT THE INTERESTS OF CHARTER SCHOOLS.**

This measure proposes a constitutional amendment to add a seat to the Board of Education to represent the interests of charter schools.

**HMS-01 (06) HB2360 SB2323
RELATING TO THE FEDERAL REVENUE MAXIMIZATION IN THE JUDICIARY.**

Mandates the District and Family Courts in the State Judiciary to identify services they provide to children which may be eligible for federal financial assistance, to maximize the amount of Federal revenue the State receives.

**HMS-02 (06) HB2361 SB2324
RELATING TO PSYCHOTROPIC MEDICATION.**

Allows Medicaid patients who are enrolled in QUEST medical plans to have the same equal, unrestricted access to psychotropic prescription drugs as patients in the Medicaid fee-for-service plan.

**HMS-03 (06) HB2362 SB2325
RELATING TO PRESCRIPTION DRUGS.**

Allows Medicaid patients who are enrolled in QUEST medical plans to have the same equal, unrestricted access to immunosuppressive prescription drugs as patients in the Medicaid fee-for-service plan.

**HMS-04 (06) HB2363 SB2326
RELATING TO FEDERAL REVENUE MAXIMIZATION FOR THE UNIVERSITY OF HAWAII.**

Mandates the University of Hawaii to identify services they provide to children which may be eligible for federal financial assistance, to maximize the amount of Federal revenue the State receives.

**HMS-05 (06) HB2364 SB2327
RELATING TO CHILD ABUSE OR NEGLECT REPORTING.**

Mandates staff in a public or private school who believe a child may be suffering from abuse or neglect to immediately report this directly to the police or State Department of Human Services.

**HMS-06 (06) HB2365 SB2328
RELATING TO NOTICE TO FOSTER PARENTS FOR CHAPTER 587, HAWAII REVISED STATUTES, CHILD PROTECTIVE ACT HEARINGS.**

Allows foster parents to attend child protective act hearings and provide information to the court that may help in the care of the child.

HMS-08 (06) HB2366 SB2329
RELATING TO INCREASING CAPACITY FOR HOME AND COMMUNITY BASED LONG-TERM CARE SERVICES.

Makes the Home and Community Based Care programs for Medicaid and foster care permanent by repealing the expiration date. Increases the number of clients these homes can care for from two to three, and allows expanded adult residential care homes to serve a maximum of six, rather than five, clients.

HMS-09 (06) HB2367 SB2330
RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR SERVICE PROVIDERS OF THE OFFICE OF YOUTH SERVICES.

Authorizes the Office of Youth Services (OYS) to conduct criminal history checks on employees, prospective employees and volunteers of its private contractors who work with youth.

HMS-12 (06) HB2368 SB2331
RELATING TO PUBLIC HOUSING.

Streamlines the process for evicting tenants of public housing projects who refuse to abide by the rules.

HMS-13 (06) HB2369 SB2332
RELATING TO HOUSING.

Deletes the expiration date on the streamlined public housing eviction process. Currently the process sunsets on July 1, 2007.

HMS-15 (06) HB2370 SB2333
MAKING AN EMERGENCY APPROPRIATION FOR GENERAL ASSISTANCE.

Makes an emergency appropriation of \$416,736 in FY 2005-2006 to ensure that the monthly payment amount of \$418 can be provided to eligible disabled adults. The Legislature cut \$1 million from this program in 2005.

HMS-18 (06) HB2371 SB2334
MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII YOUTH CORRECTIONAL FACILITY.

Makes an emergency appropriation of \$1,320,000 in FY 2005-2006 to implement the US Department of Justice recommendations for the Hawaii Youth Correctional Facility.

HRD-01 (06) HB2372 SB2335
RELATING TO PUBLIC EMPLOYMENT.

Removes the requirement that applicants must be a resident of Hawaii at the time they apply for a job with the State.

HRD-03 (06) HB2373 SB2336
RELATING TO THE UNIFORM ARBITRATION ACT.

Restores to the public employers and public employees representatives the right to settle grievances through negotiations rather than through the procedures of the Uniform Arbitration Act.

HTH-01 (06) HB2374 SB2337
MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION.

Makes an emergency increase in the special ceiling for the Mental Health Substance Abuse special fund of \$10,873,647 in FY 2005-2006. New ceiling would be \$24,701,339 to continue legally mandated services to patients in the Hawaii State Hospital and community-based services.

HTH-02 (06) HB2375 SB2338
MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE DEVELOPMENTAL DISABILITIES DIVISION.

Makes an emergency appropriation in FY 2005-2006 of \$6,807,562 to provide services to the developmentally disabled and mentally retarded pursuant to the Makin II settlement.

**HTH-03 (06) HB2376 SB2339
MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE
EMERGENCY MEDICAL SERVICES SYSTEM BRANCH.**

Makes an emergency appropriation in FY 2005-2006 of \$6,754,686 in FY 2005-2006 to pay for additional costs, including salary increases, for contracted ambulance services on Oahu, Hawaii, Maui, and Kauai.

**HTH-04 (06) HB2377 SB2340
MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR EARLY
INTERVENTION SERVICES.**

Makes an emergency appropriation in FY 2005-2006 of \$3,200,928 for services to infants and children up to three years old who are developmentally delayed or at risk of developmental disabilities.

**HTH-05 (06) HB2378 SB2341
RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL.**

Revises the membership and duties of the Hawaii Early Intervention Coordinating council to be consistent with the Federal Individuals with Disabilities Education Improvement Act (IDEA) of 2004.

**HTH-06 (06) HB2379 SB2342
RELATING TO SMOKE-FREE WORKPLACES.**

Establishes a smoke-free environment for state employees and members of the public in workplaces in state owned or leased buildings.

**HTH-07 (06) HB2380 SB2343
RELATING TO CRIMINAL HISTORY RECORD CHECKS.**

Authorizes the Department of Health to conduct criminal history checks on health care workers and employees of private contractors who operate health care facilities such as nursing homes.

**HTH-09 (06) HB2381 SB2344
RELATING TO WASTEWATER SYSTEMS.**

Allows the counties to approve individual wastewater systems and receive the corresponding application fees currently \$100 per system. Counties now regulate home building, except for wastewater (septic tanks) systems.

**HTH-10 (06) HB2382 SB2345
RELATING TO THE UNIFORM ENVIRONMENTAL COVENANTS ACT.**

Provides a clear legal framework to enforce, modify, track, and terminate environmental covenants placed on contaminated land for extended periods of time.

**HTH-13 (06) HB2383 SB2346
RELATING TO SOLID WASTE.**

Changes the beverage container redemption program to one where retailers will redeem the beverage containers from consumers, retains the per container fee at 1 cent, and re-establishes the county litter control programs.

**HTH-15 (06) HB2384 SB2347
MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE FAMILY
HEALTH SERVICES DIVISION.**

Makes an emergency increase in FY 2005-2006 by \$1 million in the early intervention special fund spending ceiling to comply with expenditure requirements subsequent to the closure of the Felix Consent Decree covering children 0-3 years old with developmental disabilities or at risk of becoming developmentally disabled.

**HTH-16 (06) HB2385 SB2348
MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR PANDEMIC
INFLUENZA PREPAREDNESS.**

Makes an emergency appropriation in FY 2005-2006 of \$15 million to purchase and stockpile influenza vaccines and buy lab equipment, personal protective equipment and related items.

**HTH-18 (06) HB2386 SB2349
RELATING TO THE DEPOSIT BEVERAGE CONTAINER FEE.**

The purpose of this measure is to eliminate the automatic container fee increases now in the deposit beverage container program law.

**HTH-19 (06) HB2387 SB2350
RELATING TO DEPOSIT BEVERAGE CONTAINER SPECIAL FUND.**

The purpose of this measure is to assist the counties by funding litter control programs by counties, their contractors, or their volunteers.

**LBR-01 (06) HB2388 SB2351
RELATING TO WORKERS' COMPENSATION.**

Ensures injured workers receive quality medical care when they are injured on the job by repealing Act 11 Special Session of 2005 that prevented the issuance of administrative rules to improve the workers' compensation program.

**LBR-02 (06) HB2389 SB2352
RELATING TO WORKERS' COMPENSATION.**

Ensures injured workers receive quality medical care by establishing medical provider networks to which employers can direct their employees to receive initial medical treatment.

**LBR-03 (06) HB2390 SB2353
RELATING TO EMPLOYMENT SECURITY LAW.**

Lowers the maximum taxable wage base from \$34,000 to \$7,000 for unemployment insurance purposes, avoiding additional surpluses to build up in the unemployment insurance fund which collects \$150 million a year, pays out less than \$90 million a year and currently has over \$450 million in it.

**LBR-05 (06) HB2391 SB2354
RELATING TO MONEYS CREDITED TO THE STATE'S ACCOUNT IN THE UNEMPLOYMENT TRUST FUND PURSUANT TO SECTION 903 OF THE SOCIAL SECURITY ACT.**

Appropriates \$10 million in federal Reed Act funds for workforce development improvements at the State and county level.

**LBR-06 (06) HB2392 SB2355
RELATING TO TIP CREDIT.**

Increases the tip credit from .25 cents per hour to \$1.25 per hour upon approval and then to \$2.25 per hour effective January 1, 2007. After January 1, 2008 the tip credit would be equal to 25% of the tips claimed by employees who

**LNR-01 (06) HB2393 SB2356
RELATING TO ENVIRONMENTAL EDUCATION FOR NEW CENTURY CHARTER SCHOOLS.**

Authorizes the establishment of new charter schools on each island focusing on environmental education.

**LNR-03 (06) HB2394 SB2357
RELATING TO SECTION 13 OF ACT 380, SESSION LAWS OF HAWAII 1997.**

Removes the sunset date on habitat conservation plans and related agreements to encourage the protection and recovery of endangered species on public and private lands.

**LNR-04 (06) HB2395 SB2358
RELATING TO PROTECTION OF FOREST RESERVES.**

Significantly increases the fines and penalties for trespassing timber theft in State forests.

**LNR-06 (06) HB2396 SB2359
RELATING TO FOREST STEWARDSHIP.**

Allows revenue, fines and penalties from forestry operations to be deposited into the Forest Stewardship Fund to manage the State's forests.

**LNR-08 (06) HB2397 SB2360
RELATING TO GROUNDED VESSELS.**

Allows the State to take immediate action to remove a vessel grounded on a reef or other critical area to minimize environmental damage.

**LNR-09 (06) HB2398 SB2361
RELATING TO THE HAWAII OCEAN AND COASTAL COUNCIL.**

Establishes in statute the authority to continue the Ocean and Coastal Council begun through an executive order.

**LNR-10 (06) HB2399 SB2362
RELATING TO INTER-ISLAND FERRY SERVICE.**

To encourage additional ferry service by allowing ferry operations at all small boat facilities within the County of Maui.

**LNR-11 (06) HB2400 SB2363
MAKING AN EMERGENCY APPROPRIATION FOR ACQUISITION OF WAIMEA VALLEY, OAHU.**

Makes an emergency appropriation of \$1.6 million to assist in the purchase and preservation of Waimea Valley, Oahu.

**LTG-06 (06) HB2401 SB2364
RELATING TO ALCOHOL & SUBSTANCE ABUSE.**

Prohibits insurers from not covering injuries sustained when a person is intoxicated from alcohol or substance abuse. Establishes the Screening, Briefing, Intervention, Referral, and Treatment pilot program.

**LTG-01 (06) HB2402 SB2365
RELATING TO THE OFFICE OF INFORMATION PRACTICES.**

Authorizes the Office of Information Practices (OIP) to take action in circuit court to enforce compliance with state freedom of information statutes.

**LTG-02 (06) HB2403 SB2366
RELATING TO THE OFFICE OF INFORMATION PRACTICES.**

Authorizes the Office of Information Practices to take action in circuit court to enforce compliance with the state open meetings (sunshine) laws.

**LTG-05 (06) HB2404 SB2367
RELATING TO PUBLIC MEETINGS.**

Allows two or more members of a board, but less than a quorum, to attend meetings of other board or public hearings, such as neighborhood board meetings or legislative hearings, without violating the sunshine law.

**GCB-01 (06) HB2405 SB2368
RELATING TO COLLECTIVE BARGAINING FOR EMPLOYEES IN LAW ENFORCEMENT AND
EMERGENCY HEALTH AND SAFETY OCCUPATIONS.**

Creates a new collective bargaining unit for first responders and emergency workers such as police dispatchers, sheriffs, security officers, search and rescue, and medical personnel.

**GCB-02 (06) HB2406 SB2369
RELATING TO INTEREST ARBITRATION.**

Modifies the factors that an arbitration panel must consider to include the impact of pay increases on other bargaining units, compliance with budget limitations, and comparisons of wages, hours and working conditions to similar professions

**PSD-01 (06) HB2407 SB2370
RELATING TO CONTROLLED SUBSTANCES.**

Annual update to Hawaii's list of controlled substances to conform to federal updates. Adds the depressant drug Zopiclone.

**PSD-03 (06) HB2408 SB2371
RELATING TO CORRECTIONAL INDUSTRIES.**

Authorizes the Correctional Industries to collect money directly from State adult corrections officers who buy uniforms and uniform accessories. Corrections officers are responsible for 25% of the cost of replacing state-issued uniforms.

**PSD-04 (06) HB2409 SB2372
RELATING TO CONTROLLED SUBSTANCES**

Precludes over-the-counter sales of pseudophedrine and ephedrine drugs, which can be used to make ICE, and limits the time a pharmacy can fill and hold a prescription for certain controlled substance drugs.

**PSD-05 (06) HB2410 SB2373
RELATING TO CONTROLLED SUBSTANCES.**

Conforms State laws to federal laws governing the sale, transport and receipt of the chemicals ephedrine and phenylpropanoline.

**TAX-01 (06) HB2411 SB2374
RELATING TO TAXATION.**

Immediately returns to the taxpayers of Hawaii an estimated \$128.5 million through a one time refundable tax check equal to \$150 per exemption. Eligible recipients would be individuals making \$50,000 or less, heads of households making \$75,000 or less, or married couples filing jointly who make \$100,000 or less. A total of 856,890 residents would qualify, about 78% of all taxpayers and their dependents.

**TAX-02 (06) HB2412 SB2375
RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE.**

Annual adjustments to the State's tax laws to conform with Federal tax changes.

**TAX-03 (06) HB2413 SB2376
RELATING TO INCREASING THE STANDARD DEDUCTION AND ADJUSTING THE BRACKETS FOR INDIVIDUAL INCOME TAXATION.**

Increases the standard deduction to 75% of the current Federal amount and widens the current tax brackets by 25%, reducing the tax burden on almost all taxpayers in Hawaii. An additional 57,866 taxpayers and their dependents at the lower income levels would no longer owe any taxes, and all others would see their taxes significantly reduced. Results in an annual tax savings of \$85.9 million.

**TAX-04 (06) HB2414 SB2377
RELATING TO LONG-TERM CARE TAX CREDITS.**

Provides a tax credit to employers and individuals who purchase long term care insurance. The credit would go to married taxpayers earning up to \$150,000 who would receive 50% of their insurance premium or \$1,000, whichever is less. Individuals and heads of households would qualify for up to \$500 if their income was \$75,000 or less. The employers tax credit would be \$50 per covered employee or 50% of the premium, whichever amount is lower. Total cost would be \$6.9 million per year.

**TAX-05 (06) HB2415 SB2378
RELATING TO NET INCOME TAX CREDIT FOR FOOD, MEDICAL SERVICES, AND NONPRESCRIPTION DRUGS.**

Establishes a refundable tax credit of \$100 per person to offset the State tax on food, medical services, and non-prescription drugs. The tax credit would be targeted at taxpayers earning \$50,000 or less. The elderly and disabled would qualify for a double credit. This would aid 706,713 taxpayers and their dependents and annually return \$70.7 million to these families and individuals.

**TAX-06 (06) HB2416 SB2379
RELATING TO INCOME TAX WITHHOLDING.**

Changes from monthly to quarterly the date that employers must file their income tax withholding information to the State Department of Taxation.

**TAX-07 (06) HB2417 SB2380
RELATING TO TAX ADMINISTRATION.**

Authorizes the Department of Taxation to impose penalties and seek court injunctions against persons who promote abusive tax shelters or intentionally prepare fraudulent tax returns.

**TAX-08 (06) HB2418 SB2381
RELATING TO TAX ADMINISTRATION.**

Facilitates the ability of the Department of Taxation to issue assessments for fraudulent tax returns, without first requiring a finding of fraud by a court.

**TAX-09 (06) HB2419 SB2382
RELATING TO TAXATION.**

Recreates the integrated tax information management system special fund and authorizes deposits of tax savings into the funds as a result on additional modernization of the State's computerized tax system.

**TAX-11 (06) HB2420 SB2383
RELATING TO TAXATION.**

Ensures that counties that levy the ½% general excise tax (GET) surcharge are fully responsible for the collection and administration of the tax.

**TAX-14 (06) HB2421 SB2384
RELATING TO PERFORMING ARTS BUSINESSES.**

Establishes a program where the state can buy back outstanding tax credits for performing arts businesses at a deeply discounted rate.

**TRN-01 (06) HB2422 SB2385
RELATING TO HIGHWAY SAFETY.**

Increases the penalties for motorists who violate Hawaii's crosswalk law to include higher fines, revocation of the driver's license, and incarceration.

**TRN-03 (06) HB2423 SB2386
RELATING TO THE STATE HIGHWAY FUND.**

Authorizes the counties to use a total of \$10 million appropriated in FY2005-2006 from the State Highway Fund to repair county roads.

**TRN-04 (06) HB2424 SB2387
RELATING TO THE KAKAOKO COMMUNITY DEVELOPMENT DISTRICT.**

Transfers from the Hawaii Community Development Authority to the Department of Land and Natural Resources, Piers 1 and 2 at Honolulu Harbor to be set aside for the Dept. of Transportation and the Dept. of Business, Economic Development, & Tourism to ensure continued maritime and foreign commerce use.

**UOH-01 (06) HB2425 SB2388
RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII.**

Restores the Board of Regents authority to develop procurement procedures for the purchase of goods, services, and construction for the University system.

**UOH-02 (06) HB2426 SB2389
RELATING TO CHAPTER 40, HAWAII REVISED STATUTES.**

Eliminates the expiration date on the law giving the university autonomy over its internal financial operations. The autonomy was first granted in 1986 and has been regularly extended.

**UOH-03 (06) HB2427 SB2390
RELATING TO THE FUNDS OF THE UNIVERSITY OF HAWAII.**

Consolidates 40 special funds into 23 funds, in keeping with recommendations from the Legislative Auditor.

**UOH-04 (06) HB2428 SB2391
RELATING TO THE UNIVERSITY OF HAWAII.**

Authorizes the University to adopt administrative rules to manage and regulate public activity on lands its controls at Mauna Kea, Hawaii.

UOH-05 (06) HB2429 SB2392
RELATING TO FINANCING AGREEMENTS.

Grants the Board of Regents authority to enter into public-private financing agreements, including financing agreements to construct facilities.

UOH-07 (06) HB2430 SB2393
RELATING TO THE UNIVERSITY OF HAWAII.

Creates a State Eminent Scholars Special Fund to match private gifts to establish endowed faculty positions at the University. Requests \$5 million as initial state matching funds.

UOH-08 (06) HB2431 SB2394
RELATING TO THE CENTER FOR NURSING.

Clarifies that the administration of the Nursing Special Fund rests with the University Center for Nursing, rather than the Board of Regents.

UOH-09 (06) HB2432 SB2395
RELATING TO THE COMMISSION FOR NATIONAL AND COMMUNITY SERVICE.

Changes the terms of the members of the Commission for National and Community Service from four years to three years as required by federal law.

UOH-11 (06) HB2433 SB2396
RELATING TO THE DEPARTMENT OF TRANSPORTATION'S ENGINEERING SCHOLARSHIP PROGRAM.

Provides scholarships for civil engineering students who agree to work with the State Department of Transportation.