

"Potential Vetoes"

24th State Legislature - Regular Session of 2008

Bill Number

HB1412 HD1 SD1 CD1

RELATING TO THE DEPARTMENT OF TAXATION'S BENEFITS-FUNDED REVENUE-GENERATING COMPUTER INITIATIVES.

Sets unrealistic deadlines and parameters requiring the Department of Taxation to execute outside contracts for tax collections.

HB2062 HD1 SD2 CD1

RELATING TO LONG-TERM CARE.

Unnecessarily requires DHS to apply to the federal Centers for Medicare and Medicaid Services (CMS) for a waiver that would give individuals who are Medicaid eligible the option to receive long-term care services at home or in a community setting rather than in a nursing home. DHS has already applied, received CMS approval, and implemented the "Going Home" program which achieves this purpose.

HB2085 HD1 SD2

RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION.

Diverts the resources of the Agribusiness Development Corporation to perform another study and unnecessarily micro-manages the composition of the board, contrary to the recommendations of the agricultural community.

HB2238 HD1 SD1

RELATING TO PUBLIC HOUSING.

Restricts the flexibility of the State and counties to develop, renovate, or manage public housing projects by requiring the units in the project to remain affordable in perpetuity. This restriction will prohibit mixed use and mixed income projects as a method to support the renovation and repair of public housing units.

HB2250 HD1

RELATING TO TRANSPORTATION.

Reduces airline incentives to operate efficiently and competitively, contrary to the federal government's Airline Deregulation Act of 1978, by establishing a commission to regulate Hawaii's inter-island air carriers.

HB2386 SD2 CD1

RELATING TO WORKERS' COMPENSATION.

Allows workers to continue to receive temporary disability benefits even after they have been deemed fit to return to work, requires an employer to pay benefits, and creates disincentives for workers to return to their jobs.

HB2387 HD1 SD2

RELATING TO WORKERS' COMPENSATION.

Unnecessarily creates a working group to study paying for medical examinations under Hawaii's workers' compensation law when the private sector already covers these costs.

HB2388 HD1 SD2 CD1

RELATING TO WORKERS' COMPENSATION.

Requires employers to continue paying for workers' compensation medical care when an employee has been deemed fit to return to work but disputes the doctor's findings.

HB2438 HD2 SD2 CD1

RELATING TO CIGARETTES.

Tasks the State Fire Council with an unfunded mandate to implement a program requiring only reduced ignition propensity cigarettes to be sold in Hawaii.

HB2519 HD2 SD2 CD1

RELATING TO HEALTH CARE.

Establishes a working group to develop the "Hawaii Health Corps" program that would provide loan repayments and stipends to physicians and dentists who work in rural or medically underserved areas, raising fiscal concerns regarding how the State could sustain such a program now or in the future.

Bill Number

HB2520 HD3 SD2 CD1

RELATING TO CAREGIVERS.

Establishes a working group to explore providing wage replacement benefits to employees who take time off from work to care for a family member, raising fiscal and fairness issues in the workplace.

HB2531 HD1 SD2 CD1

RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN.

Uses State funds not within the budget to develop a West Maui transportation access plan without complying with the safeguards, openness, and fair procedures required under the State Procurement Code.

HB2675 HD2 SD1

RELATING TO MEDICAL MARIJUANA.

Establishes a Medical Marijuana Task Force within the University of Hawaii to study ways to cultivate and transport medical marijuana, contrary to federal prohibitions against cultivation, possession and transportation of this federally-prohibited drug.

HB2704 HD2 SD1 CD1

RELATING TO HA'IKU VALLEY.

Places control of Haiku Valley in the hands of a few special-interest persons who would determine who has access to this area.

HB2761 HD1 SD1 CD1

RELATING TO WOMEN'S HEALTH.

Requires the Department of Human Services to apply to the federal Centers for Medicare and Medicaid Services to extend post-partum and interconception care from eight weeks to at least six months for women who participate in the QUEST program, creating additional fiscal demands outside of the balanced budget plan.

HB2781 HD2 SD2 CD1

RELATING TO SMALL BUSINESS.

Requires state agencies to provide additional justification for proposing rules that are more stringent than federal, state or county laws which could have the unintended consequence of making the already lengthy rule making process longer for small business owners in Hawaii. Establishes a "Small Business Bill of Rights" in statute that is ill-defined and could lead to litigation.

HB2843 HD2 SD2 CD1

RELATING TO INVASIVE SPECIES.

Restructures the fee imposed on cargo coming into the State by calculating this fee on a per pound basis; expands this fee's applicability to all cargo entering the State, creating cost-increase implications for all consumers.

HB2847 SD1 CD1

RELATING TO CONDITIONAL LICENSE PERMITS.

Increases the number of individuals who can continue to drive a vehicle after being convicted of driving under the influence of an intoxicant.

HB2929 HD1 SD1

RELATING TO WORKERS' COMPENSATION.

Eliminates the right of an employer to designate a physician to perform an independent medical examination of an employee receiving workers' compensation benefits.

HB2972 HD1 SD2 CD1

RELATING TO EDUCATION.

Creates a facilities alignment commission within the Department of Education and singles out certain smaller schools throughout the State for the commission to evaluate and provide recommendations to the Legislature for school closure or consolidation.

HB3386 HD1 SD2 CD1

RELATING TO ATTORNEYS.

Requires any licensed attorney employed by the Department of Taxation as an administrative rules officer or specialist to be designated as special tax counsel and unnecessarily removes his or her status as an exempt employee.

Bill Number

SB0156 SD2 HD2 CD1

RELATING TO VOTING.

Allows permanent absentee voting without proper safeguards.

SB0871 SD2 HD2 CD1

RELATING TO FOOD WASTE RECYCLING.

Appropriates \$25,000 to establish a three-year pilot project to conduct food waste recycling in Hawaii's public schools that was not requested by the Department of Education.

SB1526 SD2 HD3 CD1

RELATING TO JUDICIARY.

Allows the Chief Justice of the Supreme Court to increase the salaries of the Administrator and Deputy Administrator of the courts by 6.7% to 30.5%, even though their job duties have not increased.

SB1793 SD1 HD1 CD1

RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY.

Changes the relationship between executive branch departments and attached agencies by removing the Department of Business, Economic Development, and Tourism's oversight and authority to represent the Natural Energy Laboratory of Hawaii Authority (NELHA) in conversations with the Governor and the Legislature; to approve personnel decisions; and to approve the purchase of supplies, equipment, and furniture.

SB1804 SD2 HD2 CD1

RELATING TO THE TRAUMA SYSTEM SPECIAL FUND.

Increases surcharges for traffic violations to pay for trauma care in the State.

SB2082 SD2 HD1 CD1

RELATING TO PUBLIC SAFETY.

Expends \$100,000 for a strategic plan to return female inmates from the mainland when such a plan cannot realistically be implemented without an expansion of facilities and programs that would cost hundreds of millions of dollars.

SB2196 SD2 HD2 CD1

RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS.

Requires the State's Department of Land and Natural Resources to regulate activities in privately-owned marinas.

SB2198 SD2 HD2 CD2

RELATING TO LAND CONSERVATION.

Allows private landowners to claim up to \$1 million in tax credits if they sell, donate, or manage their land for conservation purposes, even though other State and federal programs already exist to encourage land conservation.

SB2262 SD1 HD2 CD2

RELATING TO HEALTH.

Unjustifiably extends the Voluntary Employees' Beneficiary Association (VEBA) trust pilot program, continuing to adversely impact the State's Employer-Union Health Benefits Trust Fund providing health benefits for State active and retired personnel.

SB2263 SD2 HD1

RELATING TO THE UNIVERSITY OF HAWAII.

Requires the University of Hawaii to disclose in an open meeting confidential personnel and compensation information and to disclose university fiscal data prematurely.

SB2334 SD2 HD1 CD1

RELATING TO PUBLIC SAFETY.

Unnecessarily restricts the Administration's ability to appoint well-qualified candidates who are not graduates of a law enforcement academy, such as prosecutors or military police, for the positions of Sheriff and Deputy Director of Law Enforcement, even if they have experience in related fields.

Bill Number

SB2341 SD1 HD1 CD1

RELATING TO PUBLIC SAFETY.

Singles out private prisons contracting with the State of Hawaii by ordering the contractor to provide public access to data that no other entity contracting with the State is required to provide.

SB2345 SD1 HD1 CD1

RELATING TO CHILDREN.

Establishes vague and impractical guiding principles for State agencies to follow when dealing with the children of incarcerated parents, potentially increasing the State's liability.

SB2365 SD1 HD1 CD1

RELATING TO TRANSPORTATION.

Increases to \$4 per day the rental vehicle charge to finance the planning and design of rental motor vehicle facilities at airports statewide, which has not been endorsed by all possible participants.

SB2434 HD1 CD1

RELATING TO THE STADIUM AUTHORITY.

Usurps the Governor of Hawaii's authority to appoint members to the Aloha Stadium Authority by transferring nomination responsibilities to the State Legislature.

SB2542 SD2 HD2 CD1

RELATING TO PUBLIC HEALTH.

Appropriates \$1 million outside of the balanced budget to the Department of Health to cover medical costs of uninsured and attempts to codify administrative rule changes for community health centers already reimbursed through Medicaid.

SB2546 SD2 HD1 CD1

RELATING TO OFFENDER REENTRY.

Requires the quarterly rotation of prisoners returning from the mainland and makes other changes to the offender re-entry program.

SB2644 SD1 HD1 CD1

RELATING TO THE STATE HISTORIC PRESERVATION OFFICER.

Limits the pool of qualified individuals that may serve as the State's Chair of the Department of Land and Natural Resources by mandating that this individual be a historic preservation professional in architecture, architectural history, archaeology, history, culture, or a closely related field. Infringes on the Governor's appointment authority by dictating that the Governor must immediately inform the State Legislature of this appointment and the individual's qualifications to serve in this position.

SB2663 SD2 HD2 CD1

RELATING TO THE HAWAII TEACHER STANDARDS BOARD.

Restricts what organizations can nominate members to the Hawaii Teacher Standards Board and micromanages who the members must represent.

SB2668 SD2 HD1 CD1

RELATING TO THE UNIVERSITY OF HAWAII.

Further restricts the pool of candidates from whom the Governor must select to nominate members of the University of Hawaii Board of Regents.

SB2803 SD1 HD1 CD1

RELATING TO PERSONAL INFORMATION.

Places a significant unfunded and unrealistic burden on public agencies to remove certain personal data from government records.

SB2824 SD2 HD1 CD1

RELATING TO PROCUREMENT.

Unjustifiably eliminates voting rights of State and county representatives on the Procurement Policy Board. Directs the Legislative Auditor's Office and the Procurement Policy Board to audit only executive branch agencies for compliance with the State Procurement Code.

Bill Number

SB2827 SD1 HD1 CD1

RELATING TO PUBLIC CONTRACTS.

Mandates multiple amendments to the State's procurement laws without providing sufficient time to implement these changes that could inhibit the State's ability to award contracts on a timely basis.

SB2830 SD2 HD2 CD1

RELATING TO CAREGIVING.

Appropriates funds outside of the balanced budget plan and creates new unfunded programs for adult care.

SB2840 SD2 HD1 CD1

RELATING TO SELF-SUFFICIENCY.

Requires the Department of Business, Economic Development and Tourism to create and update a "self-sufficiency standard" in an attempt to create unrealistic standards outside of federally-approved benchmarks for federal public assistance programs.

SB2843 SD2 HD3 CD1

RELATING TO ELECTRONIC DEVICE RECYCLING.

Establishes a State-run, mandatory recycling program for manufacturers of computers, computer printers, monitors, and certain portable computers, and requires these manufacturers to register with the State and pay a \$5,000 registration fee while voluntary industry-funded recycling programs already exist and work well.

SB2867 SD2 HD2 CD1

RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE.

Makes inconsistent and conflicting amendments to the State Procurement Code.

SB2878 SD2 HD2 CD1

RELATING TO EARLY LEARNING.

Establishes the Keiki First Steps early learning system with an estimated funding need of \$170 million in the tenth year of implementation.

SB2915 SD2 HD1 CD1

RELATING TO TARO.

Establishes the taro security and purity task force and appropriates \$325,000 to fund the task force operations.

SB2933 SD2 HD2 CD1

RELATING TO HOUSEHOLD ENERGY DEMAND.

Potentially invalidates the rules of homeowners associations by allowing owners of single-family residential dwellings or townhouses to use clotheslines, despite restrictions in their deeds, rules, or bylaws.

SB3252 SD2 HD2 CD1

RELATING TO TEACHERS.

Duplicates existing teacher recruitment, retention, and professional development efforts of the Department of Education and appropriates \$300,000 in general funds outside of the balanced budget plan.

Count: 52