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BILLS INTRODUCED

BY

SENATOR J. KALANI ENGLISH

(Regular Session of 2011)

as of: January 28, 2011

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LEGISLATIVE REFERENCE BUREAU SYSTEMS OFFICE

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BILLS INTRODUCED BY SENATOR ENGLISH

- SB0002 RELATING TO THE PUBLIC LAND.
Introduced by: Solomon M, English J
Requires the department of land and natural resources to initiate and coordinate all efforts to establish a public land trust information system. Reports to the legislature. Appropriation. (\$\$) -- SB0002
Current Status: Jan=19 11 Introduction/Passed First Reading - Senate
Jan=20 11 Multiple Referral to WLH then WAM
- SB0006 RELATING TO AGRICULTURAL LANDS.
Introduced by: Nishihara C, Wakai G, Chun Oakland S, English J
Amends provisions relating to the amendments to district boundaries. Requires district boundary amendments involving agricultural lands with soil classified as overall productivity rating of class A or B to be processed by the land use commission. Provides that for a boundary amendment for agricultural lands soil classified by the land study bureau's detailed land classification as overall (master) productivity rating class A or B, no amendment of a land use district boundary shall be approved where a farming operation is being conducted on the land or has been conducted on the land previously, the land is important for agriculture based on the stock of similarly suited lands in the area, the district boundary amendment will harm the productivity or viability of existing agricultural activity in the area, and the district boundary amendment will cause fragmentation of or intrusion of nonagricultural uses into largely intact areas of agricultural lands with soil classification by the land study bureau's detailed land classification as overall (master) productivity rating class A or B. -- SB0006
Current Status: Jan=19 11 Introduction/Passed First Reading - Senate
Jan=20 11 Multiple Referral to AGL then WLH
- SB0008 SD1 (SSCR 1) RELATING TO EDUCATION.
Introduced by: Tokuda J, Tsutsui S, Ihara L, Galuteria B, Chun Oakland S, Kim D, Espero W, Dela Cruz D, Ige D, Kidani M, Slom S, Baker R, Fukunaga C, Kahele G, English J, Nishihara C, Wakai G, Kouchi R, Green J
Repeals and replaces the board of education. Provides that the board shall consist of 11 members who shall be appointed by the governor with the advice and consent of the senate, including 1 voting member who shall be a public high school student. Requires the board to invite the senior military commander in Hawaii to appoint a nonvoting military representative. Repeals the election of the board of education. -- SB0008 SD1
Committee Reports: SSCR 1 (EDU) SSCR 3 (WAM)
Current Status: Jan=26 11 Passed Second Reading Senate as amended (SD1)
Jan=28 11 Reported from WAM (SSCR 3)
- SB0099 RELATING TO THE PUBLIC UTILITIES COMMISSION.
Introduced by: Baker R, Solomon M, English J, Kahele G, Tsutsui S, Kouchi R, Green J, Chun Oakland S
Establishes provisions relating to notice of hearing required under the Hawaii water carrier act. Requires the public utilities commission to provide reasonable notice whenever the commission conducts a public hearing on an application for a certificate of public convenience and necessity. -- Amends provisions relating to public utilities commission; number, appointment of commissioners, qualifications; compensation; persons having interest in public utilities by adding establishment and composition of panel. Requires the commission to elect its chairperson from 1 of its members instead of being appointed by the governor. Requires the commission to establish 2 panels with membership consisting of 2 commissioners plus the chairperson. Further requires that 1 panel to be devoted to issues relating to energy and the private water and sewage utilities and the other panel to be devoted to issues relating to motor and water carrier transportation services, telecommunications, and warehousing of goods. Amends provisions relating to employment to executive officer; appointment of assistants. Requires the commission to employ staff to include an executive officer, administrative personnel, and other personnel necessary to carry out the duties of the commission. Requires the commission to post a link on the front page of the commission's website to publicly accessible electronic version of each application for a certificate, each order of the commission regarding posted applications, and the commission's final decision and order. Requires the commission to issue a certificate to any qualified applicant authorizing the whole or any part of the operations proposed in the application. Prohibits the commission to make finding of public convenience and necessity or issue an authorization, whether interim, permanent, or otherwise, to operate as a water carrier without specific finding supported by evidence in record indicates that the issuance of the certificate will diminish an existing water carrier's ability to realize its allowed rate of return or if the certificate would allow an applicant to serve only high margin or high profit ports or lines of service that are currently served by and existing carrier. -- SB0099
Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=21 11 Multiple Referral to CPN then WAM
- SB0108 RELATING TO NATIVE HAWAIIAN CULTURE.
Introduced by: Galuteria B, Ryan P, Kidani M, Solomon M, Kahele G, English J, Shimabukuro M
Requires the Hawaii tourism authority to contract with a private nonprofit engaged in promoting Hawaiian culture, for the development and maintenance of a comprehensive Hawaiian cultural resource inventory database. Requires matching funds from the office of Hawaiian affairs. Annual report to the legislature and the governor. Appropriation. (\$\$) -- SB0108
Current Status: Jan=21 11 Introduction/Passed First Reading - Senate

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Jan=21 11 Multiple Referral to TSM/ HWN/ then WAM

SB0109

RELATING TO HOUSING.

Introduced by: Galuteria B, Chun Oakland S, Kidani M, English J
Amends provisions relating to resident selection; dwelling units; rentals by adding grandchildren in family crisis. Prohibits an elder to be eligible for a larger dwelling unit because a minor grandchild or grandchildren are living with the elder due to a family crisis. Requires the Hawaii housing authority, upon verification of a family crisis to allow a minor grandchild of a tenant of an elderly housing project to temporarily live with the tenant for no longer than 3 months, if due to the family crisis, the minor would otherwise be without appropriate care. Allows the authority to use its discretion to determine if other situations constitute a family crisis. -- SB0109

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=21 11 Multiple Referral to HMS then WAM

SB0121

RELATING TO HEALTH.

Introduced by: Baker R, Green J, English J
Allows the Hawaii health system corporation to lease Kula hospital's medical clinic to the Community Clinic of Maui, Inc., doing business as Malama I Ke Ola Health Center for 1 dollar per year for 10 years, with the option to renew. -- SB0121

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=21 11 Multiple Referral to HTH then WAM

SB0167

RELATING TO PROCUREMENT.

Introduced by: Espero W, English J, Kidani M
Amends provisions relating to chief procurement officers. Makes the director of a semi autonomous county public transit agency a chief procurement officer of the county. -- SB0167

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to PGM/ TIA/ then WAM

SB0283

RELATING TO SUSTAINABILITY.

Introduced by: Kahele G, English J, Chun Oakland S, Shimabukuro M, Kidani M
Establishes the 2050 sustainability policy under the Hawaii state planning act. -- SB0283

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Single Referral to WLH

SB0284

RELATING TO CORRECTIONS.

Introduced by: Kahele G, Green J, Shimabukuro M, English J, Galuteria B, Ryan P, Chun Oakland S
Requires the department of public safety to establish temporary pilot program to be known as the Hawaiian cultural restoration program to provide working opportunities for non violent inmates of Hawaiian ancestry to participate in the restoration and rebuilding of sites culturally significant to Hawaiian history and to provide skills development training that will incorporate instruction in the methods of rebuilding the historical site as well as the background and cultural significance of the site. Requires the office of Hawaiian affairs to determine and identify the sites to be restored. Program to cease to exist on June 30, 2015 (sunset). Appropriation. (\$\$) -- SB0284

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to PGM/ HWN/ then WAM

SB0285

RELATING TO HEALTH.

Introduced by: Kahele G, English J, Green J, Chun Oakland S, Shimabukuro M, Kidani M
Establishes provisions relating to telehealth services; medicaid and QUEST. Prohibits the department of human services to require the department's approval for a health plan under the department's Medicaid or QUEST programs to deliver services using a telehealth service; in person visits to qualify any telehealth service for coverage under the department's Medicaid or QUEST programs; or the mobile medical van program operating in a county with a population of less than 250,000 persons and operated by Kona community hospital to be funded through a partnership with a non profit mutual benefit society that provides health care coverage to at least 600,000 members. Act to be repealed on June 30, 2013 (sunset). -- SB0285

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to HMS then WAM

SB0286

RELATING TO AGRICULTURE.

Introduced by: Kahele G, English J, Green J, Baker R, Chun Oakland S, Shimabukuro M, Kidani M
Amends provisions relating to inspection. Provides that in underserved, remote areas the board of agriculture is required to designate private agents who are authorized to inspect or classify agricultural commodities. -- SB0286

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to AGL then WAM

SB0578

RELATING TO FISHING.

Introduced by: Tsutsui S, Baker R, English J
Amends provisions relating to uhu; goatfish; bag limit. Prohibits any person to take, possess, or sell more than 2 of each of the following species of goatfish; kumu, moano ukali, munu, and uhu per day

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on Maui. Allows a commercial marine dealer to possess and sell more than 2 kumu, moano ukali, munu, and uhu with receipts issued for the purchase. Requires the kumu, moano ukali, and munu to be at least 10 inches in length and uhu to be at least 12 inches in length if taken on Maui. -- SB0578
Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to WLH then JDL

SB0579

RELATING TO ELECTIONS.

Introduced by: Tsutsui S, Baker R, English J

Amends provisions relating to boards of registration, appointment, tenure. Requires each board of registration to be in the department of accounting and general services. Increases the number of members from 3 to 5 with a term of 4 years. Prohibits any board from consisting entirely of member of 1 political provided that no more than 2 members of any board shall be affiliated with the same political party; at least 2 member of each board shall be non partisan; and all members of each board shall be in good standing within their respective political parties. -- SB0579

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Single Referral to JDL

SB0580

RELATING TO AQUATIC LIFE.

Introduced by: Tsutsui S, Baker R, English J

Amends provisions relating to selling of aquatic life for aquarium purposes; prohibited; penalties; fines. Provides that it is unlawful for any person at any time to knowingly or intentionally sell or offer to sell, for aquarium purposes, aquatic life taken from any of the waters within the jurisdiction of the State. Makes it a misdemeanor. Establishes penalties and fines. -- Amends provisions relating to permits to take aquatic life for aquarium purposes. Prohibits the taking of aquatic life for aquarium purposes or use fine meshed traps or fine meshed nets other than throw nets to take marine or freshwater nongame fish and other aquatic life for aquarium purposes without an aquarium fish permit. -- Repeals provisions relating to aquarium fish for export; monthly count. -- SB0580

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to WLH then JDL

SB0581

RELATING TO MENTAL HEALTH.

Introduced by: Tsutsui S, Baker R, English J

Establishes provisions relating to Hawaii mental health commission; establishment and organization. Establishes the Hawaii health authority within the department of health to be an autonomous public body corporate and politic and an instrumentality of the State; to be responsible for overall mental health planning for the State and determine future capacity needs of mental health providers, facilities, equipment, and support services providers. Requires the authority to develop a comprehensive mental health plan and utilize findings obtained by the state council on mental health to further the development of the mental health plan. Amends provisions relating to definitions under department of health. Repeals the term department. Beginning July 1, 2013 transfers all rights, powers functions, and duties of the department of health with respect to mental health, mental illness, drug addiction, and alcoholism to the Hawaii mental health commission. -- SB0581

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to HTH then WAM

SB0582

RELATING TO COUNTY MUTUAL AID.

Introduced by: Tsutsui S, Baker R, English J

Establishes the county mutual aid sharing of fresh water law. Establishes a mutual aid network of assistance among the counties where a county shall provide portable water and non portable water to another county during times of emergency if the mayor of an affected county petitions the governor to declare that an emergency exists within the affected county. -- Establishes the Hawaii statewide mutual aid system law. Designates the mayor of each county as the emergency management director for that county who shall serve as the governor's agent and who shall appoint an emergency management coordinator. Requires a county to render mutual aid to another county under a county mutual aid agreement executed among each of the counties. Establishes provisions relating to special mutual aid program for fire emergencies; creation of the Hawaii statewide mutual aid system administered by the department of defense; reimbursement of costs; State request or federal disaster relief; and reimbursement of costs by requesting county in the absence of a federal disaster declaration. -- SB0582

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to PGM/ WLH/ then WAM

SB0583

RELATING TO CABLE TELEVISION SYSTEMS.

Introduced by: Tsutsui S, Baker R, English J

Establishes provisions relating to designation of access organizations for PEG (public education and government) access channels. Authorizes the director of commerce and consumer affairs to designate an access organization to oversee the development, operation, supervision, management, production or broadcasting of programs on PEG channels. Requires the director to establish requirements for the designation of access organization and ensure that the terms, conditions required of the operation of an access organization designated are fair to the public, taking into account the geographic, topographic, and economic characteristics of the service area and the economics of providing cable access in the service area. Provides that any decision designation, modifying, or rescinding a

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designation of an access organization or the requirements shall 1st be submitted for review to the cable advisory committee for advice. Amends provisions relating to cable advisory committee. Requires the committee to advise the director and access organizations on matters within the jurisdiction at the request of the director or any access organization and on any decision designating, modifying, or rescinding a designation of an access organization or the requirements. -- SB0583

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=26 11 Multiple Re referral to CPN then WAM

SB0601

RELATING TO EDUCATION.

Introduced by: Kim D, Kidani M, Shimabukuro M, Chun Oakland S, Tokuda J, English J, Espero W
Establishes an electronic book pilot program in the department of education for students in 1 intermediate or middle school. Requires the department to supply books in a digital format to be read directly from the screen of a personal computer, laptop, or other portable device. Report to the legislature. Appropriation. (\$\$) -- SB0601

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to EDU then WAM

SB0609

RELATING TO THE KAHOOLOWE ISLAND RESERVE COMMISSION.

Introduced by: Galuteria B, Kidani M, Ryan P, English J

Amends provisions relating to the Kahoolawe island reserve commission. Reduces the number of members on the commission from 7 to 5. Requires the governor to appoint 2 members in consultation with native Hawaiian organizations. Prohibits any member from being reappointed to the commission within 4 years from the last day of the member's service immediately preceding the reappointment to the commission. -- SB0609

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Single Referral to WLH/ HWN/

SB0649

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Baker R, Green J, English J

Amends provisions relating to bonus; pensioners' special compensation; amounts available. Requires each state and county retiree who is 75 years of age and older with at least 20 years of retirement as of June 30, 2011, to receive an annual lump sum pension payment equal to 1 dollar per month of every year of the retirant's credited service. Appropriation. (\$\$) -- SB0649

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to JDL then WAM

SB0651

RELATING TO MORTGAGE FORECLOSURES.

Introduced by: Baker R, Green J, Galuteria B, Ihara L, Chun Oakland S, Tsutsui S, Kidani M, Shimabukuro M, English J

Establishes the foreclosure mediation special fund to be expended by the executive director of the office of consumer protection to defray the costs of foreclosure mediation. Establishes provisions relating to mortgage foreclosure mediation. Requires the foreclosing mortgagees to engage in mediation with the mortgagors prior to initiating non judicial foreclosure. Annual report to the legislature and governor. -- SB0651

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to CPN then WAM

SB0653

RELATING TO REAL ESTATE APPRAISERS.

Introduced by: Baker R, Tsutsui S, English J

Amends provisions relating to findings and purpose under real estate brokers and salespersons. Requires the department of commerce and consumer affairs to analyze the impact of expanding the current scope of the real estate brokers and salesperson chapter to include the regulation of real estate appraisal management companies, in order to accommodate the applicable provisions of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), 12 US code section 3331 et seq., and the federal rules adopted. Report to the legislature. -- SB0653

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Single Referral to CPN

SB0713

RELATING TO THE LABELING OF GENETICALLY ENGINEERED CROPS.

Introduced by: Gabbard M, Tsutsui S, English J, Shimabukuro M

Amends provisions relating to food, drugs, and cosmetics law. Prohibits the sale, offering for sale, or distribution of any farm product grown in Hawaii that is a genetically engineered whole food, intended for human consumption in the State, and does not have affixed to the product a conspicuous genetically engineered label. -- SB0713

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to ENE/ AGL/ then JDL

SB0756

RELATING TO TAXATION.

Introduced by: Fukunaga C, Chun Oakland S, Baker R, Wakai G, Tokuda J, Shimabukuro M, English J

Amends provisions relating to electronic filing of tax returns. Requires the department of taxation to establish a system to allow taxpayers to file tax returns, applications, reports, and other documents,

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electronically, telephonically, or by optical means at no additional cost to the taxpayer. -- Amends provisions relating to general excise tax. Changes the due date for general excise tax returns and payments from the 20th to the last day of the month. -- SB0756

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Single Referral to WAM

SB0785

RELATING TO HEALTH.

Introduced by: Ige D, English J, Kidani M, Green J, Tokuda J, Shimabukuro M, Chun Oakland S
Appropriation to the department of human services to match the federal disproportionate share hospital allowance allocated to the State. (\$\$) -- SB0785

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to HMS then WAM

SB0815

RELATING TO ASSET FORFEITURE.

Introduced by: English J, Shimabukuro M

Amends provisions relating to a penalty under the Kahoolawe island reserve law. Requires forfeiture of any equipment, article, instrument, aircraft, vehicle, vessel, business record, or natural resource used or taken in violation of the laws or rules applicable to the island reserve. -- SB0815

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Single Referral to JDL

SB0816

RELATING TO THE KAHO'OLAWE ISLAND RESERVE.

Introduced by: English J, Chun Oakland S, Ryan P, Shimabukuro M

Amends provisions relating to the disposition of conveyance tax. Provides that 10 per cent shall be paid into the Kahoolawe rehabilitation trust fund. -- SB0816

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to WLH then WAM

SB0817

RELATING TO KAHOOLAWE ISLAND RESERVE.

Introduced by: English J, Solomon M, Galuteria B, Green J, Chun Oakland S, Kidani M, Shimabukuro M, Nishihara C

Amends the Kahoolawe island reserve law. Redefines island reserve to include the island of Molokini and the submerged lands and waters extending seaward 2 miles from its shoreline. Requires the Kahoolawe island reserve commission to adopt rules to permit fishing in the waters around Molokini. -- SB0817

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to WLH/ HWN/ then WAM

SB0818

RELATING TO EMINENT DOMAIN.

Introduced by: English J, Green J, Kidani M, Shimabukuro M, Nishihara C, Kim D

Amends provisions relating to general powers and limitation of the counties. Provides that the counties may exercise their power of condemnation by eminent domain provided that no county shall condemn private property and subsequently transfer that same property to a private entity that expressed an interest in purchasing the same property for development or commercial purposes or private use before the condemnation. -- Amends provisions relating to taking private property for public use; disposal of excess property. Allows private property to be taken for public use provided that the public use for the purposes of eminent domain powers shall not be construed to include the condemning of private property and the subsequent transfer of that same property to a private entity that expressed an interest in the purchasing that same property for development or commercial purposes or private use before the condemnation. -- SB0818

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to WLH/ PGM/ then JDL

SB0819

RELATING TO TRANSPORTATION.

Introduced by: English J, Green J, Kidani M, Nishihara C

Requires the department of transportation to establish a vehicle miles traveled pilot program to evaluate a vehicle miles traveled user fee. Further requires the department to develop 1 or more pilot programs to test alternatives to state and county motor vehicle fuel taxes. -- SB0819

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to TIA then WAM

SB0820

RELATING TO THE EMERGENCY ENVIRONMENTAL WORKFORCE.

Introduced by: English J, Chun Oakland S, Green J, Shimabukuro M, Kidani M

Amends Act 4, 3rd special session of 2001. Appropriation to the research corporation of the university of Hawaii to continue the emergency environmental workforce. (\$\$) -- SB0820

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to ENE then WAM

SB0821

RELATING TO EDUCATION.

Introduced by: English J, Chun Oakland S, Green J, Dela Cruz D, Kahele G, Shimabukuro M, Nishihara C

Amends provisions relating to weighted school formula. Provides that remote schools and other schools

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designated shall be allocated operating funds by categorical allotments that guarantee the funding minimum number of instructional positions to ensure at least minimum course requirements are maintained. Defines remote school to mean any high school that is located at least a 1 hour drive away from the next nearest public high school or located on the island of Lanai, Molokai, or Niihau. -- SB0821
Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to EDU then WAM

SB0822 RELATING TO ADMINISTRATIVE PROCEDURE.
Introduced by: English J, Tsutsui S
Amends provisions relating to semi autonomous public transit entities; rule making authority. Allows any county's semi autonomous public transit entity to adopt, amend, or repeal rules exempt from approval of the governor. -- SB0822
Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to PGM then JDL

SB0823 RELATING TO PROCUREMENT.
Introduced by: English J, Tsutsui S
Amends provisions relating to chief procurement officers. Makes the director of a semi autonomous county public transit agency a chief procurement officer of the county. -- SB0823
Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=28 11 Multiple Re referral to PGM/ TIA/ then WAM

SB0824 RELATING TO MOTOR CARRIERS.
Introduced by: English J
Establishes provisions relating to motor carrier indemnification agreements prohibited. Provides that a transportation services contract or agreement, a motor carrier and an indemnitee shall not agree to require a motor carrier to indemnify, defend, or hold the indemnitee harmless; or agree to a provision that has the effect of indemnifying, defending, or holding the indemnitee harmless from any claims or liability for the negligence or intentional acts or omissions of the indemnitee. -- SB0824
Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to TIA then JDL

SB0825 RELATING TO HIGHWAY SAFETY.
Introduced by: English J, Shimabukuro M, Espero W, Ryan P
Establishes provisions relating to repeat intoxicated driver after December 31, 2010; return of motor vehicle registration and number plates. Allows repeat intoxicated drivers arrested after December 31, 2010, to request the return of any motor vehicle registration and number plates surrendered to the director. Requires the director to return the motor vehicle registration and number plates unless a new registration and number plates have been issued as a result of the approval of an application or a special motor vehicle registration or application for consent to transfer title and the repeat intoxicated driver may apply for an ignition interlock permit for employment. Repeals provisions relating to special series number plates, failure to surrender number plates, special motor vehicle registration, transferring title to, or ownership interest in, vehicle prohibited; exceptions. -- SB0825
Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to TIA/ PGM/ then JDL

SB0826 RELATING TO TIME SHARE ZONING DISTRICTS.
Introduced by: English J, Chun Oakland S
Amends provisions relating to geographic limitations under time share zoning districts. Provides that if a county establishes a time share zoning district that allows time share units and time share plans, the county may restrict time share units and time share plans in other zoning districts, including areas designated for hotel use, resort use, or transient vacation rentals. -- SB0826
Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to WLH/ PGM/ then CPN

SB0827 RELATING TO ASPARTAME.
Introduced by: English J, Shimabukuro M, Chun Oakland S
Amends provisions relating to food, drugs, and cosmetics law. Prohibits any person to manufacture, sell, deliver, hold or offer for sale of any food containing any amount of aspartame and its derivative compounds in any of their trade names. -- SB0827
Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to HTH then JDL

SB0828 RELATING TO HELMET USE.
Introduced by: English J, Shimabukuro M
Establishes provisions relating to motorcycle helmets. Prohibits a person from operating or riding as a passenger on a motorcycle upon a street or highway, unless that person is wearing a properly fitted and fastened motorcycle helmet that is approved in accordance with the standards of the Federal Motor Carrier Safety Administration. Establishes fines. -- Amends bicycle helmet requirement by repealing the provisions that limits the requirement only to persons under 16 years of age. -- Amends provisions relating to driving of mopeds. Prohibits driving a 3 wheeled moped or riding a moped or a 3 wheeled moped as a passenger unless the person wears a properly fitted and fastened motorcycle helmet that

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is approved in accordance with the standards of the Federal motor Carrier Safety Administration. -- SB0828

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to TIA then JDL

SB0829

RELATING TO COUNTY VEHICULAR TAXES.

Introduced by: English J, Kidani M, Chun Oakland S

Amends provisions relating to bicycle and moped fee. Changes the 1 time registration to require annual renewal. -- SB0829

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to PGM then WAM

SB0830

RELATING TO TRANSPORTATION.

Introduced by: English J, Kidani M, Shimabukuro M, Nishihara C

Allows the governor or the director of transportation with respect to helicopter operators at the Lihue airport have the discretion and authority to provide relief to helicopter operators whose long term lease or contract with the department of transportation was in effect prior to the effective date of this Act. Provides that a negotiation for relief requires the operator to mail a written request for relief to the governor and commence within 90 days, or any extension agreed to between the governor or governor's designee and the operator. Act to be repealed on July 1, 2013 (sunset). -- SB0830

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to TIA/ JDL/ then WAM

SB0831

RELATING TO TAXATION.

Introduced by: English J

Provides a new markets income tax credit for the amount paid to a community development entity for the investment at its original issue. -- Amends income tax provisions to conform the Hawaii income tax law to the Federal Internal Revenue Code. -- SB0831

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to EDT then WAM

SB0832

RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SIXTH SENATORIAL DISTRICT.

Introduced by: English J

Authorizes the issuance of general obligation bonds for appropriation for capital improvement projects for the 6th senatorial district to the university of Hawaii for Maui community college Molokai campus; to the department of health for Molokai ohana health care, Hana health, Lanai community hospital, and Kula hospital; to the department of education for Kaunakakai elementary school, Makawao elementary school, King Kekaulike high school, old Maui high school, and Hana high and elementary school; to the department of land and natural resources for Molokai irrigation system, Kahoolawe island reserve, upcountry Maui watershed, upcountry Maui groundwater well, and Hana boat ramp; to the department of human services for Nahiku community center; and to the department of transportation for Hana highway, Hana highway bridge, Haleakala highway, Makawao avenue, and Kamehameha V highway. (\$\$) -- SB0832

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Single Referral to WAM

SB0833

RELATING TO FOOD ESTABLISHMENTS.

Introduced by: English J, Galuteria B

Establishes provisions relating to certified home kitchens. Authorizes the sale of food prepared in private kitchens from roadside stands in remote or rural areas. Prohibits a person to operate a home kitchen within the State without a permit issued by the director of health. Requires the applicant to submit a plan or drawing designating the boundaries of the licensed area to the department. Requires the department to adopt rules governing sanitary requirement for certified home kitchens. Allows the department to conduct 1 or more preoperational inspections to verify that the home kitchen meets the minimum standards and the plans submitted with the permit application is in compliance with rules adopted. Amends provisions relating to districting and classification of lands. Allows certified home kitchens and roadside stands selling the foods prepared in certified home to be used in rural districts. -- SB0833

Current Status: Jan=21 11 Introduction/Passed First Reading - Senate
Jan=24 11 Multiple Referral to HTH/ WLH/ then CPN

SB1127

RELATING TO FERRIES.

Introduced by: English J

Establishes the Hawaii State ferry system law. Establishes the Hawaii state ferry system authority to engage in communication with the US Department of Transportation and US Maritime Administration relating to federal funding assistance and the possible purchase or lease of the former high speed ferry vessel which operated in waters of the State or other available suitable vessels to commence its operations. Establishes the Hawaii State ferry system special fund to receive fees, charges and appropriations to fund the system -- Repeals the ferries law. Appropriation. (\$\$) -- SB1127

Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=26 11 Multiple Referral to TIA then WAM

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- SB1128 RELATING TO AQUACULTURE.
Introduced by: English J, Dela Cruz D
Amends provisions relating to the department of transportation. Allows the department to designate any unused or underutilized public lands to be used for aquacultural purposes and may enter into agreements to authorize the department of land and natural resources or the department of agriculture to dispose of delegated lands in any manner consistent with the use of lands for aquacultural purposes. -- Amends provisions relating to the department of land and natural resources. Allows the department to exercise any power granted to it over lands designated by the department of transportation for use for aquacultural purposes. -- SB1128
Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=26 11 Multiple Referral to TIA/ WLH/ AGL/ then JDL
- SB1129 RELATING TO LAND.
Introduced by: English J, Dela Cruz D
Amends provisions relating to the department of transportation. Allows the department to designate any unused or underutilized public lands of the department for agricultural purposes and may enter into agreements to authorize the department of agriculture or the department of land and natural resources to dispose of delegated lands in any manner consistent with the use of land for agricultural purposes, including agricultural parks. -- Amends provisions relating to the department of land and natural resources. Allows the department to exercise any power granted to it over lands designated by the department of transportation for agricultural purposes. -- SB1129
Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=26 11 Multiple Referral to TIA/ WLH/ AGL/ then JDL
- SB1130 RELATING TO THE HAWAIIAN LANGUAGE.
Introduced by: English J, Kidani M, Baker R, Dela Cruz D, Galuteria B
Amends provisions relating to the Hawaiian language; spelling. Requires beginning January 1, 2013, all letterhead prepared by or for state or county agencies or offices to include accurate, appropriate, and authentic Hawaiian names and language, including but not limited to macrons and glottal stops printed above the English translations provided that any revision to conform any document or letterhead existing on or before January 1, 2013 to the requirements of this section may be implemented when the document or letterhead requires replacement or reprinting, or otherwise requires revision. -- Amends provisions relating to State language. Requires beginning January 1, 2013 the Hawaiian languages is to be used on all emblems and symbols representative of the State provided that for emblems and symbols existing on January 1, 2013 conformance with this section may be delayed until a replacement for the emblem or symbol is required. -- SB1130
Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=26 11 Multiple Referral to HWN then WAM
- SB1131 RELATING TO HIGHWAYS.
Introduced by: English J, Dela Cruz D
Requires the department of transportation to establish a vehicle miles traveled pilot program to evaluate a vehicle miles traveled user fee. Further requires the department to develop 1 or more pilot programs to test alternatives to state and county motor vehicle fuel taxes. -- Establishes the land transportation modernization special fund to be administered by the department of transportation. Provides that the funds shall be exempt from special funds for central service expenses and departmental administrative services. Authorizes the department to expend funds for revenue bond debt service. -- Changes the fuel tax, state motor vehicle registration fee, and vehicle weight tax for any island with a population of more than 20,000, with the revenues from the increases going to the special fund. Requires the director of transportation to deposit ____ dollars from every registration into the special fund. -- Authorizes the department of transportation to issue highway revenue bonds for various capital improvement projects and programs. Reports to the legislature. (\$\$) -- SB1131
Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=26 11 Multiple Referral to TIA then WAM
- SB1146 RELATING TO IRRIGATION.
Introduced by: Nishihara C, Dela Cruz D, Kouchi R, Tokuda J, Kahele G, Shimabukuro M, English J, Chun Oakland S
Authorizes the issuance of general obligation bonds for appropriation to the department of agriculture to be deposited into the irrigation repair and maintenance special fund. -- Appropriation out of the special fund to the department for east Kauai irrigation system, Waimanalo irrigation system, Molokai irrigation system, upcountry Maui irrigation system, lower Hamakua ditch irrigation system, Waimea irrigation system, agricultural water use development plan, new engineer VI position, new irrigation system manager position, conversion of an existing clerk typist II temporary position, and creation of a mobile disaster emergency response team. These projects are deemed necessary to qualify for federal aid financing and reimbursement. (\$\$) -- SB1146
Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=26 11 Multiple Referral to AGL then WAM
- SB1151 RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION.
Introduced by: Kahele G, Espero W, Kidani M, Shimabukuro M, Chun Oakland S, English J
Amends provisions relating to the agribusiness development corporation. Adds an energy component

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to give the corporation the flexibility to allocate and make available portions of agricultural land and water infrastructure for renewable energy. -- SB1151

Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=26 11 Multiple Referral to AGL/ ENE/ then WAM

SB1407

RELATING TO THE HAWAII MARINE HIGHWAY SYSTEM.

Introduced by: English J

Establishes the Hawaii marine highway system law. Requires the department of transportation to develop a comprehensive long range plan for the development and improvement of the system. Report to the legislature. -- Requires the department to construct, purchase, or lease ferry terminal facilities in Honolulu harbor, Nawiliwili harbor, Kahului harbor, and Kawaihae harbor. Establishes the Hawaii marine highway system fund administered by the department to be expended for the operation and maintenance of the system. -- SB1407

Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=26 11 Multiple Referral to TIA then WAM

SB1416

RELATING TO HIGHWAY SAFETY.

Introduced by: Kim D, Dela Cruz D, Kidani M, Shimabukuro M, English J, Chun Oakland S, Green J
Amends provisions relating to certificates of inspection. Requires all other vehicles, including motorcycles, trailers, semitrailers, and pole trailers have a gross vehicle weight rating of 10,000 pounds or less, and antique motor vehicles are to be certified every 12 months; provided that any vehicle to which this law applies is not to require inspection within 3 years of the date on which the vehicle was 1st sold. -- SB1416

Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=26 11 Multiple Referral to TIA then WAM

SB1456

RELATING TO ENERGY.

Introduced by: English J

Establishes provisions relating to Hawaii electricity reliability council. Establishes the Hawaii electricity reliability council within the public utilities commission. Requires the council to be appointed by the governor. Requires the council to develop standards to ensure the reliability of electric system in Hawaii and submit an initial reliability standard for review to the public utilities commission. Requires the council to prepare initial interconnection standards to establish the technical requirements that govern interconnection to the transmission, sub transmission, and distribution levels of an electric system by generator of electricity. Requires the council to provide technical guidance to the commission concerning the development and implementation of the clean energy policy and programs. Appropriation. (\$\$) -- SB1456

Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=28 11 Multiple Referral to CPN/ ENE/ then WAM

SB1457

RELATING TO SUMMARY ADMINISTRATION OF SMALL ESTATES.

Introduced by: English J, Chun Oakland S, Shimabukuro M

Establishes provisions relating to small estates containing real property; closing by petition; generally. Provides that if a decedent dies leaving real property in the State, the gross value of the decedent's real and personal property in the State does not exceed 100,000 dollars and at least 40 days have elapsed since the death of the decedent, then the successor of the decedent to an interest in a particular item of property that is real property, without procuring letters of administration or awaiting the probate of the will, may file a petition with the court requesting a court order determining that the petitioner has succeeded to that real property. -- Establishes provisions relating to small estates containing real property; closing by petition; effect. Provides that the petitioner who receives the decedent's property pursuant to an order is personally liable for the unsecured debts of the decedent. Requires that the personal liability of any petitioner not exceed the fair market value at the date of the decedent's death of the property received by that petitioner pursuant to an order, less the amount of any liens and encumbrances on the property. -- SB1457

Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=28 11 Multiple Referral to JDL then WAM

SB1458

RELATING TO HEALTH.

Introduced by: English J, Green J, Ryan P, Kidani M, Dela Cruz D, Nishihara C, Kahele G, Galuteria B, Tokuda J, Shimabukuro M, Solomon M, Wakai G, Kim D, Chun Oakland S

Amends provisions relating to a distribution program for medical marijuana. Requires the department of health to establish, administer, and implement a distribution program for medical marijuana. Prohibits a business or non profit entity to cultivate, distribute, manufacture, or sell marijuana for medical use or manufacture a medical marijuana infused product without a license issued by the department of health. Allows the department to suspend or revoke any license that is not in substantial compliance. Redefines adequate supply to not exceed 7 marijuana plants and 6 ounces of usable marijuana per compassion center, per registered patient, per 14 day period; and 7 marijuana plants and 2 ounces of usable marijuana per each plant for a qualifying patient. Allows the department to provide out of state visitors who are qualifying patients or primary caregiver in their home state to obtain a temporary registration certificate. -- SB1458

Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=28 11 Multiple Referral to HTH/ PGM/ then WAM

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SB1459

RELATING TO THE MEDICAL USE OF MARIJUANA.

Introduced by: English J

Amends provision relating to medical use of marijuana. Prohibits a licensed processor of marijuana products that possess useable marijuana to be arrested, searched, prosecuted, or subject to other criminal sanction or civil consequences under state law, or have real or personal property searched, seized, or forfeited. Allows the director of health to deny, suspend, or revoke a producer's processor's license after a hearing in any case in which it is determined that there has been a violation or refusal to comply with requirements or rules adopted. Prohibits a licensed producer to sell or deliver marijuana to any person other than a department inspector, licensed process, licensed dispenser, or law enforcement officer exempts court orders. Prohibits a licensed dispenser to sell marijuana received from any person other than a licensed producer or licensed process, or sell or deliver marijuana to any person other than a qualifying patient or primary caregiver except as provided by court order. Prohibits a licensed producer, licensed processor, or licensed dispenser to advertise marijuana for sale to the general public in any manner that promotes or tends to promote the use or abuse of marijuana. Requires the department of public safety to create and maintain a secure and confidential list of licensed producers, licensed processors, and licensed dispensers; develop a secure and confidential system providing adequate identification that a person is a licensed producer, licensed processor, or licensed dispenser; maintain a log of all request for no less than 3 years; establish and collect reasonable fees for the dissemination of information to employees of state and local law enforcement agencies. Requires the auditor to conduct a cost benefit evaluation of the implementation of this act.

-- SB1459

Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=28 11 Multiple Referral to HTH/ JDL/ then WAM

SB1460

RELATING TO MARIJUANA.

Introduced by: English J, Green J, Ryan P, Kidani M, Solomon M, Dela Cruz D, Nishihara C, Galuteria B, Tokuda J, Shimabukuro M, Kahele G, Wakai G, Gabbard M, Chun Oakland S

Current Status: Jan=26 11 Introduction/Passed First Reading - Senate
Jan=28 11 Multiple Referral to JDL/ HTH/ then WAM