

# LEGISLATIVE REPORT

ON ISSUES IMPACTING THE UNIVERSITY OF HAWAI‘I SYSTEM  
Considered During the 2008 Legislative Session of the State of Hawai‘i



**Prepared by the Office of External Affairs and University Relations  
University of Hawai‘i System**

**July 2008**

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## INTRODUCTION

On Thursday, May 1, 2008, the 24<sup>th</sup> Legislature of the State of Hawai'i came to a close. This report summarizes state legislation of interest to the University of Hawai'i.

This session, the University of Hawai'i had a total of five bills approved by the Board of Regents that were introduced by the Governor as part of her administrative package. Four of these proposals passed the legislature:

- HB 2164 increases the sources of revenue available to support the Cancer Research Center of Hawai'i. It also allows moneys in the cancer research special fund to be used for capital expenditures.
- HB 2245 authorizes the transfer of all University of Hawai'i funds, with the exception of general funds and UH Tuition and Fees Special Fund moneys, into the UH Commercial Enterprises Revolving Fund to finance the establishment of new commercial enterprises.
- HB 2163 limits the University of Hawai'i's duty to preaudit all proposed payments to those that amount to \$10,000 or more.
- HB 2165 allows a master's degree candidate in a nursing program who has completed the pre-licensure component of the program to apply for a license by examination to practice as a registered nurse.

The last of these proposals was the issue of procurement exemption and it failed to pass the legislature.

Other proposals passed by the 2008 State Legislature affecting the University include:

- SB 2263 requires the University of Hawai'i Board of Regents to publicly disclose in open meetings: (1) compensation offered to newly hired employees; (2) changes in compensation offered to existing employees for administrative positions in the UH system filled by excluded employees; and (3) all budgetary expenditures made by the Board of Regents.
- HB 2978 requires UH to prepare an annual incentive and performance report and plan that will assist the Legislature in appropriating up to two percent of UH's annual budget to facilitate UH's strategic plan and related state goals. Establishes a task force to assist UH in developing a budgetary system that includes a funding formula for the distribution of fiscal resources to the various UH campuses.

In terms of General Fund appropriations, the University's Supplemental Operating Budget Request for FY 2008-09, as approved by the Board of Regents, was for \$30.6 million. Of this amount, the Governor approved and included in the Executive Supplemental Budget \$6.9 million. This generally represented the first priority requests submitted by the campuses, mainly for safety and security.

The Legislature ultimately appropriated general funds to the University for operations of \$2.6 million for FY 2008-09. The \$2.6 million net appropriation included a general fund reduction of \$852 thousand for vacancy savings at UH Mānoa and an overall 4% discretionary reduction for the University of \$4.5 million. This does not include pass-through adjustments for fringe benefits, debt service or health premium payments. On a base of \$461.3 million for FY 2008-09, this represents approximately a 0.56% increase, and the University represents approximately 8.7% of the State's general fund operating budget.

The 2008 Hawai'i State Legislature appropriated a total of \$157.723 million for University of Hawai'i capital improvements program (CIP) projects for Supplemental Year 2008-09. Of this amount, \$12.500 million is financed with State general funds and \$124.606 million with State general obligation bonds. In addition to the general obligation bonds, the Legislature also authorized \$20.617 million from a combination of revenue bonds and federal funds. Highlights of appropriations from the 2008 Legislature include:

- \$1.489 million for Health, Safety, and Code Requirements at various University of Hawai‘i campuses;
- \$58.511 million for Capital Renewal and Deferred Maintenance for all University of Hawai‘i campuses;
- \$2.595 million for design and construction of the University of Hawai‘i at Mānoa’s Women’s Locker Room Improvements for Title IX Compliance;
- \$2.500 million for design and construction of the University of Hawai‘i at Mānoa’s Energy Conservation Modifications–Air Conditioning Retrofits;
- \$3.792 million for design of the University of Hawai‘i System’s Information Technology Center;
- \$7.518 million for design of the University of Hawai‘i at Mānoa’s New Classroom Building;
- \$25.000 million for the construction of Maui Community College’s Science Building;
- \$7.883 million in general obligation bonds and the authorization of \$13.617 million in revenue bonds for the design and construction of the University of Hawai‘i at Mānoa’s Campus Center Renovation and Addition;
- \$1.225 million for design and construction of improvements to the University of Hawai‘i at Mānoa’s Cooke Field; and
- \$12.500 million in general funds, \$2.500 million in general obligation bonds, and \$7.000 million in federal funds for the development of a Regional Biocontainment Laboratory.

## SUMMARY OF LEGISLATION OF INTEREST TO THE UNIVERSITY OF HAWAI'I

<u>House Bills</u>		<u>UH Position</u>	<u>Final Bill Status</u>
HB 1356	Board Allowance for Former Foster Youth	Watched	Passed
HB 2045	Global Youth Center	Support Intent	Vetoed
HB 2139	Anatomical Gifts	Watched	Passed
HB 2163	Pre-audit	Support	Passed
HB 2164	Cancer Research Special Fund	Support	Passed
HB 2165	Nursing pre-licensure	Support	Passed
HB 2245	Commercial Enterprise Revolving Fund	Support	Passed
HB 2386	Workers' Comp; Temp Total Disability Insurance	Watched	Vetoed
HB 2388	Workers' Comp; Continued Medical Services	Watched	Vetoed
HB 2441	Workers' Comp; Coverage for Students	Oppose	Passed
HB 2500	State Budget	Watched	Passed
HB 2519	Hawai'i Health Corps Program; loan repayments	Support Intent	Passed
HB 2520	Wage Replacement Benefits; Caregivers	Watched	Passed
HB 2675	Medical Marijuana Task Force	Oppose	Vetoed
HB 2710	Re-employment of Retirees	Watched	Passed
HB 2763	Children of Incarcerated Parents Task Force	Watched	Passed
HB 2770	Bridge to Hope Program	Support	Passed
HB 2772	Hawai'i Anti-trafficking Task Force	Watched	Passed
HB 2908	Audit Recommendations	Watched	Passed
HB 2971	Online Learning Task Force	Watched	Passed
HB 2978	Annual Incentive and Performance Report	Support	Passed
<u>Senate Bills</u>		<u>UH Position</u>	<u>Final Bill Status</u>
SB 868	Board and Commissions	Watched	Passed
SB 2040	Cancer Surveillance	Support	Passed
SB 2080	Teacher Licensure	Watched	Passed
SB 2146	Center for Nursing	Support	Passed
SB 2163	Teacher Licensure Requirements	Watched	Passed
SB 2263	UH Board of Regents	Oppose	Passed
SB 2395	Language Access	Watched	Passed
SB 2482	Coconut Island	Support	Passed
SB 2663	Hawai'i Teacher Standard Board	Support	Vetoed
SB 2668	Regent's Candidate Advisory Council	Watched	Passed
SB 2803	Security of Personal Information	Oppose	Passed
SB 2824	Procurement; Random Audits	Watched	Vetoed
SB 2825	Procurement; Corrective Actions	Watched	Passed
SB 2826	Procurement; Mandatory Training	Watched	Passed
SB 2827	Public Contracts	Watched	Vetoed
SB 2830	Caregiving	Watched	Passed
SB 2833	Sustainability	Watched	Passed
SB 2843	Recycling of Electronic Device	Support Intent	Passed
SB 2867	Hawai'i Public Procurement Code	Watched	Vetoed
SB 2878	Early Learning Council	Support	Passed

<u>Senate Bills</u>		<u>UH Position</u>	<u>Final Bill Status</u>
SB 2915	Taro Security and Purity Task Force	Watched	Passed
SB 2956	Milk	Watched	Passed
SB 3004	Employees' Retirement System	Watched	Passed
SB 3105	Board and Commissions Meetings	Watched	Passed
SB 3171	Charitable Trusts and Nonprofit Organizations	Watched	Passed
SB 3185	Cancer Screening	Watched	Passed
SB 3252	Teacher Shortage	Support	Vetoed
SB 3255	Long Term Care	Watched	Passed

## HOUSE BILLS

### **HB1356 HD2 SD2 CD1 RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH**

**Act 198 (06/20/08)**

Amends provisions relating to former foster youth. Redefines former foster youth to mean a person formerly placed under the jurisdiction of the Department of Human Services as a foster child by the family court who has attained the age of 18 while under the placement responsibility of the department or who was under the placement responsibility of the department when a legally responsible care giver was granted custody. Amends higher education board allowances for students. Provides eligible former foster youth to be eligible for higher education board allowances after reaching the age of majority and higher education board allowance for former foster youth to be paid to an accredited higher educational institution of higher learning, or legal custodians provided that the former foster youth is 26 years old or younger; the former foster youth has submitted an application for the higher education board allowance through the age of 21 years old, except that a former foster youth who is between the ages of 22 years and 26 years on July 1, 2008, and attending an institution of higher education may apply for allowance after July 1, 2008, and no later than June 30, 2009. -- Further provides that allowance shall not exceed 60 months.

INTRODUCED BY: Say C  
 UH POSITION: Watched  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 June 20, 2008 – Signed into law, Act 198

### **HB 2045 SD1 RELATING TO ESTABLISHING A GLOBAL YOUTH CENTER**

**Vetoed (04/29/08)**

Establishes the Global Youth Center under the University of Hawai'i to generate and link an international framework in which youth from around the world may engage in the attainment of world peace, environmental sustainability, and human and economic productivity.

INTRODUCED BY: Mizuno J, Ward G, Awana K, Cabanilla R, Carroll M, Brower T,  
 Shimabukuro M  
 UH POSITION: Support Intent  
 CURRENT STATUS: April 14, 2008 – Transmitted to Governor  
 April 29, 2008 – Vetoed by the Governor

### **HB 2139 HD2 SD1 CD1 RELATING TO ANATOMICAL GIFTS**

**Act 122 (05/29/08)**

Repeals the Uniform Anatomical Gift Act and establishes the revised uniform anatomical gift act. Establishes provisions for who may make an anatomical gift before donor's death, manner of making anatomical gift before donor's death, amending or revoking anatomical gift before donor's refusal to make anatomical gift and effect of refusal, preclusive effect of an anatomical gift, amendment, or revocation, who may make an anatomical gift of decedent's body or part, manner of making, amending, or revoking an anatomical gift of decedent's body or part, persons that may receive anatomical gift, search notification, delivery of document of gift not required, rights and duties of procurement organization, coordination of procurement and use, sale or purchase of parts prohibited, penalty, immunity, law governing validity, effect of anatomical gift on advance health care directive, cooperation between

medical examiner or coroner and procurement organization, and facilitation of anatomical gift from decedent whose body is under jurisdiction of the examiner or coroner. Establishes the Hawai'i organ and tissue education special fund administered and distributed by the Department of Health for public education programs and activities on organ, tissue, and eye donation. – Repeals medical and research use of bodies law.

INTRODUCED BY: Mizuno J, Magaoay M, Rhoads K, Awana K  
 UH POSITION: Watched  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 May 29, 2008 – Signed into law, Act 122

**HB 2163 HD2 SD1 RELATING TO COMPTROLLER SUPERVISION OF ACCOUNTS**  
**Act 37 (04/25/08)**

Amends with provisions relating to audit and accounting. Requires the University of Hawai'i to preaudit all proposed payments of 10,000 dollars or more.

INTRODUCED BY: Chang J, Hanohano F, Bertram J, Karamatsu J, Magaoay M, Ito K  
 UH POSITION: Support  
 CURRENT STATUS: April 14, 2008 – Transmitted to Governor  
 April 25, 2008 – Signed into law, Act 37

**HB 2164 HD1 SD1 RELATING TO CANCER RESEARCH SPECIAL FUND**  
**Act 84 (05/20/08)**

Amends provisions relating to the tobacco tax distribution of revenues. Authorizes the money in the Hawai'i cancer research fund to be used by the University of Hawai'i for the Cancer Research Center of Hawai'i's capital expenditures. Changes the fund to include fees, charges, and other moneys received in conjunction with programs of the center and from transfers from other accounts or funds.

INTRODUCED BY: Chang J, Nishimoto S, Har S, Hanohano F, Morita H, Lee M, Bertram J,  
 Berg L, Tsuji C, Herkes R, Karamatsu J, Magaoay M, Ito K  
 UH POSITION: Support  
 CURRENT STATUS: April 30, 2008 – Transmitted to Governor  
 May 20, 2008 – Signed into law, Act 84

**HB 2165 RELATING TO NURSING**  
**Act 23 (04/22/08)**

Amends provisions relating to registered nurse, qualifications, licenses, fee, title, existing licensed nurses, verification of licenses, and eligibility. Allows a graduate with a bachelors degree and who satisfactorily completed the pre-licensure portion of a masters entry program in nursing at an accredited School of Nursing in the US or any territory or possession under the jurisdiction of the US that is recognized by the board or other State Boards of Nursing and qualified as determined by the board to apply for a license.

INTRODUCED BY: Chang J, Hanohano F, Morita H, Bertram J, Berg L, Tsuji C, Brower T,  
 Magaoay M, Ito K, Har S  
 UH POSITION: Support  
 CURRENT STATUS: April 4, 2008 – Transmitted to Governor  
 April 22, 2008 – Signed into law, Act 23



**HB 2245 HD1 SD2 CD1 RELATING TO THE UNIVERSITY OF HAWAI‘I**  
**Act 106 (05/23/08)**

Amends provisions relating to the University of Hawai‘i commercial enterprises revolving fund. Allows the university to transfer all funds at its disposal with the exception of general funds and University of Hawai‘i tuition and fees special fund moneys, into the revolving fund to finance the establishment of new commercial enterprises. Provides that no more than 10 per cent of the tuition and fees special fund moneys may be loaned to the revolving fund to finance the establishment of new enterprises. Act to be repealed on June 30, 2011 (sunset).

INTRODUCED BY: Chang J, Hanohano F, Bertram J, Magaoay M, Mizuno J, Sonson A,  
 Evans C  
 UH POSITION: Support  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 May 23, 2008 – Signed into law, Act 106

**HB 2386 SD2 CD1 RELATING TO WORKERS’ COMPENSATION**  
**Vetoed (07/08/08)**

Amends provisions relating to temporary total disability benefits under workers' compensation law. Provides that payment shall be terminated only upon order of the Director of Labor and Industrial Relations or if the employee's treating physician determines that the employee is able to return to work and the employer has made a bona fide offer of suitable work within the employee's medical restrictions. Further provides that the order shall only be issued after the director has reviewed the case file and position papers submitted by the employee and employer. Requires the director to issue a decision without a hearing within 30 days, indicating whether temporary total disability benefits should have been discontinued. Allows the employer to request in writing for the director to issue a credit amount for benefits paid by the employer after the date which benefits should have been discontinued. Requires an employer or insurance carrier who fails to comply to pay attorneys fees and cost to the employee or other penalties. Provides that where a work injury causes temporary total disability and payment of compensation dues, does not begin within 30 days of the date of injury, the injured employee shall be entitled to a weekly benefit equal to 70 per cent of the employee's average weekly wages, subject to the limitations on weekly benefit rates prescribed or if the employee's average weekly wages are less than the maximum weekly benefit rate prescribed at the rate of 100 per cent of the employee's average weekly wages. – Requires the director of labor and industrial relations to convene a working group to address and make recommendations to resolve concerns in this Act. – Report to the legislature.

INTRODUCED BY: Sonson A  
 UH POSITION: Watched  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 July 8, 2008 – Vetoed by the Governor

**HB 2388 HD1 SD2 CD1 RELATING TO WORKERS’ COMPENSATION**  
**Vetoed (07/08/08)**

Amends provisions relating to medical care, services and supplies under workers' compensation law. Provides that when a dispute exists between an injured employee and the employer or employer's insurer regarding the proposed treatment plan or whether medical services should be continued, the employee shall continue to receive essential medical services prescribed by the treating physician necessary to prevent deterioration of the injured employee's condition or further injury until the Director of Labor and Industrial Relations issues a decision on whether the injured employee's medical treatment should be

continued. Provides that the employer or the employer's insurer may recover from the employee's personal health care provider qualified or from any other appropriate occupational or non occupational insurer, all the sums paid for medical services rendered after the date designated by the director. Prohibits charges to the employee for the disallowed services, unless the services were obtained in violation of reports of physicians, surgeons, and hospitals. Provides that the attending physician, employee, employer, or insurance carrier may request in writing that the director review the denial of the treatment plan or the continuation of medical services.

INTRODUCED BY: Sonson A  
 UH POSITION: Watched  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 July 8, 2008 – Vetoed by the Governor

**HB 2441 RELATING TO WORKERS' COMPENSATION**

**Act 24 (04/22/08)**

Amends provisions relating to coverage for workers' compensation. Extends coverage for a student participating in a school approved work based learning program sponsored by the Department of Education or the University of Hawai'i who works for a public employer.

INTRODUCED BY: Takumi R  
 UH POSITION: Watched  
 CURRENT STATUS: April 7, 2008 – Transmitted to Governor  
 April 22, 2008 – Signed into law, Act 24

**HB 2500 HD1 SD1 CD1 RELATING TO THE STATE BUDGET**

**Act 158 (06/10/08)**

Supplemental Appropriations Act of 2008 (Executive Budget). Amends Act 213, Session Laws of 2007, relating to the State Budget. (\$\$)

INTRODUCED BY: Say C (BR)  
 UH POSITION: Watched  
 CURRENT STATUS: April 29, 2008 – Transmitted to Governor  
 June 10, 2008 – Signed into law, Act 158

**HB 2519 HD2 SD2 CD1 RELATING TO HEALTH CARE**

**Act 242 (07/08/08)**

Establishes the Hawai'i Health Corps Program working group within the Department of Business, Economic Development, and Tourism to develop a plan to create the Hawai'i Health Corps Program that will address physician and dentist shortages. Requires the working group to develop a plan to establish the program that provides that a maximum of 20 qualified participants may be selected each year to receive tuition loan repayments; participants shall agree to serve in underserved and rural areas; loan repayments shall be paid over a 5 year period; participants shall serve a minimum of 5 years in the program; priority placement in the program will be for graduates of the University of Hawai'i's John A. Burns School of Medicine; persons shall be selected to serve in the program regardless of specialty; and qualified participants in the program shall commit to serve as 1st responders in the event of a declared emergency or at the request of the director of health. Report to the legislature.

INTRODUCED BY: Green J, Lee M, Caldwell K, Rhoads K, Belatti D, Oshiro B, Mizuno J,

Takai K, Nishimoto S, Wakai G, Ito K, Tsuji C, Sonson A, Herkes R, Berg L, Evans C, Manahan J, Brower T, Karamatsu J, Luke S, Say C, Hanohano F, Waters T, Chang J, Shimabukuro M, Magaoay M, Yamane R, Morita H, Carroll M, Chong P, Yamashita K, Har S, Nakasone B, Awana K, Bertram J, McKelvey A

UH POSITION: Support Intent  
CURRENT STATUS: May 5, 2008 – Transmitted by Governor  
July 8, 2008 – Became law without Governor's signature, Act 242

**HB 2520 HD3 SD2 CD1 RELATING TO CAREGIVERS**

**Act 243 (07/08/08)**

Establishes a working group under the joint legislative committee on aging in place to explore provisions of wage replacement benefits to employees who need time off from work to care for a family member with a serious health condition. Requires the working group to explore funding mechanisms for a paid family leave program; review the research findings of the joint legislative committee on family caregiving; analyze the caregiver needs assessment; review the contents of House Bill No. 2520 House Draft 3 (HB3520 HD3); review paid family leave bills in California, Washington, and New Jersey; consider drafting legislation for introduction in the regular session of 2009 that addresses wage replacement for caregivers; and inventory the eldercare policies and practices that currently exist in the workplace and the extent to which they exist. Requires the Department of Labor and Industrial Relations to provide administrative support and the Legislative Reference Bureau to provide legislative drafting services for the working group. Report to the legislature.

INTRODUCED BY: Lee M, Green J, Tsuji C, Caldwell K, Rhoads K, Belatti D, McKelvey A, Takumi R, Oshiro B, Mizuno J, Saiki S, Berg L, Takai K, Evans C, Nishimoto S, Say C, Sonson A, Luke S, Carroll M, Ito K, Herkes R, Waters T, Chang J, Shimabukuro M, Magaoay M, Yamane R, Tokioka J, Morita H, Chong P, Oshiro M, Manahan J, Awana K, Karamatsu J, Hanohano F

UH POSITION: Watched  
CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
July 8, 2008 – Became law without Governor's signature, Act 243

**HB 2675 HD2 SD1 RELATING TO MEDICAL MARIJUANA**

**Vetoed (07/08/08)**

Establishes a medical marijuana task force within the University of Hawai'i to examine current laws regarding the adequate supply of marijuana for medical use to ensure sufficient amounts of medication for a qualified patient's needs; study the feasibility of developing safe growing facilities on each of the islands of Hawai'i, Kaua'i, Lāna'i, Maui, Moloka'i, and O'ahu; seek possible solutions to challenges faced by qualified patients with written certification when faced with inter island travel resulting from statutory prohibitions including federal laws that prohibit travel with medical marijuana; examine all issues and obstacles that qualifying patients have encountered; and research advances made by other states regarding medical marijuana laws and programs. Requires the College of Tropical Agriculture and Human Resources to be responsible for administering the work of the task force, provide a facilitator and submit a report to the legislature. Requires the task force to report to the legislature. Task force to cease to exist June 30, 2009 (sunset).

INTRODUCED BY: Say C (BR)  
UH POSITION: Watched  
CURRENT STATUS: April 22, 2008 – Transmitted to Governor  
July 8, 2008 – Vetoed by the Governor

**HB 2710 HD2 SD2 RELATING TO RE-EMPLOYMENT OF RETIREES****Act 156 (06/09/08)**

Establishes provisions relating to re-employment of State and county retirees. Provides that appointing authorities in the State and county government's executive branches may employ retired State and county government employees who are receiving retirement benefits. Provides that a retired state or county government employee is eligible for 1/2 full time equivalent position after 1 calendar year of retirement. Provides that retired state or county government employees may be rehired for labor shortage positions and for other positions that are deemed by the human resources management chief executive to be critical to fill. Requires the appointing authority and the retired state or county employee who is rehired to certify that no agreement to rehire the employee was made prior to the employee's retirement. New retirees for civil service positions shall be recruited and selected under normal civil service procedures. Requires the Director of Human Resources of the appropriate jurisdiction to certify that the retiree was hired in accordance with applicable civil service laws. Prohibits state and county government employees who are hired by the State or any of the counties from earning retirement service credit, contributing to the retirement system, or gaining additional retirement system benefits as a result of their subsequent employment with the State or a county and the employed retiree shall continue to receive the employee's normal retirement benefits without penalty. Requires county employers to contribute to the pension accumulation fund the required percentage of the rehired employee's compensation to amortize the system's unfunded actuarial accrued liability. Act to be repealed on June 30, 2013 (sunset).

INTRODUCED BY: Say C (BR)  
 UH POSITION: Watched  
 CURRENT STATUS: May 7, 2008 – Transmitted to Governor  
 June 9, 2008 – Signed into law, Act 156

**HB 2763 HD1 SD1 CD1 RELATING TO THE CHILDREN OF INCARCERATED PARENTS TASK FORCE****Act 240 (07/08/08)**

Requires the Department of Public Safety and the Department of Human Services to re-establish the children of incarcerated parents task force administratively attached to the Department of Human Services to identify and develop programs and support services for children of incarcerated parents, as well as programs to strengthen the bond between the families. Annual reports to the legislature. Task force shall cease to exist after June 30, 2012 (sunset).

INTRODUCED BY: Evans C, Lee M, Mizuno J, Marumoto B, Thielen C, Shimabukuro M, Hanohano F, Luke S, Cabanilla R, Yamane R, Carroll M, Pine K, Meyer C, Brower T  
 UH POSITION: Watched  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 July 8, 2008 – Became law without the Governor's signature, Act 240

**HB 2770 HD1 SD2 RELATING TO BRIDGE TO HOPE PROGRAM****Act 82 (05/20/08)**

Amends provisions relating to the Bridge to Hope Program; transitional benefits. Repeals the limitation that participants be Temporary Assistance and Needy Families (TANF) Program recipients; clarifies that participants be in the 1st to work program and expanding the eligible participants to include students enrolled in an approved course of study including but not limited to, vocational education.

INTRODUCED BY: Lee M, Evans C, Har S, Mizuno J, Marumoto B, Thielen C, Shimabukuro M, Rhoads K, Morita H, Belatti D, Luke S, Berg L, Yamane R, Ching C, Awana K, Carroll M, Pine K  
 UH POSITION: Support  
 CURRENT STATUS: April 28, 2008 – Transmitted to Governor  
 May 20, 2008 – Signed into law, Act 82

**HB 2772 HD3 SD1 CD1 RELATING TO HUMAN TRAFFICKING**

**Act 176 (06/16/08)**

Amends Act 260, Session Laws of 2006. Adds members to the Anti Trafficking task force. Report to the legislature. Task force shall cease to exist on June 30, 2010 (sunset).

INTRODUCED BY: Lee M, Brower T  
 UH POSITION: Watched  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 June 16, 2008 – Signed into law, Act 176

**HB 2908 SD1 RELATING TO AUDIT RECOMMENDATIONS**

**Act 36 (04/24/08)**

Establishes provision relating to audit recommendations; annual report. Requires the legislative auditor to submit a report to the legislature of each non implemented audit recommendation that is more than 1 year old. Provides that any agency that is notified by the auditor that they have not yet implemented their internal audit to submit a written report to the auditor, the President of the Senate, and the Speaker of the House of Representatives no later than 30 days after notification explaining why the audit recommendation was not implemented and the estimated date of implementation.

INTRODUCED BY: Oshiro M  
 UH POSITION: Watched  
 CURRENT STATUS: April 10, 2008 – Transmitted to Governor  
 April 24, 2008 – Became law without Governor's signature, Act 36

**HB 2971 HD1 SD2 RELATING TO EDUCATION**

**Act 152 (06/09/08)**

Requires the Department of Education to adopt recommendations of the online learning task force. Requires the department to establish the infrastructure for online learning based on institution type in the following order of priority: high schools (including charter high schools), middle and elementary schools, adult community schools, charter middle and elementary schools, the University of Hawai'i system (particularly the community colleges), private secondary and post secondary institutions (for a fee), and adult populations for remedial education and upgrading of workforce skill.

INTRODUCED BY: Takumi R, Berg L  
 UH POSITION: Watched  
 CURRENT STATUS: April 30, 2008 – Transmitted to Governor  
 June 9, 2008 – Signed into law, Act 152

**HB 2978 HD1 SD2 CD1 RELATING TO EDUCATION****Act 188 (06/18/08)**

Requires the University of Hawai'i to prepare and provide an annual incentive and performance report and plan in November of each year beginning in 2008, to the legislature to assist the legislature in appropriating up to 2 per cent of the university's annual budget to facilitate the university's strategic plan and related state goals. Requires the 2008 report and plan to include baseline data for the past 5 years by program, department, campus, and university, on the number of full time equivalent students; number of students who have transferred to other institutions of higher education within the university; the number of students who have graduated; the number of full-time equivalent faculty; the number of openings in major workforce shortage areas including teaching, nursing, and technology; and the number of graduates filling job openings in major workforce shortage areas. Further requires the report to include a project plan of the same data for the upcoming 5 years. – Establishes a task force to assist the university in developing a budgetary system that includes a funding formula for the distribution of fiscal resources to the various campuses. Report to the legislature.

**INTRODUCED BY:** Chang J, Karamatsu J, Mizuno J, Yamashita K, Herkes R, Magaoay M, Ito K, Takai K, Bertram J, Tsuji C, Shimabukuro M, Hanohano F, Evans C  
**UH POSITION:** Support  
**CURRENT STATUS:** May 7, 2008 – Transmitted to Governor  
June 18, 2008 – Signed into law, Act 188

## SENATE BILLS

### **SB 868 SD2 RELATING TO BOARDS AND COMMISSIONS**

**Act 60 (05/01/08)**

Amends provisions relating to administrative supervision of Boards and Commissions. Allows the legislature of a legislative committee to communicate directly with a board or commission instead of with the department upon request.

INTRODUCED BY: Kim D, Sakamoto N, Tsutsui S, Hooser G  
 UH POSITION: Watched  
 CURRENT STATUS: April 4, 2008 – Transmitted to Governor  
 April 22, 2008 – Vetoed by Governor  
 May 1, 2008 – Governor's Veto Overridden, Act 60

### **SB 2040 SD1 HD2 RELATING TO CANCER SURVEILLANCE**

**Act 117 (05/27/08)**

Amends provisions relating to statistical activities. Allows morbidity data on cancer to be collected in cooperation with the University of Hawai'i and allows all data collected by the cooperating agency to be shared with the Department of Health. Adds that the morbidity data be used for improving the reporting of the cause of death on death certificates. Amends provisions relating to sources of information protected. Allows biological specimens and requires a report of any person admitted with or diagnosed as having pre-cancerous condition to the Hawai'i Tumor Registry. Amends provisions relating to identity of persons studied and material restrictions. Adds that studies be approved by appropriate federally authorized human subjects protection board in order for researchers to use the names of persons when requesting additional information for research studies.

INTRODUCED BY: Baker R  
 UH POSITION: Support  
 CURRENT STATUS: May 7, 2008 – Transmitted to Governor  
 May 27, 2008 – Signed into law, Act 117

### **SB 2080 SD2 HD2 CD1 RELATING TO TEACHER LICENSURE**

**Act 164 (06/11/08)**

Establishes provisions relating to conviction of teacher for sexual offense; suspension of license; procedure for license revocation. Authorizes the Hawai'i Teacher Standards Board to suspend an individual's license to teach without a hearing upon receipt of a certified copy of a judgment of conviction indicating that a teacher has been convicted of a sexual offense, or under a similar law of another state, and verification of the identity of the teacher. Provides that upon suspension, the board shall initiate proceedings to permanently revoke an individual's license to teach. Act to be repealed on July 1, 2010 (sunset) or upon adoption of rules regarding the matter by the board, whichever is earlier.

INTRODUCED BY: Espero W, Hemmings F  
 UH POSITION: Watched  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 June 11, 2008 – Signed into law, Act 164

**SB 2146 SD2 HD1 CD1 RELATING TO THE CENTER FOR NURSING****Act 173 (06/13/08)**

Amends provisions relating to the Center for Nursing. Changes the composition of the advisory board. – Amends Act 198, Session Laws of 2003, relating to the Center for Nursing by extending the sunset date to July 1, 2014. – Requires the advisory board to report to the legislature.

INTRODUCED BY: Chun Oakland S  
 UH POSITION: Support  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 June 13, 2008 – Signed into law, Act 173

**SB 2163 SD1 HD1 CD1 RELATING TO EDUCATION****Act 125 (05/29/08)**

Reduces the period that the Department of Education may employ an individual on an emergency basis for 4 years to 3 years. Requires unlicensed individuals who have been hired on an emergency basis prior to July 1, 2008, to attain licensure no later than 4 years from the date of their employment. Act to be repealed on July 1, 2011 (sunset).

INTRODUCED BY: Sakamoto N  
 UH POSITION: Watched  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 May 29, 2008 – Signed into law, Act 125

**SB 2263 SD2 HD1 RELATING TO THE UNIVERSITY OF HAWAI'I****Special Session 2008, Act 6 (07/08/08)**

Amends provisions relating to adjustments for excluded employees exempt from civil service. Requires that for executive / managerial positions in the University of Hawai'i system filled by excluded employees, proposed compensation or change in compensation be disclosed in open meeting for purposes of public comment. Requires all documents regarding expenditures and changes thereto, made by the Board of Regents of the University of Hawai'i shall be disclosed in open meetings for the purpose of public comment.

INTRODUCED BY: Baker R, Sakamoto N  
 UH POSITION: Oppose  
 CURRENT STATUS: May 7, 2008 – Transmitted to Governor  
 July 8, 2008 – Governor's Veto Overridden, Special Session, Act 6

**SB 2395 SD2 RELATING TO LANGUAGE ACCESS****Act 8 (04/08/08)**

Amends provisions relating to Department of Labor and Industrial Relations. Redefines oral language services to mean the free provision of oral information necessary to enable limited English proficient persons to access or participate in services, programs, or activities of a state agency or covered entity. Redefines State or state agency to mean any department, office commission board, or other agency of the executive legislative or judicial branch of the State, including the Office of Hawaiian Affairs. Redefines vital documents means printed documents that provide important information necessary to access or participate in services, programs, and activities of a state agency or covered entity, including, but not



limited to applications, outreach materials, and written notices of rights, denials, losses, or decreases in benefits or services. Increases the advisory council members from 11 to 15.

INTRODUCED BY: Chun Oakland S  
 UH POSITION: Watched  
 CURRENT STATUS: March 25, 2008 – Transmitted to Governor  
 April 8, 2008 – Signed into law, Act 8

**SB 2482 SD2 RELATING TO THE HAWAI'I INSTITUTE OF MARINE BIOLOGY**  
**Act 162 (06/10/08)**

Amends Act 178, Session Laws of 2005, as amended by Act 160, Session Laws of 2006. Provides that the lapsing date shall not apply to appropriations for laboratory and office complex for the Hawai'i Institute of Marine Biology at Coconut Island. (\$\$) Appropriation.

INTRODUCED BY: Hee C  
 UH POSITION: Support  
 CURRENT STATUS: May 7, 2008 – Transmitted to Governor  
 June 10, 2008 – Signed into law, Act 162

**SB 2663 SD2 HD2 CD1 RELATING TO THE HAWAI'I TEACHER STANDARDS BOARD**  
**Vetoed (07/08/08)**

Amends provisions relating to the Hawai'i Teacher Standards Board. Increases the membership of the board. – Authorizes the board to coordinate an effort to create a network incorporating the teacher education institutions and the Department of Education to support the free interchange of information valuable to all of the participating organizations. Changes the annual report to the legislature to include income and expenditures with summary report data from the previous 5 years. Appropriation.

INTRODUCED BY: Sakamoto N  
 UH POSITION: Support  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 July 8, 2008 – Vetoed by the Governor

**SB 2668 SD2 HD1 CD1 RELATING TO THE UNIVERSITY OF HAWAI'I**  
**Special Session 2008, Act 9 (07/08/08)**

Amends provisions relating to the University of Hawai'i Board of Regents. Requires members to reside in the geographic area they represent. Requires the governor to notify the Regents Candidate Advisory Council in writing within 10 days of receiving notification that a member is resigning, being removed by the governor, or deceased. Changes the Candidate Advisory Council for the Board of Regents to the Regents Candidate Advisory Council for the Board of Regents. Requires the council to give the governor a list of candidates within 60 days. Provides that all information required by the council be confidential.

INTRODUCED BY: Sakamoto N  
 UH POSITION: Watched  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 July 8, 2008 – Governor's Veto Overridden, Special Session 2008, Act 9

**SB 2803 SD1 HD1 CD1 RELATING TO PERSONAL INFORMATION****Special Session 2008, Act 10 (07/08/08)**

Establishes provisions relating to policy and oversight responsibility. Requires a government agency to designate an agency employee to have policy and oversight responsibilities for the protection of personal information. – Establishes provisions relating to information privacy and security council. Establishes the council within the Department of Accounting and General Services. Requires the council to submit a report to the legislature, their assessment and recommendations on initiatives to mitigate the negative impacts of identity theft incidents. Requires the council to identify best practices to assist government agencies to improve security and privacy programs. – Amends Act 137, session laws of 2006, as amended by Act 184, session laws of 2007, by delaying the effective date to July 1, 2009. – Establishes the identity theft task force working group within the office of the auditor to provide continuity from the work of the identity theft task force and to assist in the transition and development of recommendations and best practices related to personal information. Task force to cease to exist on June 30, 2009 (sunset).

INTRODUCED BY: Fukunaga C, Ige D, Espero W, Menor R, Baker R

UH POSITION: Oppose

CURRENT STATUS: May 5, 2008 – Transmitted to Governor

July 8, 2008 – Governor's Veto Overridden, Special Session 2008, Act 10

**SB 2824 SD2 HD1 CD1 RELATING TO PROCUREMENT****Vetoed (07/08/08)**

Amends provisions relating to creation and membership of the procurement policy board. Changes the comptroller and the county employee with significant high level procurement experience to be an ex officio nonvoting member. Amends provisions relating to authority and duties of the state procurement policy board. Requires the state procurement policy board to annually audit a minimum of 2 executive departments, divisions, or agencies to ensure compliance. Requires the state procurement policy board to select any department, division, or agency for compliance audits to be randomly selected or as otherwise authorized by law. Requires the state procurement office to report to the legislature the results of all compliance audits. Requires the legislative auditor to conduct a compliance, performance, and management audit of compliance with Hawai'i public procurement code. Report to the legislature.

INTRODUCED BY: Kim D, Inouye L, Hooser G, Tokuda J, Hanabusa C, Kokubun R, Sakamoto N, Gabbard M, Espero W, Tsutsui S, English J, Menor R, Ige D, Baker R, Chun Oakland S, Fukunaga C, Nishihara C, Ihara L

UH POSITION: Watched

CURRENT STATUS: May 5, 2008 – Transmitted to Governor

July 8, 2008 – Vetoed by the Governor

**SB 2825 SD1 HD2 CD1 RELATING TO PROCUREMENT****Act 203 (06/24/08)**

Amends provisions relating to additional duties of the administrator of the procurement office. Adds determine corrective actions; provided that if a procurement officer under the jurisdiction of the administrator or a chief procurement officer fails to comply with any determination rendered by the administrator within 30 days from the date of the issuance of the determination, or longer if permitted by the administrator upon request by the procurement officer or a chief procurement officer, the procurement

officer or chief procurement officer shall be subject to an administrative fine for every day of noncompliance.

INTRODUCED BY: Kim D, Inouye L, Hooser G, English J, Tokuda J, Kokubun R, Menor R, Gabbard M, Fukunaga C, Ige D, Chun Oakland S, Nishihara C, Tsutsui S, Hanabusa C, Baker R, Espero W

UH POSITION: Watched

CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
June 24, 2008 – Signed into law, Act 203

**SB 2826 SD2 HD1 CD1 RELATING TO PROCUREMENT**

**Act 194 (06/19/08)**

Amends provisions relating to education and training. Requires the state procurement office in cooperation with the Department of Human Resources Development to develop and maintain a procurement practices training and development program for procurement officers of the State and the several counties, to ensure that an agency's procurement practices are in compliance with the procurement code and that proper procurement decisions are made consistent. Requires the program to include a mandatory fundamental training and development session and follow up training and development sessions. Requires each state procurement officer of a department of the executive branch to attend a mandatory fundamental training and development session within 60 days of being appointed or named to the position of procurement officer. Provides that attendance by state procurement officers at the follow up training and development sessions and by county procurement officials at the fundamental and follow up training and development sessions is optional, though encouraged.

INTRODUCED BY: Kim D, Inouye L, Hooser G, Tokuda J, Sakamoto N, Gabbard M, Ihara L, Baker R, Hanabusa C, English J, Kokubun R, Menor R, Ige D, Nishihara C, Tsutsui S, Chun Oakland S, Espero W

UH POSITION: Watched

CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
June 19, 2008 – Signed into law, Act 194

**SB 2827 SD1 HD1 CD1 RELATING TO PUBLIC CONTRACTS**

**Vetoed (07/08/08)**

Amends provisions relating to procurement of professional services. Provides that for contracts of 5,000 dollars or more, written notification to non selected persons be sent not later than the day of the posting of the award. Adds that information to be posted shall include the ranking. – Amends provisions relating to authority to resolve protested solicitations and awards. Increases the period for a protest to be submitted from 5 to 7 working days after the aggrieved person knows or should have known of the facts giving rise thereto; provided that a protest of an award or proposed award shall in any event be submitted in writing within 7 working days after the posting of award of the contract. Provides that the purchasing agency shall notify in writing all offerors that submitted a proposal of their non selection not later than the day of the posting of the award and include the basis on which the award is made in its posting of the award of the contract.

INTRODUCED BY: Kim D, Inouye L, Hooser G, English J, Tokuda J, Kokubun R, Menor R, Sakamoto N, Gabbard M, Hanabusa C, Fukunaga C, Ige D, Chun Oakland S, Taniguchi B, Nishihara C, Tsutsui S, Espero W, Ihara L, Baker R

UH POSITION: Watched

CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
July 8, 2008 – Vetoed by the Governor

**SB 2830 SD2 HD2 CD1 RELATING TO CAREGIVING****Special Session 2008, Act 11 (07/08/08)**

Amends Act 285, Session Laws of 2006, relating to the joint legislative committee on family caregiving by changing family caregiving to aging in place. Requires that the Hawai'i aging and disability resource center provide an update to the joint legislative committee of its development and implementation of the physical site for the center in the County of Hawai'i, and the virtual site planned for the City and County of Honolulu. Report to the legislature. Extends the joint legislative committee to June 30, 2009 (sunset). – Requires the executive office on aging to design a cash and counseling project for nonmedicaid participants. Report to the legislature. Allows the kupuna care program to offer emergency, overnight, and weekend respite services, provide grants for home modifications that facilitate aging in place pursuant to a care plan as part of a cash and counseling approach, and provide grants to family caregivers pursuant to a care plan as part of a cash and counseling approach. Appropriation to the executive office on aging to address the kupuna care program waitlist and for the expansion of the kupuna care program, in general. – Establishes a grandparents raising grandchildren task force to focus on the needs of and issues facing grandparents raising grandchildren. Interim and final reports to the legislature and the joint legislative committee on aging. Task force to cease to exist on June 30, 2009 (sunset). – Requires the executive office on aging, in collaboration with the University of Hawai'i school of social work, to continue to conduct an inventory of the respite services in Hawai'i, propose a definition of respite care and establish more detailed descriptions of each of the various types of respite services provided in the State; and review the Legislative Reference Bureau's 2007 report on respite policies. – Amends provisions relating to determination of amount of assistance. Increases the state supplemental payment for adult residential care home (ARCH) classified as facility type I, licensed developmental disabilities domiciliary homes, community care foster family homes and certified adult foster homes to not exceed 651 dollars and 90 cents and for adult residential care homes classified as a facility type II not to exceed 759 dollars and 90 cents. Appropriations to the Department of Human Services for increases in level of care payments. (\$\$)

INTRODUCED BY: Ihara L, Chun Oakland S, Tsutsui S, Espero W, Baker R, Nishihara C, Fukunaga C, Hooser G, Gabbard M, English J, Inouye L, Kim D, Tokuda J, Ige D, Kokubun R, Menor R, Sakamoto N, Hanabusa C

UH POSITION: Watched

CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
July 7, 2008 – Line-item Veto by the Governor  
July 8, 2008 – Governor's Veto Overridden, Special Session 2008, Act 11

**SB 2833 SD1 HD1 CD1 RELATING TO SUSTAINABILITY****Act 225 (07/08/08)**

Requires the University of Hawai'i College of Social Sciences Public Policy Center to review the Hawai'i 2050 sustainability plan. Report to the legislature.

INTRODUCED BY: Kokubun R, Taniguchi B, Inouye L, Ihara L, Tsutsui S, Hooser G, Espero W, Fukunaga C, Nishihara C, Bunda R, Chun Oakland S, English J, Menor R, Gabbard M, Ige D, Baker R, Kim D, Tokuda J, Sakamoto N, Hanabusa C

UH POSITION: Watched

CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
July 8, 2008 – Became law without the Governor's signature, Act 225

**SB 2843 SD2 HD3 CD1 RELATING TO ELECTRONIC DEVICE RECYCLING**  
**Special Session 2008, Act 13 (07/08/08)**

Establishes the Electronic Waste Recycling Act. Prohibits all manufacturers and retailers from selling or offering for sale any new covered electronic device for delivery in the State unless the device is labeled with a brand included in a registration that is filed with the Department of Health and such label is permanently affixed and readily visible effective January 1, 2010. – Requires the department to maintain a list, posted on the department's website and available over a toll free telephone number, of each registered manufacturer and the brands reported in each manufacturer's registration and a list of brands for which no manufacturer has registered. – Requires the manufacturer to pay a registration fee. Further requires each manufacturer to submit a plan to the department to establish conduct, and manage a program for the collection, transportation, and recycling of its covered electronic devices sold in the state. Provides that by March 31, 2011, and annually thereafter, each manufacturer shall submit to the department the total weight of all covered electronic devices recycled in the previous year. Requires the department to review each manufacturer's plan for approval. Requires retailers to make available to their customers information on collection services in the state and to maintain and update a website and a toll free number with current information on where covered entities can return covered electronic devices for recycling. Requires the department and the attorney general to be empowered to enforce and take necessary action against any manufacturer or retailer for failure to comply. Establishes administrative penalties. Establishes the electronic device recycling fund. – Requires the department to deposit all fees, payments and penalties collected into the recycling fund. Establishes a temporary working group within the Department of Health to develop a plan to establish, to conduct, and manage a program for the collection, transportation, and recycling of televisions sold in the State to be implemented no later than January 1, 2010. Requires the department to provide necessary administrative, professional, technical, and clerical assistance to the working group. Report to the legislature. Working group shall cease to exist on June 30, 2009 (sunset).

INTRODUCED BY: Menor R, Espero W, Sakamoto N, Chun Oakland S, Fukunaga C, Nishihara C, Tsutsui S, Ihara L, Kim D, Inouye L, Hooser G, English J, Tokuda J, Kokubun R, Hanabusa C, Gabbard M, Ige D, Baker R

UH POSITION: Support Intent

CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 July 8, 2008 – Governor's Veto Overridden, Special Session 2008, Act 13

**SB 2867 SD2 HD2 CD1 RELATING TO THE HAWAI'I PUBLIC PROCUREMENT CODE**  
**Vetoed (07/08/08)**

Amends provisions relating to responsibility of offerors. Provides that any false information or misrepresentation knowingly placed in the bid of the bidder or subcontractor by an agency shall be a basis for nullification of the solicitation by the administrator of the state procurement office. Provides that any false information or misrepresentation knowingly placed in the bid of the bidder or subcontractor shall be the basis for not awarding the bid to that bidder or the bidder's subcontractor, application by the chief procurement officer of the provisions, and imposition by the chief procurement officer of a 1 year mandatory suspension of the bidder or subcontractor from consideration for awards. – Amends provisions relating to authority to resolve contract and breach of contract controversies. Adds solicitation and bids.

INTRODUCED BY: Kim D, Sakamoto N, Chun Oakland S

UH POSITION: Watched

CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 July 8, 2008 – Vetoed by the Governor

**SB 2878 SD2 HD2 CD1 RELATING TO EARLY LEARNING****Special Session 2008, Act 14 (07/08/08)**

Establishes an Early Learning System Law. Establishes Keiki 1st Steps to ensure a spectrum of quality early learning opportunities for children from birth until the time they enter kindergarten with priority given to underserved or at risk children. Requires the system to be developed and administered by the Early Learning Council which shall be attached to the Department of Education. – Establishes the Keiki 1st Steps Grant Program to be developed by the Early Learning Council and administered by the Department of Human Services. Authorizes the department to award grants to center based programs for 3 and 4 year old children and family child care programs, family - child interaction learning programs, and other learning programs and services regardless of the age of children served. – Establishes the Keiki 1st Steps Trust Fund to be administered by the council to be used for early learning system. – Repeals provisions relating to quality early education plan. – Establishes provisions relating to early childhood education facilities; pre plus. Establishes the pre-plus program within the Department of Human Services to expand access to affordable and quality early childhood education for 3 and 4 year old children from low income families by allowing preschool programs to be set up on public school campuses through public - private partnerships. Requires the Department of Human Services and the Department of Education to work collaboratively to develop suitable pre-plus classrooms on Department of Education school campuses statewide, including conversion charter school campuses, for programs in the early learning system. Requires the Department of Education to annually report to the legislature the number of classrooms that would be suitable for programs and the cost of renovating these classrooms to meet the standards of the programs in the early learning system.

INTRODUCED BY: Sakamoto N, Chun Oakland S, Tokuda J, Nishihara C, Hooser G, Tsutsui S  
 UH POSITION: Support  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 July 8, 2008 – Governor's Veto Overridden, Special Session 2008, Act 14

**SB 2915 SD2 HD1 CD1 RELATING TO TARO****Act 211 (07/03/08)**

Establishes the Taro Security and Purity Task Force within the Department of Agriculture to develop guidelines, protocols, and recommendations for taro policy, non genetic modification based taro research, and the allocation of resources to ensure that taro is saved and protected in Hawai'i. Reports to the legislature. Appropriation to the Office of Hawaiian Affairs. (\$\$)

INTRODUCED BY: English J, Tokuda J, Gabbard M, Chun Oakland S  
 UH POSITION: Watched  
 CURRENT STATUS: May 7, 2008 – Transmitted to Governor  
 June 2, 2008 – Line-item appropriations veto, GM 854  
 June 3, 2008 – Signed into law, Act 211

**SB 2956 SD1 HD1 RELATING TO MILK****Act 46 (04/30/08)**

Amends provisions relating to the Milk Control Act. Requires that all Hawai'i produced fresh milk up to 100 per cent of the total production quotas for all milk shed in the State be deemed to be utilized as class I unless in an excess pool, or as plant shrinkage and route returns are proven. Requires the Department of Agriculture to engage stake holders of the Hawai'i milk production industry to establish recommendations for short and long term initiatives to help ensure the availability of fresh milk for fluid

consumption in Hawai'i and based on the findings, together with the University of Hawai'i College of Tropical Agriculture and Human Services, prepare a written report and strategic plan setting forth recommended short and long term initiatives to help ensure the availability of fresh milk for fluid consumption in Hawai'i. Report to the legislature. Appropriation. (\$\$)

INTRODUCED BY: Hanabusa C  
 UH POSITION: Watched  
 CURRENT STATUS: April 15, 2008 – Transmitted to Governor  
 April 30, 2008 – Signed into law, Act 46

**SB 3004 SD2 HD2 RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM**  
**Act 41 (04/29/08)**

Establishes provisions relating to information from the State and counties. Allows the employees' retirement system to require any department or agency of the State or counties to furnish information to the system in electronic format and that information with respect to payroll and personnel transactions allocate payments, including bonuses, salary adjustments, payments for compensatory time and workers compensation, to monthly or other periods as requested by the system; and specify the purpose or nature of the payment. Amends provisions relating to payments or refunds and retirement benefits. Provides that any member, former member, retirant, or beneficiary to whom accumulated contributions to a hypothetical account balance, is payable after June 30, 2008, shall, if the payment is greater than 250 dollars and the recipient does not elect to roll over the payment into an eligible retirement plan, designate a financial institution account into which the system will be authorized to deposit the payment. Amends provisions relating to benefit limitations. Requires that benefits payable to all employees who 1st become members on or after January 1, 1990, shall be subject to limitations applicable to governmental plans where the dollar limit shall be adjusted automatically, effective January 1 of each year, as published in the Internal Revenue Bulletin. Provides the adjustment to apply to members, former employees, retirants, and beneficiaries. Amends provisions relating to computation of compensation earned or earnable. Requires that the surviving spouse of reciprocal beneficiary and children under the age of 18 will be eligible for a death benefit if the member suffered an ordinary death after accumulating 10 years of credited service, and the death of the member was while the member was still in service, or while on authorized leave without pay or an accidental death. Provides that a class A member who returns to service after June 30, 2008, with vested benefit status and who does not return to service as a class B member shall return to service as a class A member and class B member who returns to service after June 30, 2008 with vested benefit status and who does not return to service as a class B member shall return to service as a class A member.

INTRODUCED BY: Hanabusa C (BR)  
 UH POSITION: Watched  
 CURRENT STATUS: April 15, 2008 – Transmitted to Governor  
 April 29, 2008 – Signed into law, Act 41

**SB 3105 SD1 RELATING TO PUBLIC AGENCY MEETINGS**  
**Act 20 (04/18/08)**

Amends provisions relating to limited meetings. Provides that if a board determines after sufficient deliberation that it is necessary to conduct an on site inspection at which public attendance is not practicable, and the Director of the Office of Information Practices concurs, the board may hold a limited meeting in that location, which is not open to the public.

INTRODUCED BY: Hanabusa C (BR)

UH POSITION: Watched  
 CURRENT STATUS: April 4, 2008 – Transmitted to Governor  
 April 18, 2008 – Signed into law, Act 20

**SB 3171 SD2 HD2 CD1 RELATING TO CHARITABLE TRUSTS AND NONPROFIT ORGANIZATIONS**

**Act 174 (06/13/08)**

Establishes provisions relating to registration of charitable organizations. Requires every public benefit corporation domiciled in Hawai'i and every charitable organization not exempt to register with the Department of the Attorney General prior to conducting any solicitation or prior to having any solicitation conducted on its behalf by others. Establishes provisions relating to professional solicitor financial reports; fiscal records and fees. Every charitable organization required to register shall annually file with the department a report for its most recently completed fiscal year. Prohibits a charitable organization to use the services of an unregistered professional solicitor or professional fundraising counsel. Authorizes the attorney general to refuse to register or revoke or suspend the registration of any charitable organization. Requires a professional solicitor to file gross revenue and an itemization of all expenses incurred on a form prescribed by the attorney general and to report gross revenue from Hawai'i donors and national gross revenue from a solicitation activity or campaign. Appropriation out of the solicitation of funds for charitable purposes special fund to the Department of the Attorney General for 2 permanent full time equivalent (2.00 FTE) deputy attorney general positions, 1 permanent full time equivalent (1.00 FTE) auditor position, and 1 permanent full time equivalent (1.00 FTE) legal assistant position. (\$\$)

INTRODUCED BY: Ihara L, Hooser G, Baker R, Inouye L  
 UH POSITION: Watched  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 June 13, 2008 – Signed into law, Act 174

**SB 3185 SD2 HD1 RELATING TO CANCER**

**Act 52 (05/01/08)**

Amends provision relating to breast and cervical cancer treatment program by changing it to comprehensive breast and cervical cancer control program. Requires the Department of Human Services to administer the breast and cervical cancer comprehensive cancer control program in collaboration with the Department of Health. Requires the Department of Health to work with the Department of Human Services to assist in the screening, education, and outreach process regardless of a woman's eligibility for Medicaid coverage. Requires the Department of Health to provide state funded medical assistance. Provides that of the funds appropriated to the Department of Human Services for the Cancer Control Center a portion will be transferred to the Department of Health for cervical and breast cancer screening, education, and outreach. Annual report to the legislature. (\$\$)

INTRODUCED BY: Baker R, Chun Oakland S  
 UH POSITION: Watched  
 CURRENT STATUS: April 15, 2008 – Transmitted to Governor  
 May 1, 2008 – Signed into law, Act 52



**SB 3252 SD2 HD2 CD1 RELATING TO TEACHERS****Vetoed (07/08/08)**

Appropriation to the Department of Education to assist school teachers seeking to become highly qualified under the No Child Left Behind Act by paying for participation in preparatory courses, tutorials, or programs for the PRAXIS examinations. – Appropriation for the establishment of 4 professional development schools for teachers. Requires the Department of Education to allocate funds to the schools by means of competitive grants. Requires the grant application to include a description of how the professional development school will meet the professional development school standards and the department's 6 images of success. Allows grants to be awarded for up to 5 years and to be renewable. Requires schools to annually report to the department. (\$\$)

INTRODUCED BY: Sakamoto N, Chun Oakland S, English J  
 UH POSITION: Support  
 CURRENT STATUS: May 7, 2008 – Transmitted to Governor  
 July 8, 2008 – Vetoed by the Governor

**SB 3255 SD2 HD2 CD1 RELATING TO LONG TERM CARE****Act 224 (07/08/08)**

Establishes the long term care policy goals of the State of Hawai'i. Establishes a long term care commission within the University of Hawai'i College of Social Sciences Public Policy Center to identify problems with the current long term care capacity, programs and services, to develop a 5 year comprehensive long term care plan to accomplish long term care policy goals, to research public and private financing options, monitor federal legislation, and collaborate with interested stakeholders regarding long term care. Reports to the legislature. Allows the commission to conduct or initiate studies, hire staff and contract with 3rd parties to conduct studies. Requires the Public Policy Center to provide administrative support. Appropriation. Commission to expire on November 30, 2010 (sunset). (\$\$)

INTRODUCED BY: Ihara L, Baker R, Ige D, Inouye L, Chun Oakland S, Sakamoto N  
 UH POSITION: Watched  
 CURRENT STATUS: May 5, 2008 – Transmitted to Governor  
 July 8, 2008 – Became law without the Governor's signature, Act 224

## HOUSE CONCURRENT RESOLUTIONS

### **HCR 116 SD1**

REQUESTING THE UNIVERSITY OF HAWAI'I AGRICULTURAL DIAGNOSTIC SERVICE CENTER, IN CONSULTATION WITH OTHER PUBLIC AND PRIVATE ENTITIES, TO CONDUCT A SURVEY OF THE INFORMATION NEEDS OF HAWAI'I'S AGRICULTURAL INDUSTRY, AND ASSESS WHETHER THE HAWAI'I AGRICULTURE INFORMATION CENTER CAN MEET THOSE NEEDS

INTRODUCED BY: TSUJI, BROWER, CHANG, Chong, Herkes, Wakai, Yamane, Yamashita  
 POSITION: Watched  
 CURRENT STATUS: April 22, 2008 – Adopted in final form

### **HCR 138 HD2 SD1**

REQUESTING THE UNIVERSITY OF HAWAI'I JOHN A. BURNS SCHOOL OF MEDICINE'S TELEHEALTH RESEARCH INSTITUTE TO FORM A TASK FORCE TO REVIEW THE POTENTIAL EXPANSION OF THE CURRENT PRACTICES AND EQUIPMENT OF HAWAI'I'S TELEMEDICINE SYSTEM

INTRODUCED BY: EVANS  
 UH POSITION: Support  
 CURRENT STATUS: April 29, 2008 – Adopted in final form

### **HCR 226 SD1**

REQUESTING THE UNIVERSITY OF HAWAI'I'S JOHN A. BURNS SCHOOL OF MEDICINE TO CONDUCT A SURVEY OF CURRENT AND PROSPECTIVE STUDENTS TO EXAMINE AND DEVELOP A PLAN TO ADDRESS RURAL HEALTH PROFESSIONAL SHORTAGE AREAS IN THE STATE

INTRODUCED BY: GREEN, CHANG, MIZUNO, TAKAMINE  
 UH POSITION: Support Intent  
 CURRENT STATUS: April 23, 2008 – Adopted in final form

### **HCR 230 HD1**

RECOGNIZING THE WEEK OF SEPTEMBER 1 – SEPTEMBER 7 AS HAWAI'I LABOR HISTORY WEEK

INTRODUCED BY: CALDWELL, HERKES, LEE, MORITA, NISHIMOTO, SONSON, TAKUMI, YAMANE, Nakasone, Souki, Takamine, Yamashita  
 UH POSITION: Watched  
 CURRENT STATUS: May 1, 2008 – Adopted in final form

### **HCR 260 HD1**

REQUESTING THE COLLEGE OF AGRICULTURE, FORESTRY, AND NATURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAI'I AT HILO, IN COLLABORATION WITH THE DEPARTMENT OF AGRICULTURE AND HAWAI'I COMMUNITY COLLEGE, TO CONDUCT A STUDY ON THE PROGRAMS DEVELOPED BY THE KULANI CORRECTIONAL FACILITY THAT WOULD AID IN THE REVITALIZATION OF STATE AGRICULTURE

INTRODUCED BY: TSUJI, BROWER, CHANG, CHONG, EVANS, YAMANE, YAMASHITA, Takamine

UH POSITION: Support  
CURRENT STATUS: April 23, 2008 – Adopted in final form

**HCR 276 HD1**

REQUESTING THAT THE UNIVERSITY OF HAWAI‘I SCHOOL OF SOCIAL WORK DEDICATE ITS SCHOOL IN HONOR OF MYRON "PINKY" THOMPSON, BY CHANGING ITS NAME TO THE "MYRON THOMPSON SCHOOL OF SOCIAL WORK"

INTRODUCED BY: LEE, CHANG, HANOHANO, MANAHAN, MCKELVEY, MIZUNO, B. OSHIRO, Brower, Carroll, Har, Karamatsu, Souki  
UH POSITION: Hold  
CURRENT STATUS: April 18, 2008 – Adopted in final form

**HCR 277 HD2**

REQUESTING THE HAWAI‘I STATE CENTER FOR NURSING TO ENCOURAGE PARTIES TO WORK TOGETHER FOR THE COMMON GOAL OF INCREASING THE SUPPLY OF WELL-EDUCATED AND DEDICATED NURSES

INTRODUCED BY: LEE, BROWER, CHANG, HANOHANO, HAR, KARAMATSU, MANAHAN, MIZUNO, B. OSHIRO, TOKIOKA, Carroll, Saiki, Souki  
UH POSITION: Support Intent  
CURRENT STATUS: April 29, 2008 – Adopted in final form

**HCR 294**

URGING THE UNIVERSITY OF HAWAI‘I AND SUPPORTING COMMUNITY MEMBERS TO MOVE EXPEDITIOUSLY TO IMPLEMENT PLANS FOR THE CONSTRUCTION OF THE CANCER RESEARCH CENTER OF HAWAI‘I AT KAKAAKO

INTRODUCED BY: SAY, CHANG  
UH POSITION: Comments  
CURRENT STATUS: April 17, 2008 – Adopted in final form

**HCR 312 SD1**

URGING THE UNIVERSITY OF HAWAI‘I TO EXTEND ITS LAND LEASE WITH THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION TO CONTINUE TO OPERATE THE MĀNOA INNOVATION CENTER

INTRODUCED BY: CHANG, HANOHANO, HERKES, KARAMATSU, MIZUNO, B. OSHIRO, TAKAI, TSUJI, WAKAI, Berg, Bertram, Cabanilla, Carroll, Evans, Har, Ito, Lee, Nishimoto, Shimabukuro, Takamine, Takumi  
UH POSITION: Defer  
CURRENT STATUS: April 22, 2008 – Adopted in final form

**HCR 314**

URGING THE UNIVERSITY OF HAWAI‘I TO ESTABLISH AND ADMINISTER A REHABILITATIVE AND RELATED SERVICES GRADUATE SCHOOL LOAN PROGRAM WITHIN ITS CENTER ON DISABILITY STUDIES

INTRODUCED BY: CHANG, HANOHANO, HERKES, ITO, KARAMATSU, MIZUNO, NISHIMOTO, B. OSHIRO, TAKAI, TSUJI, Berg, Bertram, Cabanilla, Carroll, Evans, Har, Lee, Shimabukuro, Takamine, Takumi, Wakai  
UH POSITION: Oppose

CURRENT STATUS: April 23, 2008 – Adopted in final form

**HCR 357 HD1**

REQUESTING THE UNIVERSITY OF HAWAI'I COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A MULTIPURPOSE, MULTI-USER PROCESSING FACILITY ON THE LAND IN THE EWA, CENTRAL OAHU AREA BEING OFFERED TO THE HAWAI'I AGRICULTURE RESEARCH CENTER, FOR THE PRODUCTION OF VALUE-ADDED PRODUCTS THAT MAKE USE OF LOCALLY-GROWN AGRICULTURAL PRODUCTS

INTRODUCED BY: YAMASHITA, BROWER, CHANG, HANOHANO, MANAHAN, TSUJI,  
YAMANE, Souki

UH POSITION: Watched

CURRENT STATUS: April 24, 2008 – Adopted in final form

**HCR 358 HD1**

REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO ESTABLISH A TASK FORCE TO SOLICIT PUBLIC INPUT AND EXAMINE METHODS OTHER THAN THE PUBLIC PROCUREMENT CODE PROCESS TO OVERSEE PUBLIC, EDUCATION, AND GOVERNMENT ACCESS ORGANIZATIONS' EXPENDITURES AND ENSURE PROPER CHECKS AND BALANCES

INTRODUCED BY: YAMASHITA

UH POSITION: Watched

CURRENT STATUS: May 1, 2008 – Adopted in final form

## SENATE CONCURRENT RESOLUTIONS

**SCR 49**

REQUESTING THAT THE OFFICE OF HAWAIIAN AFFAIRS AND THE ATTORNEY GENERAL, AS REPRESENTATIVE OF THE EXECUTIVE BRANCH, CONDUCT STATEWIDE INFORMATIONAL HEARINGS ON THE CEDED LANDS TRUST SETTLEMENT AGREEMENT

INTRODUCED BY: HANABUSA  
 UH POSITION: Watched  
 CURRENT STATUS: February 4, 2008 – Adopted in Final Form

**SCR 67 SD1**

URGING THE LEGISLATURE TO DECLARE SEPTEMBER AS LANGUAGE ACCESS MONTH AND REQUESTING THE OFFICE OF LANGUAGE ACCESS TO CONDUCT A FEASIBILITY STUDY ON ESTABLISHING A STATEWIDE CENTRALIZED LANGUAGE ACCESS RESOURCE CENTER

INTRODUCED BY: MENOR, CHUN OAKLAND  
 UH POSITION: Watched  
 CURRENT STATUS: April 21, 2008 – Adopted in Final Form

**SCR 70**

REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A DEGREE PROGRAM FOR SPORTS AND ENTERTAINMENT MANAGEMENT AT THE UNIVERSITY OF HAWAI'I

INTRODUCED BY: GABBARD, CHUN OAKLAND  
 UH POSITION: Support Intent  
 CURRENT STATUS: April 18, 2008 – Adopted in Final Form

**SCR 83 SD1**

REQUESTING A STUDY ON THE APPROPRIATE ACCOUNTABILITY STRUCTURE FOR THE HAWAI'I TEACHER STANDARDS BOARD

INTRODUCED BY: SAKAMOTO, CHUN OAKLAND, GABBARD, NISHIHARA, TOKUDA  
 UH POSITION: Watched  
 CURRENT STATUS: April 21, 2008 – Adopted in Final Form

**SCR 92 SD1**

ESTABLISHING A PUBLIC FINANCIAL EDUCATION AND ASSET-BUILDING TASK FORCE

INTRODUCED BY: CHUN OAKLAND  
 UH POSITION: Watched  
 CURRENT STATUS: April 18, 2008 – Adopted in Final Form

**SCR 94**

URGING THE UNIVERSITY OF HAWAI'I TO BEGIN REBUILDING THE SCHOOL OF PUBLIC HEALTH BY 2012

INTRODUCED BY: BAKER, CHUN OAKLAND, ENGLISH  
 UH POSITION: Support  
 CURRENT STATUS: April 21, 2008 – Adopted in Final Form

**SCR 118 SD1 HD1**

IMPROVING THE COMMUNITY'S UNDERSTANDING OF THE DEPARTMENT OF EDUCATION'S PROGRAMS AND SCHOOL EXPENSES INCLUDING A COMPARISON WITH OTHER STATES ON ADEQUACY OF FUNDS

INTRODUCED BY: SAKAMOTO, CHUN OAKLAND  
UH POSITION: Watched  
CURRENT STATUS: April 24, 2008 – Adopted in final form

**SCR 120**

REQUESTING THE UNIVERSITY OF HAWAI'I AND THE DEPARTMENT OF EDUCATION TO DEVELOP, OFFER, AND EXPAND PHILIPPINE LANGUAGE COURSES

INTRODUCED BY: SAKAMOTO, CHUN OAKLAND, ESPERO, GABBARD, HOOSER,  
NISHIHARA, TOKUDA, Taniguchi  
UH POSITION: Support Intent  
CURRENT STATUS: April 21, 2008 – Adopted in final form

**SCR 180**

OFFERING SUPPORT TO THE UNIVERSITY OF HAWAI'I IN ITS EFFORTS TO ENHANCE AND DIVERSIFY ITS SOURCES OF REVENUE AND MAXIMIZE USE OF ITS FACILITIES

INTRODUCED BY: KOKUBUN  
UH POSITION: Support  
CURRENT STATUS: April 21, 2008 – Adopted in final form

**GOVERNOR'S MESSAGES****GM 257**

Submitting for consideration and confirmation as Director of the Department of Transportation, Gubernatorial Nominee, BRENNON MORIOKA, for a term to expire 12-06-2010

Current Status: March 7, 2008 – Confirmed by the State Senate

**GM 341**

Submitting for consideration and confirmation to the Education Commission of the States, Gubernatorial Nominee, ANN R. BOTTICELLI, for a term to expire 6-30-2012

Current Status: March 13, 2008 – Confirmed by the State Senate

**GM 342**

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, RYAN R. PERREIRA, for a term to expire 6-30-2011

Current Status: March 25, 2008 – Confirmed by the State Senate

**GM 343**

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, CONCHITA D. STEWART, for a term to expire 6-30-2011

Current Status: March 25, 2008 – Confirmed by the State Senate

**GM 344**

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, T. 'AULANI WILHELM, for a term to expire 6-30-2011

Current Status: March 25, 2008 – Confirmed by the State Senate

**GM 345**

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, MARCIE WONG, for a term to expire 6-30-2011

Current Status: March 25, 2008 – Confirmed by the State Senate

**GM 346**

Submitting for consideration and confirmation to the Center for Nursing Advisory Board, Gubernatorial Nominee, AGNES P. CADIZ, for a term to expire 6-30-2012

Current Status: March 25, 2008 – Confirmed by the State Senate

**GM 347**

Submitting for consideration and confirmation to the Center for Nursing Advisory Board, Gubernatorial Nominee, JOAN ANNE CRAFT, for a term to expire 6-30-2012

Current Status: March 25, 2008 – Confirmed by the State Senate

**GM 348**

Submitting for consideration and confirmation to the Center for Nursing Advisory Board, Gubernatorial Nominee, ROSE ANN M. POYZER RN, for a term to expire 6-30-2012

Current Status: March 25, 2008 – Confirmed by the State Senate

**GM 349**

Submitting for consideration and confirmation to the Western Interstate Commission for Higher Education (WICHE), Gubernatorial Nominee, ROY T. OGAWA, for a term to expire 6-30-2012

Current Status: March 13, 2008 – Confirmed by the State Senate

**GM 450**

Submitting for consideration and confirmation to the Hawai'i Health Systems Corporation East Hawai'i Regional Board, Gubernatorial Nominee, GENEVIEVE A. KINNEY PHD, for a term to expire 6-30-2009

Current Status: May 1, 2008 – Confirmed by the State Senate

**GM 451**

Submitting for consideration and confirmation to the Hawai'i Health Systems Corporation West Hawai'i Regional Board, Gubernatorial Nominee, DANIEL E. RICK RPT, for a term to expire 6-30-2009

Current Status: May 1, 2008 – Confirmed by the State Senate

**GM 530**

Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, GARY K. KAJIWARA, for a term to expire 6-30-2011

Current Status: April 17, 2008 – Confirmed by the State Senate

**GM 572**

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, CORRINE H. AKAU, for a term to expire 6-30-2011

Current Status: April 29, 2008 – Withdrawn by Governor

**GM 573**

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, DONOVAN M. DELA CRUZ, for a term to expire 6-30-2011

Current Status: April 25, 2008 – Confirmed by the State Senate

**GM 574**

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, ROBERT J. NANIROLE, for a term to expire 6-30-2011

Current Status: April 25, 2008 – Confirmed by the State Senate



**GM 575**

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, LORI A.Y. TAKAO, for a term to expire 6-30-2011

Current Status: April 25, 2008 – Confirmed by the State Senate

**GM 576**

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, ELIZA V. TALBOT, for a term to expire 6-30-2011

Current Status: April 25, 2008 – Confirmed by the State Senate

**GM 577**

Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, TERRY L. HOLCK, for a term to expire 6-30-2011

Current Status: April 24, 2008 – Confirmed by the State Senate

**GM 578**

Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, JANICE Y. SHISHIDO, for a term to expire 6-30-2011

Current Status: April 24, 2008 – Confirmed by the State Senate

**GM 607**

Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, ARTEMIO C. BAXA, for a term to expire 6-30-2013

Current Status: May 1, 2008 – Confirmed by the State Senate

**GM 608**

Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, CARL A. CARLSON JR., for a term to expire 6-30-2011

Current Status: April 25, 2008 – Confirmed by the State Senate

**GM 609**

Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, CATHERINE Y. LAGARETA, for a term to expire 6-30-2013

Current Status: May 1, 2008 – Failed to be Confirmed by the State Senate

**GM 610**

Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, TEENA M. RASMUSSEN, for a term to expire 6-30-2012

Current Status: April 25, 2008 – Confirmed by the State Senate

**GM 611**

Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, HARVEY S. TAJIRI, for a term to expire 6-30-2013

Current Status: April 25, 2008 – Confirmed by the State Senate

**GM 656**

Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, JOSHUA J. WINGSTROM, for a term to expire 6-30-2009

Current Status: April 30, 2008 – Withdrawn by Governor

**GM 657**

Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, HOWARD H. KARR, for a term to expire 6-30-2011

Current Status: May 1, 2008 – Confirmed by the State Senate

**GM 658**

Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, DENNIS I. HIROTA PHD, PE, LPLS, for a term to expire 6-30-2012

Current Status: May 1, 2008 – Confirmed by the State Senate

## BUDGET PROVISOS

### HB 2500 HD1 SD1 CD1

#### RELATING TO THE STATE BUDGET

"SECTION 90.1. Provided that of the general fund appropriation for University of Hawai'i Mānoa (UOH 100), the sum of \$2,399,875 or so much thereof as may be necessary for fiscal year 2008-2009 shall be expended for library collections and services; provided further that the university shall prepare a report that shall include but not be limited to:

- (1) A report on the actual and estimated inflation rate for the cost of books, journals, and electronic resources for the period spanning two years before and three years after fiscal year 2008-2009;
- (2) A financial plan taking into account these inflationary rates and providing suggestions on addressing rising costs of services;
- (3) The use of funds, including the number of resources leased and purchased, and their costs;
- (4) The amount of unexpended funds and the future plans for expending those funds; and
- (5) The sources of all funding given to library services including but not limited to special funds, revolving funds, and donations, including the date, purpose, and amount of allocation; and provided further that the university shall submit the report to the legislature no later than twenty days prior to the convening of the 2009 regular session."

"SECTION 90.2. Provided that of the general fund appropriation for University of Hawai'i Mānoa (UOH 100), the sum of \$650,000 or so much thereof as may be necessary for fiscal year 2008-2009 shall be expended for the hyperbaric treatment center; provided further that the funds shall not be expended for any other purpose; provided further that any unexpended funds shall lapse to the general fund; and provided further that the university shall submit an expenditure report to the legislature no later than twenty days prior to the convening of the 2009 regular session."

"SECTION 90.3. Provided that of the general fund appropriation for University of Hawai'i (UOH 100-900), the following sums or so much thereof as may be necessary for fiscal year 2008-2009 shall be expended for security and prevention measures as follows:

<u>Program I.D.</u>	<u>FY 2008-2009</u>
<u>UOH 100</u>	<u>\$ 805,024</u>
<u>UOH 210</u>	<u>\$ 185,689</u>
<u>UOH 700</u>	<u>\$ 12,500</u>
<u>UOH 800</u>	<u>\$2,148,013;</u>

provided further that the university shall prepare a report that shall include but not be limited to:

- (1) The current difficulties faced by the university in providing security and counseling;
- (2) A security plan for each campus and the estimated future need of funds for improving security as well as other preventative measures;
- (3) The use and implementation of funds and the cost of their implementation for fiscal year 2008-2009;
- (4) Any measurable improvements in the efficiency of campus security such as: average response time to calls and disturbances, time to secure campus facilities, and other noticeable improvements as appropriate; and
- (5) The sources of all funding given to security including but not limited to special funds, revolving funds, and donations, including the date, purpose, and amount of allocation; and provided further that the university shall submit the report to the legislature no later than twenty days prior to the convening of the 2009 regular session."

"SECTION 92.1. Provided that of the general fund appropriation for University of Hawai'i West O'ahu (UOH 700), the sum of \$59,550 or so much thereof as may be necessary for fiscal year 2008-2009 shall be expended for one (1.00 FTE) information technology specialist (position #79904T); provided further that the funds shall not be expended for any other purpose; provided further that no funds shall be expended should federal funds become available for this position; and provided further that any unexpended funds shall lapse to the general fund."

"SECTION 95. Provided that of the general fund appropriation for retirement benefits payments-UH (UOH 941), the sum of \$60,746,771 or so much thereof as may be necessary for fiscal year 2007-2008 and the sum of [~~\$64,473,642~~] \$80,627,927 or so much thereof as may be necessary for fiscal year 2008-2009 shall be used to pay for pension accumulation contributions for University of Hawai'i employees; provided further that the sum of \$32,468,803 or so much thereof as may be necessary for fiscal year 2007-2008 and the sum of [~~\$34,904,925~~] \$37,152,290 or so much thereof as may be necessary for fiscal year 2008-2009 shall be used to pay for social security/Medicare contributions for University of Hawai'i employees; provided further that the amounts shall be transferred to retirement benefits payments (BUF 941) of the department of budget and finance for that purpose; provided further that the funds shall be transferred no later than July 16 of each respective fiscal year; provided further that the funds shall not be expended for any other purpose; and provided further that any unexpended funds shall lapse to the general fund."

"SECTION 96. Provided that of the general fund appropriation for health premium payments-UH (UOH 943), the sum of \$60,826,187 or so much thereof as may be necessary for fiscal year 2007-2008 and the sum of [~~\$65,107,996~~] \$58,968,768 or so much thereof as may be necessary for fiscal year 2008-2009 shall be used to pay for health and other benefits provided by the Hawaii employer-union health benefits trust fund for University of Hawaii employees and shall be transferred to health premium payments (BUF 943) of the department of budget and finance for that purpose; provided further that the funds shall be transferred no later than July 16 of each respective fiscal year; provided further that the funds shall not be expended for any other purpose; and provided further that any unexpended funds shall lapse to the general fund."

"SECTION 97. Provided that of the general fund appropriation for debt service payments-UH (UOH 915), the sum of \$83,868,969 or so much thereof as may be necessary for fiscal year 2007-2008 and the sum of [~~\$88,772,332~~] \$87,675,081 or so much thereof as may be necessary for fiscal year 2008-2009 shall be used to pay for debt service on general obligation bonds issued for University of Hawaii projects and shall be transferred to debt service payments (BUF 915) of the department of budget and finance for that purpose; provided further that the funds shall be transferred no later than July 16 of each respective fiscal year; provided further that the funds shall not be expended for any other purpose; and provided further that any unexpended funds shall lapse to the general fund."

"SECTION 131.2. Provided that of the general obligation bond fund appropriation for the University of Hawai'i system wide support (UOH 900), the sum of \$3,792,000 or so much thereof as may be necessary for fiscal year 2008-2009 shall be used for planning of an information technology building that shall also serve as a data recovery center for the Department of Accounting and General Services; provided further that such planning shall include a study of the feasibility of the university entering into public-private partnerships to build a facility, thereby reducing the cost to the University; and provided further that the feasibility study shall consider inclusion of public and private uses, whether by lease of space or sale of technology services by the university to private entities; and provided further that the university shall provide a report on the status of planning and the results of the feasibility study to the legislature no later than 20 days prior to the convening of the 2009 regular session."

"SECTION 131.3. Provided that of the general obligation bond fund appropriation for the University of Hawai'i system wide support (UOH 900), the sum of \$58,511,000 or so much thereof as

may be necessary for fiscal year 2008-2009 shall be used for capital renewal and deferred maintenance, statewide; provided further that of the total sum:

- (1) \$3,000,000 or so much thereof as may be required for fiscal year 2008-2009 shall be used for upgrades to athletic facilities at the University of Hawaii at Manoa; and
- (2) \$5,000,000 or so much thereof as may be required for fiscal year 2008-2009 shall be used for minor capital improvements for the campuses of the community college system."

## 24<sup>TH</sup> LEGISLATURE COMPARISON

	<u>2007 Session</u>	<u>2008 Session</u>
Number of Bills Introduced / Tracked:	H – 1967 / 177 S – 1995 / 209	H – 1484 / 235 S – 1264 / 197
Number of Bills Testified / Total Submitted:	H – 93 / 173 S – 92 / 177	H – 58 / 119 S – 67 / 117
Number of Bills Passed by the Legislature:	H – 21 S – 23	H – 21 S – 28
Number of Bills Enacted / Vetoed / Overridden:	H – 19 / 1 / 1 S – 18 / 3 / 2	H – 17 / 4 / 0 S – 17 / 5 / 6*

\* *SB2830 signed into law (Act 220, SLH 2008) with a line-item appropriation veto. Legislature overrode veto during Special Session 2008 (Act 11, SSLH 2008)*

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Number of Concurrent Resolutions Introduced / Tracked:	H – 344 / 54 S – 226 / 43	H – 373 / 55 S – 236 / 35
Number of Concurrent Resolutions Testified / Total Submitted:	H – 22 / 24 S – 17 / 25	H – 30 / 44 S – 11 / 17
Number of Concurrent Resolutions Adopted:	H – 6 S – 9	H – 11 S – 8

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Number of Governor's Messages Tracked:	S – 25	S – 29
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PREPARING FOR THE 2009 LEGISLATIVE SESSION

2009 LEGISLATIVE PROPOSALS

To prepare for the 2009 Legislative Session and to meet the Governor's and the Board of Regent's deadlines, the date below has been established for legislative proposals. The UH legislative package is scheduled to be discussed at the September meeting of the BOR.

<u>ACTION</u>	<u>NUMBER OF COPIES</u>	<u>UH DEADLINE</u>
Proposed bills and/or resolutions with justification sheets to the Government Relations Office (including the electronic version)	2	July 25, 2008

If your unit requires an extension, please notify Stephanie Kim at 956-4250 or via email at [scskim@hawaii.edu](mailto:scskim@hawaii.edu) as soon as possible. To prevent duplication or contradictions, please consult with others within the University System and with other state agencies affected by the proposed legislation prior to submitting the bills or resolutions to the Government Relations Office.

Attached to this memo is a list of reports requested by the Legislature or mandated by statute. Please review this list carefully since there are new reports due before the start of the 2009 Legislative Session.

ANNUAL AND REQUESTED REPORTS TO THE 2009 LEGISLATURE

<u>ACTION</u>	<u>NUMBER OF COPIES</u>	<u>UH DEADLINE</u>
Hard copy of final draft to the lead VP's Office & electronic copy to the Government Relations Office	1	November 14, 2008
Lead VP's approval or request for Changes to report		November 28, 2008
Report in final form to the Government Relations Office	40	December 12, 2008

Hard copies of both the legislative proposals and annual reports should be sent to Bachman 109J with the electronic version sent to Stephanie Kim ([scskim@hawaii.edu](mailto:scskim@hawaii.edu)) and Robbie Watland ([watland@hawaii.edu](mailto:watland@hawaii.edu)). The electronic versions of all annual reports will be available for online access at <http://www.hawaii.edu/govrel>.

UNIVERSITY OF HAWAII  
ANNUAL REPORTS TO THE 2009 LEGISLATURE  
revised 10/2/2008

STATUTE/BILL/ RESO#	TITLE	LEAD OFFICE	LEAD VP
<b>ANNUAL REPORTS</b>			
HRS 37-74	Annual Report on Transfer of Appropriated Funds and Positions	CFO	CFO
HRS 40-82 (Act 243, SLH 2001)	Annual Report Summarizing Uncollectible Accounts	UGC	UGC
HRS 304A-106	Annual Report on Trust Fund Revenues & Gifts	CFO	CFO
HRS 304A-302	Annual Report on Progress of Career and Technical Education	CTE	BOR
HRS 304A-1004	Annual Report on Salary	VPA	VPA
HRS 304A-1144 (Act 234, SLH 2006)	Annual Report on the Construction Academy Curriculum	VPCC	VPCC
HRS 304A-1202	Annual Report on Teacher Education Coord Comm	Mānoa	VPAPP
HRS 304A-1203	Annual Report on the Hawaii Institute for Educational Partnership	Mānoa	VPAPP
HRS 304A-1704 (Act 181, SLH 2003)	Annual Report from the Medical Education Council	Mānoa	VPR
HRS 304A-1891 (Act 253, SLH 2007)	Annual Report from HNEI on expenditures, contracts, activities, technology	Mānoa	VPR
HRS 304A-2001	Programs Relative to Benchmarks (due 2nd year of biennium)	VPAPP	VPAPP
HRS 304A-2007	Annual Report on Income & Expenditures on all Special and Revolving Funds	CFO	CFO
HRS 304A-2151 (Act 186, SLH 2003)	Annual Report on Risk Management	UGC/Risk Mgmt	UGC
HRS 304A-2153	UH Tuition & Fees Special Fund for Fundraising	UHF	CFO
HRS 304A-2159	UH Student Scholarship & Assistance Special Fund	VPSA	VPSA
HRS 304A-2253	Annual Report on Research & Training Revolving Fund	VPR	VPR
HRS 304A-2273	Annual Report on the Community College Conference Center Revolving Fund	VPCC	VPCC
HRS 304A-2689 (Act 161, SLH 2007)	Annual Report of all Revenue Bonds Issued	CFO	CFO
HRS 304A-3007	Annual Report from RCUH	RCUH	VPR
HRS 304A-3205	Annual Report in UH's continued participation in WICHE	BOR	VPAPP
HRS 304A-3253	Annual Report on Operations of the Hawaii Research Center for Future Studies	Mānoa	VPAPP
HRS 304A-3305 (SB 116, SLH 2005)	Annual Report on Nursing Scholars Program	Mānoa	VPAPP
Act 100, SLH 1999	Annual Report on Government Operations	VPAPP	VPAPP



UNIVERSITY OF HAWAII  
ANNUAL REPORTS TO THE 2009 LEGISLATURE  
revised 10/2/2008

STATUTE/BILL/ RESO#	TITLE	LEAD OFFICE	LEAD VP
Act 281, SLH 2007 (SB 688 SD2 CD1)	Annual Report from P-20 Initiative Council (due by December 31st of each year)	VPAPP	VPAPP
<b>2006 REQUESTS</b>			
Act 135, SLH 2006 (SB 2290 SD2 HD1 CD1)	Report on Personal Information Security Breach Notification	CIO	CIO
Act 136, SLH 2006 (SB 2292 SD2 HD1 CD1)	Report on Unauthorized Access Due to or After Disposal of Personal Information	CIO	CIO
Act 137, SLH 2006 (SB 2293 SD2 HD1 CD1)	Report on Notification of social security number disclosure	CIO	CIO
<b>2007 REQUESTS</b>			
Act 111, Sect 8, SLH 2007 (SB 885 SD2 HD3 CD1)	Report on Hawai'i Excellence through Science and Technology Academy Pilot Program Plans for 2008, implementation for 2009 and final report for 2010	VPCC	VPCC
Act 111, Sect 15, SLH 2007 (SB 885 SD2 HD3 CD1)	Report on STEM Professional Development Program for 2009; Report on the Transition to Teaching Program for 2009	Mānoa/VPAPP	VPAPP
Act 111, Sect 18, SLH 2007 (SB 885 SD2 HD3 CD1)	Report on the status of the Transition to Teaching program for 2009	Mānoa/VPAPP	VPAPP
Act 178, SLH 2007 (HB 367 HD1 SD1 CD1)	Report from JABSOM Substance Abuse Pilot Program for 2008 and 2009	Mānoa	VPR
Act 213, Sect 87, SLH 2007 (HB 500 HD1 SD1 CD1)	Report on the Hawaii AIDS Research Program for 2008 and 2009	Mānoa	VPR
Act 213, Sect 91, SLH 2007 (HB 500 HD1 SD1 CD1)	Report on the Imiloa Hawaii Astronomy Center for 2008 and 2009	Hilo	VPR
Act 213, Sect 93, SLH 2007 (HB 500 HD1 SD1 CD1)	Report on the Community Colleges Enrollment Growth for 2008 and 2009	VPCC	VPCC
Act 264, SLH 2007 (SB 1283 SD2 HD2)	Report on Revenue & Expenditures from the Tobacco Settlement Fund for 2009	CFO	CFO
<b>NEW REQUESTS</b>			
Act 11, Special Session 2008 (SB 2830 SD2 HD2 CD1 Part IV, Section 9)	Report on grandparents raising grandchildren for 2009 and final report due June 30, 2009	Mānoa	VPAPP

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STATUTE/BILL/ RESO#	TITLE	LEAD OFFICE	LEAD VP
Act 046, SLH 2008 (SB 2956 SD1 HD1)	Report by the Dept of Agriculture and UH CTAHR recommending short and long term initiatives to help ensure availability of fresh milk in Hawai'i for 2009	Mānoa	VPR
Act 158, SLH 2008 (HB 2500 HD1 SD1 CD1 Part 3, Section 90.1)	Report on UH Library collections and services for 2009	Mānoa	VPAPP
Act 158, SLH 2008 (HB 2500 HD1 SD1 CD1 Part 3, Section 90.2)	Report on UH Hyperbaric treatment center for 2009	Mānoa	VPR
Act 158, SLH 2008 (HB 2500 HD1 SD1 CD1 Part 3, Section 90.3)	Report on UH Security and prevention measures for 2009	VPA	VPA
Act 158, SLH 2008 (HB 2500 HD1 SD1 CD1 Part 4, Section 131.2)	Report on planning of UH Information Technology building for 2009	CIO	CIO
Act 173, SLH 2008 (SB 2146 SD2 HD1 CD1)	Interim Report by the Hawai'i Center for Nursing on their findings & funding alternatives for 2009	Mānoa	VPAPP
Act 188, SLH 2008 (HB 2978 HD1 SD2 CD1, Sect 2)	Annual Incentive & Performance Report (due by November of each year starting 2008)	CFO/VPAPP	CFO/VPAPP
Act 188, SLH 2008 (HB 2978 HD1 SD2 CD1, Sect 3)	Report by the UH Task Force on developing a budgetary system and funding formula for distribution of fiscal resources to UH campuses for 2009	CFO/VPAPP	CFO/VPAPP
Act 224, SLH 2008 (SB 3255 SD2 HD2 CD1)	Interim Report by the Long Term Care Commission on the development of the five-year plan & proposed system reforms (due by February 28, 2010), Final Report (due by September 30, 2010)	Mānoa	VPAPP
Act 225, SLH 2008 (SB 2833 SD1 HD1 CD1)	Review by the Public Policy Center on Hawai'i 2050 Sustainability Plan for 2010	Mānoa	VPAPP
HCR 116 SD1 (2008)	Report by ADSC on the needs of Hawai'i's Agricultural Industry for 2009	Mānoa	VPR

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HCR 138 HD2 SD1 (2008)	Preliminary Report by JABSOM on the current practices of Hawai'i's telemedicine system for 2009 and final report for 2010	Mānoa	VPR
HCR 260 HD1 (2008)	Report by UH Hilo on the agriculture programs developed by Kulani Correctional Facility for 2010	Hilo	VPAPP
HCR 357 HD1 (2008)	Report by CTAHR on the feasibility of constructing a multipurpose, multi-user processing facility in Ewa for 2009	Mānoa	VPR
SCR 118 SD1 HD1 (2008)	Progress Report by the Public Policy Center to propose a more effective and transparent public understanding of the funding for DOE programs and services for 2009 and final report for 2010	Mānoa	VPAPP
SCR 120 (2008)	Report by UH Manoa on a plan to develop, offer, or expand Philippine language and related courses at the University of Hawai'i campuses and public schools for 2009	Mānoa	VPAPP