

LEGISLATIVE REPORT
ON ISSUES IMPACTING THE UNIVERSITY OF HAWAI‘I SYSTEM
Passed by the 2013 Hawai‘i State Legislature



Prepared by the
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University of Hawai'i System

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**Bill descriptions provided by Legislative Reference Bureau’s “Bills Passed by the Hawai‘i State Legislature Regular Session of 2013”*

INTRODUCTION

On Thursday, May 2, 2013, the 27th Legislature of the State of Hawai‘i came to a close.

The 2013 legislative session was quite challenging for the University of Hawai‘i with a number of measures being introduced as a result of findings by the Senate Committee on Accountability investigation into a failed fundraising event for the UH Mānoa Athletics Department.

Some of the bills introduced that did not pass the legislature this session would have required the Board of Regents to: submit to the Legislature requests for salary range approvals; file annual financial interest disclosures which would be made public; have sole oversight of the University General Counsel; and prohibit the use of Tuition and Fees Special Funds for executive and managerial salaries. There were also resolutions introduced that asked for a state auditor’s review and the reintegration of UH Mānoa and the UH System.

Proposals of significance that passed the legislature included:

- HB 114 (Act 87, SLH 2013) among other things, requires that all UH procurements for professional services furnished by licensees under the professional engineers, architects, surveyors, and landscape architects law for construction projects be monitored by the State Procurement Office on behalf of the Board of Regents (BOR); and provides that the State Procurement Office shall not be responsible for procurements determined by both the university and the department to be professional services for repair and maintenance.

This bill also creates an independent audit committee, which shall be established within the BOR as an advisory body. The bill further requires the board to establish the charter of the independent audit committee and set forth its members' roles and responsibilities, consider changes to the independent audit committee's charter that are necessary in response to new laws, regulations, and best practices, and conduct an annual review of the independent audit committee's charter to reassess its adequacy and adopt any proposed and necessary changes to the charter.

- SB 563 (Act 72, SLH 2013) repeals the Regents Candidate Advisory Council (RCAC) for the Board of Regents of the University of Hawai‘i and establishes the Candidate Advisory Council for the Board of Regents of the University of Hawai‘i attached to the University of Hawai‘i; and provides that the members of RCAC shall serve until the member's current term expires.
- SB 1388 (Act 288, SLH 2013) amends provisions relating to the board of directors of the Research Corporation of the University of Hawai‘i (RCUH) by: reducing the number of members on the board of directors of RCUH to 8; reducing the number of members of the UH Board of Regents serving on the board of RCUH to 2; requiring the governor to appoint 1 member who shall be a University of Hawai‘i System research faculty member, 1 member who shall be from the business sector, and 1 member who shall be a representative of a non-University of Hawai‘i research organization; requiring 1 member to be appointed by the President of the Senate and 1 member appointed by the Speaker of the House of Representatives; and requiring the Vice President for Research of the University of Hawai‘i System to be a nonvoting exofficio member of the board of directors. The bill further provides that the exemption from the Hawai‘i public procurement code with respect to construction contracts shall not apply where state funds are used and compliance is required by a bill enacted by the legislature; repeals the president of the University of Hawai‘i serving as the president of RCUH; and requires RCUH to employ an executive director.

The Board of Regents approved a University of Hawai'i System fiscal biennium 2013-2015 operating budget request for an additional 88 positions and \$31.9 million in general funds in FY14, and an additional 123 positions and \$51.7 million in general funds in FY15. The Governor's request transmitted to the Legislature included an increase of \$7.480 million in general funds and no additional positions for the University System.

The Legislature approved an additional \$3.0 million in general funds for the UH West O'ahu campus and an additional \$4.0 million in general funds for the Community College System. However, the Legislature reduced the UH Mānoa campus' general funds by \$7.0 million and reduced UH Mānoa's authorized general fund position counts by 100 positions.

The Legislature also provided an additional \$5.0 million in general fund adjustments through specific legislative acts and/or appropriations to specific programs.

Finally, the Legislature appropriated \$4.5 million and \$3.9 million for salary restoration and negotiated salary increases, respectively, for HGEA and UPW members in FB13-15. However, the Legislature did not appropriate any general fund support for UHPA member negotiated salary adjustments in FB13-15.

HB 200 (Act 134, SLH 2013) appropriated a total of \$233.094 million for capital improvements for the University of Hawai'i for fiscal biennium 2013-2015. Of the \$233.094, \$205.494 million is in general obligation bonds, \$4.100 million is in special funds, and \$23.500 million is in revenue bonds.

Highlights include:

- \$57.000 million for Health, Safety, and Code Requirements
- \$50.000 million for Capital Renewal and Deferred Maintenance
- \$38.213 million for Honolulu Community College's Advanced Technology Training Center
- \$30.000 million for UH Mānoa's Snyder Hall Renovation
- \$2.000 million for Leeward Community College's Native Hawaiian Center for Excellence
- \$7.000 million for UH Mānoa's Law School Expansion
- \$11.800 million for UH West O'ahu's Allied Health Building

**SUMMARY OF LEGISLATION
PASSED BY THE 2013 STATE LEGISLATURE
OF INTEREST TO THE UNIVERSITY OF HAWAI‘I**

<u>House Bills</u>		<u>UH Position</u>	<u>Final Bill Status</u>
HB 0051	Debt Limit on General Obligation Bonds	Watched	Passed
HB 0062	Pharmacy Benefits Managers	Watched	Passed
HB 0065	Prescription Drug Benefits Law	Watched	Passed
HB 0079	Advance Practice Registered Nurse (Requirements)	Support	Passed
HB 0114	Chief Procurement Officers	Oppose	Passed
HB 0152	Workers' Compensation Medical Fee Schedule	Watched	Passed
HB 0197	Judiciary Appropriation	Watched	Passed
HB 0200	State Budget	Support	Passed
HB 0353	Coffee Berry Borer Infestation	Watched	Passed
HB 0417	Hawai'i Health Systems Corporation	Support	Passed
HB 0430	Taxation (Amends Act 97, SLH 2011)	Watched	Passed
HB 0471	Starlight Reserve	Support	Passed
HB 0504	Special and Revolving Funds (Auditor Report)	Watched	Passed
HB 0546	Hawai'i EUTF Task Force	Watched	Passed
HB 0560	Urban Gardening Programs	Watched	Passed
HB 0632	Open Data	Watched	Passed
HB 0635	Broadband Permits	Watched	Passed
HB 0652	Remote Dispensing Pharmacy	Watched	Passed
HB 0654	Center of Nursing	Support	Vetoed
HB 0673	Pesticides	Watched	Passed
HB 0749	Workforce Development Advisory Board	Support	Passed
HB 0805	Employees' Retirement System (IRS)	Watched	Passed
HB 0808	Employees' Retirement System (Civil Unions)	Watched	Passed
HB 0816	CB Unit 1 Appropriation	Support	Passed
HB 0833	CB Unit 10 Appropriation	Watched	Passed
HB 0847	Patient Safety	Watched	Passed
HB 0858	Hawai'i Growth Initiative	Support	Passed
HB 0919	State Employment (Civil Service)	Watched	Passed
HB 0924	CB (Hearing Notice)	Watched	Passed
HB 1133	Public Land (PLDC)	Watched	Passed
HB 1207	Medicaid (Patient Protection & Affordable Care Act)	Watched	Passed
HB 1258	Elder Affairs Advisory Board	Watched	Passed
HB 1374	Procurement (Competitive Sealed Bidding)	Oppose	Passed
HB 1396	Nisei Veterans Legacy Center	Support	Passed
<u>Senate Bills</u>		<u>UH Position</u>	<u>Final Bill Status</u>
SB 0032	Electronic Record	Watched	Passed
SB 0044	Advanced Practice Registered Nurses (Defines)	Support	Passed
SB 0046	Post-Secondary Education	Support	Passed
SB 0048	Aerospace Advisory Committee	Watched	Passed
SB 0102	Elderly (Financial Abuse)	Support	Passed
SB 0244	Charter Schools (Financial Audit)	Watched	Passed
SB 0306	Medicaid (Task Force)	Watched	Passed
SB 0326	Agriculture (Task Force)	Watched	Passed
SB 0327	Agriculture (Diversified Agriculture)	Watched	Passed
SB 0409	Mahina 'Olelo Hawai'i	Watched	Passed
SB 0482	Agriculture (Honey)	Watched	Passed

<u>Senate Bills (continued)</u>		<u>UH Position</u>	<u>Final Bill Status</u>
SB 0532	Breastfeeding in Workplace	Watched	Passed
SB 0563	Regents Candidate Advisory Council	Watched	Passed
SB 0606	Student Employees	Support	Passed
SB 0697	Aerospace	Watched	Passed
SB 0722	Inventory of Public Buildings, Facilities, and Sites	Watched	Passed
SB 0757	Future Farmers of America	Watched	Passed
SB 0867	Hawai'i EUTF (Health Benefits)	Watched	Passed
SB 0895	CB Unit 2, 3, 4 (Appropriations)	Watched	Passed
SB 0902	CB Unit 8 (Appropriations)	Support	Passed
SB 0908	CB Unit 9 (Appropriations)	Watched	Passed
SB 1003	Information Technology	Watched	Passed
SB 1036	Employees' Retirement System (Personnel)	Watched	Passed
SB 1084	Early Childhood Education	Support	Passed
SB 1093	Pre-School Readiness	Support	Passed
SB 1221	Flight Training Center & Aeronautical Program	Support	Passed
SB 1256	PISCES	Support Intent	Passed
SB 1340	Foster Care	Watched	Passed
SB 1349	Tax Credit for Research Activities	Watched	Passed
SB 1388	RCUH	Oppose	Passed

HOUSE BILLS**HB 0051 SD1 CD1 RELATING TO STATE BONDS****Act 132 (06/18/13)**

Establishes debt limit on general obligation bonds. Authorizes the issuance of general obligation bonds. Authorizes the issuance of general obligation bonds to refund any general obligation bonds. (\$\$) -- HB0051 CD1

INTRODUCED BY: Luke S
UH POSITION: Watched
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
June 18, 2013 – Signed into law, Act 132

HB 0062 HD2 SD2 CD1 RELATING TO PHARMACY BENEFITS MANAGERS**Act 225 (06/27/13)**

Establishes provisions relating to pharmacy benefits managers; health information; prohibited marketing practices. Prohibits a pharmacy benefits manager from using an individual's health information for the purpose of marketing, unless the use of the individual's health information is medically necessary to the health and safety of the individual, the use of the individual's health information is consistent with regulations of the federal Centers for Medicare and Medicaid, or the individual has affirmatively opted in to use of the information; or from selling or disseminating such information unless the sale or dissemination complies with all federal and state laws and the pharmacy benefits manager has received written approval for such sale or dissemination from the employee benefit plan, health benefits plan, or managed care plan sponsor, and the individual; or from contacting an individual by any means without the express written permission. Allows the use of a patient's health information that is used in conjunction with an insurer authorized program to more effectively use prescription drugs to improve the health and safety of the individual. Requires a pharmacy benefits manager to provide each individual with an opportunity to affirmatively opt in to the sale or dissemination of their health information prior to entering into any arrangement for the lease, rental, dissemination, or sale of such information to any arrangement for the lease, rental, dissemination, or sale of such information to any other entity or to any subsidiary owned by the pharmacy benefits manager, provided that an individual may freely revoke the affirmative opt in at any time. -- HB0062 CD1

INTRODUCED BY: Evans C, Morikawa D, Mizuno J
UH POSITION: Watched
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
June 27, 2013 – Signed into law, Act 225

HB 0065 HD2 SD2 CD1 RELATING TO PRESCRIPTION DRUGS**Act 226 (06/27/13)**

Establishes the prescription drug benefits law. Allows an otherwise qualified retail community pharmacy registered to do business in this State to enter into a contractual retail pharmacy network agreement. Prohibits a prescription drug benefit plan, health benefits plan or pharmacy benefit manager to refuse to accept an otherwise qualified retail community pharmacy of a pharmacy benefit manager's retail pharmacy network. Requires the insurance commissioner to determine the standards and requirements necessary for a retail community pharmacy to be deemed otherwise qualified. Provides that if a retail community pharmacy enters into a contractual retail pharmacy network agreement a prescription drug benefit plan, health benefits plan or pharmacy benefit manager shall permit each beneficiary, at the

beneficiary's option, to fill any covered prescription that may be obtained by mail order at any retail community pharmacy of the beneficiary's choice within the pharmacy benefit manager's retail pharmacy network. Provides that no later than March 31 of each calendar year, requires each prescription drug benefit plan, health benefits plan and pharmacy benefit manager shall file with the insurance commissioner a report for the preceding calendar year stating that the pharmacy benefit manager or prescription drug benefit plan is in compliance and disclose the amount, terms, and conditions relating to copayments, reimbursement options, and other payments associated with a prescription drug benefit plan. Requires the insurance commission to review and examine records supporting the accuracy and completeness of the report. Establishes penalties. Allows a pharmacy benefit manager or prescription drug benefit plan provider to appeal any decision made by the insurance commissioner. Establishes provisions relating to prescription drugs; mail order opt out option. Requires a Hawai'i employer union health benefits trust fund health benefits plan to permit each beneficiary to fill any covered prescription. Requires each pharmacy benefit manager, prescription drug benefit plan provider, and the Hawai'i employer union health benefits trust fund to submit a report to the legislature. Exempts contacts negotiated between pharmacy benefit managers and community retail pharmacies with a rural pharmacy designation pursuant to federal law. -- HB0065 CD1

INTRODUCED BY: Evans C, Morikawa D, McKelvey A, Mizuno J
 UH POSITION: Watched
 CURRENT STATUS: May 7, 2013 – Transmitted to Governor
 June 27, 2013 – Signed into law, Act 226

HB 0079 HD1 RELATING TO ADVANCED PRACTICE REGISTERED NURSES

Act 019 (04/18/13)

Amends provisions relating to advance practice registered nurse; qualifications; recognition; endorsement; fees; eligibility. Requires the Board of Nursing to grant recognition as an advanced practice registered nurse to a nurse who has completed an accredited graduate level education program preparing the nurse for 1 of the 4 recognized advanced practice registered nurse roles. -- HB0079 HD1

INTRODUCED BY: McKelvey A, Kobayashi B, Belatti D, Morikawa D
 UH POSITION: Support
 CURRENT STATUS: April 4, 2013 – Transmitted to Governor
 April 18, 2013 – Signed into law, Act 019

HB 0114 HD3 SD2 CD1 RELATING TO HIGHER EDUCATION

Act 087 (05/31/13)

Amends provisions relating to chief procurement officers. Provides that the administrator of the state procurement office of the Department of Accounting and General Services shall be the chief procurement officer for procurements for construction and professional services furnished by licensees under the professional engineers, architects, surveyors, and landscape architects law by the University of Hawai'i. -- Amends provisions relating to powers of the Board of Regents of the University of Hawai'i. Requires that all procurements for professional services furnished by licensees under the professional engineers, architects, surveyors, and landscape architects law for construction projects to be coordinated with the Department of Accounting and General Services on behalf of the board. Provides that the department shall not be responsible for procurements determined by both the university and the department to be professional services for repair and maintenance. -- Establishes provisions relating to independent audit committee; established. Establishes the committee within the board as an advisory body. Requires the board to establish the charter of the independent audit committee and set forth its members' roles and responsibilities, consider changes to the independent audit committee's charter that are necessary in response to new laws, regulations, and best practices, and conduct an annual review of the independent

audit committee's charter to reassess its adequacy and adopt any proposed and necessary changes to the charter. Requires the independent audit committee to undertake professional development to improve the financial expertise of the independent audit committee as a whole. Requires the committee to engage in operations relating to enterprise risk management including providing oversight of risk management, inquiring of the president of the University of Hawai'i, the chief financial officer of the university, and external auditors about significant risks or exposures faced by the university, assessing steps that the president has taken or proposes to take to minimize those risks to the university, periodically reviewing compliance with those steps, and reviewing with the general counsel of the University of Hawai'i, external auditors, external counsel, and the chief financial officer of the university legal and regulatory matters that, in the opinion of the president may have a material impact upon the financial statements, related organization compliance policies, and programs and reports received from regulators. Requires the committee to hold meetings at least twice a year. Requires the committee to annually review its effectiveness and report to the Board of Regents. Further requires the report to address other matters affecting the management and organization of the university. Requires the committee to review with any external auditor and the chief financial officer of the university matters affecting the internal control and internal audit, review matters affecting the accounting policies and procedures of the university, review the university's antifraud programs and controls and aid in discovery and remedy, select 1 or more external auditors to be retained by the university, annually evaluate any external auditor. Allows the committee to hire external auditors, legal counsel, or other consultants as necessary. Requires the committee to annually report to the legislature and the board. -- Requires the administrator of the state procurement office to report of the administrator's findings and recommendations, including any proposed legislation, relating to the transparency, efficiency, and compliance of the University of Hawai'i's procurement of construction contracts and construction related consultant services pursuant to the Hawai'i Public Procurement Code. -- HB0114 CD1

INTRODUCED BY: Choy I
 UH POSITION: Oppose
 CURRENT STATUS: May 7, 2013 – Transmitted to Governor
 May 31, 2013– Signed into law, Act 087

HB 0152 HD1 SD2 CD1 RELATING TO WORKERS' COMPENSATION MEDICAL FEE SCHEDULES

Act 097 (06/14/13)

Requires the legislative auditor after consulting with the director of labor and industrial relations and representatives of relevant entities to identify the medical or health care services or procedures for which fees are a significant impediment to injured employees obtaining treatment from providers of those services or procedures and require adjustment to ensure that injured employees are able to obtain adequate access to treatment from those providers. Requires the auditor after identification of the medical or health care services and procedures and upon further consultation with the director and representatives of relevant entities, to establish a methodology for the statistically valid survey of prevailing charges necessary for the adjustment of fees. Requires the auditor after establishing the survey methodology to conduct the survey of prevailing charges for the services and procedures for fee adjustments and recommend the appropriate fee adjustment based upon the survey results. Requires the auditor to transmit the recommendations to the director no later than June 1, 2014. Allows the director to take action to adjust the fees for the medical or health services or procedures identified by the auditor as requiring adjustment. Requires the director to have the discretion to adjust the fee to the amount recommended by the auditor or another amount deemed necessary. Allows the director labor and industrial relations until January 1, 2015, to adjust the fees identified by the auditor and hold at least 1 public hearing, with at least 6 days of public notice in each county before final approval of any adjustment. Requires the auditor to recommend a formalized process for the mandatory periodic review by the director of the medical fee schedule or certain fees in the schedule. Report to the legislature and the director. Appropriation. (\$\$) -- HB0152 CD1

INTRODUCED BY: Souki J, Belatti D, Luke S, Nakashima M
 UH POSITION: Watched
 CURRENT STATUS: May 7, 2013 – Transmitted to Governor
 June 14, 2013 – Signed into law, Act 097

HB 0197 HD2 SD2 CD1 RELATING TO THE JUDICIARY

Act 133 (06/18/13)

Judiciary appropriations Act of 2013 (judiciary budget). Appropriations to the judiciary for the 2013 - 2015 fiscal biennium. (\$\$) -- HB0197 CD1

INTRODUCED BY: Souki J (BR)
 UH POSITION: Watched
 CURRENT STATUS: May 7, 2013 – Transmitted to Governor
 June 18, 2013 – Signed into law, Act 133

HB 0200 HD1 SD1 CD1 RELATING TO THE STATE BUDGET

Act 134 (06/18/13)

General Appropriations Act of 2013 (state budget). Appropriations for general operating and capital improvement funds for the support of state government operations over the 2013 - 2015 fiscal biennium. Authorizes the issuance of general obligation bonds. (\$\$) -- HB0200 CD1

INTRODUCED BY: Souki J (BR)
 UH POSITION: Support
 CURRENT STATUS: April 30, 2013 – Transmitted to Governor
 June 18, 2013 – Signed into law, Act 134

HB 0353 HD1 SD2 CD1 RELATING TO AGRICULTURE

Act 198 (06/26/13)

Appropriation to the Department of Agriculture to research and develop methods for the prevention and treatment of coffee berry borer infestations; to fund efforts to control and mitigate the damage from the coffee berry borer infestation in Hawai'i. Requires matching funds. (\$\$) -- HB0353 CD1

INTRODUCED BY: Lowen N, Coffman D, Onishi R, Wooley J, Hanohano F, Nakashima M, Tsuji C
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2013 – Transmitted to Governor
 June 26, 2013 – Signed into law, Act 198

HB 0417 HD2 SD1 CD1 RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION

Act 271 (07/09/13)

Appropriation to the Hawai'i Health Systems Corporation for the primary care training program at Hilo medical center. (\$\$) -- HB0417 CD1

INTRODUCED BY: Nakashima M, Coffman D, Onishi R, Lowen N, Hanohano F, Evans C, Belatti D

UH POSITION: Support
CURRENT STATUS: May 6, 2013 – Transmitted to Governor
July 9, 2013 – Signed into law, Act 271

HB 0430 HD1 SD1 CD1 RELATING TO TAXATION**Act 256 (07/02/13)**

Amends Act 97, Session Laws of 2011, establishing itemized deduction; limitations. Provides that the cap amounts shall not apply to charitable contributions deductible under income tax laws. -- HB0430 CD1

INTRODUCED BY: Saiki S, Lee C
UH POSITION: Watched
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
July 2, 2013 – Signed into law, Act 256

HB 0471 HD1 SD1 CD1 RELATING TO STARLIGHT RESERVE**Act 109 (06/14/13)**

Amends Act 161, Session Laws of 2009, as amended by Act 39, Session Laws of 2011, relating to the development of a statewide starlight reserve strategy by extending the advisory committee to June 30, 2015 (sunset). -- HB0471 CD1

INTRODUCED BY: Ward G
UH POSITION: Support
CURRENT STATUS: May 6, 2013 – Transmitted to Governor
June 14, 2013 – Signed into law, Act 109

HB 0504 HD1 SD1 RELATING TO STATE FUNDS**Act 130 (06/14/13)**

Amends provisions relating to new special or revolving funds. Requires the legislative auditor in analyzing each legislative bill proposing to establish a new special or revolving fund to include the need for the fund as demonstrated by the program's purpose, the scope of the program including financial information on fees to be charged, sources of projected revenue, and costs, and an explanation of why the program cannot be implemented under the general fund appropriation process. Further requires the fund to reflect a clear nexus between the benefits sought and charges made upon the program users or beneficiaries or a clear link between the program and the sources of revenue. Requires the auditor to review special funds. Requires the auditor to submit reviews of the special, revolving, and trust funds of the department of transportation and the department of defense every 5 years. -- Amends provisions relating to criteria for the establishment and continuance of special funds. Requires the legislature in establishing or reviewing a special fund or revolving fund to determine whether the fund should be continued to ensure that the fund serves a need, as demonstrated by the purpose of the program to be supported by the fund; the scope of the program, including financial information on fees to be charged, sources of projected revenue, and costs; and an explanation of why the program cannot be implemented successfully under the general fund appropriation process; reflects a clear nexus between the benefits sought and charges made upon the program users or beneficiaries or a clear link between the program and the sources of revenue and is used only when the means of financing is essential to the successful operation of the program or activity. -- HB0504 SD1

INTRODUCED BY: Jordan J, Cabanilla R, Yamashita K, Say C, Oshiro M, Ing K, Ito K, Ichiyama L, Hanohano F

UH POSITION: Watched
 CURRENT STATUS: May 7, 2013 – Transmitted by Governor
 June 14, 2013 – Signed into law, Act 130

**HB 0546 HD2 SD2 CD1 RELATING TO THE HAWAII EMPLOYER-UNION
 HEALTH BENEFITS TRUST FUND**

Act 268 (07/03/13)

Establishes a Hawai'i employer union health benefits trust fund task force within the Department of Budget and Finance for the purpose of examining the unfunded liability of the trust fund. Requires the task force to cease on June 30, 2014 (sunset). Requires the task force to examine the unfunded liability of the trust fund, including current and projected unfunded actuarial accrued liability; the availability of medical benefits plans other than plans that pay or reimburse medical services providers under a fee for service model; the costs and benefits of alternative medical benefits plans in relation to the medical benefits plans currently offered by the trust fund; an evaluation of the costs and process of transitioning from the current medical benefits plans to an alternative medical benefits plan, including recommended proposed legislation; an evaluation of the current structure of state and county public employers paying a percentage of health insurance policy premiums and providing recommendations for a benefits plan for prospective employees; and any other matters relevant to gaining a full and meaningful understanding of the circumstance of the trust fund. Report to the legislature. Appropriation. -- Establishes provisions relating to the payment of public employer contributions to the other post employment benefits trust. Requires each of the counties and all other public employers to make annual required contributions for the benefit of their retirees and beneficiaries. Requires the board to determine the annual required contribution owed by each public employer. -- Amends provisions relating to other powers. Allows the board to retain an actuary to determine the annual required public employer contribution for the separate trust fund. -- Amends provisions relating to other post employment benefits trust. Requires the board to establish and maintain a separate account for each public employer within the separate trust fund to accept and account for each public employer's contributions. -- Amends provisions relating to remittances to the State. Requires a sum from all general excise tax revenues realized by the State that represents the difference between the state public employer's annual required contribution for the separate trust fund and the amount of the state public employer's contributions into the trust fund be deposited to the credit of the State's annual required contribution into that trust fund in each fiscal year. -- Amends provisions relating to the transient accommodations tax. Provides that a sum that represents the difference between a county public employer's annual required contribution for the separate trust fund and the amount of the county public employer's contributions into that trust fund shall be retained by the state director of finance and deposited to the credit of the county public employer's annual required contribution into that trust fund in each fiscal year. -- Establishes the annual contributions for 2014 -2015 to 2018 - 2019. Report to the legislature. Appropriation. (\$\$) -- HB0546 CD1

INTRODUCED BY: Choy I, Coffman D, Say C, Oshiro M
 UH POSITION: Watched
 CURRENT STATUS: May 7, 2013 – Transmitted to Governor
 July 3, 2013 – Signed into law, Act 268

**HB 0560 HD1 SD1 CD1 RELATING TO AFFORDABLE HOUSING URBAN
 GARDENING**

Act 202 (06/26/13)

Establishes provisions relating to urban gardening programs. Authorizes the Hawai'i housing and development corporation and the Hawai'i community development authority to develop programs that provide incentives for the development of housing projects that incorporate urban gardening programs, provided that the college of tropical agriculture and human resources of the University of Hawai'i at

Mānoa shall be consulted regarding best practices in urban gardening, including vertical gardening, aquaponics, and community gardening. -- HB0560 CD1

INTRODUCED BY: Har S, Carroll M, Ichiyama L, Ito K, Takayama G, Fale R, Oshiro M, Hashem M, Jordan J, Say C, Cullen T, Cabanilla R, Yamane R, Kawakami D, Aquino

UH POSITION: Watched

CURRENT STATUS: May 6, 2013 – Transmitted to Governor
June 26, 2013 – Signed into law, Act 202

HB 0632 HD2 SD2 CD1 RELATING TO OPEN DATA

Act 263 (07/03/13)

Establishes provisions relating to electronic data set availability; updates. Requires each executive branch department to use reasonable efforts to make appropriate and existing electronic data sets maintained by the department electronically available to the public through the State's open data portal, provided that nothing shall require departments to create new electronic data sets or to make datasets available upon demand, and provided further that data licensed to the state by another person or entity shall not be made public unless the person or entity licensing the data agrees to the public disclosure. Prohibits any personally identifiable information from being posted online unless the posting has been consented to by the individual or is necessary to fulfill the lawful purposes or duties of the department. Requires each department to update its electronic data sets as often as is necessary to preserve the integrity and usefulness of the data sets. -- Establishes provisions relating to state liability for data sets. Requires that data sets be available for informational purposes only. Exempts the State from warranting the fitness of any data set for a particular purpose and being liable for any deficiencies in the completeness or accuracy of any data set, except where the State's conduct would constitute gross negligence, wilful and wanton misconduct, or intentional misconduct. -- Establishes provisions relating to data set licensing. Allows the chief information officer of the Office of Information Management and Technology to make data sets available to 3rd parties pursuant to a license, which may require the licensee to allow any user to copy, distribute, display, or create derivative works at no cost and with an appropriate level of conditions placed on the use. -- Establishes data set policies and procedures. Requires the chief information officer, in consultation with the office of information practices, to develop policies and procedures to implement the open data initiative, including which data sets are appropriate for public disclosure provided that the standards shall not require the departments to post information that is otherwise required to be disclosed; but is personally identifiable information, information that may pose a personal or public security risk, is of minimal public interest, or is otherwise inappropriate for online disclosure as part of a data set. Appropriation for 1 full time equivalent position within the office of information practices. (\$\$) -- HB0632 CD1

INTRODUCED BY: Tsuji C, Say C, Takayama G, Ito K, Oshiro M

UH POSITION: Watched

CURRENT STATUS: May 7, 2013 – Transmitted to Governor
July 3, 2013 – Signed into law, Act 263

HB 0635 HD2 SD1 CD1 RELATING TO BROADBAND

Act 264 (07/03/13)

Establishes provisions relating to broadband related permits; automatic approval. Requires the State to approve, approve with modification, or disapprove all applications for broadband related permits within 60 business days of submission of a complete permit application and full payment of any applicable fee; provided that the application is not for a conservation district use for broadband facilities. Provides that if on the 61st business day an application is not approved, approved with modification, or disapproved, it shall be deemed approved by the State. Requires the State to approve, approve with modification, or

disapprove use applications for broadband facilities within the conservation district within 45 days of submission of a complete application and full payment of any applicable fee. Provides that if on the 46th day, an application is not approved, approved with modification or disapproved by the State, the application shall be deemed approved by the State. Requires an applicant and a public utility to comply with all applicable safety and engineering requirements relating to the installation, improvement, construction, or development of infrastructure relating to broadband service or broadband technology. Prohibits prosecution against the State, its officials, or employees on account of actions taken in reviewing, approving modifying, or disapproving a permit application or against public utilities resulting from such actions. Requires the State to notify the applicant if the application is incomplete. – Establishes provisions relating to broadband related permits; automatic approval by a county. Requires the county to approve, approve with modification, or disapprove all applications for broadband related permits within 60 business days of submission of a complete permit application and full payment of any applicable fee. Provides that if on the 61st business day an application is not approved, approved with modification, or disapproved, it shall be deemed approved by the county. Requires an applicant and a public utility to comply with all applicable safety and engineering requirements relating to the installation, improvement, construction, or development of infrastructure relating to broadband service or broadband technology. Prohibits prosecution against any county, its officials, or employees on account of actions taken in reviewing, approving modifying, or disapproving a permit application or against public utilities resulting from such actions. Requires the county to notify the applicant if the application is incomplete. -- Amends Act 151, session laws of 2011. Requires an applicant to comply with all applicable safety and engineering requirements relating to the installation, improvement, construction, or development of infrastructure relating to broadband service. -- Provides that the overall weight load on the utility pole does not exceed maximum utility pole safe weight capacities established by the Federal Communications Commission and the public utilities commission. Act to be repealed on June 30, 2018 (sunset). -- HB0635 CD1

INTRODUCED BY: Yamashita K, Ito K, Jordan J, Hashem M, Oshiro M, Takayama G, Har S, Yamane R, Ichiyama L
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2013 – Transmitted to Governor
 July 3, 2013– Signed into law, Act 264

HB 0652 SD2 CD1 RELATING TO REMOTE DISPENSING

Act 184 (06/25/13)

Amends provisions relating to remote dispensing pharmacy; operations. Prohibits remote dispensing pharmacies; provided that this does not apply to the 2 existing remote dispensing pharmacies operated by the Waianae Coast Comprehensive Health Center in Nanakuli and Waianae until June 1, 2014. -- Amends Act 212, session laws of 2008, as amended by Acts 11 and 96, session laws of 2009, relating to remote dispensing pharmacy, by extending the sunset date to January 1, 2016. -- HB0652 CD1

INTRODUCED BY: Belatti D
 UH POSITION: Watched
 CURRENT STATUS: May 7, 2013 – Transmitted to Governor
 June 25, 2013 – Signed into law, Act 184

HB 0654 HD2 SD1 RELATING TO NURSING

Vetoed (07/08/13)

Amends provisions relating to the Center for Nursing; establishment; advisory board. Changes the requirements that 3 members represent the Hawai'i Nurses' Association to represent professional organizations related to health. -- Amends provisions relating to collaboration with the Center for

Nursing. Requires the professional and vocational licensing division of the Department of Commerce and Consumer Affairs to collaborate with the center for nursing to enable the Center for Nursing to obtain nursing related data, including but not limited to workforce data of nurses licensed in the State. Provides that the survey shall be requested as part of the nurse license renewal requirements. -- HB0654 SD1

INTRODUCED BY: Belatti D, Morikawa D, Brower T, Nakashima M, Lee C, Kobayashi B, Wooley J, Mizuno J
 UH POSITION: Support
 CURRENT STATUS: April 29, 2013 – Transmitted to Governor
 June 24, 2013 – Governor's Intent to Veto
 July 8, 2013 – Vetoed by Governor

HB 0673 HD2 SD2 CD1 RELATING TO PESTICIDES

Act 105 (06/14/13)

Establishes provisions relating to pesticide use; posting online. Requires the department of agriculture to publish on its website the public information contained in all restricted use pesticide records, reports, or forms submitted to the department, except those records, reports or forms required by the department for restricted use pesticides used for structural pest control; provided that the department shall not post information on its website protected by privacy provisions. -- Requires the legislative reference bureau to conduct a study on pesticides that includes whether other states impose any type of reporting requirements on pesticides that do not fall within the definition of a restricted use pesticide, and if so, the details of the reporting requirement and any other relevant information, to the extent ascertainable. Report to the legislature. -- HB0673 CD1

INTRODUCED BY: Morikawa D, Mizuno J, Hanohano F
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2013 – Transmitted to Governor
 June 14, 2013 – Signed into law, Act 105

HB 0749 HD2 SD2 CD1 RELATING TO WORKFORCE DEVELOPMENT

Act 099 (06/14/13)

Establishes the Hawai'i agriculture workforce advisory board within the department of labor and industrial relations to be responsible for developing the next generation of agriculture industry workforce in the State; the mission, direction, and goals of the advisory board; develop partnerships with agricultural organizations and stakeholders to further the advisory board's mission and objectives; maintaining and supporting the National Future Farmers of America (FFA) Organization within the State; and recommending projects and programs to promote the expansion and development of the agricultural industry in the State. -- HB0749 CD1

INTRODUCED BY: Nakashima M, Nishimoto S, Onishi R, Lowen N, Evans C, Hanohano F, Belatti D, Lee C, Saiki S, Takumi R
 UH POSITION: Support
 CURRENT STATUS: May 6, 2013 – Transmitted to Governor
 June 14, 2013 – Signed into law, Act 099

HB 0805 HD1 SD2 CD1 RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM**Act 124 (06/14/13)**

Amends provisions relating to the pension and retirement systems law to comply with Internal Revenue Code requirements and pre ERISA vesting rules to maintain the employees' retirement system status as a tax qualified plan. Provides that a member's right to the member's accrued retirement benefit is a non forfeitable upon the attainment of normal retirement age and the completion of the requisite years of credited service. Provides that normal retirement age is 65 and class A and B members who became members before July 1, 2012, the requisite years of credited services if 5 years and for class A and B members who became members after June 30, 2012, the requisite years of credited service is 10 years. Establishes rules to apply for the purpose of applying the limitations in section 415(b) of the Internal Revenue Code. -- HB0805 CD1

INTRODUCED BY: Souki J (BR)
UH POSITION: Watched
CURRENT STATUS: May 6, 2013 – Transmitted to Governor
June 14, 2013 – Signed into law, Act 124

HB 0808 HD1 SD1 RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM**Act 123 (06/14/13)**

Establishes provisions relating to civil unions. Requires that under the Hawai'i pension and retirement systems law the terms married, marriage, marital, husband, wife, or similar spousal terms include civil union partners and civil unions. -- Amends provisions relating to federal tax qualification requirements. Prohibits civil union partners from receiving the rights of spouses under the Internal Revenue Code. -- HB0808 SD1

INTRODUCED BY: Souki J (BR)
UH POSITION: Watched
CURRENT STATUS: April 19, 2013 – Transmitted to Governor
June 14, 2013 – Signed into law, Act 123

HB 0816 SD1 CD1 MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS**Act 079 (05/21/13)**

Appropriation to the director of finance, chief justice, and Hawai'i health systems corporation for all collective bargaining cost items for collective bargaining unit 1 (nonsupervisory blue collar employees) and for salary increases and other cost adjustments for employees excluded from collective bargaining. (\$\$) -- HB0816 CD1

INTRODUCED BY: Souki J (BR)
UH POSITION: Support
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
May 21, 2013 – Signed into law, Act 079

HB 0833 HD1 SD1 CD1 MAKING EMERGENCY APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS**Act 081 (05/21/13)**

Appropriation to the director of finance, chief justice, and Hawai'i health systems corporation for all collective bargaining cost items for collective bargaining unit 10 (institutional, health, and correctional workers) and for salary increases and other cost adjustments for employees excluded from collective bargaining and who belong to the same compensation plans as those employees within collective bargaining unit 10. (\$\$) -- HB0833 CD1

INTRODUCED BY: Souki J (BR)
UH POSITION: Watched
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
May 21, 2013 – Signed into law, Act 081

HB 0847 HD2 SD1 RELATING TO ENFORCEMENT TOOLS TO IMPROVE PATIENT SAFETY**Act 219 (06/27/13)**

Amends provisions relating to the medicine and surgery law. Authorizes the Hawai'i medical board to summarily suspend a license and order a licensee to submit to a physical and mental examination under specific circumstances. -- HB0847 SD1

INTRODUCED BY: Souki J (BR)
UH POSITION: Watched
CURRENT STATUS: May 6, 2013 – Transmitted to Governor
June 27, 2013 – Signed into law, Act 219

HB 0858 HD1 SD1 CD1 RELATING TO THE HI GROWTH INITIATIVE**Act 274 (07/09/13)**

Establishes provisions relating to Hawai'i growth initiative; report to legislature. Requires the corporation to submit an annual report to the legislature on the specific annual outcome achieved through the activities and expenditures of the Hawai'i growth initiative to develop and strengthen the core capabilities of entrepreneurialism, commercialization, and business formation, in order for Hawai'i to develop globally competitive high growth companies. Appropriation to the Hawai'i strategic development corporation revolving fund to implement an investment program. Appropriation out of the fund. (\$\$) -- HB0858 CD1

INTRODUCED BY: Souki J (BR)
UH POSITION: Support
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
July 9, 2013 – Signed into law, Act 274

HB 0919 RELATING TO STATE EMPLOYMENT**Act 030 (04/22/13)**

Amends provisions relating to civil service and exemptions. Requires the civil service positions to comprise all positions in the State now existing or hereafter established and embrace all personal services performed for the State, except employees engaged in special, research, or demonstration projects approved by the governor; positions filled by inmates, patients or state institutions, persons with severe

physical or mental disabilities participating in the work experience training; positions filled with students in accordance with guidelines for established state employment; and positions that provide work experience training or temporary public service employment that are filled by persons entering the workforce or persons transitioning into other careers under programs such as federal Workforce Investment Act of 1998, as amended, or the Senior Community Service Employment Program of the Employment and Training Administration of the US Department of Labor, or other similar state programs; and positions filled by persons with severe disabilities who are certified by the state vocational rehabilitation office that they are able to perform safely the duties of the positions. -- HB0919

INTRODUCED BY: Souki J (BR)
 UH POSITION: Watched
 CURRENT STATUS: April 5, 2013 – Transmitted to Governor
 April 22, 2013 – Signed into law, Act 030

HB 0924 HD1 SD2 CD1 RELATING TO COLLECTIVE BARGAINING

Act 098 (06/14/13)

Establishes provisions relating to hearings notice. Requires the labor relations board to give written notice of a hearing by 1st class mail at least 15 days before the hearing. -- HB0924 CD1

INTRODUCED BY: Souki J (BR)
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2013 – Transmitted to Governor
 June 14, 2013 – Signed into law, Act 098

HB 1133 SD2 RELATING TO PUBLIC LAND

Act 038 (04/22/13)

Repeals the public land development corporation. Amends Act 117, Session Laws of 2012, by repealing the provision that the corporation assist in determining an appropriate site for the Pu'uhonua (Puuhonua) or Wellness Center. -- Transfers any funds appropriated to the department of land and natural resources that are unexpended and unencumbered as of the effective date of this Act to the land conservation fund. Transfers any proceeds generated and deposited into the stadium facilities special fund that are expended and unencumbered as of the effective date of this Act to the general fund. Transfers any proceeds generated and deposited into the school facilities special fund that are unexpended and unencumbered as of the effective date of this Act to the general fund. -- Transfers all records, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personal and real property heretofore made, used, acquired, or held by the public land development corporation to the department of land and natural resources. -- HB1133 SD2

INTRODUCED BY: Evans C, Mizuno J, Lee C, Awana K, Hashem M, Morikawa D, Cheape L, Takumi R, Johanson A, Coffman D, Fukumoto B, Thielen C, McKelvey A, Hanohano F, Ing K, Brower T, Saiki S, McDermott B, Fale R
 UH POSITION: Watched
 CURRENT STATUS: April 15, 2013 – Transmitted to Governor
 April 22, 2013 – Signed into law, Act 038

HB 1207 HD1 SD1 CD1 RELATING TO HUMAN SERVICES

Act 240 (06/27/13)

Requires the department of human services to report on the State's integrity compliance with the federal Patient Protection and Affordable Care Act as it relates to Medicaid program integrity within the managed

care health plans, fee for service program, and the Children's Health Insurance Program to include timelines and plans for compliance with the Patient Protection and Affordable Care Act for fiscal years 2013 - 2014, 2014 – 2015 and 2015-2016. Reports to the legislature. -- HB1207 CD1

INTRODUCED BY: Jordan J, Tokioka J, Hashem M, Kawakami D, Morikawa D, Carroll M
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2013 – Transmitted to Governor
 June 27, 2013 – Signed into law, Act 240

HB 1258 HD1 RELATING TO AGING

Act 008 (04/10/13)

Amends provisions relating to policy advisory board for elder affairs by adding lifetime honorary kupuna. Allows the policy advisory board for elder affairs to honor a non ex officio member by voting to award the member a lifetime honorary kupuna title at a meeting called for the purpose and attended by a quorum. Requires the governor to take into consideration a person's receipt of a lifetime honorary kupuna title when considering the person's reappointment to the board and allows the governor to reappoint a person who holds the lifetime honorary kupuna title for continued terms over the person's lifetime. -- HB1258 HD1

INTRODUCED BY: Souki J (BR)
 UH POSITION: Watched
 CURRENT STATUS: March 22, 2013 – Transmitted to Governor
 April 10, 2013 – Signed into law, Act 008

HB 1374 HD1 SD1 CD1 RELATING TO PROCUREMENT

Act 239 (06/27/13)

Amends provisions relating to methods of source selection. Requires that all contracts be awarded pursuant to competitive sealed bids; competitive sealed proposals; professional services procurement; small purchases; sole course procurement; and emergency procurements. -- HB1374 CD1

INTRODUCED BY: Johanson A, Saiki S, Souki J, Mizuno J, Nishimoto S, Luke S, Nakashima M, Ward G, Cheape L, Lee C, Evans C, Fukumoto B, Thielen C, McKelvey A, Ohno T, Morikawa D, Onishi R, Fale R, Takai K, Brower T, Belatti D
 UH POSITION: Oppose
 CURRENT STATUS: May 7, 2013 – Transmitted to Governor
 June 27, 2013 – Signed into law, Act 239

HB 1396 HD1 SD2 CD1 RELATING TO THE JAPANESE AMERICAN EXPERIENCE IN HAWAII

Act 275 (07/09/13)

Appropriation to the University of Hawai'i at West O'ahu for the planning and design of a Nisei Veterans Legacy Center. Requires matching grants or donations. Report to the legislature. (\$\$) -- HB1396 CD1

INTRODUCED BY: Ito K, Cullen T, Tsuji C, Ichiyama L, Choy I, Har S, Say C, Takayama G
 UH POSITION: Support
 CURRENT STATUS: May 7, 2013 – Transmitted to Governor
 July 9, 2013 – Signed into law, Act 275

SENATE BILLS**SB 0032 RELATING TO THE UNIFORM ELECTRONIC LEGAL MATERIAL ACT****Act 011 (04/11/13)**

Establishes the uniform electronic legal material act. Provides that legal material in an electronic record that is authenticated by the official publisher is presumed to be an accurate copy of the legal material. Provides that legal material and the official publisher includes the Constitution of the State of Hawai'i published by the revisor of statutes; the session laws of Hawai'i published by the revisor of statutes; the Hawai'i Revised Statutes published by the revisor of statutes; any administrative agency rules published by the office of the governor; a state supreme court decision published by the supreme court; or the state court rules published by the supreme court. -- SB0032

INTRODUCED BY: Hee C

UH POSITION: Watched

CURRENT STATUS: April 2, 2013 – Transmitted to Governor
April 11, 2013 – Signed into law, Act 011**SB 0044 SD1 HD1 RELATING TO MENTAL HEALTH****Act 232 (06/27/13)**

Amends provisions relating to mental health, illness and addiction. Adds the definition for law enforcement officer and changes police to law enforcement officer. – Allows advanced practice registered nurse to administer treatment as is medically necessary for the person's safe transportation. -- SB0044 HD1

INTRODUCED BY: Chun Oakland S, Green J

UH POSITION: Support

CURRENT STATUS: May 8, 2013 – Transmitted to Governor
June 27, 2013 – Signed into law, Act 232**SB 0046 SD2 HD3 CD1 RELATING TO EDUCATION****Act 180 (06/25/13)**

Establishes the post secondary education authorization law. Established a post secondary education authorization program within the department of commerce and consumer affairs to establish procedures for and to grant or deny the authorization, reauthorization, and revocation of the authorization of private colleges, universities, seminaries, and religious training institutions. Establishes fees for authorization, which shall be deposited into the post secondary education authorization special subaccount of the compliance resolution fund. -- Repeals provisions that the state post secondary education commission serve as a resource to the director of commerce and consumer affairs. -- Authorizes the department to contract for an implementation coordinator or team to assist with the implementation of the law. Appropriation to the subaccount and out of the subaccount for the coordinator or team. -- Requires the director of commerce and consumer affairs to report to the legislature. (\$\$) -- SB0046 CD1

INTRODUCED BY: Tokuda J, Baker R

UH POSITION: Support

CURRENT STATUS: May 7, 2013 – Transmitted to Governor
June 25, 2013 – Signed into law, Act 180

SB 0048 HD1 CD1 RELATING TO THE DEPARTMENT OF EDUCATION**Act 158 (06/21/13)**

Amends provisions relating to aerospace advisory committee. Repeals a member of the committee representing the department of education. -- Amends provisions relating to duties and responsibilities of the lead agency. Repeals the requirement that the Department of Education be on the list of state agencies with responsibilities relating to marine and coastal zone management. -- SB0048 CD1

INTRODUCED BY: Tokuda J

UH POSITION: Watched

CURRENT STATUS: April 29, 2013-- Transmitted to Governor
June 21, 2013 -- Signed into law, Act 158**SB 0102 SD2 HD1 CD1 RELATING TO THE ELDERLY****Act 216 (06/27/13)**

Amends provisions relating to mandatory reporting of suspected financial abuse of an elder. Adds appropriate county police to mandatory reporting of suspected financial abuse of an elder. Requires suspected financial abuse to be reported immediately by telephone, facsimile, or electronic device immediately or as soon as practicably possible to the department of human services and the appropriate county police department. Provides that upon notification by a financial institution of suspected financial abuse, requires the county police department, in a timely manner to proceed with a criminal investigation. Redefines financial abuse to mean to wrongfully take, appropriate, obtain, or retain, or assist in taking, appropriating, obtaining, or retaining, real or personal property of an elder adult by any means, including undue influence, or with intent to defraud the elder. -- SB0102 CD1

INTRODUCED BY: Chun Oakland S, Green J, Ihara L, Galuteria B, Espero W, Baker R

UH POSITION: Support

CURRENT STATUS: May 7, 2013 -- Transmitted to Governor
June 27, 2013 -- Signed into law, Act 216**SB 0244 SD2 HD1 CD1 RELATING TO EDUCATION****Act 159 (06/21/13)**

Amends provisions relating to the public charter schools law. Requires charter schools to complete an independent financial audit annually. Further requires the state public school commission to develop procedures for obtaining information regarding the criminal history of person who are employed or seeking employment in any position including teacher trainees that places them in close proximity to children. Prohibits charter schools to discriminate against any student or limit admission based on race, color, ethnicity, national origin, religion, gender, sexual orientation, income level, disability, level of proficiency in the English language, need for special education service or academic or athletic ability. Authorizes the commission to requests facilities funding for charter schools as part of its annual budget request. -- Amends provisions relating to definitions under the standards of conduct law. Redefines employee to include any person under an employment contract to serve as the chief executive officer, chief administrative officer, executive director, or designated head of a charter school. -- Redefines public schools to include charter schools governed by the public charter school laws instead of charter schools chartered by the board of education. Requires commission members to disclose a list of all charter schools in which the member is an employee, governing board member, vendor, contractor, agent, or representative. Authorizes the commission to hire staff without regard to civil service law and collective bargaining law. Requires authorizers to follow nationally recognized principles and standard for quality charter authorizing. Repeals provisions that allow the chief executive officer, chief administrative officer, executive director, to serve as an ex officio nonvoting member of the governing board. Requires

application forms to be on a website. Repeals limit on contributions by a nonprofit organization. Repeals the right for any applicant to amend or resubmit a charter application that has been denied. Changes charter reauthorization to renewal. Requires the board of education to serve as the final arbitrator of appeals for renewal. Requires the department of education to provide students enrolled at charter schools whose curriculum incorporates virtual education the opportunity to participate in athletics. -- SB0244 CD1

INTRODUCED BY: Tokuda J, Kidani M, Ruderman R
 UH POSITION: Watched
 CURRENT STATUS: May 7, 2013 – Transmitted to Governor
 June 21, 2013 – Signed into law, Act 159

SB 0306 SD1 RELATING TO MEDICAID

Act 032 (04/22/13)

Amends Act 200, session laws of 2012, which establishes a joint legislative task force Medicaid buy in program. Requires the task for to submit an interim and final report to the legislature prior to the convening 2014 regular session. -- Requires the task force to submit a draft of the interim and final report and any proposed legislation to the legislative reference bureau no later than November 1, 2013 respectively. Extends the task force to June 30, 2014 (sunset). -- SB0306 SD1

INTRODUCED BY: Chun Oakland S
 UH POSITION: Watched
 CURRENT STATUS: April 5, 2013 – Transmitted to Governor
 April 22, 2013 – Signed into law, Act 032

SB 0326 SD1 HD1 CD1 RELATING TO AGRICULTURE

Act 106 (06/14/13)

Establishes the good agricultural practices task force to identify and develop good agricultural practices and preventative measure guidelines for the food supply system to improve the overall safety of locally grown food. Report to legislature. Task force dissolves on July 1, 2014 (sunset). -- SB0326 CD1

INTRODUCED BY: Galuteria B, Nishihara C, Solomon M, Kahele G, Keith-Agaran G
 UH POSITION: Watched
 CURRENT STATUS: May 7, 2013 – Transmitted to Governor
 June 14, 2013 – Signed into law, Act 106

SB 0327 SD1 HD1 RELATING TO AGRICULTURE

Act 055 (04/25/13)

Amends provisions relating to the objectives and policies for the economy--agriculture. Requires the policy of the State to include the objective to strengthen diversified agriculture by developing an effective promotion, marketing, and distribution system between Hawai'i's food producers and consumers in the State, nation, and world, and to promote economically competitive activities that increase Hawai'i's agricultural self sufficiency, including the increased purchase of Hawai'i grown foods by residents, businesses, and increased use by governmental bodies. -- Amends provisions relating to the economic priority guidelines to promote the growth and development of diversified agricultural and aquaculture by encouraging residents and visitors to support Hawai'i's farmers by purchasing locally grown food and products. -- SB0327 HD1

INTRODUCED BY: Galuteria B, Nishihara C, Solomon M, Kahele G, Keith-Agaran G

UH POSITION: Watched
CURRENT STATUS: April 12, 2013 – Transmitted to Governor
April 25, 2013 – Signed into law, Act 055

SB 0409 SD1 RELATING TO MAHINA 'OLELO HAWAI'I**Act 028 (04/22/13)**

Amends provisions relating to holidays. Establishes the month of February as the 'Olelo Hawai'i (Olelo Hawai'i) Month to celebrate and encourage the use of Hawaiian language. Not a state holiday. -- SB0409 SD1

INTRODUCED BY: Kim D (BR)
UH POSITION: Watched
CURRENT STATUS: April 5, 2013 – Transmitted to Governor
April 22, 2013 – Signed into law, Act 028

SB 0482 SD1 HD1 RELATING TO AGRICULTURE**Act 131 (06/17/13)**

Amends provisions relating to home-based agricultural producer of honey; exemption. Increases the sales limit to less than 500 gallons per year, allows sales directly to a retail store that in turn sells the honey directly to consumers, and requires the label on the honey container to have the statement that "Honey should not be consumed by infants under 1 year of age;" and "has not been inspected by the department of health." Requires producers to attend a department of health approved food safety workshop and passes the food safety certification exam; and keep honey production volume and honey product distribution records for a period of at least 2 years and makes the records available to the department. Prohibits State and counties to be liable for claims associated with honey distributed by home based agricultural producers of honey; except for instances of gross negligence and intentional misconduct by the State or counties. -- SB0482 HD1

INTRODUCED BY: English J, Keith-Agaran G, Baker R, Ruderman R, Nishihara C, Espero W, Green J, Tokuda J, Chun Oakland S, Kidani M
UH POSITION: Watched
CURRENT STATUS: April 17, 2013 – Transmitted to Governor
June 17, 2013 – Signed into law, Act 131

SB 0532 SD1 HD1 CD1 RELATING TO BREASTFEEDING IN THE WORKPLACE**Act 249 (07/01/13)**

Establishes the opportunity to express milk law. Requires an employer to provide reasonable break time for an employee to express milk for a nursing child for 1 year after the child's birth each time the employee has a need to express breast milk; and a location, other than the bathroom, that is shielded from view, and free from intrusion from coworkers and the public that may be used by any employee to express breast milk. Requires an employer to post notice in a conspicuous place accessible to employees and use other appropriate means to keep the employer's employees informed of the protections and obligations. Exempts an employer that employs fewer than 20 employees if the employer can show that the requirements would impose an undue hardship. Establishes provisions relating to civil actions for injunctive relief or damages. Allows a person who alleges a violation to bring civil action within 2 years after the occurrence of the alleged violation. Establishes fines of 500 dollars for each violation. Repeals provisions relating to breastfeeding. -- SB0532 CD1

INTRODUCED BY: Chun Oakland S

UH POSITION: Watched
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
July 1, 2013 – Signed into law, Act 249

SB 0563 SD3 HD2 CD1 RELATING TO THE UNIVERSITY OF HAWAII
Act 072 (05/13/13)

Repeals the regents candidate advisory council for the board of regents of the University of Hawai‘i and establishes the candidate advisory council for the Board of Regents of the University of Hawai‘i attached to the University of Hawai‘i. Provides that the members of the regents candidate advisory council shall serve until the member's current term expires. -- SB0563 CD1

INTRODUCED BY: Tokuda J, Kahele G
UH POSITION: Watched
CURRENT STATUS: May 7, 2013– Transmitted to Governor
May 13, 2013– Signed into law, Act 072

SB 0606 SD2 HD2 CD1 RELATING TO THE UNIVERSITY OF HAWAII
Act 237 (06/27/13)

Appropriation to the University of Hawai‘i to fund students employed at new or expanded worksites at each University of Hawai‘i campus. (\$\$) -- SB0606 CD1

INTRODUCED BY: Taniguchi B, Kim D
UH POSITION: Support
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
June 27, 2013 – Signed into law, Act 237

SB 0697 HD1 CD1 RELATING TO AEROSPACE
Act 108 (06/14/13)

Amends provisions relating to aerospace advisory committee. Changes from 2 to 4 years the term all members shall serve on the committee. -- SB0697 CD1

INTRODUCED BY: Espero W
UH POSITION: Watched
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
June 14, 2013 – Signed into law, Act 108

SB 0722 SD2 HD1 CD1 RELATING TO GOVERNMENT
Act 110 (06/14/13)

Amends Act 54, session laws of 2011, requiring the department of accounting and general services to coordinate efforts to establish a complete and accurate inventory of public buildings, facilities, and sites on the lands of the public land trust to which state agencies hold title or over which they maintain management control by accepting information from state agencies on the inventory of public buildings owned or operated by each agency. Further requires the department to incorporate the inventory of public buildings, facilities, and sites together with the public land trust inventory and the public land trust information system to create an integrated, comprehensive system for asset management of public buildings, facilities and sites. Requires all state agencies to transfer to the department all programs and hardware associated with the inventory. Report to the legislature. Appropriation. (\$\$) -- SB0722 CD1

INTRODUCED BY: Dela Cruz D, Galuteria B, English J, Tokuda J
UH POSITION: Watched
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
June 14, 2013 – Signed into law, Act 110

SB 0757 SD2 HD2 CD1 RELATING TO AGRICULTURE**Act 204 (06/26/13)**

Appropriation to the Department of Education for the implementation and operation of the Future Farmers of America to educate and support youth in agricultural careers. (\$\$) -- SB0757 CD1

INTRODUCED BY: Solomon M
UH POSITION: Watched
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
June 26, 2013 – Signed into law, Act 204

SB 0867 SD2 HD1 CD1 RELATING TO HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND**Act 282 (07/09/13)**

Amends provisions relating to State and county contributions; retired employees. Repeals the provisions that identify specific amounts that employers are to contribute to the employee union trust fund for each employee beneficiary. Establishes base monthly contribution categories for health benefits that the State and the counties shall pay effective January 1, 2014. Requires the base composite monthly contribution be adjusted annually, beginning January 1, 2015. -- SB0867 CD1

INTRODUCED BY: Hee C
UH POSITION: Watched
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
July 9, 2013 – Became law without the Governor's signature, Act 282

SB 0895 SD1 HD1 CD1 MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS**Act 082 (05/21/13)**

Appropriation to the director of finance, chief justice, and Hawai'i health systems corporation for all collective bargaining cost items for collective bargaining unit 2 (supervisory blue collar employees), collective bargaining unit 3 (nonsupervisory white collar employees), collective bargaining unit 4 (supervisory white collar employees) and for salary increases and other cost adjustments for state officers and employees excluded from collective bargaining and who belong to the same compensation plans as those employees within collective bargaining units 2, 3, or 4. (\$\$) -- SB0895 CD1

INTRODUCED BY: Hee C
UH POSITION: Watched
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
May 21, 2013 – Signed into law, Act 082

SB 0902 SD1 HD1 CD1 MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS**Act 083 (05/21/13)**

Appropriation to the director of finance for the Hawai'i employer union health benefits trust fund costs for all collective bargaining cost items for collective bargaining unit 8 (personnel of the University of Hawai'i and Community College System) and for salary increases and other cost adjustments for state officers and employees excluded from collective bargaining and who belong to the same compensation plans as those employees within collective bargaining unit 8. (\$\$) -- SB0902 CD1

INTRODUCED BY: Hee C
UH POSITION: Support
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
May 21, 2013 – Signed into law, Act 083

SB 0908 SD1 HD1 CD2 MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS**Act 084 (05/21/13)**

Appropriation to the director of finance, chief justice, and Hawai'i health systems corporation for all collective bargaining cost items and carryover costs for collective bargaining unit 9 (registered professional nurses) and for salary increases and other cost adjustments for employees excluded from collective bargaining. (\$\$) -- SB0908 CD2

INTRODUCED BY: Hee C
UH POSITION: Watched
CURRENT STATUS: May 8, 2013 – Transmitted to Governor
May 21, 2013 – Signed into law, Act 084

SB 1003 SD2 HD1 CD1 RELATING TO INFORMATION TECHNOLOGY**Act 265 (07/03/13)**

Establishes additional duties of the chief information officer relating to security of government information. Requires the officer to provide for periodic security audits of all executive branch departments and agencies regarding the protection of government databases and data communications. -- SB1003 CD1

INTRODUCED BY: Kim D (BR)
UH POSITION: Watched
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
July 3, 2013– Signed into law, Act 265

SB 1036 RELATING TO EMPLOYEES' RETIREMENT SYSTEM PERSONNEL**Act 023 (04/18/13)**

Amends provisions relating to investment personnel. Allows the board of trustees of the employees retirement system, through its executive director, to appoint 1 or more investment officers, under the direction of the chief investment officer, who are exempt from civil service. Changes the title of administrator to executive director. -- SB1036

INTRODUCED BY: Kim D (BR)
UH POSITION: Watched

CURRENT STATUS: April 5, 2013 – Transmitted to Governor
April 18, 2013 – Signed into law, Act 023

SB 1084 SD1 HD1 CD1 PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 1, OF THE HAWAII STATE CONSTITUTION TO PERMIT THE APPROPRIATION OF PUBLIC FUNDS FOR PRIVATE EARLY CHILDHOOD EDUCATION PROGRAMS

Proposes to amend to the constitution. Amends provisions relating to public education. Allows public funds to be appropriated for the support or benefit of private early childhood education programs. -- SB1084 CD1

INTRODUCED BY: Kim D (BR)
UH POSITION: Support
CURRENT STATUS: May 7, 2013 – Transmitted to Governor

SB 1093 SD2 HD2 CD1 RELATING TO SCHOOL READINESS

Act 169 (06/24/13)

Establishes provisions relating to preschool open doors program. Establishes the program within the department of human service's child-care assistance program. Requires the program to provide access to school readiness services that address children's physical, cognitive, linguistic, social, and emotional development, require each provider to conduct school readiness assessments, give priority to children from low and moderate income families, and prepare children for school through either of the State's 2 official languages. Further provides that the program shall serve 4 year old children, with priority extended to children who are not eligible to attend public school kindergarten in the calendar year in which they turn 5 years of age because their birth date occurs after the kindergarten eligibility date and underserved or at risk children. Provides that enrollment in the program shall be voluntary and a parent or guardian of a child enrolled in the program shall share in the costs of the program through a copayment according to a sliding fee scale that is based on need. Reports to the legislature. Appropriation. (\$\$) -- SB1093 CD1

INTRODUCED BY: Kim D (BR)
UH POSITION: Support
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
June 24, 2013 – Signed into law, Act 169

SB 1221 SD2 HD2 CD1 RELATING TO HIGHER EDUCATION

Act 272 (07/09/13)

Appropriation to the University of Hawai'i for a program coordinator and a technical support staff member to complete the necessary planning and studies required for an international flight training center and associated proposed aeronautical training programs at Hawai'i Community College and the University of Hawai'i at Hilo. (\$\$) --SB1221 CD1

INTRODUCED BY: Kahele G, Chun Oakland S
UH POSITION: Support
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
July 9, 2013 – Signed into law, Act 272

SB 1256 SD1 HD2 CD1 RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS

Act 273 (07/09/13)

Establishes provisions relating to the Pacific International Space Center for exploration systems; reporting requirement. Annual report to legislature. Appropriation to the department of business, economic development, and tourism for the Pacific International Space Center for exploration systems for personnel costs, operational expenses, and the purchase of equipment, materials, and services. (\$\$) -- SB1256 CD1

INTRODUCED BY: Espero W, Wakai G, Baker R
 UH POSITION: Support Intent
 CURRENT STATUS: May 7, 2013 – Transmitted to Governor
 July 9, 2013 – Signed into law, 273

SB 1340 SD2 HD2 CD1 RELATING TO FOSTER CARE

Act 252 (07/01/13)

Establishes provisions relating to the young adult voluntary foster care program under the department of human services law. Provides that young adults have the right to meaningful court reviews, including the right to receive notice of any court hearing and reviews, and any other case related proceeding and meetings; be involved in the development of a personalized case plan; and be present at all court hearing and reviews and to address the court during those hearings; provided that young adults may waive their right to be present at the court hearings and reviews or may request to participate in the court hearings and reviews by phone; and request competent legal counsel. Provides that nothing shall be construed to abrogate any other rights that a person who has attained 18 years of age, may have as an adult under state law. Requires the family court to have exclusive jurisdiction over proceeding. Allows a young adult to continue voluntary foster care program services only if they meet certain criteria. Provides that if a young adult is no longer under jurisdiction of child protective act, but chooses to participate in the young adult voluntary foster care program and meets the eligibility criteria, requires the department of human services and the young adult to enter into a voluntary care agreement with other conditions. Allows the department to provide extended foster care services to the young adult as soon as the department determines that a young adult meets eligibility and voluntary care agreement requirements. Requires the department to file a petition invoking the jurisdiction of the court within 30 days after the voluntary care agreement is signed and filed with the court in the county where the young adult resides a petition invoking the jurisdiction of the court. Requires the court to conduct a hearing and make a determination no later than 15 days after the filing of the petition. Establishes notice of hearing and reviews. Requires the department to prepare a report to the court; developed in collaboration with the young adult and submitted 7 days prior to the review date and a copy provided to the young adult. Excludes general public from proceedings. Allows the court to appoint an attorney sua sponte or at the request of any party to represent a young adult if it is deemed by the court to be in the young adult's best interest. Requires a period judicial review to occur not less than once every 180 days after the signing of the voluntary care agreement and may be by court hearing or court review. Establishes termination when the young adult has reached the age of 21 years; the young adult chooses to terminate the voluntary care agreement and stop receiving extended foster care services if the young adult has voluntarily signed a document attesting to the fact that the young adult no longer consents to the court's jurisdiction; has been informed in writing of the effects of terminating voluntary foster care early; and has been informed in writing of the option to reestablish jurisdiction before reaching age 21 and the procedures to do so; or after a court finds that the young adult no longer meets the eligibility requirement or despite the fact that the department has made ongoing reasonable efforts to provide the young adult with services, the young adult is in material noncompliance with the case plan. Establishes reestablishing jurisdiction and liability of the department. Annual report to the legislature. -- SB1340 CD1

INTRODUCED BY: Hee C
UH POSITION: Watched
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
July 1, 2013 – Signed into law, Act 252

SB 1349 SD2 HD1 CD1 RELATING TO ECONOMIC DEVELOPMENT**Act 270 (07/09/13)**

Amends provisions relating to the income tax credit for research activities. Provides that in order to qualify for the tax credit, the qualified high technology business shall also claim a federal tax credit for the same qualified research activities under section 41 of the Internal Revenue Code, irrespective of any subsequent amendments to section 41 of the Internal Revenue Code, and shall apply only to expenses incurred for qualified research activities after December 31, 2012. Redefines qualified high technology business to mean a business that conducts more than 50 per cent of its activities in qualified research. Requires a qualified high technology business that claims the credit to file an annual survey through the department of business, economic development, and tourism's website. Requires the department to annually report to the legislature the information. Requires the department of business, economic development, and tourism in collaboration with the department of taxation to study the effectiveness of the tax credit and requires the department of business, economic development, and tourism to annually report to the legislature the results of its study. Extends the tax credit to December 31, 2019 (sunset). -- SB1349 CD1

INTRODUCED BY: Dela Cruz D
UH POSITION: Watched
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
July 9, 2013 – Signed into law, Act 270

SB 1388 SD2 HD2 CD1 RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII**Act 288 (07/09/13)**

Amends provisions relating to Board of Directors; composition. Reduces the number of members on the Board of Directors of the Research Corporation of the University of Hawai'i to 8. Reduces the number of members of the Board of Regents of the University of Hawai'i to 2. Requires the governor to appoint 1 member who shall be a University of Hawai'i system research faculty member, 1 member who shall be from the business sector, 1 member who shall be a representative of a non University of Hawai'i research organization. Further requires 1 member to be appointed by the president of the senate and 1 member appointed by the speaker of the House of Representatives. Requires the Vice President for Research of the University of Hawai'i System to be a nonvoting ex officio member of the Board of Directors. -- Provides that the exemption from the Hawai'i public procurement code with respect to construction contracts shall not apply where state funds are used and compliance is required by a bill enacted by the legislature. Repeals the president of the University of Hawai'i as the president of the corporation. Requires the corporation to employ an executive director. -- SB1388 CD1

INTRODUCED BY: Kim D
UH POSITION: Oppose
CURRENT STATUS: May 7, 2013 – Transmitted to Governor
July 9, 2013 – Became law without the Governor's signature, Act 288

HOUSE CONCURRENT RESOLUTIONS**HCR 23 HD1**

REQUESTING THE FORMATION OF A TASK FORCE TO DEVELOP RECOMMENDATIONS FOR IMPROVING OBESITY PREVENTION-RELATED SERVICES AND COUNSELING IN ACCORDANCE WITH THE IMPLEMENTATION OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT

INTRODUCED BY: Souki J (BR)
UH POSITION: Watched
CURRENT STATUS: May 2, 2013 – Adopted in Final Form

HCR 48 SD1

REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE THE FEASIBILITY OF FORMING A UNIVERSITY OF HAWAII AT HILO MEN'S VOLLEYBALL TEAM

INTRODUCED BY:
Tsuji C, Ichiyama L, Nakashima M, Onishi R, Evans C, Lowen N, Coffman D, Hanohano F
UH POSITION: Support
CURRENT STATUS: April 24, 2013 – Adopted in Final Form

HCR 96 HD2 SD1

REQUESTING THE UNITED STATES DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE TO WORK WITH AFFECTED PERSONS AND COUNTIES IN ESTABLISHING REASONABLE CRITICAL HABITAT DESIGNATIONS FOR ENDANGERED SPECIES IN THE STATE

INTRODUCED BY: Souki J
UH POSITION: Watched
CURRENT STATUS: April 30, 2013 – Adopted in Final Form

HCR 119 SD1

REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO CONDUCT A STUDY ON THE FEASIBILITY OF USING SOCIAL IMPACT BONDS TO FUND EARLY LEARNING PROGRAMS AND SERVICES IN THE STATE

INTRODUCED BY: Jordan J, Har S, Yamashita K, Nishimoto S, Carroll M
UH POSITION: Watched
CURRENT STATUS: April 24, 2013 – Adopted in Final Form

HCR 161 HD1 SD1

REQUESTING THE CONVENING OF A WORKING GROUP TO DETERMINE THE SCOPE AND SPECIFIC DUTIES OF THE HEALTH EDUCATOR PROFESSION

INTRODUCED BY: Yamane R
UH POSITION: Watched
CURRENT STATUS: April 26, 2013 – Adopted in Final Form

HCR 178 HD1 SD1

REQUESTING THE BOARD OF EDUCATION TO REVIEW AND MODIFY BOARD POLICY NO. 6710 TO IDENTIFY WAYS TO INCORPORATE SUSTAINABILITY EDUCATION AND ENVIRONMENTAL STEWARDSHIP AT THE CLASSROOM LEVEL

INTRODUCED BY: Coffman D, Takumi R, Hanohano F, Evans C, Lowen N, Onishi R, Tsuji C
UH POSITION: Watched
CURRENT STATUS: April 24, 2013 – Adopted in Final Form

HCR 226

EXPRESSING SUPPORT FOR FEDERAL FUNDING TO FINANCE A COMPREHENSIVE
FEASIBILITY STUDY TO EVALUATE THE POTENTIAL FOR ESTABLISHING A WORLD-
CLASS COMMERCIAL SPACE LAUNCH AND CONTROL FACILITY IN THE STATE OF HAWAII

INTRODUCED BY: McKelvey A, Carroll M, Choy I, Evans C, Onishi R, Lowen N, Tsuji C
UH POSITION: Watched
CURRENT STATUS: April 30, 2013 – Adopted in Final Form

SENATE CONCURRENT RESOLUTIONS**SCR 61 SD1**

URGING THE GOVERNOR, DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, BOARD OF REGENTS OF THE UNIVERSITY OF HAWAI'I, BOARD OF EDUCATION, AND HAWAI'I'S CONGRESSIONAL DELEGATION TO STRENGTHEN THE SISTER-STATE RELATIONSHIP WITH TAIWAN IN COMMEMORATION OF THE TWENTIETH ANNIVERSARY OF THE SISTER-STATE RELATIONSHIP BETWEEN HAWAI'I AND TAIWAN

INTRODUCED BY: English J, Chun Oakland S, Gabbard M, Galuteria B, Kidani M, Kouchi R, Wakai G

UH POSITION: Support

CURRENT STATUS: May 2, 2013 – Adopted in Final Form

SCR 92 SD2

REQUESTING THE COMPTROLLER TO ESTABLISH A TASK FORCE TO STUDY THE STATE PROCUREMENT CODE AND IDENTIFY AMENDMENTS THAT WOULD INCREASE ECONOMY, EFFICIENCY, EFFECTIVENESS, AND IMPARTIALITY IN THE PROCUREMENT OF PUBLIC WORKS CONSTRUCTION PROJECTS

INTRODUCED BY: Ige D, Tokuda J, Green J, Espero W, Kidani M, English J, Wakai G, Kouchi R

UH POSITION: Watched

CURRENT STATUS: May 2, 2013 – Adopted in Final Form

SCR 96

COMMENDING THE JUMP START TASK FORCE ON THE CREATION OF THE JUMP START PROGRAM, ENCOURAGING EXPANSION OF THE PROGRAM TO SCHOOLS ON THE ISLANDS OF MAUI AND HAWAII, AND REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES TO CONTINUE THEIR SUPPORT OF THE PROGRAM

INTRODUCED BY: Tokuda J, Kidani M

UH POSITION: Support

CURRENT STATUS: May 2, 2013 – Adopted in Final Form

SCR 120 SD2

REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO EVALUATE THE IMPLEMENTATION OF A PLAN TO PROMOTE GREATER AWARENESS OF DYSLEXIA AND PROVIDE COMPREHENSIVE SUPPORT FOR STUDENTS WITH DYSLEXIA AND OTHER LITERACY CHALLENGES

INTRODUCED BY: Tokuda J

UH POSITION: Watched

CURRENT STATUS: April 25, 2013 – Adopted in Final Form

SCR 132 SD1

REQUESTING THE UNIVERSITY OF HAWAII AT HILO TO ESTABLISH A FORMAL ASSOCIATION WITH THE RISE 21ST CENTURY AFTER SCHOOL PROGRAM

INTRODUCED BY: Solomon M, Kahele G

UH POSITION: Watched

CURRENT STATUS: April 25, 2013 – Adopted in Final Form

SCR 137 SD1

REQUESTING THE COORDINATOR ON HOMELESSNESS TO ASSEMBLE A WORKING GROUP TO IDENTIFY INNOVATIVE HOUSING SOLUTIONS FOR HOMELESS NATIVE HAWAIIAN FAMILIES; INVESTIGATE SUITABLE AND AVAILABLE FEDERAL, STATE, COUNTY, AND PRIVATE LAND FOR INNOVATIVE HOUSING PROJECTS; AND PREPARE A PLAN TO DEVELOP A DEMONSTRATION HOUSING PROJECT FOR HOMELESS NATIVE HAWAIIAN FAMILIES THAT CAN SERVE AS A MODEL STATEWIDE

INTRODUCED BY: Kahele G, Shimabukuro M, Chun Oakland S, Galuteria B

UH POSITION: Watched

CURRENT STATUS: May 2, 2013 – Adopted in Final Form

SCR 147 SD2

REQUESTING THE BOARD OF EDUCATION, AS PART OF ITS DEVELOPMENT OF A COMPREHENSIVE HAWAIIAN STUDIES PROGRAM, TO CREATE A COALITION TO ADDRESS THE ISSUE OF DEVELOPING ASSESSMENTS IN THE HAWAIIAN LANGUAGE FOR HAWAIIAN LANGUAGE IMMERSION STUDENTS TO MORE ACCURATELY MEASURE THEIR ACADEMIC ACHIEVEMENT

INTRODUCED BY: Tokuda J, Solomon M, Kidani M, Galuteria B, Shimabukuro M, Kahele G, Keith-Agaran G

UH POSITION: Watched

CURRENT STATUS: April 26, 2013 – Adopted in Final Form

SCR 166

REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE SOCIAL, ECONOMIC, AND RELIGIOUS IMPACTS OF ENACTING MARRIAGE EQUALITY IN HAWAII

INTRODUCED BY: Hee C, Gabbard M

UH POSITION: Watched

CURRENT STATUS: April 26, 2013 – Adopted in Final Form

SCR 195

RECOGNIZING COMMERCIAL SPACE TRANSPORTATION AS A STRATEGIC AND TIMELY GROWTH INDUSTRY FOR HAWAII AND REQUESTING THE STATE ADMINISTRATION TO TAKE PROACTIVE, COORDINATED, AND SUSTAINED ACTION TO FULLY REALIZE THE SIGNIFICANT SCIENTIFIC, EDUCATIONAL, AND COMMERCIAL BENEFITS THAT SPACE LAUNCH OPERATIONS AND RELATED AEROSPACE ENTERPRISE CAN BRING TO HAWAII

INTRODUCED BY: Espero W, Kahele G

UH POSITION: Watched

CURRENT STATUS: May 2, 2013 – Adopted in Final Form

GOVERNOR'S MESSAGES**GM 538**

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, FREDERICK HOLSCHUH, for a term to expire 6-30-2015

Current Status: March 22, 2013 – Confirmed by the State Senate

GM 615

Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, LOUISE CAYETANO, for a term to expire 6-30-2016

Current Status: March 1, 2013 – Confirmed by the State Senate

GM 616

Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, JUSTIN MEW, for a term to expire 6-30-2016

Current Status: March 1, 2013 – Confirmed by the State Senate

GM 617

Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, FELICIA VILLALOBOS, for a term to expire 6-30-2016

Current Status: March 1, 2013 – Confirmed by the State Senate

GM 629

Submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawai'i, Gubernatorial Nominee, NATHANIEL KINNEY, for a term to expire 6-30-2017

Current Status: March 8, 2013 – Withdrawn by Governor

GM 630

Submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawai'i, Gubernatorial Nominee, RAYNARD SOON, for a term to expire 6-30-2017

Current Status: March 14, 2013 – Confirmed by the State Senate

GM 631

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, ALBERT KIM, for a term to expire 6-30-2015

Current Status: March 22, 2013 – Confirmed by the State Senate

GM 632

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, NADINE NISHIOKA, for a term to expire 6-30-2015

Current Status: March 22, 2013 – Confirmed by the State Senate

GM 633

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, CLAUDE ONIZUKA, for a term to expire 6-30-2016

Current Status: March 22, 2013 –Confirmed by the State Senate

GM 634

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, CHRISTOPHER WONG, for a term to expire 6-30-2015

Current Status: March 22, 2013 – Confirmed by the State Senate

GM 635

Submitting for consideration and confirmation to the Western Interstate Commission for Higher Education, Gubernatorial Nominee, FRANCISCO HERNANDEZ, for a term to expire 6-30-2017

Current Status: March 14, 2013 – Confirmed by the State Senate

GM 652

Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, MICHAEL MABERRY, for a term to expire 6-30-2015

Current Status: March 12, 2013 – Confirmed by the State Senate

GM 654

Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, PETER MOUGINIS-MARK, for a term to expire 6-30-2015

Current Status: March 12, 2013 – Confirmed by the State Senate

GM 656

Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, PETER QUIGLEY, for a term to expire 6-30-2015

Current Status: March 12, 2013 – Confirmed by the State Senate

GM 657

Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, DONALD STRANEY, for a term to expire 6-30-2015

Current Status: March 12, 2013 – Confirmed by the State Senate

GM 703

Submitting for consideration and confirmation to the Center for Nursing Advisory Board, Gubernatorial Nominee, ART GLADSTONE, for a term to expire 6-30-2017

Current Status: April 11, 2013 – Confirmed by the State Senate

GM 704

Submitting for consideration and confirmation to the Center for Nursing Advisory Board, Gubernatorial Nominee, BARBARA KOOKER, for a term to expire 6-30-2017

Current Status: April 11, 2013 – Confirmed by the State Senate

GM 711

Submitting for consideration and confirmation to the University of Hawai'i Board of Regents, Gubernatorial Nominee, EUGENE BAL III, for a term to expire 6-30-2018

Current Status: April 19, 2013 – Confirmed by the State Senate

GM 712

Submitting for consideration and confirmation to the University of Hawai'i Board of Regents, Gubernatorial Nominee, BARRY MIZUNO, for a term to expire 6-30-2018

Current Status: April 22, 2013 – Confirmed by the State Senate

GM 713

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

Current Status: April 19, 2013 – Confirmed by the State Senate

GM 714

Submitting for consideration and confirmation to the University of Hawai'i Board of Regents, Gubernatorial Nominee, RANDOLPH MOORE, for a term to expire 6-30-2018

Current Status: April 19, 2013 – Confirmed by the State Senate

GM 747

Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, LYNN CABATO, for a term to expire 6-30-2015

Current Status: April 18, 2013 – Confirmed by the State Senate

GM 748

Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, MAUREEN RAWLINS, for a term to expire 6-30-2014

Current Status: April 18, 2013 – Confirmed by the State Senate

GM 749

Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, KERRIE UROSEVICH, for a term to expire 6-30-2014

Current Status: April 18, 2013 – Confirmed by the State Senate

GM 750

Submitting for consideration and confirmation to the Early Learning Advisory Board, Gubernatorial Nominee, BENJAMIN NAKI III, for a term to expire 6-30-2015

Current Status: April 18, 2013 – Confirmed by the State Senate

GM 751

Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, VOLETTA NOE NOE TOM, for a term to expire 6-30-2016

Current Status: April 18, 2013 – Confirmed by the State Senate

GM 759

Submitting for consideration and confirmation to the Hawai'i Community Development Authority (Kalaeha District), Gubernatorial Nominee, SHIRLEY SWINNEY, for a term to expire 6-30-2017

Current Status: April 22, 2013 – Confirmed by the State Senate

BUDGET PROVISOS**HB 200 HD1 SD1 CD1 (Act 134, SLH 2013)****RELATING TO THE STATE BUDGET****UH EARMARKS/RESTRICTIONS**

SECTION 21. Provided that of the general fund appropriation for the University of Hawaii, Manoa (UOH100), the sum of \$75,000 or so much thereof as may be necessary for fiscal year 2013-2014 and the sum of \$75,000 or so much thereof as may be necessary for fiscal year 2014-2015 shall be expended by the University of Hawaii, college of tropical agriculture and human resources, to implement and operate the 4-H program to educate and support youth in agricultural careers.

SECTION 22. Provided that of the general fund appropriation for the University of Hawaii, system wide support (UOH900), the sum of \$322,242 or so much thereof as may be necessary for fiscal year 2013-2014 and the sum of \$322,242 or so much thereof as may be necessary for fiscal year 2014-2015 shall be expended for Na Pua Noeau; provided further that no funds shall be expended unless matched on a dollar-for-dollar basis by the office of Hawaiian affairs; and provided further that, if all or some of the general fund appropriation for Na Pua Noeau is not expended because of a lack of matching funds from the office of Hawaiian affairs, the unexpended or unencumbered portion shall lapse into the general fund at the end of the applicable fiscal year.

SECTION 23. Provided that of the general fund appropriation for the University of Hawaii, systemwide support (UOH900), the sum of \$1,500,000 or so much thereof as may be necessary for fiscal year 2013-2014 and the sum of \$1,500,000 or so much thereof as may be necessary for fiscal year 2014-2015 shall be expended by the University of Hawaii to continue FIRST Pre-Academy STEM (science-technology-engineering-mathematics) initiatives in conjunction with the department of education; and provided further that the funds shall be expended by the office of the vice president of research systemwide.

SECTION 24. Provided that of the general fund appropriation for the University of Hawaii, systemwide support (UOH900), the sum of \$2,086,371 or so much thereof as may be necessary for fiscal year 2013-2014 and the sum of \$2,086,371 or so much thereof as may be necessary for fiscal year 2014-2015 shall be expended by the University of Hawaii for the academy for creative media; provided further that the funds shall be expended by the office of the vice president of research, systemwide.

SECTION 25. Provided that of the general fund appropriation for the University of Hawaii, West Oahu (UOH700), the sum of \$400,000 or so much thereof as may be necessary for fiscal year 2013-2014 and the same sum or so much thereof as may be necessary for fiscal year 2014-2015 shall be expended for the operation and maintenance of, and equipment for, the Ulu'ulu: The Henry Ku'ualoha Giugni Moving Image Archive of Hawaii.

SECTION 42. Provided that of the general obligation fund appropriation for capital renewal and deferred maintenance to the University of Hawaii facilities, the sum of \$4,500,000 or so much thereof as may be necessary for fiscal years 2013-2014 shall be expended by the University of Hawaii as follows:

- (1) \$4,000,000 shall be used for design and construction of renovations and repurposing of Klum Gym into a new multi-purpose facility;
- (2) \$500,000 shall be used for design and construction for repair and replacement of mondo track at Clarence T.C. Ching Complex.

SECTION 55. Act 164, Session Laws of Hawaii 2011, section 50 is amended as follows:

"Provided that of the general obligation fund appropriation for plans, design, construction and equipment for improvements to the University of Hawaii facilities, the sum of \$5,760,000 or so

much thereof as may be necessary for fiscal year 2011-2012 shall be expended by the University of Hawaii as follows:

- (1) \$960,000 shall be used for design and construction of improvements to the entrance of the basketball offices;
- (2) \$300,000 shall be used for design and construction of two additional sand volleyball courts;
- (3) \$1,200,000 shall be used for design and construction of sun and rain covering for the tennis courts;
- (4) \$900,000 shall be used for design and construction of sun and rain covering for the diving portion of the swimming complex;
- (5) \$2,400,000 shall be used for design and construction for renovation of the softball stadium, phase 2; and
- (6) \$600,000 shall be used for plans and design for renovations to the nursing and culinary wing at the north Hawaii education and research center, Hawaii; provided that no funds from this program ID shall be expended for this project unless all funding necessary for the completion of the project, including funding for construction and equipment, in their entirety, have been secured."

SECTION 109. The director of finance may expend general fund, special fund, and revolving fund savings or balances determined to be available from authorized general fund, special fund, and revolving fund program appropriations, up to an aggregate total of \$20,000,000 for fiscal year 2013-2014 and \$20,000,000 for fiscal year 2014-2015, for municipal lease payments under financing agreements entered into pursuant to chapter 37D, Hawaii Revised Statutes, to finance the acquisition of depreciable assets, including, but not limited to, automobiles, computers, printers, and telecommunications equipment; and provided further that designated expending agencies (including the department of education and the University of Hawaii) for municipal lease payments and for depreciable assets, including, but not limited to, automobiles, computers, printers, and telecommunications equipment authorized in this Act may delegate to the director of finance the implementation of such acquisitions when it is determined by all involved agencies that it is advantageous to do so; and provided further that the governor shall submit to the legislature a summary report of all uses of this authority for the previous twelve month period from December 1 to November 30 no later than thirty days prior to the convening of the 2014 and 2015 regular sessions.

SECTION 110. Notwithstanding any provision in part III of this Act, the governor may transfer savings or unrequired balances as may be available of general funds from any program in this Act to supplement the department of land and natural resources' fire-fighter's contingency fund; provided further that these funds shall be used to prevent, control, and extinguish wildland fires within forest reserves, public hunting areas, wildlife and plant sanctuaries, and natural area reserves, and to fulfill mutual aid agreements in cooperation with fire control agencies of the counties and federal government.

SECTION 135. Notwithstanding any law to the contrary, the director of finance may transfer into retirement benefits payments (BUF741) funds from any other program ID that are necessary to pay the employer's contribution for an employee's excess maximum retirement allowance resulting from significant non-base pay increases as required under section 88-100, Hawaii Revised Statutes; provided that:

- (1) Any transfer shall be made out of the same fund or funds from and in the same proportion or proportions in which the employee's salary or wage is paid; and
- (2) If federal law prohibits the use of certain funds to pay the employer's contribution for an employee under section 88-100, Hawaii Revised Statutes, the director of finance shall not transfer those funds to retirement benefits payments (BUF741). Instead, the employer's contribution for the employee required under section 88-100, Hawaii Revised Statutes, shall be paid from general funds appropriated to retirement benefits payments (BUF741).

REPORTING PROVISOS

SECTION 66. UNIVERSITY OF HAWAII REVENUE BONDS. The University of Hawaii board of regents may issue revenue bonds for capital improvement program projects authorized in part II and listed in part IV of this Act and designated to be financed by revenue bond funds, in principal amounts as are required to yield the amounts appropriated for capital improvement program projects, and if determined by the board of regents and approved by the governor, any additional principal amount deemed necessary by the board of regents to pay interest on the revenue bonds during the estimated period of construction of the capital improvement program project for which the revenue bonds are issued, to establish, maintain, or increase reserves for the revenue bonds, and to pay all or any part of the expenses related to the issuance of the revenue bonds. The revenue bonds shall be issued pursuant to the provisions of part III of chapter 39, Hawaii Revised Statutes, as amended, except that the bonds shall be issued in the name of the University of Hawaii and not in the name of the State. The principal of and interest on the revenue bonds, to the extent not paid from the proceeds of the revenue bonds, shall be payable from and secured by the revenues derived from facilities under the ownership of the University of Hawaii or operated and managed by the University of Hawaii, or any part thereof as the board of regents may determine, including other moneys, rates, rents, fees, or charges currently or hereafter derived from or arising through the ownership, operation, and management of university facilities and the furnishings and supplying of the services thereof. The expenses related to the issuance of the revenue bonds, to the extent not paid from the proceeds of the bonds, shall be paid from the special funds of the University of Hawaii.

The governor, in the governor's discretion, may use University of Hawaii special funds to finance those projects authorized in part II and listed in part IV of this Act where the method of financing is designated to be by University of Hawaii revenue bond funds; and provided further that the governor shall submit a report to the legislature of all uses of this authority for the previous twelve month period from December 1 to November 30 no later than thirty days prior to the convening of the 2014 and 2015 regular sessions.

SECTION 74. After the objectives and purposes of appropriations made in this Act from the general obligation bond fund for capital improvement projects for the University of Hawaii have been met, unrequired balances shall be transferred to the University of Hawaii project adjustment fund appropriated in part II and described in part IV of this Act, and shall be considered a supplementary appropriation thereto; and provided further that the governor shall submit a report to the legislature of all uses of this authority for the previous twelve month period from December 1 to November 30 no later than thirty days prior to the convening of the 2014 and 2015 regular sessions.

SECTION 75. If authorized appropriations specified for University of Hawaii capital improvement projects listed in this Act or in any other act currently authorized by the legislature are insufficient, and where the source of funding for the project is designated as the general obligation bond fund, the governor may make supplemental allotments from the University of Hawaii project adjustment fund appropriated in part II and described in part IV of this Act to supplement any currently authorized capital investment cost elements; provided further that such supplemental allotments from the project adjustment fund shall not be used to increase the scope of the project; and provided further that the governor shall submit a report to the legislature of all uses of this authority for the previous twelve month period from December 1 to November 30 no later than thirty days prior to the convening of the 2014 and 2015 regular sessions.

SECTION 93. Except as otherwise provided in this Act, each department or agency may transfer positions within its respective authorized position ceiling for the purpose of maximizing the utilization of personnel resources and staff productivity; provided further that all such actions shall be with the prior approval of the governor and shall be consistent with appropriations provided in this Act and with provisions of part II of chapter 37, Hawaii Revised Statutes; provided further that the governor shall submit a report to the legislature within five days of each use of this authority; provided further that the report shall include the date of the transfer, the position transferred, the program from which the position was transferred, the program to which the position was transferred, responsibilities of the position prior to transfer, the responsibilities of the position after the transfer, and the manner in which the transfer maximizes the utilization of personnel resources and staff productivity; and provided further that the

governor shall submit to the legislature a summary report of all uses of this authority for the previous twelve month period from December 1 to November 30 no later than thirty days prior to the convening of the 2014 and 2015 regular sessions.

SECTION 113. Provided that no funds, including federal funds, shall be expended to fill in the fiscal biennium 2013-2015 any temporary or permanent position unless the position is authorized by a general or supplemental appropriations act item or proviso that is in effect; provided further that:

- (1) This prohibition shall not apply to:
 - (A) Positions established by the University of Hawaii or Hawaii health systems corporation;
 - (B) Positions that entirely federally funded;
 - (C) Positions for special projects approved by the governor;
 - (D) Positions established by an agency or department pursuant to explicit statutory authorization to establish such positions; and
 - (E) Positions established by an agency or department for a program or project funded by an appropriation in an act other than a general or supplemental appropriations act;
- (2) If an agency or department intends to fill a temporary or permanent position, the funding for which is not prohibited under paragraph (1), the agency or department head shall notify in writing the legislature and department of budget and finance of the intent to do so. The notification shall be provided at least fourteen days prior to commencing recruitment for the position or, if no recruitment occurs, making an offer to fill the position. The report required under this paragraph shall certify the following:
 - (A) The legal authority used to establish the position;
 - (B) That the position was properly established pursuant to valid legal authority to establish the position;
 - (C) The date the position was established;
 - (D) The projected date the position will be filled;
 - (E) The amounts projected to be expended in fiscal year 2013-2014 and fiscal year 2014-2015;
 - (F) The source of funds to be used to pay for the position; and
 - (G) The functions to be performed by the position;
- (3) An agency or department that has filled a temporary or permanent position, the funding for which is not prohibited under paragraph (1), during the fiscal period July 1, 2013 to December 31, 2013, the fiscal period January 1, 2014 to December 31, 2014, or the fiscal period January 1, 2015 to June 30, 2015, shall submit to the department of budget and finance a report listing the positions that were filled during the applicable fiscal period. The report shall be submitted within fifteen days of the end of the applicable fiscal period; and
- (4) The department of budget and finance shall submit to the legislature a summary report listing all unauthorized positions filled during each fiscal period specified under paragraph (3) within fifteen days of the end of the applicable fiscal period. For the purposes of this paragraph, "unauthorized positions" means a position subject to paragraph (1).

SECTION 129. Provided that the University of Hawaii shall prepare a report on all of its revenue sources that includes the following:

- (1) A description of each source of revenue to include identification of the source and amounts;

- (2) The actual and projected uses for each source of revenue identified by specific categories for expenditure and amounts; and
- (3) Identification of all obligations, projected obligations, and amounts placed on each source of revenue in excess of those identified in paragraph (2), including but not limited to revenues and reserves required to issue and pay the debt service on bonds, fund other debt instruments, fund projected collective bargaining increases, and initiate or expand programs; provided further that the report shall cover actual and projected data for fiscal year 2013-2014 and fiscal year 2014-2015 and projections for the subsequent six-year planning period; provided further that the University of Hawaii shall submit the report to the legislature no later than sixty days prior to the convening of the 2014 and 2015 regular sessions.

SECTION 130. Provided that, before the University of Hawaii, during the fiscal biennium 2013-2015, renews or extends the employment of or initially appoints an officer or employee whose prospective annual salary is at least the same as the annual salary of the governor, the university's board of regents shall approve that prospective annual salary; provided further that this requirement shall not apply to the prospective salary for a position established under a collective bargaining agreement; provided further that, to determine whether the "prospective salary" of an officer or employee is subject to board approval pursuant to this section, "prospective salary" shall include annual base salary plus any allowances, or expense reimbursements or payments; and provided further that this section shall supersede any conflicting policy or directive of the board of regents. The chair of the university's board of regents shall certify that the university has complied with this section during each fiscal year of the fiscal biennium 2013-2015. The certification for a fiscal year shall be submitted to the legislature before the January 1 immediately following the end of the fiscal year.

SECTION 131. Provided that the president of the University of Hawaii shall prepare a report on the appointment of graduates of the University of Hawaii to executive and managerial positions and faculty positions during each fiscal year of the fiscal biennium 2013-2015. The report for a fiscal year shall include the following: a list of executive and managerial and faculty positions filled during the fiscal year; the positions on the list filled by persons with associate, bachelor, or graduate degrees from the University of Hawaii; and the number of persons with such degrees who applied for, but were not appointed to, each of the executive and managerial or faculty positions filled during the fiscal year. The report for a fiscal year shall be submitted to the legislature before the January 1 immediately following the end of the fiscal year.

SECTION 132. The University of Hawaii president shall prepare a plan to reallocate the general fund appropriation for the University of Hawaii for each fiscal year of the fiscal period 2014-2015 through 2020-2021 to achieve a distribution among the campuses based on funding need and not the ability to generate non-general revenues or amount of past general fund appropriations. In particular, the president shall consider a reallocation that decreases the proportion appropriated for the University of Hawaii, Manoa (UOH100), and increases the proportions appropriated to other campuses that are projected to experience a:

- (1) Greater student enrollment growth rate compared to the rates of other campuses;
- (2) Greater operating expenditure growth rate compared to the rates of other campuses; or
- (3) Greater difference between operating expenditure growth rate and tuition growth rate compared to the differences of other campuses.

The president shall submit the plan to the board of regents of the University of Hawaii, governor, and legislature before January 1, 2014.

SECTION 133. The University of Hawaii board of regents shall conduct a review of the university's public relations and communications positions that identifies or addresses the following:

- (1) The number of positions for which at least fifty per cent of each position's work hours is spent on public, government, or media relations, authorized for the university;

- (2) The change in the number of these positions between fiscal year 2000-2001 and fiscal year 2013-2014;
- (3) The number of these positions filled as of October 1, 2013; and
- (4) A determination of whether a reduction of at least twenty-five per cent of these positions is warranted.

The board of regents shall submit the review to the legislature before the convening of the regular session of 2014.

SECTION 134. The University of Hawaii board of regents shall review and, if deemed necessary, recommend revisions to the current policies on the appointment and retention of, and compensation and prerequisites for, executive and managerial personnel in order to achieve a proper balance among the following factors:

- (1) Attractiveness of the positions to qualified persons dedicated to promoting the best interests of the university and the State;
- (2) Competitiveness with peer institutions;
- (3) Affordability to state taxpayers and university students; and
- (4) Comparison with other state agencies' executive and managerial officers who have similar duties and responsibilities.

As part of the review, the board shall determine whether it should rescind any delegation of authority to the university president or other officer of the university to appoint a person to an executive or managerial position.

The board shall submit its findings and recommendations to the legislature before the convening of the regular session of 2014.

SECTION 136. Prior to January 1, 2014, the director of finance shall submit to the legislature recommendations to more accurately align budgeting for operating programs with actual expenditures of the programs. The director's recommendations shall be intended to:

- (1) Result in the submission to the legislature of full, realistic funding requests for the anticipated expenditures for all positions, current expenses, and equipment authorized for a program;
- (2) Eliminate the following: negative adjustments in the budget details for a program, reliance on vacancy and turnover savings to fund other items in a program, avoidance of filling authorized positions in order to use funds budgeted for the positions for other purposes, and establishment of positions unauthorized by the legislature;
- (3) Minimize the transfer of funds between cost elements and programs to pay for shortfalls, contingencies, emergencies, or other unanticipated costs;
- (4) Balance an expending agency's need for flexibility in the expenditure of appropriations to meet needs anticipated and unanticipated during formulation and enactment of the executive budget with the legislature's responsibility to make appropriations for public programs deemed necessary or desirable; and
- (5) Increase transparency in budgeting and expenditures.

The director's recommendations may include the establishment of additional cost elements to properly reflect items for which expenditures are made.

SECTION 138. Provided that every department shall prepare a report on all positions abolished pursuant to legislative budget adjustments made under this Act; provided further that the report shall include the position number, title, full time equivalent amount, indication of whether the position is temporary or permanent, and budgeted salary by means of financing, for each program ID; and provided further that each department submit the report to the legislature no later than August 1, 2013.

SECTION 142. Provided that for all notification and reporting requirements in this Act, copies of the notification or report shall be submitted to the senate president's office, the speaker of the house of representatives' office, the senate ways and means committee chairperson's office, the house of representatives' finance committee chairperson's office, and to the appropriate standing committees' chairperson's office that has oversight responsibilities over the state program affected; and provided further that the notification and report shall be posted on the website of the agency responsible for submitting the notification or report.

COMPARISON ON 2012 & 2013 STATE LEGISLATURE

	<u>2012 Session</u>	<u>2013 Session</u>
Number of Bills Introduced / Tracked:	H – 1219 / 242 S – 1072 / 228	H – 1484 / 323 S – 1388 / 309
Number of Bills Testified / Total Submitted:	H – 36 / 63 S – 31 / 56	H – 54 / 103 S – 51 / 111
Number of Bills Passed by the Legislature:	H – 28 S – 40	H – 35 S – 30
Number of Bills Enacted / Vetoed / Overridden:	H – 25 / 3 / 0 S – 39 / 1 / 0	H – 34 / 1 / 0 S – 30 / 0 / 0
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Number of Concurrent Resolutions Introduced / Tracked:	H – 229 / 38 S – 176 / 38	H – 241 / 59 S – 202 / 77
Number of Concurrent Resolutions Testified / Total Submitted:	H – 6 / 8 S – 6 / 10	H – 6 / 8 S – 10 / 16
Number of Concurrent Resolutions Adopted:	H – 5 S – 7	H – 7 S – 9
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Number of Governor's Messages Tracked:	S – 27	S – 27

PREPARING FOR THE 2014 LEGISLATIVE SESSION

2014 LEGISLATIVE PROPOSALS

To prepare for the 2014 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.

Action	UH Deadline
Proposed bills and/or resolutions with justification sheets due to Government Relations Office	August 19, 2013

If your unit requires an extension, please notify Stephanie Kim at 956-4250 or via email at 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 bill or resolution to the Government Relations Office.

ANNUAL/REQUESTED LEGISLATIVE REPORTS

Attached 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 2014 legislative session as well as varying due dates depending on the specific report.

A list of important deadlines relating to the legislative reports is provided below:

Legislative Reports

Action	UH Deadline
Reports due to Government Relations Office	November 25, 2013*
Lead VP's approval or request for changes due	December 6, 2013
Reports in final form to Government Relations Office	December 13, 2013

* The deadline is based on reports that are due 20 days prior to the convening of the 2014 Legislative Session. The Government Relations Office will be in contact with the appropriate lead unit/campus, for reports requiring earlier submission.

Electronic version of the annual reports should be sent to Stephanie Kim (scskim@hawaii.edu) and Robbie Watland (watland@hawaii.edu). Upon approval and submission to the Legislature, the electronic versions of all annual reports will be available for online access at www.hawaii.edu/govrel.

UNIVERSITY OF HAWAII
REPORTS TO THE 2014 LEGISLATURE

STATUTE/BILL/ RESO#	TITLE	LEAD OFFICE	LEAD VP	DUE DATE
ANNUAL REPORTS				
HRS 37-74	Annual Report on Transfer of Appropriated Funds and Positions	CFO - Budget		20 days prior to session
HRS 40-82	Annual Report Summarizing Uncollectible Accounts	CFO - FIN	UGC	20 days prior to session
HRS 304A-106	Annual Report on Trust Fund Revenues & Gifts	CFO - Budget		20 days prior to session
HRS 304A-302	Annual Report on Progress of Career and Technical Education	CTE	BOR	Annual (Only to Gov)
HRS 304A-1004	Annual Report on Salary	OHR	EVP, CFO	20 days prior to session
HRS 304A-1144	Annual Report on the Construction Academy Curriculum	VPCC		20 days prior to session
HRS 304A-1202	Annual Report on Teacher Education Coord Comm	UHM	EVP	20 days prior to session
HRS 304A-1704	Annual Report from the Medical Education Council	UHM	VPR	20 days prior to session
HRS 304A-1891	Annual Report from HNEI on expenditures, contracts, activities, technology	UHM	VPR, CFO	20 days prior to session
HRS 304A-1905	Annual Report on the Mauna Kea lands	UHH	VPR, CFO	20 days prior to session
HRS 304A-2001	Report on Periodic Review of All UH System Programs Relative to Benchmarks	EVP	EVP, CFO	20 days prior to session in 2nd year of each fiscal biennium
HRS 304A-2007	Annual Report on Income & Expenditures on all Special and Revolving Funds	CFO - Budget		20 days prior to session
HRS 304A-2151 (Act 186, SLH 2003)	Annual Report on Risk Management	UGC/Risk Mgmt		20 days prior to session
HRS 304A-2153	UH Tuition & Fees Special Fund for Fundraising	UHF	CFO	20 days prior to session
HRS 304A-2159	UH Student Scholarship & Assistance Special Fund	SA	EVP, CFO	20 days prior to session
HRS 304A-2168	Semi-annual report on the moneys in the Hawai'i Cancer Research Special Fund, beginning on January 1, 2010	UHM	VPR, CFO	Semi-annual beginning on Jan 1, 2010
HRS 304A-2253	Annual Report on Research & Training Revolving Fund	VPR	VPR, CFO	20 days prior to session
HRS 304A-2273	Annual Report on the Community College Conference Center Revolving Fund	VPCC		20 days prior to session
HRS 304A-2689	Annual Report of all Revenue Bonds Issued	CFO - FIN		20 days prior to session
HRS 304A-3007	Annual Report from RCUH	RCUH		20 days prior to session
HRS 304A-3205	Annual Report in UH's continued participation in WICHE	SA	EVP, CFO	Each regular session
HRS 304A-3253	Annual Report on Operations of the Hawai'i Research Center for Future Studies	UHM	EVP	Prior to Jan 1
HRS 304A-3305	Annual Report on Nursing Scholars Program	UHM	EVP	20 days prior to session
Act 100, SLH 1999 (Section 7)	Annual Report on Government Operations	EVP		20 days prior to session
Act 281, SLH 2007	Annual Report from P-20 Initiative Council	EVP		Prior to Dec 31
Act 187, SLH 2012	Annual Report on the status of the Hawai'i Health Corps Program	UHM	CFO	20 days prior to session
Act 188, SLH 2008 (Section 2)	Annual Incentive & Performance Report	VPCC/CFO		In Nov

UNIVERSITY OF HAWAII
REPORTS TO THE 2014 LEGISLATURE

STATUTE/BILL/ RESO#	TITLE	LEAD OFFICE	LEAD VP	DUE DATE
Act 18, Special Session 2009 (Section 5)	Report by the John A. Burns School of Medicine on the assessment of the physician workforce	UHM	EVP, VPR, CFO	20 days prior to session in each odd-numbered year thereafter
Act 137, SLH 2009 (Section 4)	Report by Hawai'i EPSCoR on Hawai'i state science and technology plan		VPR	20 days prior to session of 2011, update reports every five years thereafter
2011 REQUESTS				
Act 164, SLH 2011 (Section 23)	Report on the expenditure of the funds from the Tobacco Master Settlement Agreement		CFO - Budget	Quarterly reports on Oct 15, Jan 15, Apr 15 and Jul 15
2012 REQUESTS				
Act 2, SLH 2012	Report by JABSOM detailing its financial plan to fund the operating expenses	UHM	CFO	20 days prior to session of 2013, 2014, 2015
NEW REQUESTS				
Act 87, SLH 2013	Annual Report by the Independent Audit Committee on UH Management	CFO	BOR/Internal Audit	20 days prior to session
Act 134, SLH 2013 (Section 66)	Report by Governor on use of UH Revenue Bonds Fund (UH generated)		CFO - FIN	30 days prior to session of 2014 and 2015
Act 134, SLH 2013 (Section 74)	Report by Governor on un-required GO bond fund balances transferred to the UH Project Adjustment Fund (UH generated)	OCI	CFO	30 days prior to session of 2014 and 2015
Act 134, SLH 2013 (Section 75)	Report by Governor on the supplemental allotments from the UH Project Adjustment Fund (UH generated)	OCI	CFO	30 days prior to session of 2014 and 2015
Act 134, SLH 2013 (Section 129)	Report of UH revenue sources that cover actual and projected data and projections for the subsequent six-year planning period		CFO - Budget (EVP, OHR)	60 days prior to session of 2014 and 2015
Act 134, SLH 2013 (Section 130)	Board of Regents' certification of employee salaries which are at least the same as the Governor's salary		EVP/OHR	Prior to Jan 1 immediately following the end of the fiscal year, 2013, 2014, 2015
Act 134, SLH 2013 (Section 131)	Report on appointment of graduates of UH to executive, managerial and faculty positions within UH		EVP/OHR	Prior to Jan 1 immediately following the end of the fiscal year, 2013-2015
Act 134, SLH 2013 (Section 132)	Report on plan to reallocate the general fund appropriation to achieve a distribution among campuses based on funding needs		CFO - Budget (EVP/CC)	Prior to Jan 1, 2014
Act 134, SLH 2013 (Section 133)	Board of Regents' review of the University's public relations and communications positions		EAUR/OHR (CC)	Prior to session of 2014
Act 134, SLH 2013 (Section 134)	Board of Regents' review and recommended revisions to the current policies on the appointment and retention, compensation and prerequisites for executive and managerial personnel		EVP	Prior to session of 2014

UNIVERSITY OF HAWAI'I
REPORTS TO THE 2014 LEGISLATURE

STATUTE/BILL/ RESO#	TITLE	LEAD OFFICE	LEAD VP	DUE DATE
Act 134, SLH 2013 (Section 138)	Report on all positions abolished	CFO (EVP, OHR)		Prior to Aug 1, 2013
Act 275, SLH 2013	Report on status of the Nisei Veterans Legacy Center, which shall include status of grants or donations	UHWO	CFO	20 days prior to session of 2014
HCR 48 SD1	Report on feasibility of forming a UH Hilo Men's Volleyball team	UHH	CFO	20 days prior to session of 2014
SCR 166	Report on the social, economic, and religious impacts of enacting marriage equality in Hawai'i	UHM	EVP	Prior to Nov 1, 2013
CONDITIONAL REPORTS				
HRS 487N-4	Report on Personal Information Security Breach Notification	Affected Campus/Unit	Respective VP	20 days after discovery
HRS 487J-4	Report on Notification of Social Security number disclosure	Affected Campus/Unit	Respective VP	20 days after discovery
HRS 487R-4	Report on Unauthorized Access Due to or After Disposal of Personal Information	Affected Campus/Unit	Respective VP	20 days after discovery
Act 94, SLH 2009	Notification of issuance of additional revenue bonds	CFO - FIN		Upon issuance
Act 3, SLH 2012	Notification of issuance of additional revenue bonds	CFO - FIN		Upon issuance

THE FOLLOWING LEGISLATIVE REPORTS SUBMITTED BY OTHER STATE DEPARTMENTS REQUIRING UH INPUT				
Act 134, SLH 2013 (Section 93)	Report by Governor of position transfers by state department or agency	CFO - FIN		30 days prior to session of 2014 and 2015
Act 134, SLH 2013 (Section 113)	Summary Report by Dept. of Budget & Finance on unauthorized positions	CFO - Budget		15 days end of fiscal period after Dec 31, 2013; Dec 31, 2014; Jun 30, 2015
Act 134, SLH 2013 (Section 136)	Report by the Director of Finance to align budgeting to operating programs with actual expenditures of the programs	CFO - Budget		Prior to Jan 1, 2014
Act 110, SLH 2013	Report by DAGS on inventory of buildings, facilities and sites owned by UH	CFO - FIN		Prior to Dec 1, 2013

Reports potentially requiring BOR approval