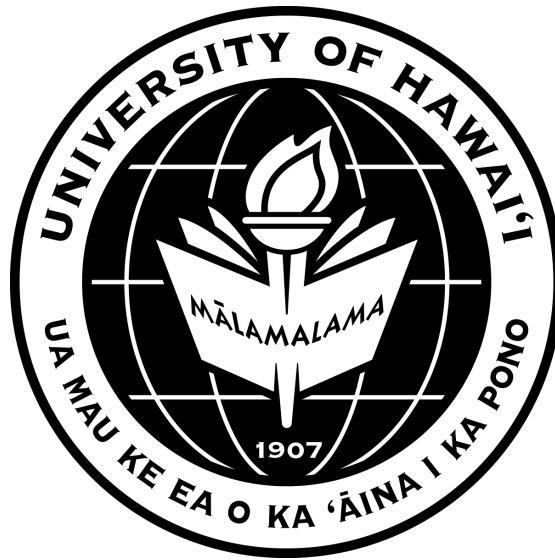


LEGISLATIVE SUMMARY
ON ISSUES IMPACTING THE UNIVERSITY OF HAWAI'I SYSTEM
Passed by the 2021 Hawai'i State Legislature



Prepared by the
Office of the Vice President for Budget & Finance/CFO
University of Hawai'i System

July 2021

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Bill descriptions provided by Legislative Reference Bureau's "Bills Passed by the Hawai'i State Legislature Regular Session of 2021." Some descriptions have been shortened for purposes of this report.

PREFACE

This report, prepared by the University of Hawai‘i System Office of the Vice President for Budget & Finance/Chief Financial Officer and the Government Relations Office (GRO), summarizes actions of the 2021 Regular Session of the 31st State Legislature affecting higher education.

The information provided includes summaries of individual bills and are arranged by subject matter under broad categories, such as Funding and Health and Medicine. Note that bills under “Funding” could also apply to health issues as well, and vice versa, and thus listed under both categories. Within each category, bills are listed in numerical order, not in order of significance.

Each summary is merely that—a summary. It is intended to direct the reader’s attention to a bill and to provide enough information for the reader to determine whether detailed analysis and possible development of an implementation plan is necessary. The summary is not a substitute for a holistic analysis of a bill in light of the particular circumstances of an office or institution.

The full text of each bill is available through a hyperlink in the electronic version of this document. The text, as well as the legislative history of each bill, is also available at www.capitol.hawaii.gov. This website is maintained by the Hawai‘i State Legislature and contains many other resources regarding legislation.

INTRODUCTION

The 2021 legislative session adjourned on April 29 (55th day of the Regular Session). A total of 2,820 bills were introduced at the start of this session and the Legislature passed over 260 bills. Of these, the University of Hawai'i (UH) tracked 588 bills that either had a direct or indirect impact on UH, and 63 passed the Legislature. Following the conclusion of the 2021 Regular Session, there was continued activity regarding bills sent to the governor for enactment. By State Constitution, Governor Ige submitted to the Legislature on June 21 (35th day after the Legislature's adjournment) a list of 28 bills that he "intended" to veto, of which 27 ultimately were vetoed. Of these vetoed bills, three had a significant impact on the University: HB 1296 CD1, HB 1299 CD1, and SB 589 CD1.

On July 6 (45th day after adjournment), the Legislature convened in special session to consider overriding any vetoes or amending bills to meet the governor's concerns. The State Constitution states that bills amended during special session to meet the governor's objections require only one reading in each chamber, and if amended and passed, it shall be presented again to the governor, but shall become law only if the governor shall sign it within ten days after presentation. If the bill is not signed, the veto shall remain. On July 8, 2021, the Legislature passed three bills with amendments (which included HB 1299 AD1 and SB 589 AD1) and transmitted those bills back to the governor for his consideration. The governor had until July 22, 2021, to sign these bills into law otherwise the veto will remain. Both bills in their amended form were signed into law on July 20, 2021.

Due to the COVID-19 pandemic, a major factor on the state budget was the lingering tax revenue impacts. In response to the pandemic, the US Congress passed three pieces of legislation in the last year: the Coronavirus Aid, Relief, and Economic Security (CARES) Act in March 2020, the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) in December 2020, and the American Rescue Plan Act (ARPA) in March 2021.

UH had a total of ten (10) legislative proposals approved by the President and introduced as part of the 2021 Governor's Administrative Package. During the session, SB 589 was amended to become a University omnibus bill which included three of our package measures (see description below for parts III, IV, and V):

- SB 589 CD1 (Act 8, Special Session 2021) included a section that would have required the UH Cancer Center to be administratively affiliated with John A. Burns School of Medicine (JABSOM) and to mandate certain functions to be merged. This version also limited the use of the Tuition and Fees Special Fund (TFSF) and the Research and Training Revolving Fund (RTRF) by JABSOM and the UH Cancer Center. This bill was amended during the special session and the parts in SB589 AD1 are as follows:
 - Part I – Requires the UH Cancer Center to be administratively affiliated with the John A. Burns School of Medicine and may be merged to achieve greater efficiency. The restrictions on the TFSF and RTRF were removed.
 - PART II – Requires UH to develop a plan for JABSOM and UH Cancer Center to achieve greater operational efficiencies.
 - PART III – Extends the sunset of Act 38, SLH 2017, exempting UH's technology transfer activities from certain provisions of the state ethics code to 6/30/2024.
 - PART IV – Temporarily restores provisions of Act 39, SLH 2017, reestablishing UH's innovation and commercialization initiative program to 6/30/2024. Prohibits program activities in which UH employees have a conflict of interest.
 - PART V – Temporarily reenacts changes made by Act 42, SLH 2018, allowing the UH president to act as UH's Chief Procurement Officer for procurement contracts for construction and professional services under chapter 103D, HRS, until 6/30/2024.
- SB 1220 SD1 (Act 170, SLH 2021) adds the University of Hawai'i to the list of agencies that are authorized to conduct criminal history record checks on current or prospective employees, whose positions or duties are related to the security of campus facilities and persons.

- SB 1222 SD2 HD1 CD1 (Act 171, SLH 2021) expands the scope of the Conference Center Revolving Fund for the University of Hawai'i at Hilo. Authorizes the chancellor of the University of Hawai'i at Hilo to expend funds from the revolving fund. Exempts the expenditure of moneys from the fund from bidding requirements under the Hawaii public procurement code. Requires the chancellor of the University of Hawai'i at Hilo to submit annual reports of the revolving fund to the legislature.
- SB 1225 SD1 HD1 CD1 (Act 172, SLH 2021) allows the chairperson of the Independent Audit Committee (IAC) of the University of Hawai'i Board of Regents (BOR) to be selected in a manner consistent with its bylaws. Clarifies that the responsibility of the IAC as to the university's enterprise risk management is to oversee, rather than engage in the pertinent operations. Exempts from chapter 91 and part I of chapter 92, HRS, discussions between the IAC and internal or external auditors on matters that should remain confidential in accordance with nationally recognized best practices for Independent Audit Committees. Allows the IAC chairperson to determine whether IAC discussions that are exempt from chapter 91 and part I of chapter 92, HRS, may be held without the presence of the president or the chief financial officer of the university. It also requires the IAC to report to the BOR significant issues pertaining to university operations and programs found in audit reports that warrant corrective or remedial action. Requires the BOR to ensure that necessary actions are implemented, and the underlying significant issue is appropriately corrected and remedied.

The UH Package measures which did not pass this session included:

- HB 1069/SB 1223 which amends the reporting requirement on the Hawai'i Cancer Research Special Fund from semi-annually to annually.
- HB 1070/SB 1224 which provides a framework that supports consistent land use planning and development across the University of Hawai'i System and allows project partnerships with qualified persons.
- HB 1072/SB 1226 which repeals the requirement that each University of Hawai'i campus prepare an operations plan, to be reviewed by the president and the vice president for budget and finance and the chief financial officer of the University of Hawai'i, for each fiscal year. Repeals the requirement that the moneys in the University of Hawai'i Tuition and Fees Special Fund for each University of Hawai'i campus to lapse to the credit of Program ID No. UOH900 (University of Hawai'i, system wide support).
- HB 1074/SB 1228 which transfers for administrative purposes only the Commission for National and Community Service from the University of Hawai'i to the Department of Business, Economic Development, and Tourism. Adds a representative from each county mayor's office to the commission and a representative of the volunteer sector. Also changes meeting requirements from quarterly to twice annually.

There were a number of measures which negatively impacted the University of Hawai'i and that included:

- HB 1296 (Vetoed) among other things, repeals the Hawai'i Tobacco Prevention and Control Trust Fund; specifies that the Hawai'i Tobacco Prevention and Control Trust Fund be deposited to the credit of the university revenue-undertaking fund until 7/1/2033; specifies that the cigarette tax revenues deposited to the credit of the Cancer Research Special Fund shall only be used for capital expenditures and only until 7/1/2041; requires the University of Hawai'i to reimburse fringe benefit costs for non-general funded positions.
- HB 1299 (Act 9, Special Session 2021) repeals various non-general funds across the State and in particular, repeals the UH Community Services Special Fund which is currently in use by UH programs such as the Outreach College's non-credit offerings.

This year, the Legislature passed a budget that had deep cuts across the ten-campus system. UH Mānoa received the largest percentage of cuts in general-funded appropriation, with a \$35.6 million cut for fiscal year 2022 or 13% to existing levels.

SUMMARY OF LEGISLATION

House/Senate Bills		UH Position	Enactment/Veto
<u>Academic</u>			
SB 0516	Career & Technical Education	Support	Passed
<u>Agriculture and Environment</u>			
HB 0237	Invasive Species	Support	Passed
HB 0243	Sea Level Rise Adaptation	Watched	Passed
HB 0552	Zero Emission Motor Vehicles	Watched	Passed
HB 0553	Protection of Sharks	Comments	Passed
HB 0683	Sustainable Aviation Fuel	Watched	Passed
HB 0817	Agriculture	Watched	Passed
HB 0834	Black Cinder Cone Quarry	Support	Passed
HB 0863	Forest Stewardship Program	Support	Passed
HB 1009	Forest Reserves Violations	Watched	Passed
HB 1019	Ocean Stewardship	Support	Passed
HB 1318	Environmental Advisory Council	Watched	Passed
HB 1333	HNEI	Watched	Passed
SB 0489	Agricultural Buildings	Support	Passed
SB 0512	SNAP Incentives	Support	Passed
SB 0855	Coffee Pest Control	Support	Passed
<u>Boards and Commissions</u>			
SB 1034	Sunshine Laws Board	Support	Passed
SB 1225	BOR Independent Audit Committee	Support	Passed
SB 1384	Early Learning Board	Support	Passed
<u>Business (Internal)</u>			
HB 0125	Online Privacy Protection Act	Watched	Passed
HB 0424	Procurement Contracts for Vehicles	Watched	Passed
HB 0526	Procurement Provisions	Watched	Passed
HB 0552	Zero Emission Motor Vehicles	Watched	Passed
HB 0862	PISCES	Support	Veto Overridden
HB 1191	Broadband Infrastructure	Watched	Passed
SB 0589	UH Omnibus	Support/Oppose/Comments	Passed
SB 1329	Procurement Protests	Watched	Passed
SB 1421	Dual Use Technology Task Force	Support	Passed
<u>Education (K-12)</u>			
HB 1362	Early Childhood Educator	Watched	Passed
SB 0242	Computer Science	Watched	Passed
SB 0813	Charter School	Watched	Passed
SB 0814	Charter School Commission	Watched	Passed
<u>Employees and Benefits</u>			
HB 0468	Employer-Union Health Benefits TF	Watched	Passed
HB 0670	Employees' Retirement System	Watched	Passed
HB 0929	Domestic Relations	Watched	Passed

HB 1253	Employment Practices	Watched	Passed
HB 1278	Employment Security	Watched	Passed
HB 1296	Tobacco TF, Non-G Funds	Comments	Vetoed
HB 1297	Collective Bargaining Costs	*Oppose	Passed
SB 1220	Criminal History Record Checks	Support	Passed

Funding

HB 0053	GO Bonds	Watched	Veto Overridden
HB 0054	Appropriate Funds	Watched	Passed
HB 0723	Pandemic Response	Watched	Passed
HB 1296	Tobacco TF, Non-G Funds	Comments	Vetoed
HB 1297	Collective Bargaining Costs	*Oppose	Passed
HB 1298	Transfer Non-G to G-Funds	Support	Passed
HB 1299	Repeal Non-General Funds	Oppose	Passed
SB 1222	Conference Center Revolving Fund	Support	Passed

Health and Medicine

HB 0313	Physician Workforce Assessment	Support	Passed
HB 0471	Behavior Analysts	Watched	Passed
HB 0541	Behavior Health Care Working Group	Watched	Passed
HB 1284	All Claims, All Payer Database	Watched	Vetoed
HB 1296	Tobacco TF, Non-G Funds	Comments	Vetoed
HB 1322	Trauma Informed Care	Support	Passed
SB 0589	UH Omnibus	Support/Oppose/Comments	Passed
SB 0970	Telehealth	Support	Passed

Information Technology

HB 0033	IT Steering Committee	Watched	Passed
HB 0125	Online Privacy Protection Act	Watched	Passed

Legal

HB 0671	Code of Ethics	Watched	Passed
SB 0873	Contested Cases	Watched	Passed

Real Property

HB 0499	Lease Extension on Public Land	Watched	Passed
HB 1348	Stadium Development District	Support	Passed
SB 0140	TOD Zone	Watched	Vetoed
SB 0225	Infrastructure Improvement Districts	Watched	Passed
SB 0628	Leahi Hospital	Support	Passed

Research and Innovation

SB 0589	UH Omnibus	Support/Oppose/Comments	Passed
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Students

HB 0125	Online Privacy Protection Act	Watched	Passed
HB 1291	Scholarships	Support	Passed

State Budget

HB 0200	Budget	Support	Passed/Vetoed
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*UH initially opposed HB1297, but supports the bill which ultimately passed the legislature.

Academic

SB 0516 SD1 HD2 CD1 (Act 163) – RELATING TO EDUCATION

Establishes provisions relating to industry recognized credentials; data collection. Requires the State Board for Career and Technical Education to review annually the statewide data collection processes, reporting requirements, and business rules related to the student attainment of industry recognized credentials. Requires the board to ensure consistent data collection and transparent reporting across relevant state educational systems and agencies. Requires the board to provide an annual report to the governor and the legislature on students' attainment of industry recognized credentials. Report to the legislature. Requires all state data collection processes, reporting requirements, and business rules to support the collection of student level data to include data that is disaggregated specifically for Hawai'i's population, including but not limited to disaggregated data for Native Hawaiians and Pacific Islanders, of industry recognized credential attainment. - - Amends Act 46, Session Laws of 2020, relating to access to learning, by requiring the Department of Education, the University of Hawai'i, the Department of Labor and Industrial Relations, and other state agencies, as appropriate, shall share data through the statewide longitudinal data system to support research that will improve educational and workforce outcomes. Requires the statewide longitudinal data system to store and analyze Career and Technical Education data it receives from all state educational systems and workforce training agencies pursuant to this provision to analyze the cross agency longitudinal education and workforce outcomes of students who attempted an educational course, training program, career program, postsecondary program, or other state supported workforce training program.

Introduced By: Dela Cruz D, Keith-Agaran G, Kidani M, Lee C, Shimabukuro M
 UH Position: Support
 Status: July 1, 2021 – Signed into law, Act 163

Agriculture and Environment

HB 0237 HD2 SD2 CD1 (Act 137) – RELATING TO INVASIVE SPECIES

Appropriation out of the funds received by the State of Hawai'i from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901), to the Department of Agriculture to be used to mitigate and control the 2 lined spittlebug, including reducing the 2 lined spittlebug population by using insecticides, integrating weed management measures in affected rangelands, and reseeding pastures damaged by infestations. Report to the legislature. (\$\$).

Introduced By: Hashem M, Branco P, Eli S, Kapela J, Lowen N, Morikawa D, Nakashima M, Onishi R, Tarnas D, Todd C
 UH Position: Support
 Status: June 30, 2021 – Signed into law, Act 137

HB 0243 HD1 SD2 CD1 (Act 178) – RELATING TO SEA LEVEL RISE ADAPTATION

Establishes provisions relating to coordination of sea level rise adaptation activities. Requires the Office of Planning, in cooperation with each state agency having operational responsibilities over state facilities, to begin statewide sea level rise adaptation coordination by working with state agencies to identify existing and planned facilities, including critical infrastructure, that are vulnerable to sea level rise, flooding impacts, and natural hazards, utilizing projections and map data from the most recent update of the Hawai'i sea level rise vulnerability and adaptation report, the State of Hawai'i hazard mitigation plan, and any other pertinent data and scientific reports to aid in this planning; assess a range of options for mitigating impacts of sea level rise to those existing and planned state facilities; and submit an annual report to the governor, legislature, and the Hawai'i Climate Change Mitigation and Adaptation Commission no later than twenty days prior to the convening of each regular session regarding the vulnerability and mitigation assessments for state facilities and progress made toward implementing sea level rise adaptation in future plans, programs, and capital

improvement needs and decisions. Report to the legislature. -- Amends provisions relating to objective and policies for facility systems--in general. Requires planning for the State's facility systems in general to be directed towards achievement of the objective of water, transportation, sustainable development, climate change adaptation, sea level rise adaptation, waste disposal, and energy and telecommunication systems that support statewide social, economic, and physical objectives. Provides that to achieve the general facility systems objective, it shall be the policy of this State to identify existing and planned state facilities that are vulnerable to sea level rise, flooding impacts, and natural hazards; assess a range of options to mitigate the impacts of sea level rise to existing and planned state facilities.

Introduced By: Tarnas D, Aquino H, Belatti D, Branco P, Hashimoto T, Ichiyama L, Ilagan G, Johanson A, Kapela J, Kitagawa L, LoPresti M, Lowen N, Marten L, Matayoshi S, McKelvey A, Mizuno J, Morikawa D, Nakamura N, Nakashima M, Okimoto V, Perruso A, Takayama G, Tam A, Tokioka J, Wildberger T, Woodson J, Yamane R, Yamashita K

UH Position: Watched

Status: July 2, 2021 – Signed into law, Act 178

HB 0552 HD1 SD2 CD1 (Act 074) – RELATING TO THE ENVIRONMENT

Establishes provisions relating to climate change mitigation. Requires it to be the goal of the State to reduce emissions that cause climate change and build energy efficiencies across all sectors, including decarbonizing the transportation sector. Requires state agencies to manage their fleets to achieve the clean ground transportation goals defined in provisions relating to energy efficiency and environmental standards for state facilities, motor vehicles, and transportation fuel and decarbonization goals established pursuant to the Hawai'i Climate Change Mitigation and Adaptation Initiative Law. – Establishes provisions relating to the clean ground transportation goal. Requires the Department of Transportation, in collaboration with the Hawai'i State Energy Office, to develop strategies to transition all light duty motor vehicles in the State's fleets to meet the clean ground transportation goal established pursuant to provisions relating to the energy efficiency and environmental standards for state facilities, motor vehicles, and transportation fuel.-- Amends provisions relating to light duty, motor vehicle requirements by changing the title to motor vehicle requirements. Requires the procurement policy for all agencies purchasing or leasing light, medium, and heavy-duty motor vehicles to be to seek vehicles that reduce dependence on petroleum-based fuels that meet the needs of the agency. Requires the priority for selecting vehicles to be as follows 0 emission vehicles; plug in hybrid electric vehicles; alternative fuel vehicles; and hybrid electric vehicles. Prohibits vehicles to be larger than necessary for their intended functions. – Amends provisions relating to state support for achieving alternate fuels standards by amending the title to add and clean ground transportation goals. Requires the State to support the attainment of the clean ground transportation target established in this this provision. -- Amends provisions relating to the Department of Accounting and General Services. Requires the Department of Accounting and General Services to approve state fleet acquisitions; provided that beginning January 1, 2022, all new light duty motor vehicles that are passenger cars purchased for the State's fleet shall be 0 emission vehicles; beginning as soon as practicable but no later than January 1, 2030, all new light duty motor vehicles that are multipurpose passenger vehicles and trucks for the State's fleet shall be 0 emission vehicles; and the comptroller may authorize an exemption for new fleet vehicle purchases if 0 emission vehicles are demonstrated to be cost prohibitive on a lifecycle basis or unsuitable for the vehicles.

Introduced By: Lowen N, Branco P, DeCoite L, Ganaden S, Hashem M, Ichiyama L, Ilagan G, Johanson A, Kapela J, Kitagawa L, LoPresti M, Marten L, McKelvey A, Mizuno J, Nakashima M, Ohno T, Perruso A, Takayama G, Tarnas D, Wildberger T

UH Position: Watched

Status: June 24, 2021 – Signed into law, Act 074

HB 0553 HD2 SD2 CD1 (Act 051) – RELATING TO THE PROTECTION OF SHARKS

Establishes provisions relating to sharks, mano, prohibitions; exceptions; penalties and fines. Prohibits a person to intentionally or knowingly capture or entangle any shark, whether alive or dead, or kill any shark, within state marine waters. Makes it a misdemeanor and establishes a fines schedule. Establishes exemptions

as specified. Allows the Department of Land and Natural Resources to establish rules. Allows the Department of Land and Natural Resources to issue a non-commercial permit for the take of sharks, subject to permit conditions that shall include native Hawaiian cultural protocol, size and species restrictions, and a prohibition on species listed as endangered or threatened pursuant to provisions relating to endangered species and threatened species.

Introduced By: Lowen N, Branco P, DeCoite L, Ganaden S, Hashem M, Hashimoto T, Ichiyama L, Ilagan G, Kapela J, LoPresti M, Marten L, Matayoshi S, McKelvey A, Mizuno J, Nakashima M, Ohno T, Perruso A, Takayama G, Wildberger T
 UH Position: Comments
 Status: June 8, 2021 – Signed into law, Act 051

[HB 0683 HD2 SD1 CD1 \(Act 180\)](#) – RELATING TO SUSTAINABLE AVIATION FUEL

Establishes provisions relating to sustainable aviation fuel program. Establishes the program through which the Hawai'i Technology Development Corporation may provide matching grants to any small business in the State that is developing products related to sustainable aviation fuel or greenhouse gas reduction from commercial aviation operations and requires assistance for business planning; technology development; engineering; or research. Provides that in reviewing grant applications pursuant to this provision, the development corporation shall analyze each application to determine whether the item to be undertaken will be economically viable and beneficial to the State. Provides that for the purposes of the program, product development activities eligible for matching funds grants shall reduce commercial aviation greenhouse gas emissions through sustainable aviation fuel production; airborne operations fuel efficiency; ground support equipment fuel replacement; ground support equipment fuel efficiency; or airport operations support to reduce overall jet fuel consumption. Requires the Hawai'i jet fuel base line carbon intensity shall be set at 89 grams of carbon dioxide equivalent per megajoule, in line with the benchmark established by the International Civil Aviation Organization. Allows this carbon intensity to be revised upon recommendation from the Hawai'i State Energy Office based upon future revisions to the US Department of Energy's Greenhouse Gases, Regulated emissions, and energy use in transportation full lifecycle model; provided that carbon intensity shall be measured in the units of grams of carbon dioxide equivalent per megajoule.

Introduced By: Nakashima M, Johanson A, Mizuno J, Morikawa D, Saiki S
 UH Position: Watched
 Status: July 2, 2021 – Signed into law, Act 180

[HB 0817 HD2 SD2 \(Act 176\)](#) – RELATING TO AGRICULTURE

Establishes provisions relating to contracts for produce; percentage to be grown within the State. Requires each principal department of the State, as established in provisions relating to structure of government, that purchases produce to ensure that a certain percentage of the produce purchased by that department is fresh local agricultural products and local value added, processed, agricultural, or food products as specified. Reports to the legislature.

Introduced By: Matayoshi S, Branco P, Hashem M, Hashimoto T, Holt D, Kapela J, LoPresti M, Lowen N, Marten L, McDermott B, McKelvey A, Perruso A, Tarnas D, Todd C
 UH Position: Watched
 Status: July 2, 2021 – Signed into law, Act 176

[HB 0834 HD1 SD1 CD1 \(Act 191\)](#) – RELATING TO A BLACK CINDER CONE QUARRY SITE SURVEY

Requires the Department of Land and Natural Resources, in collaboration with the county of Hawai'i to conduct site surveys on the island of Hawai'i to identify the most suitable locations for new black cinder cone quarries. Report to the legislature. Appropriation out of the funds received by the State of Hawai'i from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901), to the Department of Land and Natural Resources for the purposes of this Act. (§§)

Introduced By: Ilagan G, Aquino H, Cullen T, Hashem M, Hashimoto T, Holt D, Ichiyama L, Johanson A, Kitagawa L, Kobayashi B, McKelvey A, Mizuno J, Nakamura N, Nishimoto S, Ohno T, Quinlan S, Takayama G, Tam A, Tarnas D, Todd C, Woodson J, Yamane R
 UH Position: Support
 Status: July 6, 2021 – Signed into law, Act 191

HB 0863 HD2 SD2 CD1 (Act 192) – RELATING TO FORESTRY

Appropriation out of the funds received by the State of Hawai‘i from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901), to the Department of Land and Natural Resources for the forest stewardship program to build and expand facilities of the state tree nurseries. (\$\$).

Introduced By: Marten L, DeCoite L, Ichiyama L, Kapela J, LoPresti M, Lowen N, Mizuno J, Morikawa D, Nakamura N, Tam A, Tarnas D, Ward G
 UH Position: Support
 Status: July 6, 2021 – Signed into law, Act 192

HB 1009 HD1 SD1 (Act 193) – RELATING TO CERTAIN PENALTIES FOR VIOLATIONS OF SUBTITLE 4 OF TITLE 12, HAWAII REVISED STATUTES

Amends provisions relating to general administrative penalties by changing it to general penalties. Allows the Board of Land and Natural Resources or its authorized representative to any rule adopted or permit issued a fine of an amount up to 10,000 dollars or 3 times the market value at the time and place of the violation, as determined by the board, for each tree or tree products, including koa, whichever is greater, per violation of provisions relating to timber trespass in forest reserves to be levied for each destroyed, damaged, or harvested tree, or portion thereof, larger than 6 inches in diameter at ground level along with any costs associated with restoration or replacement of habitat and damages to public land or natural resources, or any combination thereof. Requires that any person who violates any rule adopted by the Department of Land and Natural Resources under this law regulating vehicular parking or traffic movement to have committed a traffic infraction and be adjudicated set forth in adjudication of traffic infractions law. Establishes fines. Provides that the State shall be precluded from pursuing further civil legal action to recover administrative fines, fees, and costs, including attorney's fees and costs, or monetary assessments against that person fined. -- Amends provisions relating to criminal penalties. Unless otherwise specified, any person who violates a provision of this part or a rule adopted pursuant to this part shall be guilty of a petty misdemeanor. Exempts authorized employees of the department acting within the scope of employment to be subject to the penalty provided for in this provision. Provides that a person convicted of violating a provision of this part or a rule adopted pursuant to this part to be sentenced, without the possibility of suspension of sentence to a mandatory fine of not less than 100 dollars, or imprisonment of not more than 30 days, or both, for a 1st offense, or any offense not preceded within a 5 year period by a conviction for a prior offense; a mandatory fine of not less than 500 dollars, or by imprisonment of not more than 30 days, or both, for an offense that occurs within 5 years of a conviction for a prior offense; and a mandatory fine of 1,000 dollars, or imprisonment of not more than 30 days, or both, for an offense that occurs within 5 years of 2 or more convictions for prior offenses. -- Repeals provisions relating to general penalty.

Introduced By: Saiki S (BR)
 UH Position: Watched
 Status: July 6, 2021 – Signed into law, Act 193

HB 1019 HD2 SD2 CD1 (Act 046) – RELATING TO OCEAN STEWARDSHIP

Establishes the Ocean Stewardship Law. Establishes the Ocean Stewardship Special Fund to be administered by the Department of Land and Natural Resources. Requires the following to be deposited into the Ocean Stewardship Special Fund moneys collected as user fees pursuant to provisions relating to aquatic resources; revenues due to the State from leases of any lands, facilities, equipment, and other property owned by the department and used for or dedicated to the management, research, restoration, and enhancement of aquatic

resources; moneys collected as fines, bail forfeitures, attorney's fees, and administrative costs for violations of subtitle 5 of title 12 or any rule adopted thereunder, except the following as specified; moneys collected for the purposes of compensatory mitigation from federal or state permitted impacts to the marine environment; grants, awards, donations, gifts, transfers, or moneys derived from private or public services for the purposes of provisions, except the following as specified; moneys derived from interest, dividend, or other income from the above sources. Requires the Ocean Stewardship Special Fund to be used to the following as specified. Requires the Ocean Stewardship Special Fund to be held separate and apart from all other moneys, funds, and accounts in the department; provided that any moneys received from the federal government, through federal programs, or from private contributions, shall be deposited and accounted for in accordance with conditions established by the agency or private entity from whom the moneys are received; provided further that 20 per cent of all gross revenues collected under specified provisions shall be payable to the office of Hawaiian affairs as ceded lands revenues. Requires any balance remaining in the fund at the end of any fiscal year to be carried forward in the fund for the next fiscal year. Prohibits the proceeds of the Ocean Stewardship Special Fund to be used as security for, or pledged to the payment of principal or interest on, any bonds or instruments of indebtedness. -- Amends provisions relating to ocean stewardship user fee. Requires that operators of commercial vessels, water craft, or water sports equipment that are required to have a commercial operator permit, Hawai'i Administrative Rules, to collect an ocean stewardship user fee from each passenger carried or customer served. Requires ocean stewardship user fee to be 1 dollar per passenger or customer and adjusted every 5 years to match changes in the Consumer Price Index in the Honolulu area as reported by the US Bureau of Labor Statistics; provided that the fee shall not be adjusted more than 10 per cent every 5 years. Prohibits fees collected pursuant to this provision to be counted toward gross revenues for purposes of permits and fees for state small boat harbors; permit transfers. Requires all fees collected pursuant to this provision to be transferred to the department on a monthly basis and shall be deposited into the Ocean Stewardship Special Fund; provided that any fees collected after January 1, 2029, shall be deposited into the general fund. Requires the department to adopt rules pursuant to administrative procedure law to implement this provision. -- Requires the Ocean Stewardship Special Fund to be repealed and abolished on January 1, 2029, and any remaining balance shall lapse to the general fund (sunset).

Introduced By: Saiki S (BR)

UH Position: Support

Status: June 8, 2021 – Signed into law, Act 046

[HB 1318 HD1 SD1 CD1 \(Act 152\)](#) – RELATING TO SUSTAINABILITY

Establishes provisions relating to the Environmental Advisory Council; established. Creates an Environmental Advisory Council not to exceed 15 members. Requires the Environmental Advisory Council to be established within the Office of Planning. – Amends the Environmental Quality Control Advisory Council Law by changing its title to Environmental Advisory Council. -- Transfers the rights, powers, employees, appropriations, and other personal property from the Office of Environmental Quality Control to the Office of Planning. Transfers all rules adopted or developed by the Department of Health, Office of Environmental Quality Control, or Environmental Council to the Office of Planning. -- Amends provisions relating to environmental impact statements law. Amends the ability for an applicant to appeal nonacceptance of an environmental impact statement from the environmental council to the environmental court.

Introduced By: Lowen N, Tarnas D

UH Position: Watched

Status: July 1, 2021 – Signed into law, Act 152

[HB 1333 HD1 SD1 CD1 \(Act 092\)](#) – RELATING TO ENERGY

Requires the Hawai'i Natural Energy Institute, in consultation with the Department of Health, to conduct a comprehensive study to determine best practices for disposal, recycling, or secondary use of clean energy products in the State. Report to the legislature. -- HB1333 CD1

Introduced By: Kitagawa L, Cullen T, Eli S, Holt D, Ilagan G, Johanson A, Lowen N, Marten L, Matsumoto L, Mizuno J, Morikawa D, Tam A, Tarnas D
UH Position: Watched
Status: June 25, 2021 – Signed into law, Act 092

SB 0489 HD1 CD1 (Act 100) – RELATING TO AGRICULTURAL BUILDINGS

Amends provisions relating to agricultural buildings and structures; exemptions from building permit and building code requirements. Increases the maximum square feet area from 20,000 to 60,000 square feet for agricultural shade cloth structures, cold frames, or greenhouses that are exempt from building permit and building code requirements.

Introduced By: Gabbard M, Chang S, Keith-Agaran G, Misalucha B, San Buenaventura J
UH Position: Support
Status: June 25, 2021 – Signed into law, Act 100

SB 0512 SD2 HD1 CD1 (Act 177) – RELATING TO SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM INCENTIVES

Amends provisions relating to Hawai'i Healthy Food Incentive Program; rules. Requires participants in the Hawai'i Healthy Food Incentive Program (double up food bucks program) who are beneficiaries of the Supplemental Nutrition Assistance Program to receive a dollar for dollar match to be used exclusively for the purchase of Hawai'i grown fresh fruits and vegetables, or healthy proteins that are eligible for supplemental nutrition assistance as determined by the program, at a farmers' market, farm stand, mobile market, community supported agriculture site, grocery store, or other direct food retailer that participates in the Supplemental Nutrition Assistance Program (SNAP). (COVID-19, COVID 19, coronavirus)

Introduced By: Dela Cruz D, Gabbard M, Keith-Agaran G, Keohokalole J, Kidani M, Lee C, Misalucha B, Nishihara C, Shimabukuro M
UH Position: Support
Status: July 2, 2021 – Signed into law, Act 177

SB 0855 SD1 HD1 CD1 (Act 138) – RELATING TO COFFEE PEST CONTROL

Amends Act 105, Session Laws of 2014, as amended by Act 152, Session Laws of 2015, as amended by Act 65, Session Laws of 2017, as amended by Act 32, Session Laws of 2018, as amended by Act 111, Session Laws of 2019, which establishes a Pesticide Subsidy Program in the Department of Agriculture, by amending the repeal date of the Pesticide Subsidy Program to June 30, 2023 (sunset). Provides that no single coffee grower shall receive subsidies that are more than 600 dollars per year for coffee berry borer control and more than 600 dollar per year for coffee leaf rust control per acre of land in coffee production. Provides that no single coffee grower shall receive subsidies that total more than 12,000 dollars per year for the period after June 30, 2021, and before July 1, 2023. Requires the Department of Agriculture to also establish a list of pesticides that are registered with the US Environmental Protection Agency; are licensed with the State; and are contact and systemic fungicides that, when combined, are effective against coffee leaf rust. Amends the provision that requires the Pesticide Subsidy Program manager position to expire on June 30, 2024 (sunset). Requires the Department of Agriculture to submit a report to the legislature.

Introduced By: Kanuha D
UH Position: Support
Status: June 30, 2021 – Signed into law, Act 138

Boards and Commissions

SB 1034 SD1 HD2 CD1 (Act 220) – RELATING TO SUNSHINE LAW BOARDS

Establishes provisions relating to remote meeting by interactive conference technology; notice; quorum. Allows a board to hold a remote meeting by interactive conference technology; provided that the interactive conference technology used by the board allows audiovisual interaction among all members of the board participating in the meeting and all members of the public attending the meeting, except as otherwise provided under this provision; provided further that there is at least 1 meeting location that is open to the public and has an audiovisual connection. Exempts a board holding a remote meeting pursuant to this provision to be required to allow members of the public to join board members in person at nonpublic locations where board members are physically present or to identify those locations in a notice; provided that at the meeting, each board member shall state who, if anyone, is present at the nonpublic location with the member. Specifies notice requirements. Establishes requirements for conduct of remote meetings held by interactive conference technology. Requires a meeting held by interactive conference technology to be automatically recessed for up to 30 minutes to restore communication when audiovisual communication cannot be maintained with all members participating in the meeting or with the public location identified in the board's notice pursuant to this provision or with the remote public broadcast identified in the board's notice pursuant to this provision. Allows the meeting to reconvene when either audiovisual communication is restored, or audio only communication is established after an unsuccessful attempt to restore audiovisual communication, but only if the board has provided reasonable notice to the public as to how to access the reconvened meeting after an interruption to communication. -- Amends provisions relating to meeting by interactive conference technology; notice; quorum by changing the title to in person meeting at multiple sites by interactive conference technology; notice; quorum. Allows a board to hold an in person meeting at multiple meeting sites connected by interactive conference technology; provided that the interactive conference technology used by the board allows audio or audiovisual interaction among all members of the board participating in the meeting and all members of the public attending the meeting, and the notice identifies all of the locations where participating board members will be physically present and indicates that members of the public may join board members at any of the identified locations. Allows the board to provide additional locations open for public participation but where no participating board members will be physically present. Requires the notice to list any additional locations open for public participation but where no participating board members will be physically present and specify, in the event 1 of those additional locations loses its audio connection to the meeting, whether the meeting will continue without that location or will be automatically recessed to restore communication as provided in this provision. Requires a meeting held by interactive conference technology under this provision to be automatically recessed for up to 30 minutes to restore communication when audio communication cannot be maintained with all locations where the meeting by interactive conference technology is being held, even if a quorum of the board is physically present in 1 location. Allows the meeting to reconvene when either audio or audiovisual communication is restored. Provides that within 15 minutes after audio only communication is established, copies of nonconfidential visual aids that are required by or brought to the meeting by board members or as part of a scheduled presentation shall be made available either by posting on the internet or by other means to all meeting participants, and those agenda items for which visual aids are not available for all participants at all meeting locations shall not be acted upon at the meeting. Provides that if it is not possible to reconvene the meeting as provided in this section within 30 minutes after an interruption to communication, and the board has not provided reasonable notice to the public as to how the meeting will be continued at an alternative date and time, then the meeting shall be automatically terminated. -- Amends provisions relating to notice. Requires the notice to include the board's electronic and postal contact information for submission of testimony before the meeting; instructions on how to request an auxiliary aid or service or an accommodation due to a disability. -- Requires the Office of Information Practices to, in consultation with the Disability and Communication Access Board and the Office of Enterprise Technology Services, assess the implementation of meetings held using interactive conference technology, including participation by members of the public who need an accommodation due to a disability. Report to the legislature. (COVID-19, COVID 19, coronavirus).

Introduced By: Kouchi R (BR)
 UH Position: Support
 Status: July 6, 2021 – Signed into law, Act 220

SB 1225 SD1 HD1 CD1 (Act 172) – RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS INDEPENDENT AUDIT COMMITTEE

Amends provisions relating to Independent Audit Committee; established; powers; duties. Requires the chair of the Independent Audit Committee to be selected in a manner consistent with the bylaws of the Board of Regents. Exempts the Independent Audit Committee from administrative procedure law and part I of public agency meetings and records law to the extent that the Independent Audit Committee is engaging in discussions with internal or external auditors on matters that should remain confidential in accordance with nationally recognized best practices for Independent Audit Committees, or in proceedings arising from an investigation by the Independent Audit Committee relating to potentially actionable civil or criminal conduct, regardless of whether the investigation is pending or outstanding. Provides that at the discretion of the chair of the Independent Audit Committee, discussions under this provision may be held in the absence of the President of the University of Hawai'i or the chief financial officer of the university. --Establishes provisions relating to findings of significant issues; implementation of corrective and remedial action. Provides that in the event an investigation or audit performed by the Independent Audit Committee, internal auditor, or external auditor, or any audit report reviewed by the Independent Audit Committee finds significant issues with an operation or program of the University of Hawai'i, including non-compliance or possible non-compliance with any applicable law, ordinance, rule, or regulation, or any applicable Board of Regent policy or executive policy of the university, and the findings recommend or warrant corrective or remedial action to be taken by the university, the Independent Audit Committee shall immediately notify the Board of Regents in writing of the significant issue and the corrective and remedial action warranted or recommended to be taken. Requires the Board of Regents to review the progress reports submitted by the university pursuant to this provision and take appropriate action to ensure timely implementation of the corrective or remedial action. Provides that upon completion of the university's implementation of the corrective or remedial action, the Board of Regents shall take action to ensure that the underlying significant issue has been appropriately corrected and remedied.

Introduced By: Kouchi R (BR)
 UH Position: Support
 Status: July 1, 2021 – Signed into law, Act 172

SB 1384 HD1 CD1 (Act 173) – RELATING TO EDUCATION

Amends provisions relating to the Early Learning Board. Requires the members of the board to serve staggered terms; the representative of Hawaiian medium early learning providers shall serve a 2 year term; provided that the prohibition against serving more than 2 consecutive terms not to exceed 8 consecutive years pursuant to provisions relating to selection and terms of members of boards and commissions shall not apply to the representative of Hawaiian medium early learning providers' term limit. Act to be repealed on June 30, 2025 (sunset).

Introduced By: Kidani M, Chang S, Fevella K, Shimabukuro M
 UH Position: Support
 Status: July 1, 2021 – Signed into law, Act 173

Business (Internal)

HB 0125 HD2 SD2 (Act 039) – RELATING TO THE UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT

Establishes the Uniform Employee and Student Online Privacy Protection Act. Prohibits an employer to require, coerce or request an employee to disclose the login information for a protected personal online

account; disclose the content of the account, except that, without coercion and pursuant to a clear statement that acceptance is voluntary and not required, an employer may request an employee to add the employer to, or not remove the employer from, the set of persons to which the employee grants access to the content; alter the settings of the online account in a manner that makes the login information for or content of the account more accessible to others; access the account in the presence of the employer in a manner that enables the employer to observe the login information for or content of the account; or turn over to the employer an unlocked personal technological device for purposes of gaining access to a protected account; or take, or threaten to take, adverse action against an employee for failure to comply with an employer requirement, coercive action, or request; or an employer request to add the employer to, or not remove the employer from, the set of persons to which the employee grants access to the content of a protected personal online account. -- Prohibits an educational institution to require, coerce, request a student to disclose the login information for a protected personal online account; disclose the content of the account, except that, without coercion and pursuant to a clear statement that acceptance is voluntary and not required, an educational institution may request a student to add the educational institution to, or not remove the educational institution from, the set of persons to which the student grants access to the content; alter the settings of the online account in a manner that makes the login information for or content of the account more accessible to others; or access the account in the presence of the educational institution in a manner that enables the educational institution to observe the login information for or content of the account; or turn over to the educational institution an unlocked personal technological device for purposes of gaining access to a personal online account; or take, or threaten to take, adverse action against a student for failure to comply with an educational institution requirement, coercive action, or request; or an educational institution request to add the educational institution to, or not remove the educational institution from, the set of persons to which the student grants access to the content of a protected personal online account. -- Authorizes the attorney general to bring a civil action against an employers or educational institution. Establishes civil penalties.-- Allows an employee or student to bring civil action and obtain injunctive and other equitable relief; actual and general damages; and cost and reasonable attorney's fees.

Introduced By: Takayama G

UH Position: Watched

Status: June 7, 2021 – Signed into law, Act 039

HB 0424 HD1 SD1 CD1 (Act 073) – RELATING TO PROCUREMENT OF CONTRACTS FOR VEHICLE RENTAL

Amends provisions relating to energy efficiency and environmental standards for state facilities, motor vehicles, and transportation fuel. Provides that with regard to motor vehicles and transportation fuel, each agency shall adopt a preference for the rental of electric vehicles or hybrid vehicles; provided that all agencies, when renting a vehicle on behalf of a state employee in the discharge of official government business, shall rent a vehicle of 1 of the following types, listed in order of preference; electric vehicle; or hybrid vehicle; provided further that the vehicle is available and suitable for the specific travel requirements; the agency may rent a conventional vehicle only if an electric vehicle or hybrid vehicle is not suitable; or neither an electric vehicle nor a hybrid vehicle is available; an agency shall exercise the policy preference for rental of an electric vehicle or hybrid vehicle notwithstanding the potential higher cost associated with renting an electric vehicle or hybrid vehicle; provided that the rental rate for the electric vehicle or hybrid vehicle is comparable to that of a conventional vehicle of similar class; provided further that the cost premium is consistent with any budgetary constraints and not contradicted by an existing state contract with the rental business entity from which the vehicle is rented; and to the extent practicable, all agencies shall rent a vehicle pursuant to this provision from a rental contractor.

Introduced By: Wildberger T, Ganaden S, Mizuno J

UH Position: Watched

Status: June 24, 2021 – Signed into law, Act 073

HB 0526 HD1 SD2 CD1 (Act 188) – RELATING TO PROCUREMENT

Amends provisions relating to the Hawai'i public procurement code. Establishes provisions relating to past performance database. Provides that no later than December 31, 2023, the State Procurement Office shall implement and administer a past performance database with regard to state contractors. -- Amends provisions relating to definitions. Defines past performance to mean available recent and relevant performance of a contractor, including positive, negative, or lack of previous experience, on contracts that shall be considered in a responsibility determination within the relevance of the current solicitation, including the considerations of provisions relating to authority to debar or suspend. -- Amends provisions relating to competitive sealed bidding. Requires criteria that will affect the bid price and be considered in evaluation for award to be as objectively measurable as possible, such as discounts, transportation costs, total or life cycle costs, and the bidder's past performance, if available. -- Amends provisions relating to competitive sealed proposals. Requires the request for proposals to include as an evaluation factor, past performance on projects of similar scope for public agencies or private industry, and shall state the relative importance of price, past performance, and other evaluation factors. Provides that in addition to any other provisions of this provision, construction projects may be solicited through a request for proposals to use the design build method; provided that past performance on projects of similar scope for public agencies or private industries shall be an evaluation factor for the prequalification of offerors. Amends provisions relating to sole source procurement. Allows a contract to be awarded for goods, services, or construction without competition when the head of a purchasing agency determines in writing that there is only 1 source for the required good, service, or construction, the determination is reviewed and approved by the chief procurement officer, the written determination is posted in the manner described in rules adopted by the policy board, a review of past performance, if available, has been conducted, and no objection is outstanding. Requires the written determination, any objection, past performance evaluations relied upon, and a written summary of the disposition of any objection to be included in the contract file. -- Amends provisions relating to responsibility of offerors. Provides that for the purpose of making a responsibility determination, the procurement officer shall possess or obtain available information, including past performance, sufficient to be satisfied that a prospective offeror meets the applicable standards. -- Amends provisions relating to retention of procurement records by changing the title to retention of procurement records; evaluations. Requires written past performance evaluations for all procurements over the small purchase threshold to be maintained in the processing department's procurement files and in the statewide past performance database.

Introduced By: Matayoshi S, Hashimoto T, Ichiyama L, Johanson A, Kitagawa L, Tarnas D
 UH Position: Watched
 Status: July 6, 2021 – Signed into law, Act 188

HB 0552 HD1 SD2 CD1 (Act 074) – RELATING TO THE ENVIRONMENT

Bill information available on [page 9](#).

HB 0862 HD2 SD2 CD1 (Act 001, Special Session 2021) – RELATING TO STATE GOVERNMENT

Establishes provisions relating to the Pacific International Space Center for Exploration Systems. Transfers administration of the Pacific International Space Center for Exploration Systems from the Department of Business, Economic Development, and Tourism to the University of Hawai'i at Hilo. -- Repeals provisions relating to the Office of Aerospace Development, Aerospace Advisory Committee, and the Hawai'i Unmanned Aerial Systems Test Site Advisory Board. -- Requires the Challenger Center Hawai'i Program to be transferred from the Office of Aerospace Development and placed within the Department of Education for administrative purposes. Provides that on July 1, 2021, the budget of the Office of Aerospace Development that is specifically allocated to the Challenger Center Hawai'i Program shall be transferred to the Department of Education.-- Establishes provisions relating to the county transient accommodations tax. Allows each county to establish a transient accommodations tax not to exceed the maximum rate set forth in section 237D-____. Requires the county transient accommodations tax to be in addition to any state transient accommodations tax. Requires a county electing to establish a transient accommodations tax pursuant to this provision to do so by ordinance. -- Establishes provisions relating to county transient accommodations tax; administration. Requires the county transient accommodations tax, upon the adoption of a county ordinance

and in accordance with the requirements of section 46-____, to be levied, assessed, and collected as provided in this section on all gross rental, gross rental proceeds, and fair market rental value taxable under this law. Prohibits a county to set its transient accommodations tax at a rate greater than 3 per cent of all gross rental, gross rental proceeds, and fair market rental value taxable under this law. Provides that with respect to the county transient accommodations tax, the applicable county Director of Finance shall have all the rights and powers of the Director of Taxation provided under this chapter. Requires the county transient accommodations tax, if adopted, to be imposed on the gross rental, gross rental proceeds, and fair market rental value of all written contracts that require the passing on of the taxes imposed under this chapter; provided that if the gross rental, gross rental proceeds, and fair market rental value are received as payments beginning in the taxable year in which the taxes become effective, on contracts entered into prior to the adoption of the ordinance pursuant to section 46-____, and the written contracts do not provide for the passing on of increased rates of taxes, the county transient accommodations tax shall not be imposed on the gross rental, gross rental proceeds, and fair market rental value covered under the written contracts. Prohibits a county transient accommodations tax to be established on any form of accommodation that is exempt from the taxes imposed by this law pursuant to provisions relating to exemptions under transient accommodations tax law. -- Amends provisions relating to remittances; distribution to counties by changing its title to remittances. Decreases transient accommodations tax allocation to the Convention Center Enterprise Special Fund. Repeals transient accommodation tax allocation to the counties. -- Amends provisions relating to Tourism Special Fund; Hawai'i Tourism Authority; Establishment; Board; president and chief executive officer; powers, generally. Effective January 1, 2022, repeals provisions relating to the Tourism Special Fund and repeals certain compensation package limits for the president and chief executive officer of the Hawai'i Tourism Authority. -- Amends provisions relating to exemption of authority from taxation and Hawai'i public procurement code. Repeals the Hawai'i Tourism Authority's exemption from the public procurement code. -- Appropriation out of the funds received by the State from the American Rescue Plan Act, Public Law 117-2, Section 9901, to the Department of Business, Economic Development, and Tourism for the Hawai'i Tourism Authority. (\$\$) (COVID-19, COVID 19, coronavirus).

Introduced By: Marten L, Tam A, Wildberger T

UH Position: Support

Status: July 6, 2021 – Governor's Veto Overridden; Act 001, Special Session 2021

HB 1191 HD2 SD2 CD1 (Act 225) – RELATING TO BROADBAND SERVICE INFRASTRUCTURE Establishes the Broadband Infrastructure Grant Program Law. Establishes the program in the Department of Business, Economic Development, and Tourism. Requires the department to receive and review grant applications and may award grants for eligible projects pursuant to the program. Requires area to be served by the project to include either unserved areas or underserved areas. -- Establishes provisions relating to review of applications; confidential treatment; approval. Allows applicants to designate material, including commercially sensitive information, as confidential or a challenger to request confidential treatment. -- Amends provisions relating to the Hawai'i Technology Loan Revolving Broadband Infrastructure Fund by changing the title to the Hawai'i Broadband Infrastructure Special Fund. Requires to be deposited into the Hawai'i Broadband Infrastructure Special Fund; appropriations from the legislature; funds received from the federal government; and funds received from the private sector; provided that the total amount of moneys in the fund shall not exceed 10,000,000 dollars at the end of any fiscal year. -- Provides that within 12 months following the effective date of this Act, the Department of Business, Economic Development, and Tourism shall adopt rules to implement the Broadband Infrastructure Grant Program; provided that any rules adopted pursuant to this provision shall include rules regarding the submission, review, and approval of applications; administration of the projects funded; and grant agreements memorializing the award of funds. Appropriation out of the funds received by the State of Hawai'i from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901), to the Department of Business, Economic Development, and Tourism to be used for the Broadband Infrastructure Grant Program. -- Establishes provisions relating to the Hawai'i Broadband and Digital Equity Office; establishment; Strategic Broadband Coordinator; staff. Establishes the Hawai'i Broadband and Digital Equity Office within the Department of Business, Economic Development, and Tourism. Requires the governor, upon the advice and consent of the senate, to appoint a Strategic Broadband

Coordinator, who shall be exempt from civil service law, to head the office. (§§) (COVID-19, COVID 19, coronavirus)

Introduced By: Johanson A, Aquino H, Belatti D, Branco P, Cullen T, DeCoite L, Eli S, Ichiyama L, Ilagan G, Kapela J, Kitagawa L, LoPresti M, Lowen N, Marten L, Matayoshi S, Matsumoto L, Mizuno J, Morikawa D, Nakashima M, Nishimoto S, Onishi R, Perruso A, Quinlan S, Sayama J, Tam A, Tarnas D

UH Position: Watched

Status: July 6, 2021 – Signed into law, Act 225

SB 0589 SD2 HD2 CD1 AD1 (Act 008, Special Session 2021) – RELATING TO THE UNIVERSITY OF HAWAII

PART I - Establishes the University of Hawaii (UH) Cancer Research Center in statute as the Cancer Research Center of Hawaii. Requires the Director of the Cancer Research Center to be appointed in accordance with the Board of Regents policy. Requires the Cancer Research Center to be administratively affiliated with the John A. Burns School of Medicine to achieve greater efficiency. PART II - Requires UH to develop a plan for the School of Medicine and Cancer Research Center to achieve greater operational efficiencies. Requires the UH President to submit a progress report to the Legislature before the 2023 regular session. PART III - Extends the sunset of Act 38, SLH 2017, exempting UH's technology transfer activities from certain provisions of the state ethics code to 6/30/2024. Prohibits technology transfer activities in which UH employees have a conflict of interest. Requires Board of Regents to report employee conflicts to the Legislature. PART IV - Temporarily reenacts provisions of Act 39, SLH 2017, reestablishing UH's innovation and commercialization initiative program to 6/30/2024. Prohibits program activities in which UH employees have a conflict of interest. Requires UH to report employee conflicts to the Legislature. PART V - Temporarily repeals changes made by Act 42, SLH 2018, allowing the UH president to act as UH's Chief Procurement Officer for procurement contracts under chapter 103D, HRS, until 6/30/2024.

Introduced By: Kim D, Dela Cruz D, Fevella K, Inouye L, Kanuha D, Keith-Agaran G, Misalucha B

UH Position: Support/Oppose/Comments

Status: July 6, 2021 – Vetoed by Governor

July 8, 2021 – Legislature amended in special session

July 20, 2021 – Signed into law, Act 008, Special Session 2021

SB 1329 SD2 HD3 CD1 (Act 224) – RELATING TO PROCUREMENT

Amends provisions relating to authority to resolve protested solicitations and awards. Requires the chief procurement officer or a designee to resolve any protest as expeditiously as possible. Provides that if the protest is not resolved by mutual agreement, the chief procurement officer or a designee shall issue a written decision to uphold or deny the protest. Provides that if the protest of a construction contract or airport contract that is awarded pursuant to provisions relating to competitive sealed bidding or provisions relating to competitive sealed proposals is not resolved by mutual agreement, the chief procurement officer or a designee shall issue a written decision to uphold or deny the protest within 75 calendar days of receipt of the protest; provided that the chief procurement officer or a designee may grant an extension based on written justification of the extenuating circumstances; provided further that the extension shall not exceed 45 calendar days. -- Amends provisions relating to administrative proceedings for review. Requires the party initiating a proceeding falling within this provision to pay to the Department of Commerce and Consumer Affairs a cash or protest bond in the amount of 1 percent of the estimated value of the contract.

Introduced By: Kim D, Chang S, Inouye L, Lee C, Misalucha B, Moriwaki S, Riviere G, San Buenaventura J

UH Position: Watched

Status: July 6, 2021 – Signed into law, Act 224

SB 1421 SD2 HD2 CD1 (Act 121) – RELATING TO DUAL USE TECHNOLOGY

Establishes the Dual Use Technology Task Force within the Department of Business, Economic Development and Tourism. Requires the Dual Use Technology Task Force to explore potential dual use technology research and development projects for technology companies; establish high growth new venture company infrastructure development for dual use technology companies; and create ideas for high income job opportunities for Hawai'i's residents and graduates of Hawai'i's educational institutions. Report to the legislature. Requires the Dual Use Technology Task Force to be dissolved on July 1, 2025(sunset).

Introduced By: Misalucha B, Chang S, Fevella K, Lee C, Wakai G

UH Position: Support

Status: June 28, 2021 – Signed into law, Act 121

Education (K-12)**HB 1362 HD1 SD2 CD1 (Act 210) – RELATING TO ACCESS TO LEARNING**

Establishes provisions relating to the Hawai'i Early Childhood Educator Stipend Program. Establishes the program to be administered by the Executive Office on Early Learning to address the shortage of early childhood educators who have coursework in early childhood education. Establishes eligibility for stipend consideration. Provides that immediately following completion of a certificate, degree, or license program, stipend recipients shall provide early care and education services directly to children from birth through 5 years of age for 2 consecutive years in 1 of the early learning systems including Hawaiian language medium and Hawaiian immersion settings and early learning settings at charter schools. Establishes provisions for repayment of stipends. Allows the office to enter into written contracts with collection agencies to collect delinquent repayment of stipends owed to the office. -- Establishes provisions relating to the Hawai'i Early Childhood Educator Special Fund. Establishes within the State Treasury the Hawai'i Early Childhood Educator Special Fund, to be administered by the office, into which shall be deposited all moneys received by the office pursuant to this provision. Requires moneys in the fund to be used for the Hawai'i Early Childhood Educator Stipend Program. -- Amends provisions relating to the Department of Education. Allows the Department of Education to directly accept private funding for the purpose of establishing public prekindergarten programs under certain circumstances. -- Extends certain effective dates for implementation of Act 46, Session Laws of 2020, relating to access to learning. Requires the application of a uniform assessment for public and charter school kindergarten students. Report to the legislature. Allows educational data to be shared using an existing system. Appropriation to the Department of Education for 1 full time equivalent (1.0 FTE) position to coordinate, staff, and facilitate the implementation of Act 46, Session Laws of 2020, which will report to the Early Learning Board. (\$\$). Repeals specific provisions on July 1, 2022 and July 1, 2024 (sunset). (COVID-19, COVID 19, coronavirus)

Introduced By: Woodson J, DeCoite L, Ganaden S, Gates C, Hashem M, Hashimoto T, Holt D, Ichiyama L, Ilagan G, Kapela J, Kobayashi B, LoPresti M, Marten L, Matayoshi S, Mizuno J, Ohno T, Quinlan S, Saiki S, Sayama J, Takayama G, Tam A, Todd C, Wildberger T, Yamane R, Yamashita K

UH Position: Watched

Status: July 6, 2021 – Signed into law, Act 210

SB 0242 SD2 HD2 CD1 (Act 158) – RELATING TO EDUCATION

Amends provisions relating to computer science; curricula plan; public schools. Provides that beginning with the 2022-2023 school year, at least 1 public elementary school and 1 public middle or intermediate school in each complex area shall offer computer science courses or computer science content. Provides that beginning with the 2023-2024 school year, no less than 50 per cent of the public elementary schools and no less than 50 percent of the public middle and intermediate schools in each complex area shall offer computer science courses or computer science content. Provides that beginning with the 2024-2025 school year, all public

elementary, middle, and intermediate schools shall offer computer science courses or computer science content. Provides that by June 30, 2022, and by each June 30 thereafter, the superintendent shall submit to the board and legislature a report (report to the legislature) of the computer science courses and computer science content offered during the previous school year at the schools in each complex area. Specifies information to be included in the report. – Establishes provisions relating to computer science. Provides that beginning with the 2024-2025 school year, each public charter school that serves elementary, middle, intermediate, or high school students shall offer computer science courses or computer science content at a frequency that allows a student to enroll in a computer science course or receive computer science content at least once while the student is at each of the elementary school, middle or intermediate school, and high school levels. (COVID-19, COVID 19, coronavirus)

Introduced By: Dela Cruz D, Inouye L, Kanuha D, Keith-Agaran G, Lee C, Misalucha B, Moriwaki S
UH Position: Watched
Status: July 1, 2021 – Signed into law, Act 158

SB 0813 HD1 CD1 (Act 166) – RELATING TO CHARTER SCHOOLS

Amends provisions relating to annual audit. Requires the authorizer to provide to each charter school it oversees a list of approved independent auditors, from which the charter school shall select 1 independent auditor to comply with this provision.

Introduced By: Kidani M, Chang S, Dela Cruz D, Inouye L, Misalucha B
UH Position: Watched
Status: July 1, 2021 – Signed into law, Act 166

SB 0814 SD1 HD1 CD1 (Act 167) – RELATING TO CHARTER SCHOOLS

Amends provisions relating to State Public Charter School Commission; establishment; appointment. Requires members of the commission to collectively possess experience and expertise in public or nonprofit governance; management and finance; assessment; and public education. -- Amends provisions relating to start up and conversion charter schools; establishment. Provides that following the review and evaluation of a charter application, approval or denial of the charter application by the authorizer in a meeting open to the public and subsequent written notice to the applicant; provided that in the event of a denial, the notice shall provide specific information to the applicant on the applicant's right to appeal the decision to the board, including but not limited to the number of days by which the applicant shall file an appeal with the board and where to file such an appeal. Provides that a provision for a final date by which a written decision to approve or deny a charter application shall be made by the authorizer to the applicant, upon receipt of a complete charter application.

Introduced By: Kidani M, Chang S, Dela Cruz D, Inouye L, Misalucha B
UH Position: Watched
Status: July 1, 2021 – Signed into law, Act 167

Employees and Benefits

HB 0468 HD1 SD1 CD1 (Act 229) – RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND

Amends provisions relating to other powers under Hawai'i employer union health benefits trust fund law. Repeals the provision that includes the retaining of an actuary to determine the annual required public employer contribution for the separate trust fund established under provisions relating to other post employment benefits trust. – Amends provisions relating to other post employment benefits trust under Hawai'i employer union health benefits trust fund law; remittances under general excise tax law; and remittances; distribution to counties under transient accommodations tax law. -- Repeals provisions relating to

prepayment of other post employment benefit liability. -- Repeals provisions relating to payment of public employer contributions to the other post employment benefits trust under Hawai'i employer union health benefits trust fund. Act to be repealed on June 30, 2023 (sunset) and certain sections to be reenacted. (COVID-19, COVID 19, coronavirus)

Introduced By: Onishi R
UH Position: Watched
Status: July 6, 2021 – Signed into law, Act 229

HB 0670 HD1 SD2 (Act 084) – RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM

Establishes provisions relating to forfeiture of benefits; felony convictions. Provides that if a member, former member, or retirant is convicted of a felony and the court finds that, by a preponderance of the evidence, the felony is related to the employment of the member, former member, or retirant by the State or any county, the court may decree a civil penalty of forfeiture by the member, former member, or retirant of 1/2 of any interest; hypothetical account balance in excess of the amount representing any employee contributions made by or on behalf of the member, former member, or retirant; pension; annuity; or retirement allowance, to which the member, former member, or retirant may otherwise be entitled under this law; provided that upon the death of the member, former member, or retirant, the designated beneficiary of the member, former member, or retirant may receive the reduced benefits to which the member, former member, or retirant would be entitled under this provision; provided further that a designated beneficiary who is also convicted of a felony based on the same set of circumstances as the member, former member, or retirant who were subject to civil penalty under this provision, shall not receive any benefits.

Introduced By: Nakashima M
UH Position: Watched
Status: June 24, 2021 – Signed into law, Act 084

HB 0929 HD1 SD1 (Act 070) – RELATING TO QUALIFIED DOMESTIC RELATIONS ORDERS

Amends provisions relating to distribution of property in a divorce action. Requires the employees' retirement system to review an order or proposed order for compliance with the requirements imposed by this provision. Allows the notification to also be provided to the member, former member with vested benefit status, retirant, or alternate payee. Provides that the system's notification is advisory, and shall not constitute a determination that a proposed domestic relations order is or is not a Hawai'i domestic relations order. Provides that if a member or former member with vested benefit status terminates membership in the system by withdrawal of contributions or hypothetical account balance, the system shall pay all or a portion of the amount withdrawn to any alternate payee as directed by a Hawai'i domestic relations order. Provides that if after terminating membership in the system by withdrawal of contributions or hypothetical account balance, the former member later resumes membership in the system, the system shall pay to an alternate payee no portion of any benefits that result from the resumption of membership, even if those benefits result in part from reinstatement of service credit initially credited during the marriage. Provides that payments made to alternate payees according to the terms of Hawai'i domestic relations orders are payments received by the retirant for purposes of provisions relating to election of retirement allowance option and the benefit that the retirant received for purposes of provisions relating to election of retirement allowance option. Requires the priority of Hawai'i domestic relations orders to be determined by the order in which the certified copies of domestic relations orders are received by the system for qualification as a Hawai'i domestic relations order, and not by the order in which domestic relations orders are determined to be Hawai'i domestic relations orders, the order in which the domestic relations orders are entered by the court, the date the complaint for divorce is filed, the date upon which an order of divorce is entered, or the date of marriage. Requires this Act to apply to all domestic relations orders submitted on or after its effective date.

Introduced By: Saiki S (BR)
UH Position: Watched
Status: June 24, 2021 – Signed into law, Act 070

HB 1253 HD3 SD1 CD1 (Act 206) – RELATING TO EMPLOYMENT PRACTICES

Establishes the mobile applications law. Establishes provisions relating to unlawful practices. Provides that it shall be unlawful for any employer to require an employee to download a mobile application to the employee's personal communication device that enables the employee's location to be tracked or their personal information revealed as a condition of employment or continued employment; or; terminate, discharge, or otherwise discriminate against an employee for refusing to download a mobile application to the employee's personal communication device that enables the employee's location to be tracked or their personal information to be revealed; or opposing any practice forbidden by this part or filing a complaint, testifying, or assisted in any proceeding concerning the unlawful practices prohibited under this provision. – Establishes provisions relating to exception. Provides that nothing in this part shall be deemed to repeal or affect any law or ordinance, rule, or regulation having the force and effect of law; apply to the US government; or conflict with or affect the application of security regulations in employment established by the US or the State; apply if the employee consents to downloading the mobile application to the employee's personal communication device that enables the employee's location to be tracked or the employee's personal information to be revealed; or prohibit an employer from requiring an employee to carry or use an employer owned communication device that enables the employee's location to be tracked. -- Establishes provisions relating to civil actions for injunctive relief or damages. Allows an employee who alleges a violation of this part to bring a civil action for appropriate injunctive relief, actual damages, or both within 2 years after the occurrence of the alleged violation. Establishes civil fines for each violation; and to be deposited with the Director of Finance to the credit of the state general fund.

Introduced By: Takayama G

UH Position: Watched

Status: July 6, 2021 – Signed into law, Act 206

HB 1278 HD1 (Act 001) – RELATING TO EMPLOYMENT SECURITY

Amends provisions relating to definition under Hawai'i Employment Security Law. Redefines benefit year to mean a period of 52 consecutive weeks beginning with the 1st day of the week in which an individual files a new valid claim for benefits; except that the benefit year shall be 53 weeks if the filing of a new valid claim would result in overlapping any quarter of the base year of a previously filed new claim; and a subsequent benefit year cannot be established until the expiration of the current benefit year. Redefines week to mean a period of 7 consecutive calendar days commencing with Sunday and ending at midnight the following Saturday. Amends provisions relating to partial unemployment; claim filing requirements, determinations. Requires continued claim certifications for partial unemployment benefits shall be filed in the same manner and extent that apply to total or part total unemployment benefits. -- Amends provisions relating to rate of contributions; financing benefits paid to government employees and employees of nonprofit organizations. Provides that notwithstanding any other provision of this part to the contrary, for weeks of unemployment beginning March 15, 2020, and ending on March 20, 2021, any base period employer charged with benefits that are not a direct result of the COVID-19 pandemic shall be entitled to a relief in the form of a 50 per cent credit against the amount owed by the reimbursable employer; provided that this relief shall not apply to any base period employer making reimbursements instead of contributions. -- Amends provisions relating to contribution rate schedules; fund solvency rate schedule; rates based on experience. Changes that require contribution rate schedule from D to C to apply for calendar years 2021 and 2022. -- Amends provisions relating to procedure for rate determination. Provides that notwithstanding any other provision of this law, requires the Director of Labor and Industrial Relations for calendar years 2021 and 2022 to modify the annual computation to omit benefits charged for all employers to address the disruptions caused by COVID-19. (COVID 19, coronavirus)

Introduced By: Onishi R

UH Position: Watched

Status: March 2, 2021 – Signed into law, Act 001

HB 1296 HD1 SD2 CD1 (Vetoed) – RELATING TO STATE FUNDS

Amends provisions relating to Hawai‘i Tobacco Settlement Special Fund. Specifies that Hawai‘i Tobacco Settlement Special Fund moneys shall only be deposited into the university revenue undertakings fund until July 1, 2033. -- Amends provisions relating to Tobacco Prevention and Control Advisory Board. Repeals the requirement that the Tobacco Prevention and Control Advisory Board to advise the on the administration of the Hawai‘i Tobacco Prevention and Control Trust Fund. -- Repeals the Hawai‘i Tobacco Prevention and Control Trust Fund and any unencumbered balances remaining in the Hawai‘i Tobacco Prevention and Control Trust Fund as of June 30, 2025, shall lapse to the credit of the general fund on June 30, 2025. Prohibits any contract relating to the management of the Hawai‘i Tobacco Prevention and Control Trust Fund moneys to extend beyond June 30, 2025 (sunset). Report to the legislature. -- Appropriation to the Department of Health for payroll and other current expenses to address the budget shortfall for the state comprehensive emergency medical services system. Appropriation to the Office of the Governor for the establishment of 2 full time equivalent (2.00 FTE) permanent positions and 5 full time equivalent (5.00 FTE) temporary positions for the Office of the Governor.-- Establishes provisions relating to non-general fund positions; reimbursement. Requires each department, including the University of Hawai‘i and the Department of Education, to reimburse the State for contributions made by the State pursuant to provisions relating to reimbursement for state contributions and contributions by certain state agencies, for fringe benefits of employees whose positions are funded by a special fund rather than by the general fund. -- Amends provisions relating to disposition of revenues. Specifies that the cigarette tax revenues deposited to the credit of the Cancer Research Special Fund shall only be used for capital expenditures and only until July 1, 2041. Ceases deposits of cigarette tax revenues into the emergency medical services special fund on July 1, 2021. -- Establishes provisions relating to the threat assessment team program; established. Establishes within the Hawai‘i State Fusion Center of the Office of Homeland Security a threat assessment team program for the Hawai‘i State Fusion Center to train, establish, and operate threat assessment teams. Requires the threat assessment team program and facility to be located at the 1st Responders Technology Park, TMK 9-5-002:057, at an appropriate time. -- Appropriation to the Department of Human Resources Development for 1 full time equivalent (1.00 FTE) permanent administrative assistant position in the Department of Human Resources Development. (\$\$) (COVID-19, COVID 19, coronavirus)

Introduced By: Luke S
 UH Position: Comments
 Status: July 6, 2021 – Vetoed by Governor

HB 1297 HD2 SD2 CD1 (Act 106) – RELATING TO STATE FINANCES

Amends House Bill 200, H.D. 1, S.D. 1, C.D. 1 (2021), relating to the state budget. Appropriation to be allotted by the Director of Finance to the appropriate state departments for expenditure for statewide collective bargaining costs.

Introduced By: Luke S
 UH Position: Oppose (*UH initially opposed, but supports bill ultimately passed by the Legislature*)
 Status: June 24, 2021 – Signed into law, Act 106

SB 1220 SD1 (Act 170) – RELATING TO CRIMINAL HISTORY RECORD CHECKS

Amends provisions relating to criminal history record checks. Allows criminal history record checks to be conducted by the University of Hawai‘i on current and prospective employees, and contractors and their employees, whose duties include ensuring the security of campus facilities and persons.

Introduced By: Kouchi R (BR)
 UH Position: Support
 Status: July 1, 2021 – Signed into law, Act 170

Funding

[HB 0053 SD1 CD1 \(Act 007, Special Session 2021\)](#) – RELATING TO STATE BONDS

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. (\$\$)

Introduced By: Luke S, Cullen T, Yamashita K

UH Position: Watched

Status: July 8, 2021 – Governor's veto overridden; Act 007, Special Session 2021

[HB 0054 HD1 SD1 CD1 AD1 \(Act 006, Special Session 2021\)](#) – RELATING TO THE STATE BUDGET

Effective 6/30/2021, appropriates moneys for deposit into the emergency and budget reserve fund and makes payments for other post-employment benefits. Appropriates moneys for debt service for fiscal biennium 2021-2023.

Introduced By: Luke S

UH Position: Watched

Status: July 6, 2021 – Vetoed by Governor

July 8, 2021 – Legislature amended in special session; signed into law, Act 006, Special Session 2021

[HB 0723 HD1 SD2 CD1 \(Act 017\)](#) – RELATING TO PANDEMIC RESPONSE

Amends Act 9, Session Laws of 2020, relating to the state budget. Appropriation out of the emergency and budget reserve fund established under section 328L-3, Hawai'i Revised Statutes, from the amounts received by the State of Hawai'i from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, to the Department of Defense to be used for the purchase and distribution of personal protective equipment and industrial hygiene products to hospitals, childcare facilities, elderly care facilities, businesses, non-profits, schools, and all state departments and attached agencies, pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies. (COVID-19, COVID 19, coronavirus) (\$\$)

Introduced By: Ichiyama L

UH Position: Watched

Status: May 24, 2021 – Signed into law, Act 017

[HB 1296 HD1 SD2 CD1 \(Vetoed\)](#) – RELATING TO STATE FUNDS

Bill information available on [page 24](#).

[HB 1297 HD2 SD2 CD1 \(Act 106\)](#) – RELATING TO STATE FINANCES

Bill information available on [page 24](#).

[HB 1298 HD1 SD1 CD1 \(Act 087\)](#) – RELATING TO STATE FUNDS

Authorizes the Director of Finance to transfer the amounts or so much thereof as may be necessary for fiscal year 2020-2021 from the following funds to the general fund; specifically funds from the Department of Accounting and General Services; Department of Agriculture; Department of the Attorney General; Department of Business, Economic Development, and Tourism; Department of Defense; Department of Education; Department of Health; Department of Human Resources Development; Department of Human Services; Department of Labor and Industrial Relations; Department of Land and Natural Resources; Department of Public Safety; Department of Taxation; University of Hawai'i. Requires this Act to take effect retroactively on June 30, 2021. -- Establishes provisions relating to non-general fund program measures reports; and reporting of non-general fund information. Requires each department to annually submit to the Legislature program measures, costs elements, and accounting reports for all non-general funds under its control. Report to the legislature. (COVID-19, COVID 19, coronavirus)

Introduced By: Luke S
 UH Position: Support
 Status: June 24, 2021 – Signed into law, Act 087

HB 1299 HD1 SD1 CD1 AD1 (Act 009, Special Session 2021) – RELATING TO NON-GENERAL FUNDS

Repeals various non-general funds of the Department of Agriculture; Department of Accounting and General Services; Department of Business, Economic Development, and Tourism; Department of Education; Department of Health; Department of Labor and Industrial Relations; Department of Land and Natural Resources; Department of Human Services; Department of Public Safety; Department of Commerce and Consumer Affairs; University of Hawai‘i; Department of the Attorney General; and Department of Transportation. Implements recommendations of the auditor. Transfers most unencumbered balances to the credit of the general fund. (COVID-19, COVID 19, coronavirus).

Introduced By: Luke S
 UH Position: Oppose
 Status: July 6, 2021 – Vetoed by Governor
 July 8, 2021 – Legislature amended in special session
 July 20, 2021 – Signed into law, Act 009, Special Session 2021

SB 1222 SD2 HD1 CD1 (Act 171) – RELATING TO THE CONFERENCE CENTER REVOLVING FUND.

Amends provisions relating to Conference Center Revolving Fund; University of Hawai‘i at Hilo. Changes the fund to be for conference center programs conducted by the University of Hawai‘i at Hilo. Authorizes the chancellor of the University of Hawai‘i at Hilo or the chancellor's designee to expend funds from the revolving fund for all costs associated with conferences, seminars, and courses provided by conference center programs, including but not limited to expenses for honoraria, hotel and room rentals, food and refreshment, printing and mailing, airfare and per diem, lei, rental of audiovisual equipment, and conference supplies and materials, without regard to any competitive bidding requirements pursuant to the Hawai‘i public procurement code. Annual report to the legislature.

Introduced By: Kouchi R (BR)
 UH Position: Support
 Status: July 1, 2021 – Signed into law, Act 171

Health and Medicine

HB 0313 HD2 SD1 CD1 (Act 151) – RELATING TO PHYSICIAN WORKFORCE ASSESSMENT

Amends provisions relating to John A. Burns School of Medicine Special Fund. Repeals the requirement that no less than 50 per cent of the physician workforce assessment fees deposited into the John A. Burns School of Medicine Special Fund be expended for purposes identified by the Hawai‘i Medical Education Council to support physician workforce assessment and planning efforts. Repeals the cap on expenditures from the John A. Burns School of Medicine Special Fund. Authorizes the fund to provide loan repayment to physicians who commit to working in medically underserved areas of the State as part of the Hawai‘i state loan repayment program administered by the John A. Burns School of Medicine; and provide scholarships to qualifying medical students to be determined by the John A. Burns School of Medicine.

Introduced By: Yamane R
 UH Position: Support
 Status: July 1, 2021 – Signed into law, Act 151

HB 0471 HD1 SD2 (Act 080) – RELATING TO BEHAVIOR ANALYSTS

Amends provisions relating to repeal dates for newly enacted professional and vocational regulatory programs. Repeals the provision that requires the Behavior Analysts Law to be repealed on June 30, 2021 (sunset).

Introduced By: Yamane R, Aquino H, Cullen T
UH Position: Watched
Status: June 24, 2021 – Signed into law, Act 080

HB 0541 HD1 SD2 CD1 (Act 154) – RELATING TO HEALTH

Amends Act 263, Session Laws of 2019, relating to health. Provides that there is established within the Department of Health a working group to evaluate current behavioral health care and related systems and identify gaps in services, coordinate funding sources, and establish and identify outcome measures for persons experiencing behavioral health or substance abuse conditions, and resultant consequences, including homelessness. Requires the working group to consist of the following members as specified. Requires the working group to evaluate as specified. Report to the legislature. Requires the working group to be dissolved on June 30, 2023 (sunset).

Introduced By: Yamane R
UH Position: Watched
Status: July 1, 2021 – Signed into law, Act 154

HB 1284 HD2 SD2 CD1 (Vetoed) – RELATING TO THE DEPARTMENT OF HUMAN SERVICES

Establishes provisions relating to all claims, All Payer Data Center Steering Committee. Establishes within the Department of Human Services an all claims, All Payer Data Center Steering Committee. Requires the all claims, All Payer Data Center Steering Committee to oversee and provide direction for the all claims, all payer database and data center within the health analytics program.

Introduced By: Yamane R, Yamashita K
UH Position: Watched
Status: July 6, 2021 – Vetoed by Governor

HB 1296 HD1 SD2 CD1 (Vetoed) – RELATING TO STATE FUNDS

Bill information available on [page 24](#).

HB 1322 HD1 SD2 (Act 209) – RELATING TO TRAUMA-INFORMED CARE

Establishes a Trauma Informed Care Task Force within the Department of Health. Requires the task force to develop and make recommendations for trauma informed care in the State as specified. Report to the legislature. Task force to cease to exist on July 1, 2024(sunset).

Introduced By: Cullen T, Aquino H, Kitagawa L, Yamane R
UH Position: Support
Status: July 6, 2021 – Signed into law, Act 209

SB 0589 SD2 HD2 CD1 AD1 (Act 008, Special Session 2021) – RELATING TO THE UNIVERSITY OF HAWAII

Bill information available on [page 19](#).

SB 0970 SD2 HD2 (Act 034) – RELATING TO TELEHEALTH

Amends provisions relating to practice of telehealth. Allows a physician patient relationship to be established via a telehealth interaction; provided that the physician has a license to practice medicine in the State. Provides that once a physician patient relationship is established, a patient or physician licensed in this State may use telehealth for any authorized purpose, including consultation with a medical provider licensed in

another state, authorized by this provision or as otherwise provided by law. (COVID-19, COVID 19, coronavirus)

Introduced By: Keohokalole J, Chang S, Kidani M, Lee C, San Buenaventura J, Shimabukuro M
 UH Position: Support
 Status: June 7, 2021 – Signed into law, Act 034

Information Technology

HB 0033 HD1 SD2 (Act 186) – RELATING TO THE INFORMATION TECHNOLOGY STEERING COMMITTEE

Amends provisions relating to Office of Enterprise Technology Services; Chief Information Officer; Information Technology Steering Committee; establishment; responsibilities. Requires the Information Technology Steering Committee to consist of 13 members, with 4 members to be appointed by the Senate President, 4 members to be appointed by the Speaker of the House of Representatives, 1 member to be appointed by the Chief Justice, 1 member to be appointed by the Governor, 1 member to be appointed by the Superintendent of Education, and 1 member to be appointed by the President of the University of Hawai‘i, and may include representatives from executive branch departments, the legislature, and private individuals. Requires the chief information officer to serve as an ex officio member and as the chair of the committee. Requires the committee to select a vice chair from among its members. Requires each member to be appointed for 4 year terms; provided that each member shall hold office until reappointed by the member's respective appointing authority at the end of the member's term or until the member's successor is appointed. Requires the chief information officer to present an annual report of the Office of Enterprise Technology Services to the Information Technology Steering Committee for public comment and shall thereafter, but no later than twenty days prior to the convening of each regular session of the legislature, submit the annual report to the legislature and the governor.

Introduced By: Takayama G, Kapela J, LoPresti M, Lowen N, McKelvey A, Mizuno J, Morikawa D, Nakashima M, Tam A, Tarnas D
 UH Position: Watched
 Status: July 6, 2021 – Signed into law, Act 186

HB 0125 HD2 SD2 (Act 039) – RELATING TO THE UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT

Bill information available on [page 15](#).

Legal

HB 0671 HD2 SD2 (Act 189) – RELATING TO THE CODE OF ETHICS

Amends provisions relating to restrictions on post-employment. Prohibits any former legislator, within 12 months after termination of the former legislator's employment, to represent any person or business for a fee or other consideration on matters in which the former legislator participated as a legislator, matters involving official action by the legislature, or any administrative action. Subject to the restrictions imposed in this provision, prohibits the Governor; Lieutenant Governor; Administrative Director of the State; Attorney General; Comptroller; Chairperson of the Board of Agriculture; Director of Finance; Director of Business, Economic Development, and Tourism; Director of Commerce and Consumer Affairs; Adjutant General; Superintendent of Education; Chairperson of the Hawaiian Homes Commission; Director of Health; Director of Human Resources Development; Director of Human Services; Director of Labor and Industrial Relations; Chairperson of the Board of Land and Natural Resources; Director of Public Safety; Director of Taxation; Director of Transportation; President of the University of Hawai‘i; Executive Administrator of the Board of

Regents of the University of Hawai‘i; Administrator of the Office of Hawaiian Affairs; Chief Information Officer; Executive Director of the Agribusiness Development Corporation; Executive Director of the Campaign Spending Commission; Executive Director of the Hawai‘i Community Development Authority; Executive Director of the Hawai‘i Housing Finance and Development Corporation; President and Chief Executive Officer of the Hawai‘i Tourism Authority; Executive Officer of the Public Utilities Commission; State Auditor; Director of the Legislative Reference Bureau; Ombudsman; permanent employees of the legislature, other than persons employed in clerical, secretarial, or similar positions; Administrative Director of the Courts; Executive Director of the State Ethics Commission; Executive Officer of the State Land Use Commission; Executive Director of the Natural Energy Laboratory of Hawai‘i Authority; Executive Director of the Hawai‘i Public Housing Authority; and 1st Deputy to the Chairperson of the Commission on Water Resource Management; provided that this provision shall not apply to any person who has held 1 of the positions listed above only on an interim or acting basis and for a period of less than 181 days.

Introduced By: Nakashima M

UH Position: Watched

Status: July 6, 2021 – Signed into law, Act 189

SB 0873 SD1 HD1 CD1 (Act 168) – RELATING TO CONTESTED CASES

Amends provisions relating to contested cases; notice; hearing; records by changing the title to contested cases; notice; hearing; interactive conference technology; records. Allows the hearing to be held by interactive conference technology that allows interaction by the agency, any party, and counsel if retained by the party, and the notice identifies electronic contact information for each agency, party, and counsel if retained by the party. Requires a contested case hearing held by interactive conference technology to be recessed for up to 1 hour when audio communication cannot be maintained; provided that the hearing may reconvene when only audio communication is reestablished. Provides that if audio only communication is reestablished, then each speaker shall state the speaker's name prior to making remarks. Requires opportunities to be afforded all parties to present evidence and argument on all issues involved; provided that, if the hearing is held by interactive conference technology evidence may be submitted and exchanged by electronic means.

Introduced By: Shimabukuro M, Kanuha D, Keohokalole J, Misalucha B

UH Position: Watched

Status: July 1, 2021 – Signed into law, Act 168

Real Property

HB 0499 HD2 SD2 CD1 (Act 236) – RELATING TO LEASE EXTENSIONS ON PUBLIC LAND

Establishes provisions relating to commercial, industrial, resort, mixed use, or government leases; extension of term. Allows the Board of Land and Natural Resources to extend the rental period of a lease of public lands for commercial use, industrial use, resort use, mixed use, or government use upon the board's approval of a development agreement proposed by the lessee or by the lessee and developer to make substantial improvements to the existing improvements. Requires the lessee or the lessee and developer to submit to the board the plans and specifications for the total development proposed before entering into a development agreement. Requires the board to review the plans and specifications and determine whether the development proposed in the development agreement is of sufficient worth and value to justify the extension of the lease; the estimated period of time necessary to complete the improvements and expected date of completion of the improvements; and the minimum revised annual rent based on the fair market value of the lands to be developed, as determined by an appraiser for the board and, if deemed appropriate by an appraiser, the appropriate percentage of rent where gross receipts exceed a specified amount. Prohibits a lease extension to be approved until the board and the lessee or the lessee and developer mutually agree to the terms and conditions of the development agreement. Prohibits construction to commence until the lessee or the lessee and developer have filed with the board a sufficient bond conditioned upon the full and faithful performance

of all the terms and conditions of the development agreement. Requires that any extension of a lease to be based upon the substantial improvements to be made and shall be for a period no longer than 40 years. Prohibits a lease to be transferable or assignable throughout the 1st 10 years of the extended term, except by devise, bequest, or intestate succession. Provides that the prohibition on assignments and transfer of leases includes a prohibition on conveyances of leases and a prohibition on the sale or change in ownership, by more than 20 per cent, of a lessee that is a company or entity. Allows the lease to be subleased, subject to approval by the board during subsequent periods of the extended term of the lease. Requires the applicant for a lease extension to pay all costs and expenses incurred by the department in connection with the processing, analyzing, or negotiating any lease extension request, lease document, or development agreement.

Introduced By: Tarnas D, Branco P, Hashimoto T, Holt D, Ichiyama L, Ilagan G, Matayoshi S, Mizuno J, Morikawa D, Nakamura N, Nakashima M, Tam A, Todd C, Yamane R, Yamashita K

UH Position: Watched

Status: July 6, 2021 – Became law without Governor’s signature, Act 236

HB 1348 HD2 SD2 CD1 (Act 146) – RELATING TO THE STADIUM DEVELOPMENT DISTRICT

Amends provisions relating to stadium authority; appointment, terms. Requires that the stadium authority is to consist of 11 members who shall be appointed by the governor. Specifies the residency requirements and terms of the members. -- Amends provisions relating to the stadium authority; powers and duties. Requires the powers and duties of the stadium authority to be to repair, maintain, and operate stadium facilities and the stadium development district; coordinate in planning, design, and construction activities, including on site repairs, within the stadium development district; acquire and hold title to real property; prescribe and collect rents, fees, and charges for the use or enjoyment of the stadium, facilities related to the stadium, and real property held by the stadium authority, including entering into leases, contracts, sponsorship and advertising agreements, food and beverage agreements, concession agreements, parking agreements, or other development and use agreements that may apply; provided that leases shall not exceed a term of ninety-nine years; and appoint officers, agents, and employees, prescribe their duties and qualifications, and fix their salaries, without regard to chapters 76 and 89, to manage the stadium, the stadium development district, and its contractors. -- Amends provisions relating to definition of public lands. Exempts lands to which the stadium authority holds title from the definition of public lands. Provides that if the lands pursuant to this provision are no longer needed for the stadium development district or related purposes, the lands shall be returned to the public land trust administered by the department. -- Amends provisions relating to legislative approval of sale or gift of lands. Adds land to which the stadium authority holds title. – Establishes the stadium development special fund; established. Establishes the stadium development special fund, into which funds collected by the stadium authority shall be deposited, including all revenues from the stadium development district, including but not limited to agreements or actions generating revenue related to stadium operations, lease or rental of facilities or land, concessions, food and beverage, parking, sponsorship and advertising, utilities and infrastructure, and development; all gifts or grants awarded in any form from any public agency or from any other source for purposes of the stadium development district; all proceeds from revenue bonds issued for the purpose of the stadium development district; and appropriations made by the legislature to the fund. Requires moneys in the stadium development special fund to be used by the stadium authority for the payment of expenses arising from any and all use, operation, repair, maintenance, alteration, improvement, development, or any unforeseen or unplanned repairs of the stadium development district, including without limitation the development, operation, and maintenance of a new stadium; food and beverage service and parking service provided at the stadium facility; the sale of souvenirs, logo items, or other items; any future major repair, maintenance, and improvement of the stadium facility as a commercial enterprise or as a world class facility for athletic events, entertainment, or public events; and marketing the facility pursuant to section 109-2(4) and (8); and contractual payments to developers or contractors engaged by the stadium authority for the purpose of redeveloping the site and related on and off site infrastructure that benefits the stadium district and its development guidance policies. -- Amends provisions relating to stadium special fund. Provides that upon the effective date of Act ____, Session Laws of 2021, the stadium special fund established herein shall be abolished, and all appropriations, encumbrances, and the remaining unencumbered balance shall be transferred to the stadium development special fund. -- Amends provisions

relating to district; established; boundaries. Requires the stadium authority to have sole jurisdiction over the development of the stadium development district. -- Amends provisions relating to development guidance policies. Requires the following to be the development guidance policies generally governing the authority's actions in the district; development shall be in accordance with stadium development district development plans or transit-oriented development plans adopted by the stadium authority for the development of the district; provided that the plan or plans shall consider any county transit-oriented development plan and allow for public input in the plan's preparation and updates. --Amends provisions relating to stadium development district governance; memorandum of agreement. Requires the stadium authority to have sole jurisdiction regarding matters affecting the stadium development district; provided that the Hawai'i community development authority, Department of Accounting and General Services, and stadium authority shall enter into a memorandum of agreement regarding the implementation of responsibilities of the respective agencies. -- Amends provisions relating to transfers from special funds for central service expenses. Exempts the stadium development special fund. -- Amends provisions relating to special fund reimbursements for departmental administrative expenses. Exempts the stadium development special fund. -- Amends provisions relating to requirements of disclosure. Requires the financial disclosure statements of the stadium authority to be public records and available for inspection and duplication. -- Amends Act 268, session laws of 2019, to allow the stadium authority, as the designated expending agency for capital improvement projects authorized in this Act, with the approval of the governor, to delegate to other state agencies the implementation of projects, including the transfer of funds to implement those projects, when it is determined to be advantageous to do so by the stadium authority as the original expending agency and the agency to which expending authority is to be delegated. --Amends Act 268, Session Laws of 2019, by repealing the authorization of the Hawai'i community development authority, with the approval of the governor, to issue in 1 or more series revenue bonds in a total amount not to exceed 180,000,000 dollars for the Hawai'i community development authority to implement the stadium development district. -- Amends Act 268, session laws of 2019, by providing that all moneys from the appropriation unencumbered as of June 30, 2024, shall lapse as of that date. -- Requires the general obligation bonds appropriated by Act 268, session laws of 2019, that have been allotted and encumbered prior to approval of this Act to continue to be expended in accordance with the memorandum of agreement executed by and between the Hawai'i community development authority, stadium authority, and Department of Accounting and General Services. (\$\$)

Introduced By: Johanson A

UH Position: Support

Status: June 30, 2021 – Signed into law, Act 146

SB 0140 SD2 HD2 CD1 (Vetoed) – RELATING TO COMMUNITY DEVELOPMENT

Establishes provisions relating to transit-oriented development zone improvement program. Defines transit-oriented development zone to mean the parcels of land within county designated transit-oriented development zones, or within a 1/2 mile radius around proposed or existing transit stations if the county has not designated transit-oriented development zones, as determined by the board, taking into account proximity, walkability, adopted county plans, and other relevant factors; provided that in a county with a population in excess of 500,000 a transit-oriented development zone shall include a rail station or a planned rail station. Provides that transit-oriented development zone includes all parcels of land on which any portion of said parcels are located within that 1/2 mile radius. -- Establishes provisions relating to the transit-oriented development zone improvement board; established. Establishes the transit-oriented development zone improvement board to govern the program. Requires the governor to appoint the members of the board. -- Establishes provisions relating to the transit-oriented development zone improvement program. Requires the board to develop a transit-oriented development zone improvement program to identify necessary transit-oriented development zone public facilities within the transit-oriented development zones. Provides that whenever the board shall determine to undertake, or cause to be undertaken, any public facility as part of the program, the cost of providing the public facilities may be assessed against the real property in the transit-oriented development zone specially benefiting from the public facilities. Requires the board to determine the areas of the transit-oriented development zone that will benefit from the public facilities to be undertaken and, if less than the entire transit-oriented development zone benefits, the board may establish assessment areas within the transit-

oriented development zone. Requires all sums collected under this provision to be deposited into the Hawai'i community development revolving fund; provided that notwithstanding provisions relating to the Hawai'i community development revolving fund, all moneys collected on account of assessments and interest thereon for any specific transit-oriented development zone public facilities financed by the issuance of bonds shall be set apart in a separate special fund and applied solely to the payment of the principal and interest on these bonds and the cost of administering, operating, and maintaining the program; the establishment of reserves; and other purposes as may be authorized in the proceedings providing for the issuance of the bonds.

Introduced By: Kanuha D, Chang S, Lee C

UH Position: Watched

Status: July 6, 2021 – Vetoed by Governor

SB 0225 SD1 HD1 CD1 (Act 095) – RELATING TO INFRASTRUCTURE IMPROVEMENT DISTRICTS

Amends provisions relating to regional state infrastructure subaccounts. Provides that whenever the Hawai'i housing finance and development corporation undertakes, or causes to be undertaken, a regional infrastructure improvement project, the cost of providing regional infrastructure improvements may be assessed against transit-oriented development projects specially benefiting from the improvements, and the corporation shall take into consideration previous contributions by project owners to infrastructure improvements; provided that the corporation may fix the assessments against real property specially benefited. Requires all assessments made pursuant to this provision to be a statutory lien against each lot or parcel of land assessed from the date of the notice declaring the assessment until paid and the lien shall have priority over all other liens except the lien of property taxes. Requires as between liens of assessments, the earlier lien to be superior to the later lien. Notwithstanding any other law to the contrary, in assessing real property specially benefiting from improvements, the corporation may utilize various methods including but not limited to assessment on a frontage basis; according to the area of real property for transit-oriented development projects; according to the area of real property within an assessment area; any other assessment method that assesses the real property according to the special benefit conferred; or any combination thereof; the assessments made under this provision shall not apply to projects within the stadium development district; the corporation shall adopt rules, providing for the method of assessment of real properties specially benefited; and all sums collected under this subsection shall be deposited in the dwelling unit revolving fund. Requires the Hawai'i interagency council for transit-oriented development to review and make recommendations on applications for subaccount funds for infrastructure projects related to transit-oriented development.

Introduced By: Dela Cruz D, Chang S, Keith-Agaran G, Keohokalole J, Kidani M, Moriwaki S

UH Position: Watched

Status: June 25, 2021 – Signed into law, Act 095

SB 0628 SD2 HD2 CD1 (Act 212) – RELATING TO THE TRANSITION OF THE OAHU REGIONAL HEALTH CARE SYSTEM FROM THE HAWAII HEALTH SYSTEMS CORPORATION INTO THE DEPARTMENT OF HEALTH

Amends provisions relating to Hawai'i health systems corporation law. Decreases the 5 regional systems to 4 regional systems and repeals the Oahu regional health care system. -- Amends provisions relating to corporation board. Decreases the corporation member from 18 member to 15-member board; the 5 regional chief executive officers as ex officio, nonvoting members to 4; and repeals 2 members who reside on the island of Oahu. Provides that upon completion of the transition of the Oahu regional health care system into the Department of Health, the corporation board shall have no legal relationship with the Oahu regional health care system or its facilities. – Amends provisions relating to transition of Hawai'i health systems regional system or health facility to a new entity. Provides that any of the regional systems or individual facilities of the Hawai'i health systems corporation is hereby authorized to transition into a new legal entity in any form recognized under the laws of the State, including but not limited to a division or branch under a state executive department; provided in which case real property shall transfer in its then existing state, whether in lease, fee, or otherwise, to the Department of Land and Natural Resources. Establishes the Leahi hospital and

Maluhia law. Allows the Department of Health to conduct long term care and substance abuse treatment at Leahi hospital and Maluhia; pay rent to the University of Hawai'i for the use of the Leahi hospital property, at a rate and on terms to be negotiated between the Department of Health and the University of Hawai'i; use moneys from the mental health and substance abuse special fund established to fund the department's operations at Leahi hospital and Maluhia; develop and implement its own policies, procedures, and rules necessary or appropriate to plan, operate, manage, and control Leahi hospital and Maluhia without regard to administrative procedure law; enter into and perform any contract, lease, cooperative agreement, partnership, or other transaction that may be necessary or appropriate in the performance of its purposes and responsibilities, and on terms the department may deem appropriate as specified; conduct activities and enter into business relationships the department deems necessary or appropriate as specified; make and alter facility bylaws and rules for the organization and management of Leahi hospital and Maluhia without regard to administrative procedure law; contract for and accept any gifts, grants, and loans of funds or property, or any other aid in any form from the federal government, the State, any state agency, or any other source, or any combination thereof, and in compliance with the terms and conditions thereof; provide health and medical services to the public directly or by agreement or lease with any person, firm, or private or public corporation, partnership, or association through or in Leahi hospital and Maluhia or otherwise; and approve medical staff bylaws, rules, and medical staff appointments and reappointments for Leahi hospital and Maluhia, including but not limited to determining the conditions under which a health professional may be extended the privilege of practicing within Leahi hospital or Maluhia, as determined by the department or facility management, and adopting and implementing reasonable rules, for the credentialing and peer review of all persons and health professionals within the facility; provided that the department or facility management shall be the governing body responsible for all medical staff organization, peer review, and credentialing activities to the extent allowed by law. Requires the Department of Health to regularly consult and coordinate with the University of Hawai'i regarding services provided at Leahi hospital and Maluhia and with the University of Hawai'i students to rotate through the facilities for training purposes. -- Provides that no planned substantial reduction or elimination of direct patient care services at Leahi hospital or Maluhia shall be undertaken unless all of the specified requirements are met. -- Requires the budget of the Oahu regional healthcare system to be transferred from the Hawai'i health systems corporation to the Department of Health as specified. Requires the Oahu regional board to, through the Oahu regional board chair, facilitate the transition of the Oahu region into the Department of Health as part of the working group established and effectuate the assignment of all contracts and agreements in which the Oahu region is a party to the Department of Health. Provides that notwithstanding any law to the contrary, the terms of the regional chief executive officer of the Oahu regional health care system; and the 2 board members residing on the island of Oahu appointed members of the board of directors of the Hawai'i health systems corporation shall expire on December 31, 2022 (sunset). Establishes transition planning period to commence on July 1, 2021 and completion of the transition of the Oahu regional health care system into the Department of Health no later than December 31, 2022. -- Establishes the Oahu regional system board duties and responsibilities as specified. -- Establishes a working group to develop, evaluate, and implement any additional steps necessary to complete the transition of the Oahu regional health care system into the Department of Health. Establishes the working group composition. Requires the working group to develop a comprehensive business plan and transfer framework to govern and manage the additional steps necessary to complete the transfer of the Oahu region into the Department of Health. Requires members of the working group to serve without compensation but shall be reimbursed for reasonable expenses necessary for the performance of their duties, including travel expenses. Exempts members of the working group to be subject to standards of conduct law solely because of the member's participation in the working group. Reports to the legislature. Requires the working group to be dissolved on December 31, 2022 (sunset), or upon completion of the transition of the Oahu regional health care system into the Department of Health, whichever is 1st. Requires certain transition actions to be subject to specified conditions. Appropriation out of the mental health and substance abuse special fund to the Department of Health for the operations of Leahi hospital and Maluhia. Appropriation out of the funds received by the State of Hawai'i from the American Rescue Plan Act of 2021 to the Department of Health for the transfer of the Oahu regional health care system in its entirety from the Hawai'i health systems corporation to the Department of Health. (\$\$)

Introduced By: Baker R

UH Position: Support
Status: July 6, 2021 – Signed into law, Act 212

Research and Innovation

[SB 0589 SD2 HD2 CD1 AD1 \(Act 008, Special Session 2021\)](#) – RELATING TO THE UNIVERSITY OF HAWAII

Bill information available on [page 19](#).

Students

[HB 0125 HD2 SD2 \(Act 039\)](#) – RELATING TO THE UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT

Bill information available on [page 15](#).

[HB 1291 HD1 SD2 CD1 \(Act 156\)](#) – RELATING TO SCHOLARSHIPS

Amends provisions relating to the Hawai'i state scholars program. Requires the University of Hawai'i to offer scholarships to pay for educational costs, such as tuition, fees, books, housing, and other educational costs; provided that the scholarship applicant presents evidence of academic excellence by meeting specified requirements, including as having earned a high school diploma from a public high school in the State with a cumulative grade point average of 3.0 as determined for admission to the university, if the student provides evidence that the student qualified for and received special education services for 2 or more years during enrollment in grades 7 through 12.

Introduced By: Ohno T, DeCoite L, Ganaden S, Har S, Hashimoto T, Ichiyama L, Ilagan G, LoPresti M, Lowen N, McKelvey A, Morikawa D, Nakamura N, Tam A, Ward G, Wildberger T, Woodson J
UH Position: Support
Status: July 1, 2021 – Signed into law, Act 156

State Budget - Operating

HB 0200 HD1 SD1 CD1 (Act 088) – RELATING TO THE STATE BUDGET

General Appropriations Act of 2021 (state budget). Appropriations for general operating funds for the support of state government operations over the 2021 - 2023 fiscal biennium. (\$\$)

Introduced By: Saiki S (BR)

UH Position: Support

Status: June 23, 2021 – Line-item appropriations veto ([GM 1168](#))

June 24, 2021 – Signed into law, Act 088

Biennium Budget – Operating

Campus	Description	Board		CD1	
		FY22	FY23	FY22	FY23
UH Mānoa	UH Mānoa Athletics	\$3,600,000	\$3,600,000		
UH Hilo	UH Hilo Athletics	\$400,000	\$400,000		
UH Community Colleges	Hawai'i Promise Program	\$700,000	\$700,000		
UH Mānoa	Add (3) Positions and Funds for HIMB			\$197,228	\$197,228
UH Mānoa	Reduce (1) filled position and funds			\$(343,800)	\$(343,800)
UH Hilo	Add Funds for Athletics			\$105,895	
UH Mānoa	Transfer funds to new Cancer Center Program ID			\$(3,098,055)	\$(3,098,055)
Cancer Center (new)	Transfer-in from Mānoa			\$3,098,055	\$3,098,055
UH West O'ahu	Add (2) Positions and Funds			\$164,394	\$164,394
UH Community Colleges	Add (3) Positions and Funds			\$160,000	\$220,000
UH Mānoa	Reduce Funds			\$(35,600,000)	\$(30,000,000)
JABSOM	Reduce Funds			\$(1,200,000)	\$(1,200,000)
UH Hilo	Reduce Funds			\$(2,280,000)	\$(2,280,000)
UH West O'ahu	Reduce Funds			\$(1,080,000)	\$(1,080,000)
UH Community Colleges	Reduce Funds			\$(4,600,000)	\$(4,600,000)
UH Systemwide Support	Reduce Funds			\$(3,391,232)	\$(3,391,232)
	Total	\$4,700,000	\$4,700,000	\$(47,867,515)	\$(42,313,410)

American Rescue Plan Act Add-ons

Campus	Description	CD1	
		FY22	FY23
UH Mānoa	Add Funds for UHERO	\$1,200,000	
Aquarium	Add Funds for Waikīkī Aquarium	\$1,000,000	
UH Community Colleges	Add Funds for Hawai'i Promise	\$1,300,000	\$1,300,000

State Budget - CIP

Biennium Budget – Capital Improvement Projects

Campus	Project Title	Board		CD1	
		FY22	FY23	FY22	FY23
UH Systemwide Support	Renew, Improve, and Modernize	\$110,500,000	\$110,500,000	\$51,800,000	\$47,640,000
UH Community Colleges	Capital Renewal & Deferred Maintenance	\$25,000,000	\$25,000,000	\$25,000,000	\$0
UH Community Colleges	Minor CIP	\$25,000,000	\$25,000,000	\$15,000,000	\$20,000,000
UH Hilo	Renew, Improve, and Modernize	\$24,000,000	\$13,500,000	\$1,300,000	
UH Mānoa	Mānoa Mini Master Plan Phase 2	\$60,000,000	\$0	\$35,000,000	\$35,000,000
UH Community Colleges	Honolulu CC Technology Renovations	\$15,000,000	\$0	\$15,000,000	
Aquaria	Waikīkī Aquarium	\$1,500,000	\$9,000,000	\$1,500,000	
UH Community Colleges	ADA Upgrades	\$14,000,000	\$14,000,000		
UH West O‘ahu	Renew, Improve, and Modernize	\$3,000,000	\$3,000,000	\$3,500,000	
UH Community Colleges	Windward CC Agripharmatech Bioprocessing Facility	\$3,000,000	\$0	\$3,000,000	
UH Mānoa	Central Admin Facility with Parking	\$4,000,000	\$0		
UH West O‘ahu	Planning Projects	\$500,000	\$500,000		
UH Community Colleges	Kapi‘olani CC - Koki‘o	\$2,500,000	\$30,000,000		
UH Community Colleges	Maui College Vocational Tech	\$0	\$2,000,000		
UH Mānoa	CTAHR - Waiale‘e Research Station			\$1,600,000	
UH Hilo	Mauna Kea Telescope Removal (Hoku Kea)			\$900,000	
UH Community Colleges	Resource and Education Center			\$42,500,000	
UH Systemwide Support	Makai Research Pier			\$5,550,000	
UH Mānoa	Lyon Arboretum			\$1,200,000	
UH Community Colleges	Proof of Concept for Maui Health System			\$500,000	
	Total	\$288,000,000	\$232,500,000	\$203,350,000	\$102,640,000

Additional projects - either not General Obligation Bonds or not in UH

Campus	Project Title	FY22	FY23
UH Hilo	Renew, Improve, and Modernize (V-Funds)	\$8,700,000	
	Warehouses for Dept. of Agriculture	\$28,000,000	

State Budget Provisos

HB 0200 HD1 SD1 CD1 (Act 088)

RELATING TO THE STATE BUDGET

SECTION 5. There is appropriated from the bond fund for the University of Hawai'i the sum of \$2,387,000 or so much thereof as may be necessary for fiscal year 2021-2022 for renovations, repairs, and improvements to the John A. Burns School of Medicine.

The sum appropriated represents only the amount derived from interest earnings accrued from the proceeds of University of Hawai'i revenue bonds sold for the John A. Burns School of Medicine, which remain available in the bond fund for the university. This appropriation shall lapse on June 30, 2024.

The sum appropriated shall be expended by the Board of Regents of the University of Hawai'i.

SECTION 17. Provided that of the funds appropriated to the University of Hawai'i, such amounts as may be determined by the University may be utilized for contracts for private services in the areas of security, landscaping, custodial services, and garbage collection; provided further that no individuals currently employed by the University shall be separated due to private contracting; and provided further that such contracts for private services shall be excepted from Chapter 76, Hawai'i Revised Statutes, relating to civil service, and Chapter 89, Hawai'i Revised Statutes, relating to collective bargaining.

SECTION 53. Any provision of this Act to the contrary notwithstanding, the appropriations made for capital improvement projects authorized under this Act shall not lapse at the end of the fiscal biennium for which the appropriation is made; provided that the appropriations made to be expended in fiscal biennium 2021-2023 which are unencumbered as of June 30, 2024 shall lapse as of that date; provided further that non-general fund appropriations for projects described in section 26 of this Act where such appropriations have been deemed necessary to qualify for federal aid financing and reimbursement which are unencumbered as of June 30, 2028 shall lapse as of that date.

SECTION 55. In releasing funds for capital improvement projects, the governor shall consider legislative intent and the objectives of the user agency and its programs; the scope and level of the user agency's intended service; and the means, efficiency, and economics by which the project will meet the objectives of the user agency and the State; provided further that agencies responsible for construction shall take into consideration legislative intent, the objectives of the user agency and its programs, and the scope and level of the user agency's intended service and construct the improvement to meet the objectives of the user agency in the most efficient and economical manner possible.

SECTION 56. With the approval of the governor, designated expending agencies for capital improvement projects authorized in this Act may delegate to other state or county agencies the implementation of projects when it is determined advantageous to do so by both the original expending agency and the agency to which expending authority is to be delegated.

SECTION 63. Whenever the expending agency to which an appropriation is made is changed due to legislation enacted during any session of the legislature that affects the appropriations made by this Act, the governor shall transfer the necessary funds and positions to the proper expending agency as provided by law.

SECTION 69. Where an agency is authorized to secure funds or other property from private organizations or individuals to be expended or utilized in connection with any authorized program, the agency, with the governor's approval, may enter into the undertaking; provided that the provisions of the undertaking comply with applicable state constitutional and statutory requirements; 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 regular sessions of 2022 and 2023.

SECTION 72. Unless otherwise provided in this Act, the governor is authorized to transfer operating funds between appropriations within the same fund, within an expending agency, for operating purposes; provided 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 transfer, the amount of the transfer, the program ID from which funds were transferred, the program ID to which funds were transferred, the impact to the program ID funds are transferred from, and a detailed explanation of the public purposes served by the transfer of resources; and provided further that the governor shall submit to the legislature a summary report containing the aforementioned information for each use 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 regular sessions of 2022 and 2023.

SECTION 73. Except as otherwise provided in this Act, each department or agency is authorized to transfer positions within its respective authorized position ceiling for the purpose of maximizing the utilization of personnel resources and staff productivity; provided 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, Hawai'i 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 fiscal year no later than September 1 of each year.

House Concurrent Resolutions

HCR 69

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SUBMIT A PETITION TO LIST THE PUEO AS A THREATENED OR ENDANGERED SPECIES UNDER THE ENDANGERED SPECIES ACT.

Introduced By: Branco P, Belatti D, DeCoite L, Ganaden S, Gates C, Hashimoto T, Holt D, Ilagan G, Johanson A, Kobayashi B, Marten L, Matayoshi S, Mizuno J, Morikawa D, Ohno T, Quinlan S, Sayama J, Wildberger T, Woodson J

UH Position: Support

Status: April 23, 2021 – Adopted in Final Form

HCR 91

REQUESTING THE HAWAII EMERGENCY MANAGEMENT AGENCY CONVENE A RESILIENCY HEALTH DISASTER TASK FORCE TO DEVELOP A COORDINATED STATEWIDE RESILIENCY HEALTH DISASTER PLAN.

Introduced By: Cullen T

UH Position: Watched

Status: April 19, 2021 – Adopted in Final Form

HCR 102 HD2

REQUESTING THE OFFICE OF PLANNING, IN COLLABORATION WITH VARIOUS AGENCIES, TO DEVELOP A PLAN TO ESTABLISH A STATE GEOLOGICAL SURVEY IN HAWAII.

Introduced By: Tarnas D

UH Position: Support

Status: April 29, 2021 – Adopted in Final Form

HCR 112 SD1

DECLARING RACISM AS A PUBLIC HEALTH CRISIS.

Introduced By: Belatti D

UH Position: Support

Status: April 23, 2021 – Adopted in Final Form

HCR 161 HD2

SUPPORTING AND ADOPTING THE GOALS SET FORTH IN THE DIGITAL EQUITY DECLARATION FOR HAWAII ADOPTED BY THE BROADBAND HUI.

Introduced By: Belatti D, Aquino H, Branco P, Cullen T, Ichiyama L, Ilagan G, Johanson A, Kobayashi D, Lowen N, Matayoshi S, Mizuno J, Takayama G, Tarnas D, Woodson J

UH Position: Watched

Status: April 16, 2021 – Adopted in Final Form

HCR 162 HD1 SD1

URGING THE DEPARTMENT OF PUBLIC SAFETY AND THE DEPARTMENT OF HUMAN SERVICES TO WORK WITH THE DEPARTMENT OF HEALTH, DEPARTMENT OF EDUCATION, AND JUDICIARY TO SUBMIT A PLAN TO ACCOUNT FOR GENDER IDENTITY WITH RESPECT TO INCARCERATED AND COURT-INVOLVED YOUTH AND WORK WITH THE SEXUAL AND GENDER MINORITY WORKGROUP WITHIN THE DEPARTMENT OF HEALTH TO ADDRESS THE INCIDENCE OF LGBTQ YOUTH IN THE JUVENILE AND CRIMINAL JUSTICE SYSTEMS.

Introduced By: Nakamura N, Gates C, Hashimoto T, Kapela J, Marten L, Morikawa D, Wildberger T
UH Position: Watched
Status: April 23, 2021 – Adopted in Final Form

House Resolutions

[HR 6 HD1](#)

REQUESTING THE LEGISLATIVE REFERENCE BUREAU, IN CONSULTATION WITH THE JOHN A. BURNS SCHOOL OF MEDICINE AT THE UNIVERSITY OF HAWAII AT MANOA AND DEPARTMENT OF HEALTH, TO CONDUCT A STUDY ON THE CUMULATIVE HEALTH EFFECTS OF PERSISTENT URBAN NOISE IN HONOLULU.

Introduced By: Saiki S
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

[HR 33 HD1](#)

CONVENING A WORKING GROUP TO DEVELOP RECOMMENDATIONS FOR A GOVERNANCE AND MANAGEMENT STRUCTURE FOR MAUNA KEA.

Introduced By: Tarnas D
UH Position: Watched
Status: March 4, 2021 – Adopted in Final Form

[HR 58 HD1](#)

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SUBMIT A PETITION TO LIST THE PUEO AS A THREATENED OR ENDANGERED SPECIES UNDER THE ENDANGERED SPECIES ACT.

Introduced By: Branco P, Belatti D, DeCoite L, Ganaden S, Gates C, Hashimoto T, Holt D, Ilagan G, Johanson A, Kobayashi B, Marten L, Matayoshi S, Mizuno J, Morikawa D, Ohno T, Quinlan S, Sayama J, Wildberger T, Woodson J
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

[HR 76](#)

REQUESTING THE HAWAII EMERGENCY MANAGEMENT AGENCY CONVENE A RESILIENCY HEALTH DISASTER TASK FORCE TO DEVELOP A COORDINATED STATEWIDE RESILIENCY HEALTH DISASTER PLAN.

Introduced By: Cullen T
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

[HR 85 HD2](#)

REQUESTING THE OFFICE OF PLANNING, IN COLLABORATION WITH VARIOUS AGENCIES, TO DEVELOP A PLAN TO ESTABLISH A STATE GEOLOGICAL SURVEY IN HAWAII.

Introduced By: Tarnas D
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

HR 95 HD1

URGING THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF HEALTH, DEPARTMENT OF LAND AND NATURAL RESOURCES, AND UNIVERSITY OF HAWAII TO DEVELOP AND IMPLEMENT A MOSQUITO CONTROL PROGRAM THAT USES WOLBACHIA BACTERIA TO REDUCE MOSQUITO POPULATION LEVELS THROUGHOUT THE STATE.

Introduced By: Branco P, Aquino H, DeCoite L, Johanson A, Kapela J, Kobayashi D, LoPresti M, Marten L, Matayoshi S, McKelvey A, Morikawa D, Nakamura N, Tarnas D, Tokioka J, Wildberger T

UH Position: Watched

Status: March 31, 2021 – Adopted in Final Form

HR 99 HD1

REQUESTING THE CONVENING OF A WORKING GROUP TO DETERMINE THE GAPS IN ACCESS TO HEALTH CARE AND THE POTENTIAL ROLE ADVANCED PRACTICE REGISTERED NURSES MAY PLAY IN ADDRESSING THESE GAPS.

Introduced By: Kitagawa L, Cullen T, Eli S, Gates C, Hashimoto T, Johanson A, LoPresti M, Marten L, Matayoshi S, Mizuno J

UH Position: Watched

Status: March 31, 2021 – Adopted in Final Form

HR 100 HD1

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT AN ANALYSIS OF ADVANCED PRACTICE REGISTERED NURSES AND PHYSICIAN ASSISTANTS.

Introduced By: Kitagawa L, Cullen T, Eli S, Gates C, Hashimoto T, Johanson A, LoPresti M, Matayoshi S, Mizuno J, Tarnas D

UH Position: Watched

Status: March 31, 2021 – Adopted in Final Form

HR 113 HD1

REQUESTING THE ESTABLISHMENT OF A BURIAL SITES WORKING GROUP TO REVIEW AND RECOMMEND IMPROVEMENTS TO THE ISLAND BURIAL COUNCILS.

Introduced By: Nakashima M

UH Position: Watched

Status: April 16, 2021 – Adopted in Final Form

HR 137 HD2

SUPPORTING AND ADOPTING THE GOALS SET FORTH IN THE DIGITAL EQUITY DECLARATION FOR HAWAII ADOPTED BY THE BROADBAND HUI.

Introduced By: Belatti D, Aquino H, Branco P, Cullen T, Ichiyama L, Ilagan G, Johanson A, Kobayashi D, LoPresti M, Lowen N, Marten L, Matayoshi S, McKelvey A, Mizuno J, Takayama G, Tarnas D, Woodson J

UH Position: Watched

Status: March 31, 2021 – Adopted in Final Form

HR 138 HD1

REQUESTING THE DEPARTMENT OF HUMAN SERVICES; DEPARTMENT OF HEALTH, VIA THE BEHAVIORAL RISK FACTOR SURVEILLANCE SYSTEM; AND DEPARTMENT OF EDUCATION, VIA THE YOUTH RISK BEHAVIOR SURVEILLANCE SYSTEM, TO COLLECT INFORMATION ON THE SEX, SEXUAL ORIENTATION, AND GENDER IDENTITY AND GENDER EXPRESSION OF RESPONDENTS, INCLUDING RESPONDENTS WHO ARE UNDER THE SUPERVISION OF THE COURTS AND THE HAWAII YOUTH CORRECTIONAL FACILITY.

Introduced By: Nakamura N, Gates C, Hashimoto T, Kapela J, Marten L, Morikawa D, Wildberger T
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

Senate Concurrent Resolutions

SCR 140 SD1

ASSERTING THAT RACISM IS A PUBLIC HEALTH CRISIS AND URGING THE STATE TO COMMIT TO RECOGNIZING AND ADDRESSING THE RESULTING INEQUITIES, AND STUDY AND REPORT TO THE LEGISLATURE ON ECONOMIC DISPARITIES THAT CONTRIBUTE TO THE DETRIMENTAL PUBLIC HEALTH EFFECTS OF RACISM.

Introduced By: Baker R, Acasio L, Chang S, Gabbard M, Inouye L, Keith-Agaran G, Keohokalole J, Kidani M, Lee C, Misalucha B, San Buenaventura J, Shimabukuro M, Taniguchi B
UH Position: Support
Status: April 8, 2021 – Adopted in Final Form

SCR 151 SD1

ENCOURAGING THE DEPARTMENT OF EDUCATION, COMPLEX AREAS, AND CHARTER SCHOOLS TO IMPLEMENT SCHOOL-WIDE RESTORATIVE PRACTICES IN THE STATE'S PUBLIC AND CHARTER SCHOOLS.

Introduced By: Kidani M, Baker R, Chang S, Keith-Agaran G, Lee C, Shimabukuro M, Wakai G
UH Position: Watched
Status: April 20, 2021 – Adopted in Final Form

SCR 201 SD1 HD1

URGING THE UNIVERSITY OF HAWAII AND UNIVERSITY OF HAWAII PROFESSIONAL ASSEMBLY TO CONVENE A TASK FORCE TO EXAMINE AND ASSESS THE UNIVERSITY OF HAWAII TENURE SYSTEM FOR RESEARCHERS AND OTHER NON-INSTRUCTIONAL FACULTY, AND COMPENSATION STRUCTURE OF FACULTY ENGAGED IN ACTIVITIES SUPPORTED BY EXTRAMURAL FUNDING AND GRANTS, IN COMPARISON TO PEER HIGHER EDUCATION INSTITUTIONS ACROSS THE UNITED STATES; AND PROPOSE THE BEST PRACTICES TO BE IMPLEMENTED BY THE UNIVERSITY OF HAWAII.

Introduced By: Kim D
UH Position: Comments
Status: April 26, 2021 – Adopted in Final Form

SCR 242 SD1 HD1

REQUESTING THE CONVENING OF A CREATIVE RESURGENCE TASK FORCE TO BUILD AND FOSTER CREATIVITY AND INNOVATION THROUGH THE ARTS, CULTURE, AND HUMANITIES.

Introduced By: Taniguchi B
UH Position: Watched
Status: April 29, 2021 – Adopted in Final Form

SCR 246 SD1 HD1

REQUESTING THAT A WORKING GROUP BE CONVENED TO DEVELOP RECOMMENDATIONS FOR IMPLEMENTING THE REVITALIZING ECONOMY AND AGRICULTURE LEADERSHIP INITIATIVE.

Introduced By: Dela Cruz D
UH Position: Support
Status: April 26, 2021 – Adopted in Final Form

Senate Resolutions

[SR 8 SD2](#)

CONVENING A TASK FORCE TO ADDRESS IMPLEMENTATION OF HAWAII'S STATE LAW COROLLARY TO TITLE IX TO STRENGTHEN HAWAII'S EFFORTS TO END CAMPUS-BASED SEXUAL VIOLENCE AND GENDER DISCRIMINATION.

Introduced By: Baker R, Chang S, Inouye L, Kanuha D, Keohokalole J, Kim D, Lee C, Misalucha B, Moriwaki S, Shimabukuro M
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

[SR 31 SD1](#)

REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A KONA AREA AGRICULTURAL WORKING GROUP TO PROMOTE AGRICULTURE, ECONOMIC DEVELOPMENT, AND HOUSING.

Introduced By: Gabbard M, Keith-Agaran G
UH Position: Watched
Status: March 23, 2021 – Adopted in Final Form

[SR 38 SD1](#)

SUPPORTING AN ECONOMIC TRANSITION THAT COMBATS CLIMATE CHANGE AND INCORPORATES CIRCULAR ECONOMY GOALS ROOTED IN ALOHA AINA PRINCIPLES.

Introduced By: Keohokalole J
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

[SR 52 SD1](#)

REQUESTING THE AUDITOR TO CONDUCT A SUNRISE ANALYSIS ON LICENSING AND/OR CERTIFICATION OF COMMUNITY HEALTH WORKERS.

Introduced By: Kanuha D, Baker R, Chang S, Dela Cruz D, Inouye L, Keith-Agaran G, Kim D, Lee C, Misalucha B, Shimabukuro M
UH Position: Watched
Status: March 25, 2021 – Adopted in Final Form

[SR 67](#)

SUPPORTING AND ADOPTING THE GOALS SET FORTH IN THE DIGITAL EQUITY DECLARATION FOR HAWAII ADOPTED BY THE BROADBAND HUI.

Introduced By: Wakai G, Chang S, Keith-Agaran G, Keohokalole J, Kidani M, Lee C, Misalucha B, Moriwaki S, Riviere G, San Buenaventura J, Shimabukuro M
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

SR 131 SD1

URGING STATE DEPARTMENTS AND ATTACHED AGENCIES TO TRAIN THEIR BOARDS AND COMMISSIONS.

Introduced By: Dela Cruz D, Chang S, English J, Inouye L, Kanuha D, Keith-Agaran G, Kidani M, Lee C, Misalucha B, Rhoads K, San Buenaventura J, Shimabukuro M, Wakai G

UH Position: Watched

Status: March 31, 2021 – Adopted in Final Form

SR 133

URGING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO REEXAMINE THE QUALIFICATIONS FOR STATE POSITIONS THAT ARE CURRENTLY VACANT AND REPLACE THE QUALIFICATION OF A BACHELOR'S DEGREE WITH AN ASSOCIATE DEGREE OR CERTIFICATE, WHERE APPLICABLE

Introduced By: Dela Cruz D, Chang S, English J, Inouye L, Kanuha D, Keith-Agaran G, Kidani M, Lee C, Misalucha B, Rhoads K, San Buenaventura J, Shimabukuro M

UH Position: Watched

Status: March 31, 2021 – Adopted in Final Form

SR 148 SD1

REQUESTING THE UNIVERSITY OF HAWAII TO CONVENE A TASK FORCE TO EXAMINE AND ASSESS ITS ARRANGEMENT FOR SERVICES WITH THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII.

Introduced By: Kim D, Chang S, Inouye L, Kidani M, Riviere G

UH Position: Watched

Status: March 31, 2021 – Adopted in Final Form

SR 149

REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONVENE A WORKING GROUP TO PRODUCE AN INTEGRATED STRATEGIC PLAN FOR REGIONAL ENGAGEMENT BY THE STATE OF HAWAII IN THE PACIFIC ISLANDS REGION.

Introduced By: Shimabukuro M, Chang S, English J, Gabbard M, Kanuha D, Keohokalole J, Kidani M, Misalucha B, Nishihara C

UH Position: Watched

Status: March 31, 2021 – Adopted in Final Form

SR 166 SD1

URGING THE UNIVERSITY OF HAWAII AND UNIVERSITY OF HAWAII PROFESSIONAL ASSEMBLY TO CONVENE A TASK FORCE TO EXAMINE AND ASSESS THE UNIVERSITY'S: (1) TENURE SYSTEM FOR RESEARCHERS AND OTHER NON-INSTRUCTIONAL FACULTY; AND (2) COMPENSATION STRUCTURE OF FACULTY ENGAGED IN ACTIVITIES SUPPORTED BY EXTRAMURAL FUNDING AND GRANTS; IN COMPARISON TO PEER HIGHER EDUCATION INSTITUTIONS ACROSS THE UNITED STATES, AND PROPOSE THE BEST PRACTICES TO BE IMPLEMENTED BY THE UNIVERSITY.

Introduced By: Kim D

UH Position: Watched

Status: March 31, 2021 – Adopted in Final Form

SR 169 SD1

URGING THE EXECUTIVE AND LEGISLATIVE BRANCHES OF THE STATE OF HAWAII TO PROMOTE AND REALIZE THE VISION AND FULL POTENTIAL OF THE GLOBAL ALLIANCE FOR INTERNATIONAL COLLABORATION IN SPACE INITIATIVE AND EXPLORE WAYS TO PROVIDE STATE ADMINISTRATIVE AND FUNDING SUPPORT FOR THE INITIATIVE, IN CONSULTATION WITH THE HAWAII SPACE INDUSTRY INNOVATION PROGRAM AND GOVERNOR ARIYOSHI FOUNDATION.

Introduced By: Kouchi R (BR), Baker R, Chang S, Kidani M, Misalucha B, Wakai G
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

SR 171 SD1

REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO ESTABLISH THE BURIAL SITES WORKING GROUP TO EXAMINE THE BURIAL SITES PROGRAM UNDER THE DEPARTMENT OF LAND AND NATURAL RESOURCES' STATE HISTORIC PRESERVATION DIVISION.

Introduced By: Inouye L, Acasio L, Chang S, Kanuha D, Keohokalole J, Shimabukuro M
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

SR 172 SD1

REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A MEDICINAL PSILOCYBIN AND PSILOCIN WORKING GROUP TO EXAMINE THE MEDICINAL AND THERAPEUTIC EFFECTS OF PSILOCYBIN AND PSILOCIN OR DEVELOP A LONG-TERM STRATEGIC PLAN TO ENSURE THE AVAILABILITY OF MEDICINAL PSILOCYBIN AND PSILOCIN OR PSILOCYBIN-BASED AND PSILOCIN-BASED PRODUCTS THAT ARE SAFE, ACCESSIBLE, AND AFFORDABLE FOR ELIGIBLE ADULT PATIENTS.

Introduced By: Chang S, Gabbard M, Lee C
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

SR 174 SD2

URGING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT AND DEPARTMENT OF EDUCATION TO ESTABLISH AND OFFER A QUALIFIED ROTH CONTRIBUTION PROGRAM TO THEIR RETIREMENT PLAN PARTICIPANTS.

Introduced By: Chang S, Lee C, Misalucha B, Riviere G
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

SR 201 SD1

REQUESTING THE CONVENING OF A CREATIVE RESURGENCE TASK FORCE TO BUILD AND FOSTER CREATIVITY AND INNOVATION THROUGH THE ARTS, CULTURE, AND HUMANITIES.

Introduced By: Taniguchi B
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

SR 205 SD1

REQUESTING THAT A WORKING GROUP BE CONVENED TO DEVELOP RECOMMENDATIONS FOR IMPLEMENTING THE REVITALIZING ECONOMY AND AGRICULTURE LEADERSHIP INITIATIVE.

Introduced By: Dela Cruz D
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

SR 206 SD1

REQUESTING THAT A WORKING GROUP BE CONVENED TO DEVELOP RECOMMENDATIONS TO FACILITATE HOMESTEAD AGRICULTURAL DEMONSTRATION PROJECTS IN THE STATE.

Introduced By: Dela Cruz D
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

SR 208

REQUESTING THE BOARD OF EDUCATION TO AUTHORIZE AN E-SPORTS PROGRAM FOR PUBLIC HIGH SCHOOLS IN THE STATE.

Introduced By: Keohokalole J
UH Position: Watched
Status: March 29, 2021 – Adopted in Final Form

SR 217 SD1

URGING THE DEPARTMENT OF AGRICULTURE TO IDENTIFY HOW COFFEE BERRY BORER AND COFFEE LEAF RUST ENTERED INTO HAWAII AND MEASURES TO PREVENT THE FLOW OF THESE INVASIVE SPECIES INTO THE STATE TO PROTECT THE ONGOING VIABILITY OF HAWAII'S COFFEE INDUSTRY.

Introduced By: Acasio L, Chang S, Gabbard M
UH Position: Watched
Status: March 31, 2021 – Adopted in Final Form

Governor's Messages

GM 527

Submitting for consideration and confirmation to the Hawai'i Green Infrastructure Authority, Gubernatorial Nominee, RICHARD WALLSGROVE, for a term to expire 06-30-2022

Status: April 19, 2021 – Confirmed by the State Senate

GM 573

Submitting for consideration and confirmation to the Western Interstate Commission for Higher Education (WICHE), Gubernatorial Nominee, DAVID LASSNER, for a term to expire 06-30-2022.

Status: April 20, 2021 – Confirmed by the State Senate

GM 574

Submitting for consideration and confirmation to the Western Interstate Commission for Higher Education (WICHE), Gubernatorial Nominee, JOHN MORTON, for a term to expire 06-30-2024

Status: April 20, 2021 – Confirmed by the State Senate

GM 575

Submitting for consideration and confirmation to the Western Interstate Commission for Higher Education (WICHE), Gubernatorial Nominee, COLLEEN SATHRE, for a term to expire 06-30-2025

Status: April 20, 2021 – Confirmed by the State Senate

GM 616

Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, LESLIE CHUN, for a term to expire 06-30-2025

Status: April 20, 2021 – Confirmed by the State Senate

GM 617

Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, NICOLE APOLIONA, for a term to expire 06-30-2021

Status: April 20, 2021 – Confirmed by the State Senate

GM 618

Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, NICOLE APOLIONA, for a term to expire 06-30-2025

Status: April 20, 2021 – Confirmed by the State Senate

GM 619

Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, LINDA ROSEN-DEBOLD, for a term to expire 06-30-2023

Status: April 20, 2021 – Confirmed by the State Senate

GM 620

Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, LISA RANTZ, for a term to expire 06-30-2025

Status: April 20, 2021 – Confirmed by the State Senate

GM 626

Submitting for consideration and confirmation to the Early Learning Board, Gubernatorial Nominee, LEILANI AU, for a term to expire 06-30-2022

Status: April 22, 2021 – Confirmed by the State Senate

GM 627

Submitting for consideration and confirmation to the Early Learning Board, Gubernatorial Nominee, MELODIE VEGA, for a term to expire 06-30-2023

Status: April 22, 2021 – Confirmed by the State Senate

GM 628

Submitting for consideration and confirmation to the Early Learning Board, Gubernatorial Nominee, JUSTINA ACEVEDO-CROSS, for a term to expire 06-30-2022

Status: April 22, 2021 – Confirmed by the State Senate

GM 629

Submitting for consideration and confirmation to the Early Learning Board, Gubernatorial Nominee, CHERILYN SHIINOKI, for a term to expire 06-30-2022

Status: April 22, 2021 – Confirmed by the State Senate

GM 630

Submitting for consideration and confirmation to the Early Learning Board, Gubernatorial Nominee, JANICE KAHOOHANOHANO, for a term to expire 06-30-2022

Status: April 9, 2021 – Withdrawn by the Governor

GM 697

Submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawai'i, Gubernatorial Nominee, DAVID KARL, for a term to expire 06-30-2025

Status: April 22, 2021 – Confirmed by the State Senate

GM 698

Submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawai'i, Gubernatorial Nominee, KEN HAYASHIDA, for a term to expire 06-30-2025

Status: April 22, 2021 – Confirmed by the State Senate

GM 716

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, ANNE MARIE MATSUZAKI, for a term to expire 06-30-2024. (Term amended to 6-30-2023 by GM822)

Status: April 22, 2021 – Confirmed by the State Senate

GM 717

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, ELWYN WATKINS, for a term to expire 06-30-2021

Status: April 22, 2021 – Confirmed by the State Senate

GM 718

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, ELWYN WATKINS, for a term to expire 06-30-2025. (Term amended to 6-30-2024 by GM818)

Status: April 22, 2021 – Confirmed by the State Senate

GM 719

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, GORDON KAI, for a term to expire 06-30-2024. (Term amended to 6-30-2023 by GM820)

Status: April 22, 2021 – Confirmed by the State Senate

GM 720

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, JOY KONO, for a term to expire 06-30-2024. (Term amended to 6-30-2023

by GM819)

Status: April 22, 2021 – Confirmed by the State Senate

GM 721

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, GAIL MAKUAKANE-LUNDIN, for a term to expire 06-30-2024. (Term amended to 6-30-2023 by GM821)

Status: April 22, 2021 – Confirmed by the State Senate

GM 760

Submitting for consideration and confirmation to the Stadium Authority, Gubernatorial Nominee, BRENNON MORIOKA, for a term to expire 06-30-2025

Status: April 27, 2021 – Confirmed by the State Senate

GM 776

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, ALAN CLINTON, for a term to expire 06-30-2021

Status: April 22, 2021 – Confirmed by the State Senate

GM 777

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, ALAN CLINTON, for a term to expire 06-30-2025. (Term amended to 6-30-2024 by GM817)

Status: April 22, 2021 – Confirmed by the State Senate

GM 778

Submitting for consideration and confirmation to the Center for Nursing Advisory Board, Gubernatorial Nominee, ARTHUR SAMPAGA, JR., for a term to expire 06-30-2025

Status: April 16, 2021 – Confirmed by the State Senate

GM 779

Submitting for consideration and confirmation to the Center for Nursing Advisory Board, Gubernatorial Nominee, DOREEN NAKAMURA, for a term to expire 06-30-2022

Status: April 9, 2021 – Withdrawn by the Governor

GM 785

Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, WILLIAM HANING III, for a term to expire 06-30-2026

Status: April 22, 2021 – Confirmed by the State Senate

GM 786

Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, DIANE PALOMA, for a term to expire 06-30-2026

Status: April 22, 2021 – Confirmed by the State Senate

GM 787

Submitting for consideration and confirmation to the Board of Regents of the University of Hawai'i, Gubernatorial Nominee, WAYNE HIGAKI, for a term to expire 06-30-2026

Status: April 22, 2021 – Confirmed by the State Senate

GM 788

Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, DAVELYN HAN, for a term to expire 06-30-2025

Status: April 22, 2021 – Confirmed by the State Senate

GM 789

Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, GLEN MIYASATO, for a term to expire 06-30-2022

Status: April 22, 2021 – Confirmed by the State Senate

GM 790

Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, KATINA SOARES, for a term to expire 06-30-2022

Status: April 22, 2021 – Confirmed by the State Senate

GM 791

Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, JONATHAN GILLENLINE, for a term to expire 06-30-2023

Status: April 22, 2021 – Confirmed by the State Senate

GM 796

Submitting for consideration and confirmation to the Early Learning Board, Gubernatorial Nominee, MARI UEHARA, for a term to expire 06-30-2023

Status: April 23, 2021 – Confirmed by the State Senate

GM 797

Submitting for consideration and confirmation to the Early Learning Board, Gubernatorial Nominee, ERIN HENDERSON LACERDO, for a term to expire 06-30-2025. (Term amended to 6-30-2024 by GM825)

Status: April 23, 2021 – Confirmed by the State Senate

GM 806

Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, JUDY KOVELL, for a term to expire 06-30-2023

Status: April 20, 2021 – Confirmed by the State Senate

GM 807

Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, ROBERT HONG, for a term to expire 06-30-2021

Status: April 20, 2021 – Confirmed by the State Senate

GM 808

Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, ROBERT HONG, for a term to expire 06-30-2025

Status: April 20, 2021 – Confirmed by the State Senate

GM 809

Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, MARY ANN ANTONELLI, for a term to expire 06-30-2023

Status: April 20, 2021 – Confirmed by the State Senate

GM 813

Submitting for consideration and confirmation to the Board of Directors of the Hawai'i Health Systems Corporation, Gubernatorial Nominee, LESLIE KIMURA, for a term to expire 06-30-2025

Status: April 27, 2021 – Confirmed by the State Senate

Task Forces, Working and Study Groups

HB 0033 HD1 SD2 (Act 186) Amends the composition of members of the Information Technology Steering Committee to include one member to be appointed by the President of the University of Hawai'i. (*Lead: CIO*)

HB 0541 HD1 SD2 CD1 (Act 154) Established within the Department of Health a working group, which includes one representative from the University of Hawaii John A. Burns School of Medicine Department of Psychiatry who is affiliated with the American Society of Addiction Medicine. (*Lead: UHM-JABSOM*)

HB 1322 HD1 SD2 (Act 209) Establishes the trauma-informed care task force, which includes a faculty member from JABSOM to be appointed by the dean of JABSOM, to develop and make recommendations for trauma-informed care in the State. (*Lead: UHM-JABSOM*)

SB 1421 SD2 HD2 CD1 (Act 121) Establishes the dual use technology task force, which includes one representative from UH, to explore how dual use technology can be used to promote economic recovery and diversify the State's economy. (*Lead: VPRI*)

HCR 91 (2021) Requesting the Hawai'i Emergency Management Agency to convene a resiliency health disaster task force, which includes the UH President, or the President's designee, to develop a coordinated statewide resiliency health disaster plan. (*Lead: VPA*)

HR 33 HD1 (2021) Convening a working group to develop recommendations for a governance and management structure for Mauna Kea, which includes one representative from the University of Hawai'i Board of Regents and one representative from Mauna Kea Observatories. (*Lead: UHH*)

SCR 201 SD1 HD1 (2021) Urging UH and UHPA convene a task force to examine and assess the UH's tenure system for researchers and other non-instructional faculty and compensation structure of faculty engaged in activities supported by extramural funding and grants. (*Lead: VPAS*)

SCR 242 SD1 HD1 (2021) Requesting a creative resurgence task force be convened to build and foster creativity and innovation through the arts, culture, and humanities in the State. The Task force shall include faculty members from UHM, UHH, and UHWO. (*Lead: VPAS*)

SCR 246 SD1 HD1 (2021) Requesting the Chairperson of the Hawaiian Homes Commission to convene a Revitalizing Economy and Agriculture Leadership working group, which includes the Dean and Director for Research and Cooperative Extension at CTAHR, to consider and develop recommendations regarding the implementation of the Revitalizing Economy and Agriculture Leadership initiative. (*Lead: UHM-CTAHR*)

Comparison on 2020 and 2021 State Legislature

	<u>2020 Session</u>	<u>2021 Session</u>
Number of Bills Introduced / Tracked:	H – 1156 / 262 S – 1180 / 286	H – 1397 / 278 S – 1423 / 310
Number of Bills Testified / Total Submitted:	H – 66 / 130 S – 67 / 112	H – 59 / 149 S – 58 / 130
Number of Bills Passed by the Legislature:	H – 16 S – 13	H – 43 S – 21
Number of Bills Enacted / Vetoed / Overridden:	H – 14 / 2 / 0 S – 13 / 2* / 0	H – 39 / 3** / 2 S – 20 / 1 / 0

**SB 0126 and SB 3139 were enacted as Acts 009 and 004, respectively, but also included line-item vetoes*

***HB 0200 was enacted as Act 088, but also included line-item vetoes*

Number of Concurrent Resolutions Introduced / Tracked:	H – 200 / 40 S – 245 / 57	H – 192 / 28 S – 263 / 36
Number of Concurrent Resolutions Testified / Total Submitted:	H – 1 / 1 S – 1 / 1	H – 9 / 13 S – 12 / 19
Number of Concurrent Resolutions Adopted:	H – 1 S – 0	H – 6 S – 5

Number of Resolutions Introduced / Tracked:	H – 190 / 36 S – 201 / 48	H – 162 / 23 S – 222 / 30
Number of Resolutions Testified / Total Submitted:	H – 0 / 0 S – 0 / 0	H – 9 / 9 S – 9 / 9
Number of Resolutions Adopted:	H – 0 S – 11	H – 11 S – 19

Number of Governor's Messages Tracked / Testified:	S – 41 / 8	S – 49 / 12
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