

LEGISLATIVE REPORT

ON ISSUES IMPACTING THE UNIVERSITY OF HAWAI'I SYSTEM
Considered During the 2011 Legislative Session of the State of Hawai'i



Prepared by the
Office of the Vice President for Student Affairs and
University and Community Relations
University of Hawai'i System

July 2011

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INTRODUCTION

On Thursday, May 5, 2011, the 26th Legislature of the State of Hawai'i came to a close.

This session, the University of Hawai'i had a total of six bills approved by the Board of Regents (BOR), of which four were introduced as part of the Governor's package. None of the Board approved bills passed the legislature this session and will carryover to the 2012 session. Here are some of the proposals approved by the Board:

- HB 1322 would have converted certain funds of the University of Hawai'i into special funds of the University of Hawai'i. The proposal didn't make it through conference but the concept of this proposal was incorporated into SB 120, which passed the legislature.
- SB 809 would have increased the University of Hawai'i's authorization to issue revenue bonds for the purpose of financing the construction and maintenance of qualifying capital improvement projects.
- SB 2398 would have allowed the University of Hawai'i to retain up to five per cent of its appropriated general funds and carry it over to the subsequent fiscal year
- HB 1330/SB 239 would have extended the portion of the Hawai'i Tobacco Settlement Special Fund monies allocated for annual operating expenses of the John A. Burns School of Medicine (JABSOM).
- HB 1203/SB 240 would have extended the physician workforce assessment fee.

Other proposals which did pass the 2011 State Legislature and affected the University include:

- SB 1386 (Act 50) amends provisions relating to regents; appointment; tenure; qualifications; meetings. Requires the Board of Regents of the University of Hawai'i to elect a chairperson and up to 2 vice chairpersons before July 1.
- SB 1331 (Act 92) amends provisions relating to special and revolving funds; annual report; expenditures in excess of appropriations. Requires the University of Hawai'i's annual report to the legislature to include information on funds that have an unencumbered cash balance of 1 million dollars or more or a cash deficit of 1 million dollars or more, where the deficit is greater than 25 per cent of the previous fiscal year's expenditure. Repealed on June 30, 2016 (sunset).
- SB 120 (Part II) (Act 124) reclassifies certain UH revolving funds to special funds, and also repeals certain special and revolving funds of the University. The repeal and reclassification of many of these funds is in accordance with the findings and recommendations of the Auditor of the State of Hawai'i (State Auditor) December 2009 report, *Review of Revolving Funds, and Trust Accounts for the Departments of the Attorney General and Business, Economic Development & Tourism, and the University of Hawai'i*, and is consistent with our corrective action response to the Auditor.

The BOR approved and submitted to the Executive Branch a general fund biennium budget for FB 2011-2013 request for 108 FTE and \$31.8 million. Following consideration of the BOR biennium budget request, the Executive Branch transmitted to the Legislature a biennium budget request that reflected no increase in FTE and an increase of \$10 million for the Biennium for the University.

With General Fund revenues continuing to decline and the Council on Revenues' projecting further decreases, the Legislature did appropriate \$6.6 million in General Funds for both years of the Biennium for restoration of general funds that had been temporarily reduced due to the provision of an equal amount in federal funds under the American Recovery & Investment Act (ARRA).

However, in its biennium budget, the Legislature also (1) reduced the University's general fund appropriations by \$8.1 million each year, (2) changed the source of funding for collective bargaining cost associated with the agreement with the University of Hawai'i Professional Assembly shifting responsibility from State general funds to University special funds in the amount of \$14 million per year, and (3) reduced the University's general funds by \$1.6 million for fringe benefit cost. The resulting revised appropriation base is \$386.3 million for FY 2011-12 and \$384.7 million for FY 2012-13. This compares to \$382.7 million in combined General Funds and ARRA funds in FY 2010-11. These amounts are subject to further reduction upon conclusion of the state's collective bargaining negotiations, actual state revenues and the administration's allocations of approximately \$138 million in reductions to state departments, including the University.

One other significant action taken by the Legislature was to create a separate program budget structure for JABSOM. Associated with this separation, funds will be transferred out from the accounts of University of Hawai'i at Mānoa into new accounts being established for JABSOM. While JABSOM remains administratively within Mānoa, its budget and appropriations will be separately accounted for.

The 2011 Hawai'i State Legislature appropriated a total of \$154.195 million in State general obligation bonds for University of Hawai'i capital improvements program (CIP) projects for Fiscal Biennium 2011-2013.

Highlights of appropriations from the 2011 Legislature include:

- \$33.977 million for Health, Safety, and Code Requirements at various University of Hawai'i campuses;
- \$60.000 million for Capital Renewal and Deferred Maintenance for all University of Hawai'i campuses;
- \$10.000 million for Minor CIP improvements at the Community Colleges;
- \$19.013 million for design, construction, and equipment for Leeward Community College's Education and Innovation Facility;
- \$4.501 million for construction and equipment for renovation of the existing Science Building at Maui College; and
- \$20.000 million for student housing improvements at the University of Hawai'i at Hilo.

SUMMARY OF LEGISLATION OF INTEREST TO THE UNIVERSITY OF HAWAII

<u>House Bills</u>		<u>UH Position</u>	<u>Final Bill Status</u>
HB 0004	Educational Opportunity for Military Children	Watched	Passed
HB 0112	Educational Access Channels	Watched	Passed
HB 0200	State Budget	Watched	Passed
HB 0383	Federal Stimulus Program	Watched	Passed
HB 0397	Lands Controlled by State	Watched	Passed
HB 0484	Advanced Practice Registered Nurses	Support	Passed
HB 0546	Civil Rights	Watched	Passed
HB 0680	Kaka'ako	Watched	Passed
HB 0985	Procurement	Watched	Passed
HB 1034	Collective Bargaining	Watched	Passed
HB 1035	ERS: Benefit Enhancement Moratorium	Watched	Passed
HB 1038	Employees' Retirement System	Watched	Passed
HB 1060	Information Technology	Watched	Passed
HB 1107	Hawai'i National Guard	Watched	Passed
HB 1342	Telecommunications	Watched	Passed
HB 1434	Public Work Projects	Watched	Passed
HB 1505	State Facilities	Watched	Passed
 <u>Senate Bills</u>		 <u>UH Position</u>	 <u>Final Bill Status</u>
SB 0002	Public Land	Watched	Passed
SB 0008	Board of Education Appointments	Watched	Passed
SB 0081	Starlight Reserve	Support	Passed
SB 0120	State Funds – Converts Certain Revolving Funds	Concerns	Passed
SB 0229	Employment Relations	Watched	Passed
SB 0283	Sustainability	Support	Passed
SB 0590	Federal Stimulus Program	Watched	Vetoed
SB 0675	Student Loan	Watched	Passed
SB 0806	Hawai'i Teacher Standards Board	Support	Passed
SB 1171	Calendar for Public Schools	Watched	Passed
SB 1174	Charter Schools	Watched	Passed
SB 1221	Procurement - Construction	Watched	Passed
SB 1331	Reporting/Kuali	Watched	Passed
SB 1386	Board of Regents	Watched	Passed
SB 1493	Light Pollution	Support	Vetoed
SB 1503	Education of Students with Disabilities	Watched	Passed
SB 1520	Native Hawaiians	Watched	Passed

HOUSE BILLS

HB 0004 HD2 SD2 CD1 RELATING TO THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

Act 082 (06/03/11)

Amends Act 152, session laws of 2009, which establishes interstate compact on educational opportunity for military children law by repealing the sunset date. -- HB0004 CD1

INTRODUCED BY: Takai K, Hanohano F, Keith-Agaran G, Lee M, Souki J, McKelvey A
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 June 3, 2011 – Signed into law, Act 082

HB 0112 HD1 RELATING TO CABLE TELEVISION SYSTEMS

Act 019 (04/27/11)

Establishes provisions relating to designation of access organizations for PEG (public education and government) access channels. Allows the director of commerce and consumer affairs to designate an access organization to oversee the development, operation, supervision, management, production or broadcasting of programs on PEG channels. Requires the director to establish requirements for the designation of access organization and ensure that the terms, conditions required of the operation of an access organization designated are fair to the public, taking into account the geographic, topographic, and economic characteristics of the service area and the economics of providing cable access in the service area. Provides that any decision designating, modifying, or rescinding a designation of an access organization or the requirements shall 1st be submitted for review to the cable advisory committee for advice. Amends provisions relating to cable advisory committee. Requires the committee to advise the director and access organizations on matters within the jurisdiction at the request of the director or any access organization and on any decision designating, modifying, or rescinding a designation of an access organization or the requirements. Act to be repealed on June 30, 2014 (sunset). -- HB0112 HD1

INTRODUCED BY: McKelvey A, Keith-Agaran G
 UH POSITION: Watched
 CURRENT STATUS: April 13, 2011 – Transmitted to Governor
 April 27, 2011 – Signed into law, Act 019

HB 0200 HD1 SD1 CD1 RELATING TO THE STATE BUDGET

Act 164 (06/23/11)

General Appropriations Act of 2011 (state budget). Appropriations for general operating and capital improvement funds for the support of state government operations over the 2011 - 2013 fiscal biennium. Authorizes the issuance of general obligation bonds. (\$\$) -- HB0200 CD1

INTRODUCED BY: Say C (BR)
 UH POSITION: Watched
 CURRENT STATUS: May 3, 2011 – Transmitted to Governor
 June 23, 2011 – Signed into law, Act 164

HB 0383 RELATING TO THE LEGISLATIVE FEDERAL ECONOMIC STIMULUS PROGRAM OVERSIGHT COMMISSION

Act 026 (04/28/11)

Amends Act 150, session laws of 2009, establishing the legislative federal economic stimulus program oversight commission by extending the commission to December 31, 2011 (sunset). -- HB0383

INTRODUCED BY: Say C (BR)
 UH POSITION: Watched
 CURRENT STATUS: April 13, 2011 – Transmitted to Governor
 April 28 2011 – Signed into law, Act 026

HB 0397 HD2 SD2 RELATING TO LAND CONTROLLED BY THE STATE

Act 169 (06/27/11)

Amends provisions relating to exchanges. Requires the state department or agency proposing to sell or give any state land to submit to the legislature a detailed summary of any development plans for the land to be exchanged and a statement of whether the land is, or is not, land that was classed as government or crown lands previous to August 15, 1895, or was acquired by the state in exchange for such lands, and a detailed explanation of how the state department or agency made this determination. Requires a copy of the resolution for the prior approval of a sale or gift of land to also be submitted to the Office of Hawaiian Affairs 3 months prior to the convening of a regular or special session of the legislature to allow the office to determine whether the land was classed as government or crown lands previous to August 15, 1895, or was acquired by the state in exchange for such lands. -- Amends provisions relating to legislature approval of sale or gift of lands. Requires the state department or agency proposing to sell or give any state land to submit to the legislature a statement of whether the land is, or is not, land that was classed as government or crown lands previous to August 15, 1895, or was acquired by the state in exchange for such lands, and a detailed explanation of how the state department or agency made this determination. Requires a copy of the resolution for the prior approval of a sale or gift of land to also be submitted to the office of Hawaiian affairs 3 months prior to the convening of a regular or special session of the legislature to allow the office to determine whether the land was classed as government or crown lands previous to August 15, 1895, or was acquired by the state in exchange for such lands. -- HB0397 SD2

INTRODUCED BY: Say C (BR)
 UH POSITION: Watched
 CURRENT STATUS: April 25, 2011 – Transmitted to Governor
 June 27, 2011 – Signed into law, Act 169

HB 0484 SD2 CD1 RELATING TO ADVANCED PRACTICE REGISTERED NURSES

Act 110 (06/14/11)

Establishes provisions relating to practice by advanced practice registered nurses. Requires each hospital in the State licensed to allow an advanced practice registered nurse recognized and qualified advanced practice registered nurse granted prescriptive authority to practice within the full scope of the practice including practice as a primary care provider. Amends provisions relating to prescriptive authority for advanced practice registered nurses. Repeals provisions that requires the appropriate working relationship with licensed physicians to be reflected in rules adopted by the board. Requires the board to establish requirements for advanced practice registered nurse education, experience, and national certification. Allows qualified advanced practice nurse to prescribe and administer over the counter drugs and request, receive, and dispense manufacturers' prepackaged samples of over the counter and non controlled legend drugs to patients under their care. -- HB0484 CD1

INTRODUCED BY: Lee M, Cabanilla R, Morita H, Herkes R, Belatti D, Yamane R
 UH POSITION: Support
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 June 14, 2011– Signed into Law, Act 110

HB 0546 SD1 RELATING TO CIVIL RIGHTS

Act 034 (05/02/11)

Amends provisions relating to the employment practices law and civil rights commission law. Prohibit discrimination because of gender identity or expression. -- HB0546 SD1

INTRODUCED BY: Oshiro B, Rhoads K, Yamashita K
 UH POSITION: Watched
 CURRENT STATUS: April 18, 2011 – Transmitted to Governor
 May 2, 2011 – Signed into law, Act 034

HB 0680 SD2 CD1 RELATING TO KAKAAKO

Act 234 (07/12/11)

Repeals provisions relating to the Kaka‘ako makai; plan. -- HB0680 CD1

INTRODUCED BY: Ito K, Chang J, Chong P, Awana K, Har S, McKelvey A, Tsuji C
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 June 27, 2011 – Governor’s Intent to Veto
 July 12, 2011 – Signed into law, Act 234

HB 0985 HD2 SD2 CD1 RELATING TO PROCUREMENT

Act 211 (07/11/11)

Amends provisions relating to competitive sealed proposals. Provides that competitive sealed proposals may be used to procure goods, services, or construction that are either not practicable or not advantageous to the State to procure by competitive sealed bidding. -- Allows the procurement officer for construction projects to make procurements using the design build method. Requires the procurement officer to issue a request for proposals to prequalify offers to select a short list of no more than 3 responsible offers, prior to the submittal of proposals; provided that the number of offerors to be selected for the short list is to be stated in the request for proposals and prompt notice is given to all offerors as to which offers have been short listed. Allows for a conceptual design fee to be paid to nonselected offers that submit a technically responsive proposal; provided that the cost of the entire project is greater than 1 million dollars. Requires that the criteria for pre qualification of offers, design requirements, development documents, proposal evaluation criteria, terms of the payment of a conceptual design fee, or any other pertinent information is to be stated in the request for proposals. -- HB0985 CD1

INTRODUCED BY: McKelvey A
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 July 11, 2011 – Signed into Law, Act 211

HB 1034 HD1 MAKING EMERGENCY APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS

Act 006 (03/17/11)

Appropriation to the Director of Finance for Hawai'i employer union health benefits trust fund costs for collective bargaining unit 1 (nonsupervisory blue collar employees), unit 2 (supervisory blue collar employees), unit 3 (nonsupervisory white collar employees), unit 4 (supervisory white collar employees), unit 5 (teachers and other personnel of the department of education), unit 6 (educational officers and other personnel of the department of education), unit 7 (faculty of the University of Hawai'i and Community College System), unit 8 (personnel of the University of Hawai'i and Community College System), unit 9 (registered professional nurses), unit 10 (nonprofessional hospital and institutional workers), and unit 13 (other professional and scientific employees); and for employees excluded from collective bargaining. (\$\$) -- HB1034 HD1

INTRODUCED BY: Say C (BR)
 UH POSITION: Watched
 CURRENT STATUS: March 16, 2011 – Transmitted to Governor
 March 17, 2011 – Signed into law, Act 006

HB 1035 HD1 RELATING TO EMPLOYEES' RETIREMENT SYSTEM BENEFIT ENHANCEMENT MORATORIUM

Act 029 (04/28/11)

Establishes provisions relating to a moratorium on benefit enhancements. Requires a moratorium on the enhancement of employees' retirement system benefits until the actuarial value of the system's assets is at least 100 per cent of the system's actuarial accrued liability. -- HB1035 HD1

INTRODUCED BY: Say C (BR)
 UH POSITION: Watched
 CURRENT STATUS: April 13, 2011 – Transmitted to Governor
 April 28, 2011 – Signed into law, Act 029

HB 1038 HD2 SD2 RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM

Act 163 (06/23/11)

Amends provisions relating to the pension and retirement system to specify provisions for those hired after June 30, 2012, including employee contributions, return to service of a former member, service retirement, allowance on service retirement, unreduced allowance on service retirement, allowance on ordinary disability retirement, average final compensation, post retirement allowances, and service retirement allowance. Amends provisions relating to determination of employer normal cost and accrued liability contributions by increasing the rates. -- Reduces regular interest for a member who becomes a member after June 30, 2011. -- Requires the board of trustees of the employees' retirement system to conduct a study to determine whether the percentage of regular interest is appropriate. Report to the legislature. -- Provides that actuarial valuations shall be based on the contribution rates approved by the legislature, and the tables, assumptions, and factors adopted by the board and provides that the investment yield rate assumption for the year ending June 30, 2011, shall be 7 3/4 per cent. --HB1038 SD2

INTRODUCED BY: Say C (BR)
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 June 23, 2011 – Signed into law, Act 163

HB 1060 HD1 SD2 CD1 RELATING TO INFORMATION TECHNOLOGY**Act 084 (06/07/11)**

Amends provisions relating to information technology; chief information officer; information technology steering committee; establishment; responsibilities. Allows the chief information officer within the department of accounting and general services to employ persons that shall be exempt from civil service and collective bargaining laws. Transfers the shared services technology special fund from the department of budget and finance to the department of accounting and general services. Allows the chief information officer and the comptroller to raise funds to defray administrative costs and accept donations of money and personal property on behalf of the information technology committee provided that all donations accepted from private sources shall be expended in the manner prescribed by the contributor, and all moneys received from all sources shall be deposited into the trust account established to hold moneys received by the information technology steering committee. Annual report to the legislature and governor. -- Changes the amount deposited into the shared services technology special fund. Appropriation to the shared services technology special fund and out of the fund. (\$\$) -- HB1060 CD1

INTRODUCED BY: Say C (BR)
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2011 – Transmitted by Governor
 June 7, 2011 – Signed into law, Act 084

HB 1107 HD1 SD2 RELATING TO THE HAWAII NATIONAL GUARD**Act 144 (06/20/11)**

Establishes provisions relating to use of non lethal weapons. Allows members of the army or air national guard who have been qualified by training and are authorized by their commanders to use electric guns when assisting civil authorities in disaster relief, civil defense, or law enforcement functions. -- HB1107 SD2

INTRODUCED BY: Takai K, Brower T, Cullen T, Lee C, Herkes R, Nishimoto S, Aquino H, Tokioka J, Souki J, Pine K, Ching C, Johanson A, Riviere G, Mizuno J, Chang J, McKelvey A, Ward G
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 June 20, 2011 – Signed into law, Act 144

HB 1342 HD1 SD2 CD1 RELATING TO TELECOMMUNICATIONS**Act 151 (06/21/11)**

Exempts county permitting requirements and state permitting and approval requirements for any actions relating to the installation, improvement, construction or development of infrastructure relating to broadband service or broadband technology, including the interconnection of telecommunications cable from January 1, 2012 to January 1, 2017. Prohibits a person or entity to be required to upgrade or replace an existing utility pole when using that utility pole to install new or improve existing telecommunications cables. Requires the director of commerce and consumer affairs in consultation with the administrator of the cable television division to review the state of broadband communications in Hawai'i and the exemptions made; and make a recommendation whether to extend the exemptions. Report to the legislature. -- Amends Act 199, session laws of 2010, by replacing the administrator of the cable

television division of the Department of Commerce and Consumer Affairs with the Director of Commerce and Consumer Affairs. -- HB1342 CD1

INTRODUCED BY: Yamashita K, McKelvey A, Chong P, Tsuji C, Oshiro B, Aquino H, Oshiro M, Ito K, Ichiyama L, Evans C, Say C, Manahan J, Yamane R, Hashem M, Tokioka J, Cullen T, Har S, Chang J, Lee M, Coffman D, Nishimoto S, Nakashima M, Herkes R, Morita H, Keith-Agaran G, Awana K

UH POSITION: Watched

CURRENT STATUS: May 6, 2011 – Transmitted to Governor
June 21, 2011 – Signed into law, Act 151

HB 1434 HD2 SD1 RELATING TO PUBLIC WORK PROJECTS

Act 160 (06/23/11)

Amends provisions relating to violations; penalties. Provides that a 1st, 2nd, or 3rd violation refers to each project in which the department of labor and industrial relations finds that a contractor has failed to comply with the wages and hours of employees on public works law. -- HB1434 SD1

INTRODUCED BY: Rhoads K

UH POSITION: Watched

CURRENT STATUS: May 6, 2011 – Transmitted to Governor
June 23, 2011 – Signed into law, Act 160

HB 1505 HD2 SD1 CD1 RELATING TO STATE FACILITIES

Act 231 (07/12/11)

Establishes the state facility renovation partnership program law. Establishes the program administered by the department of accounting and general services. Requires the department to review all state office facilities and compile a list of priority facilities on state owned land that is best suited for the state facility renovation partnership program. Allows the department to enter into agreement with a private investor for the sale of a priority facility who shall renovate and maintain the facility and may lease the facility back to the State. Establishes the state facility renovation partnership special fund. -- HB1505 CD1

INTRODUCED BY: Har S, Ito K

UH POSITION: Watched

CURRENT STATUS: May 6, 2011 – Transmitted to Governor
June 27, 2011 – Governor's Intent to Veto
July 12, 2011 – Signed into law, Act 231

SENATE BILLS**SB 0002 SD2 HD1 CD1 RELATING TO THE PUBLIC LAND****Act 054 (05/20/11)**

Requires the Department of Land and Natural Resources to initiate and coordinate all efforts to establish a public land trust information system. Reports to the legislature. Appropriation out of the land conservation fund. (\$\$) -- SB0002 CD1.

INTRODUCED BY: Solomon M, English J
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 May 20, 2011 – Signed into law, Act 054

SB 0008 SD1 HD2 RELATING TO EDUCATION**Act 005 (03/14/11)**

Repeals and replaces the Board of Education. Provides that the board shall consist of 9 members who shall be appointed by the governor with the advice and consent of the senate, plus 1 non voting member who shall be a public high school student. Requires the board to invite the senior military commander in Hawai'i to appoint a nonvoting military representative. Repeals the election of the Board of Education. -- SB0008 HD2

INTRODUCED BY: Tokuda J, Tsutsui S, Ihara L, Galuteria B, Chun Oakland S, Kim D, Espero W, Dela Cruz D, Ige D, Kidani M, Slom S, Baker R, Fukunaga C, Kahele G, English J, Nishihara C, Wakai G, Kouchi R, Green J
 UH POSITION: Watched
 CURRENT STATUS: March 3, 2011 – Transmitted to Governor
 March 14, 2011 – Signed into law, Act 005

SB 0081 HD2 RELATING TO STARLIGHT RESERVE**Act 039 (05/04/11)**

Amends Act 161, session laws of 2009, relating to the development of a statewide starlight reserve strategy by extending the advisory committee to June 30, 2013.(sunset). -- SB0081 HD2

INTRODUCED BY: Espero W
 UH POSITION: Support
 CURRENT STATUS: April 18, 2011 – Transmitted to Governor
 May 4, 2011 – Signed into law, Act 039

SB 0120 SD1 HD1 CD2 RELATING TO STATE FUNDS**Act 124 (06/15/11)**

Requires all moneys in the travel agency recovery fund and the travel agency education fund to be transferred to the general fund of the State of Hawai'i and for the funds to cease to exist on July 1, 2011 (sunset). -- Changes the child care programs revolving fund, discoveries and inventions revolving fund, University of Hawai'i alumni revolving fund, University of Hawai'i at Mānoa intercollegiate athletics revolving fund and University of Hawai'i at Hilo intercollegiate athletics revolving fund, animal research farm, Waialeale, O'ahu revolving fund, and University of Hawai'i Hilo theatre revolving fund to special

funds. -- Repeals the western governors university special fund, University of Hawai'i housing assistance revolving fund, conference center revolving fund, international exchange healthcare tourism revolving fund, education laboratory school summer programs revolving fund, and the community college and University of Hawai'i at Hilo bookstore revolving fund. Requires all fund balances remaining in the University of Hawai'i at Mānoa conference center revolving fund to be transferred to the general fund. Requires all fund balances remaining in the university of Hawai'i housing assistance revolving fund to be transferred to the credit of the Mānoa faculty housing program under the University of Hawai'i auxiliary enterprises special fund. -- Provides that the legislature determines that there are excess funds in the state risk management revolving fund, the medicaid investigations recovery fund, the compliance resolution fund, the mental health and substance abuse special fund, the drug demand reduction assessments special fund, the neurotrauma special fund, the environmental management special fund, the deposit beverage container deposit special fund, the employment and training fund, the Waialua loan subsidy program balance, the UH (University of Hawai'i) faculty housing project series 1995 bond proceed special fund, the stadium special fund, the Kikala Keokea housing revolving fund, the community use of school facilities special fund, the federal grants search, development, and application revolving fund, the trauma system special fund, captive insurance administrative fund, and the health care revolving fund and transfers amounts to the general fund. -- Repeals the interagency federal revenue maximization revolving fund, irrigation water development special fund, irrigation repair and maintenance special fund, the Rx Plus Program special fund, the State Pharmacy Assistance Program special fund, long term care benefits fund, and loss mitigation grant fund. Repeals the Rx Plus Program and the State Pharmacy Assistance Program. Requires the director of finance to transfer funds in the repealed special funds to the general fund. -- Amends provisions relating to the Hawai'i tobacco settlement special fund. Provides that for fiscal years 2012 and 2013 the 15 per cent appropriated into the emergency and budget reserve fund shall be deposited into the general fund and for fiscal years 2012 and 2013 the 6 1/2 per cent appropriated into the Hawai'i tobacco prevention and control trust fund shall be deposited into the general fund. -- Requires the director of health with the assistance of the director of finance to conduct a study of the Hawai'i tobacco prevention and control trust fund to determine whether the moneys that have actually been disbursed from the fund were used in the manner intended and disbursed in sufficient amounts and if the current level of moneys deposited into the fund are sufficient to fulfill the purposes of the fund. Report to the legislature. -- SB0120 CD2.

INTRODUCED BY: Solomon M
 UH POSITION: Concerns
 CURRENT STATUS: May 9, 2011 – Transmitted to Governor
 June 15, 2011 – Signed into law, Act 124

SB 0229 SD1 HD2 CD1 RELATING TO EMPLOYMENT RELATIONS

Act 206 (07/08/11)

Amends provisions relating to discriminatory practices made unlawful; offenses defined. Adds that it shall be unlawful discriminatory practice because of domestic or sexual violence victim status if the victim provides notice to the victim's employer of such status or the employer has actual knowledge of such status. Allows an employer to verify that the employee is a victim of domestic or sexual violence by requesting that the employee provide a signed written statement from whom the employee or the employee's minor child has sought assistance related to the domestic or sexual violence from an employee, agent, or volunteer of a victim services organization; the employee's attorney or advocate; a minor child's attorney or advocate; a medical or other professional; or a member of the clergy or a police or court record related to the domestic or sexual violence. Establishes provisions relating to victims protections. Prohibits an employer to verify an employee's status not more than once every 6 months. Amends provisions relating to victims leave by changing it to victim protections. Requires that the employer provide reasonable accommodations in the workplace for an employee who is a victim of domestic or sexual violence. Provides that an employer shall not be required to make the reasonable

accommodations if they cause undue hardship on the work operations of the employer. Establishes provisions relating to civil actions. Allows any employee denied reasonable accommodations by an employer to file a civil action against the employer to enforce and recover costs, including reasonable attorney's fees, incurred in the civil action. -- SB0229 CD1

INTRODUCED BY: Baker R, Chun Oakland S, Tokuda J
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2010 – Transmitted to Governor
 July 8, 2011 – Signed into law, Act 206

SB 0283 SD1 HD1 CD1 RELATING TO SUSTAINABILITY

Act 181 (07/05/11)

Establishes provisions relating to sustainability under the Hawai'i state planning act. Requires the University of Hawai'i public policy center, in consultation with the office of planning, shall submit a status and progress report to the legislature that identifies progress made in implementing the sustainability guidelines and principles and recommendations for legislation or other actions to facilitate the full implementation of the sustainability guidelines and principles. -- SB0283 CD1.

INTRODUCED BY: Kahele G, English J, Chun Oakland S, Shimabukuro M, Kidani M
 UH POSITION: Support
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 July 5, 2011 – Signed into law, Act 181

SB 0590 SD1 HD2 RELATING TO THE LEGISLATIVE FEDERAL ECONOMIC STIMULUS PROGRAM OVERSIGHT COMMISSION

Vetoed (07/12/11)

Amends Act 150, session laws of 2009, establishing the legislative federal economic stimulus program oversight commission by extending the commission to December 31, 2011 (sunset). -- SB0590 HD2.

INTRODUCED BY: Tsutsui S
 UH POSITION: Watched
 CURRENT STATUS: April 21, 2011 – Transmitted to Governor
 May 18, 2011 – Governor's Intent to Veto
 July 12, 2011 – Vetoed by Governor

SB 0675 SD1 RELATING TO STUDENT LOAN FUNDS

Act 020 (04/27/11)

Repeals provisions relating to the authorization of a corporation to acquire educational loan notes. -- SB0675 SD1.

INTRODUCED BY: Taniguchi B
 UH POSITION: Watched
 CURRENT STATUS: April 14, 2011 – Transmitted to Governor
 April 27, 2011 – Signed into law, Act 020

SB 0806 SD1 HD2 CD1 RELATING TO TEACHERS**Act 134 (06/20/11)**

Amends provisions relating to the Hawai'i Teacher Standards Board. Provides that teacher and educational officer members of the board who retire during the term may serve the remainder of their term and up to 3 consecutive 3 year terms. Requires the board to develop criteria for a full career and technical education license, limited to career and technical education teaching assignments, allowing qualified individuals with at least an associate's degree, pedagogy coursework, industry experience, and content expertise to teach. Further requires the board to establish policies and procedures for approving alternative pathways to teaching. Provides that advanced licenses shall be for 10 years. Requires payment of license fees in a timely manner. -- SB0806 CD1.

INTRODUCED BY: Tokuda J
 UH POSITION: Partial Support
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 June 20, 2011 – Signed into law, Act 134

SB 1171 RELATING TO EDUCATION**Act 024 (04/27/11)**

Amends Act 51, session laws of 2004, relating to education. Provides that the single school calendar shall not apply to other schools designated by the board of education in furtherance of a plan to improve educational outcome in students. -- SB1171.

INTRODUCED BY: Tokuda J, Kidani M, Nishihara C, Chun Oakland S
 UH POSITION: Watched
 CURRENT STATUS: April 14, 2011 – Transmitted to Governor
 April 27, 2011 – Signed into law, Act 024

SB 1174 SD2 HD1 CD1 RELATING TO CHARTER SCHOOLS**Act 130 (06/15/11)**

Amends provisions relating to special and revolving funds; annual report; expenditures in excess of appropriations. Requires the charter school system budget request to include a needs based facilities funding and to be accompanied by a detailed explanation as to the formula used and funding request breakdown by school. -- Amends provisions relating to charter schools. Allows charter schools that are denied reauthorization or have their charter revoked to appeal to the Board of Education for a final decision. Requires charter school review panels to ensure that local school boards are fulfilling their oversight responsibilities. Requires charter school local school boards to have oversight over the financial and academic viability of the charter school. Requires local school boards to make available the notices and agendas of public meetings on the charter school administrative office's internet website and to maintain a list of the current names and contact information of the local school board's members and officers and make it available on the office's website. Requires charter schools and their local school boards to develop internal policies and procedures consistent with ethical standards of conduct. Changes the period that the charter school review panel conduct a multi year evaluation of each charter school to every 6 years after its 4th anniversary. -- Establishes a task force on charter school governance accountability and authority within the department of education to provide clarity to the relationships, responsibilities, and lines of accountability and authority among stakeholders of the charter school system. Report to the legislature. -- SB1174 CD1.

INTRODUCED BY: Tokuda J, Kidani M, Nishihara C, Chun Oakland S

UH POSITION: Watched
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 June 15, 2011 – Signed into law, Act 130

SB 1221 SD2 HD1 CD1 RELATING TO PROCUREMENT

Act 192 (07/06/11)

Amends provisions relating to requirements of contractor. Allows a contractor to withdraw a bid prior to the award of a contract if the contractor finds that it is unable to comply with this law. -- Requires that certification of compliance with this law be made under oath by an officer of the general contractor and subcontractor to the procurement officer with the notice of completion of the contract. Provides that a general contractor is not to be sanctioned for noncompliance with this section by a subcontractor of that general contractor on the same contract. -- SB1221 CD1

INTRODUCED BY: Tsutsui S
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 July 6, 2011 – Signed into law, Act 192

SB 1331 SD2 HD2 CD1 RELATING TO THE UNIVERSITY OF HAWAII

Act 092 (06/09/11)

Amends provisions relating to special and revolving funds; annual report; expenditures in excess of appropriations. Requires the University of Hawai'i's annual report to the legislature to include information on funds that have an unencumbered cash balance of 1 million dollars or more or a cash deficit of 1 million dollars or more, where the deficit is greater than 25 per cent of the previous fiscal year's expenditure. Repealed on June 30, 2016 (sunset). -- SB1331 CD1.

INTRODUCED BY: Tsutsui S (BR)
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 June 9, 2011 – Signed into law, Act 092

SB 1386 SD1 HD1 RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII

Act 050 (05/06/11)

Amends provisions relating to regents; appointment; tenure; qualifications; meetings. Requires the Board of Regents of the University of Hawai'i to elect a chairperson and up to 2 vice chairpersons before July 1. -- SB1386 HD1

INTRODUCED BY: Tokuda J, Kidani M, Chun Oakland S
 UH POSITION: Watched
 CURRENT STATUS: April 20, 2011 – Transmitted to Governor
 May 6, 2011 – Signed into law, Act 050

SB 1493 SD1 HD3 CD1 RELATING TO LIGHT POLLUTION

Vetoed (07/12/11)

Establishes provisions relating to starlight reserve strategy. Requires every new and replacement outdoor light fixture be fully shielded. Identifies specific lighting sources that are exempt. -- SB1493 CD1.

INTRODUCED BY: Espero W, Shimabukuro M
 UH POSITION: Support
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 June 27, 2011 – Governor's Intent to Veto
 July 12, 2011 – Vetoed by Governor

SB 1503 SD2 HD1 CD1 RELATING TO SPECIAL EDUCATION

Act 128 (06/15/11)

Establishes provisions relating to education of students with disabilities; private residential facilities; special education schools or programs; accreditation. Requires any accredited private special education school or program, certified or licensed private residential facility, or nonpublic special education school or program that provides education, treatment, programming, or related services to students with disabilities who are eligible to receive special education and related services pursuant to federal or state law, rules, and regulations and who receive funding from the State, either directly or through parental reimbursement, to comply with all federal and state laws, rules, and regulations. Further requires any nonpublic special education school or program that is not accredited to apply for accreditation within 90 days from the date of accepting a student with disabilities who was placed there as the result of a hearing officer's decision, court order, settlement agreement, or placement by the department. -- SB1503 CD1.

INTRODUCED BY: Kidani M
 UH POSITION: Watched
 CURRENT STATUS: May 5, 2011 – Transmitted to Governor
 June 15, 2011 – Signed into law, Act 128

SB 1520 SD2 HD3 CD1 RELATING TO GOVERNMENT

Act 195 (07/06/11)

Establishes the native Hawaiian recognition law. Establishes the native Hawaiian roll commission appointed by the governor for the purpose of preparing and maintaining a roll of qualified native Hawaiians and certifying that the individuals meet the definition of qualified native Hawaiians. Provides that the publication of the roll of qualified native Hawaiians is intended to facilitate the process under which qualified native Hawaiians may independently commence the organization of a convention of qualified native Hawaiians, established for the purpose of organizing themselves. -- Requires the Hawaiian homes commission act, 1920 to be amended, subject to the approval of the US congress. -- Requires the commission to be funded by the office of Hawaiian affairs. -- Requires the commission in cooperation with the office of Hawaiian affairs to report to the legislature and the governor. -- SB1520 CD1.

INTRODUCED BY: Hee C, Galuteria B, Kahele G, Ryan P
 UH POSITION: Watched
 CURRENT STATUS: May 6, 2011 – Transmitted to Governor
 July 6, 2011 – Signed into law, Act 195

HOUSE CONCURRENT RESOLUTIONS

HCR 24

EXTENDING THE DEADLINE FOR THE HOME FOR LIFE TASK FORCE TO REPORT ITS FINDINGS AND RECOMMENDATIONS FOR REDUCING BARRIERS TO AGING IN PLACE AND FACILITATING MULTIGENERATIONAL LIVING

INTRODUCED BY: Lee M, Evans C, Pine K, Keith-Agaran G, Hanohano F, Mizuno J, Marumoto B, Thielen C, Awana K, Har S, Tokioka J

UH POSITION: Watched

CURRENT STATUS: April 21, 2011 – Adopted in Final Form

HCR 166

REQUESTING THE AUDITOR TO CONDUCT A STUDY REGARDING THE TRANSFER OF NON-GENERAL FUNDS TO THE GENERAL FUND

INTRODUCED BY: Jordan J, Takai K, Hanohano F, Wooley J, McKelvey A, Evans C, Hashem M, Oshiro B, Awana K, Ichiyama L, Choy I, Brower T, Lee C, Morikawa D, Ito K, Nishimoto S

UH POSITION: Watched

CURRENT STATUS: April 27, 2011 – Adopted in Final Form

HCR 205

REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A TASK FORCE REGARDING THE IMPLEMENTATION OF ACT 1, SESSION LAWS OF HAWAII 2011

INTRODUCED BY: Oshiro B

UH POSITION: Watched

CURRENT STATUS: April 27, 2011 – Adopted in Final Form

HCR 238

REQUESTING THE DEPARTMENT OF HEALTH TO FULLY SUPPORT THE DEVELOPMENT OF THE SHELLFISH AQUACULTURE INDUSTRY AND IMPLEMENT A STATEWIDE CLASSIFICATION PROGRAM FOR SHELLFISH GROWING AREAS

INTRODUCED BY: Tsuji C, Evans C, Yamashita K, Nishimoto S, Riviere G, Hashem M, Awana K, Choy I, Ito K, Lee, M, Chong P, Brower T, Manahan J

UH POSITION: Support

CURRENT STATUS: April 27, 2011 – Adopted in Final Form

HCR 273

REQUESTING THE SCHOOL OF TRAVEL INDUSTRY MANAGEMENT AT THE UNIVERSITY OF HAWAII AT MANOA TO DEVELOP ENHANCEMENTS FOR THE TOURISM-RELATED CAPABILITIES OF THE UNIVERSITY OF HAWAII ECONOMIC RESEARCH ORGANIZATION DATA PORTAL

INTRODUCED BY: Manahan J, Brower T

UH POSITION: Support

CURRENT STATUS: April 29, 2011 – Adopted in Final Form

HCR 298 HD1

REQUESTING THAT THE ASIA-PACIFIC ECONOMIC COOPERATION HOST COMMITTEE
SELECT PRODUCTS UNIQUE TO HAWAII THAT SHOWCASE HAWAII'S EXCELLENCE IN
AGRICULTURE

INTRODUCED BY: Ching C, McKelvey A, Chang J, Evans C, Aquino H

UH POSITION: Watched

CURRENT STATUS: May 3, 2011 – Adopted in Final Form

SENATE CONCURRENT RESOLUTIONS

SCR 53 SD1

STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAII FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS; DEEM MIGRANTS ELIGIBLE TO RECEIVE FEDERALLY FUNDED FINANCIAL AND MEDICAL ASSISTANCE; AND PROVIDE DIALYSIS AND CHEMOTHERAPY CENTERS IN MICRONESIA AND ALL AREAS WITHIN THE COMPACT OF FREE ASSOCIATION NATIONS

INTRODUCED BY: Espero W, Gabbard M, Shimabukuro M
UH POSITION: Watched
CURRENT STATUS: April 25, 2011 – Adopted in Final Form

GOVERNOR'S MESSAGES**GM 541**

Submitting for consideration and confirmation to the Historic Places Review Board, Hawai'i, Gubernatorial Nominee, GERALD L. DE MELLO, for a term to expire 6-30-2015

Current Status: April 27, 2011 – Confirmed by the State Senate

GM 544

Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, LOUISE CAYETANO, for a term to expire 6-30-2014. (Term amended to 6-30-2013 by GM576)

Current Status: April 8, 2011 – Confirmed by the State Senate

GM 545

Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, WRAY JOSE, for a term to expire 6-30-2014. (Term amended to 6-30-2012 by GM576)

Current Status: April 8, 2011 – Confirmed by the State Senate

GM 546

Submitting for consideration and confirmation to the Hawai'i Teacher Standards Board, Gubernatorial Nominee, BARRY WURST, for a term to expire 6-30-2014

Current Status: April 8, 2011 – Confirmed by the State Senate

GM 570

Submitting for consideration and confirmation to the Education Commission of the States, Gubernatorial Nominee, J.N. MUSTO, for a term to expire 6-30-2015

Current Status: April 8, 2011 – Confirmed by the State Senate

GM 627

Submitting for consideration and confirmation to the Board of Directors of the Research Corporation of the University of Hawai'i, Gubernatorial Nominee, JAMES P. KARINS, for a term to expire 6-30-2015

Current Status: April 27, 2011 – Confirmed by the State Senate

GM 652

Submitting for consideration and confirmation to the State of Hawai'i Board of Education, Gubernatorial Nominee, KEITH AMEMIYA, for a term to expire 6-30-2012

Current Status: April 14, 2011 – Confirmed by the State Senate

GM 660

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

Current Status: April 25, 2011 – Failed Confirmation by the State Senate

GM 661

Submitting for consideration and confirmation to the University of Hawai'i Board of Regents, Gubernatorial Nominee, SANDRA W. SCARR, for a term to expire 6-30-2016

Current Status: April 25, 2011 – Failed Confirmation by the State Senate

GM 662

Submitting for consideration and confirmation to the University of Hawai'i Board of Regents, Gubernatorial Nominee, SAEDENE K. OTA, for a term to expire 6-30-2015

Current Status: May 5, 2011 – Confirmed by the State Senate

GM 663

Submitting for consideration and confirmation to the University of Hawai'i Board of Regents, Gubernatorial Nominee, CORALIE C. MATAYOSHI, for a term to expire 6-30-2016

Current Status: May 5, 2011 – Confirmed by the State Senate

GM 664

Submitting for consideration and confirmation to the University of Hawai'i Board of Regents, Gubernatorial Nominee, JAN N. SULLIVAN, for a term to expire 6-30-2016

Current Status: May 5, 2011 – Confirmed by the State Senate

GM 684

Submitting for consideration and confirmation to the Board of Pharmacy, Gubernatorial Nominee, ROSE TSENG, for a term to expire 6-30-2015

Current Status: May 3, 2011 – Confirmed by the State Senate

GM 691

Submitting for consideration and confirmation to the Board of Directors of the High Technology Development Corporation, Gubernatorial Nominee, JOHN F. MORTON, for a term to expire 6-30-2015

Current Status: April 27, 2011 – Confirmed by the State Senate

GM 697

Submitting for consideration and confirmation to the Hawai'i Medical Education Council, Gubernatorial Nominee, ARTHUR A. USHIJIMA, for a term to expire 6-30-2015

Current Status: April 27, 2011 – Confirmed by the State Senate

GM 698

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, JOHN ANDERSON, for a term to expire 6-30-2015. (Term amended to 6-30-2014 by GM779)

Current Status: May 3, 2011 – Confirmed by the State Senate

GM 699

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, JANICE BOND, for a term to expire 6-30-2015. (Term amended to 6-30-2014 by GM779)

Current Status: May 3, 2011 – Confirmed by the State Senate

GM 700

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, DENNIS DUNN, for a term to expire 6-30-2015. (Term amended to 6-30-2014 by GM779)

Current Status: May 3, 2011 – Confirmed by the State Senate

GM 701

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, LISA A. DUNN, for a term to expire 6-30-2015. (Term amended to 6-30-2014 by GM779)

Current Status: May 3, 2011 – Confirmed by the State Senate

GM 702

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, PATRICIA L. MASTERS, for a term to expire 6-30-2015. (Term amended to 6-30-2014 by GM779)

Current Status: May 3, 2011 – Confirmed by the State Senate

GM 703

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, DARIN SHIGETA, for a term to expire 6-30-2015. (Term amended to 6-30-2014 by GM779)

Current Status: May 3, 2011 – Confirmed by the State Senate

GM 704

Submitting for consideration and confirmation to the Hawai'i Commission for National and Community Service, Gubernatorial Nominee, CHARLOTTE TOWNSEND, for a term to expire 6-30-2015. (Term amended to 6-30-2014 by GM779)

Current Status: May 3, 2011 – Confirmed by the State Senate

GM 763

Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, MICHAEL T. MABERRY, for a term to expire 6-30-2013

Current Status: April 26, 2011 – Confirmed by the State Senate

GM 765

Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, PETER MOUGINIS-MARK, for a term to expire 6-30-2013

Current Status: April 26, 2011 – Confirmed by the State Senate

GM 768

Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, PETER QUIGLEY, for a term to expire 6-30-2013

Current Status: April 26, 2011 – Confirmed by the State Senate

GM 770

Submitting for consideration and confirmation to the Hawai'i Aerospace Advisory Committee, Gubernatorial Nominee, DONALD STRANEY, for a term to expire 6-30-2013

Current Status: April 26, 2011 – Confirmed by the State Senate

BUDGET PROVISOS**HB 200 HD1 SD1 CD1**

RELATING TO THE STATE BUDGET

PART III. PROGRAM APPROPRIATIONS PROVISIONS

SECTION 23. Provided that the University of Hawaii shall prepare a detailed report on the expenditures of the funds from the tobacco Master Settlement Agreement for university revenue-undertakings; and provided further that the university shall submit quarterly reports to the legislature on October 15, January 15, April 15 and July 15

PART V. CAPITAL IMPROVEMENT PROGRAM PROVISOS

SECTION 50. Provided that of the general obligation fund appropriation for plans, design, construction and equipment for improvements to the University of Hawaii facilities, the sum of \$5,760,000 or so much thereof as may be necessary for fiscal year 2011-2012 shall be expended by the University of Hawaii as follows:

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

PART VI. ISSUANCE OF BONDS

SECTION 69. **UNIVERSITY OF HAWAII REVENUE BONDS.** The University of Hawaii board of regents is authorized to issue revenue bonds for capital improvement program projects authorized in part II and listed in part IV of this Act and designated to be financed by revenue bond funds, in principal amounts as are required to yield the amounts appropriated for capital improvement program projects, and if determined by the board of regents and approved by the governor, any additional principal amount deemed necessary by the board of regents to pay interest on the revenue bonds during the estimated period of construction of the capital improvement program project for which the revenue bonds are issued, to establish, maintain, or increase reserves for the revenue bonds, and to pay all or any part of the expenses related to the issuance of the revenue bonds. The revenue bonds shall be issued pursuant to the provisions of part III of chapter 39, Hawaii Revised Statutes, as amended, except that the bonds shall be issued in the name of the University of Hawaii and not in the name of the State. The principal of and interest on the revenue bonds, to the extent not paid from the proceeds of the revenue bonds, shall be payable from and secured by the revenues derived from facilities under the ownership of the University of Hawaii or operated and managed by the University of Hawaii, or any part thereof as the board of regents may determine, including other moneys, rates, rents, fees, or charges currently or hereafter derived from or arising through the ownership, operation, and management of university facilities and the furnishings and supplying of the services thereof. The expenses related to the issuance of the revenue bonds, to the extent not paid from the proceeds of the bonds, shall be paid from the special funds of the University of Hawaii.

The governor, in the governor's discretion, is authorized to use University of Hawaii special funds to finance those projects authorized in part II and listed in part IV of this Act where the method of financing is designated to be by University of Hawaii revenue bonds; provided 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 2012 and 2013 regular sessions.

SECTION 78. After the objectives and purposes of appropriations made in this Act from the general obligation bond fund for capital improvement projects for the University of Hawaii have been met, unrequired balances shall be transferred to the University of Hawaii project adjustment fund appropriated in part II and described in part IV of this Act, and shall be considered a supplementary appropriation thereto; and provided further that the governor shall submit a report to the legislature of all uses of this authority for the previous twelve month period from December 1 to November 30 no later than thirty days prior to the convening of the 2012 and 2013 regular sessions.

SECTION 79. If the authorized appropriations specified for University of Hawaii capital improvement projects listed in this Act or in any other act currently authorized by the legislature are insufficient, and where the source of funding for the project is designated as the general obligation bond fund, the governor may make supplemental allotments from the University of Hawaii project adjustment fund appropriated in part II and described in part IV of this Act to supplement any currently authorized capital investment cost elements; provided further that such supplemental allotments from the project adjustment fund shall not be used to increase the scope of the project; and provided further that the governor shall notify the legislature within five days of each use of this authority and 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 2012 and 2013 regular sessions.

SECTION 119. Provided that no funds, including federal funds, shall be expended to fill any position not authorized by the legislature; provided further that this prohibition shall not apply to:

- (1) The University of Hawaii and the Hawaii health systems corporation;
- (2) Positions entirely federally funded;
- (3) Positions established pursuant to section 76-16(b)(3), (12), (13), (21), and (23), Hawaii Revised Statutes; or
- (4) Where an agency has explicit statutory authorization to establish positions to accomplish necessary functions;

provided further that with regard to any of the positions identified in paragraphs (1), (2), (3), or (4), the respective agency or department shall submit a report to the legislature within five days of each use of this provision; provided further that the report shall include:

- (1) Authority used to establish the position;
- (2) Date the position was established;
- (3) Projected date the position will be filled;
- (4) Amounts projected to be expended in fiscal year 2011-2012 and in fiscal year 2012-2013;
- (5) Source of funds used to pay for the position; and
- (6) Functions to be performed by the position;

and provided further that the department of budget and finance shall submit to the legislature a summary report of all uses of this provision for the previous twelve month period from December 1 to November 30 no later than thirty days prior to the convening of the 2012 and 2013 regular sessions.

KEY CARRYOVER MEASURES

HB 1203 HD2 SD1 RELATING TO PHYSICIAN WORKFORCE ASSESSMENT

Removes the cap on expenditures from the John A. Burns school of medicine special fund; specifies that the physician workforce assessment fee shall be used to support physician workforce assessment in collaboration with residency programs in this State and the Hawaii medical board to address specified issues; requires annual report to the legislature. Effective 7/1/2030. (SD1)

INTRODUCED BY: Yamane
 UH POSITION: Support
 CURRENT STATUS: Failed to meet Final Decking deadline

HB 1322 HD2 SD2 RELATING TO CERTAIN FUNDS OF THE UNIVERSITY OF HAWAII

Converts certain revolving funds of the University of Hawai'i into special funds. Repeals certain funds of the University of Hawai'i and transfers the remaining balances to specified alternate funds. (SD2)

INTRODUCED BY: Nishimoto
 UH POSITION: Support
 CURRENT STATUS: Failed to meet Final Decking deadline

HB 1326 HD2 SD1 RELATING TO THE UNIVERSITY OF HAWAII

Amends provisions relating to benchmark reporting. Requires the University of Hawai'i to periodically review state needs related to higher education outcomes and indicators and monitor and report biennially on its progress toward achieving performance outcomes in a manner that is transparent and linked to state higher education needs. (SD1)

INTRODUCED BY: Nishimoto
 UH POSITION: Oppose Revised Version
 CURRENT STATUS: Failed to meet Final Decking deadline

HB 1330 HD1 SD2 RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND

Extends until June 30, 2015, the portion of Hawaii tobacco settlement special fund moneys allocated for annual operating expenses of JABSOM, and annually reduces these amounts by a certain percentage beginning in FY 2012-2013. Increases the portion of Hawaii tobacco settlement special fund moneys going to the general fund until June 30, 2015. Adds annual reporting requirements for JABSOM. Effective 7/1/2117. (SD2)

INTRODUCED BY: Nishimoto
 UH POSITION: Oppose Revised Version
 CURRENT STATUS: Failed to meet Final Decking deadline

SB 0239 SD2 HD2 RELATING TO THE HAWAII TOBACCO SETTLEMENT SPECIAL FUND

Extends the appropriation by a decreasing annual amount of a portion of Hawai'i tobacco settlement special fund moneys for annual operating expenses of JABSOM until June 30, 2015. Establishes a University of Hawai'i School of Public Health and dedicated Special Fund. Establishes the Hawai'i Medical Doctor Loan Program and dedicated Special Fund. Establishes the Hilo Medical Center Rural Interdisciplinary Residency Program and dedicated Special Fund. Deposits the decreasing annual amount into the three special funds in unspecified percentages. Effective July 1, 2050. (SB239 HD2) (\$)

INTRODUCED BY: Tokuda, Nishihara
 UH POSITION: Oppose Current Version
 CURRENT STATUS: Failed to meet Final Decking deadline

SB 0240 SD2 HD2 RELATING TO PHYSICIAN WORKFORCE ASSESSMENT

Extends the Physician Workforce Assessment Fee to July 1, 2015. Requires one hundred percent of the assessment fees be used to support health care reform, the medical home model, and physician reimbursements. Requires John A. Burns School of Medicine to prepare an annual, rather than biannual, report regarding physician workforce. Effective July 1, 2011. (SB240 HD2) (\$)

INTRODUCED BY: Tokuda, Chun Oakland, Nishihara
 UH POSITION: Support
 CURRENT STATUS: Failed to meet Final Decking deadline

SB 0243 SD2 HD1 RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION

Establishes the Hawai'i Western Interstate Commission of Higher Education (Hawaii WICHE). Allows Hawai'i WICHE to establish a repayment policy for students who receive financial support from certain funds appropriated for the Hawai'i commission. Establishes a professional student exchange program special fund. Effective July 1, 2030. (SB243 HD1) (\$)

INTRODUCED BY: Tokuda, Chun Oakland, Kidani, Nishihara
 UH POSITION: Watch
 CURRENT STATUS: Failed to meet Final Decking deadline

SB 0244 HD1 RELATING TO THE UNIVERSITY OF HAWAII

Requires the University of Hawai'i Board of Regents to periodically review the priority guidelines for quality education and recommend amendments to the Legislature, develop a functional plan that includes strategic goals, outcomes, and performance indicators, and report biennially to the Legislature. (SB244 HD1)

INTRODUCED BY: Tokuda, Chun Oakland, Kidani, Nishihara, Taniguchi
 UH POSITION: Oppose
 CURRENT STATUS: Failed to meet Final Decking deadline

SB 0809 SD1 HD1 RELATING TO THE UNIVERSITY OF HAWAII

Increases the University of Hawai'i's authorization to issue revenue bonds for the purpose of financing the construction and maintenance of qualifying capital improvement projects. Appropriates revenue bond proceeds. Effective July 1, 2030. (SB809 HD1) (\$)

INTRODUCED BY: Tokuda
 UH POSITION: Support
 CURRENT STATUS: Failed to meet Final Decking deadline

SB 1332 SD2 HD2 RELATING TO THE UNIVERSITY OF HAWAII

Extends the exemption granted to the University of Hawai'i (UH) from certain provisions of the Hawai'i public procurement code to December 31, 2012. Requires additional reporting requirements. Permits review and investigation of complaints of UH procurement procedures by the Administrator of the Procurement Office. Effective July 1, 2030. (SB1332 HD2)

INTRODUCED BY: Tsutsui (BR)
 UH POSITION: Support Intent
 CURRENT STATUS: Failed to meet Final Decking deadline

SB 1382 SD2 HD1 RELATING TO EDUCATION

Creates task force to examine Higher Education Act of 1965, to ensure compliance re state authorization of institutions offering educational programs beyond secondary education; and make recommendations re consolidation within one state agency of licensing and authorization functions of all primary, secondary, and post-secondary educational institutions in the State. Requires LRB to provide research and assist with drafting legislation. Requires report to legislature. Effective 7/1/2050. (HD1)

INTRODUCED BY: Tokuda, Chun Oakland, Dela Cruz, Kidani, Ige, Nishihara
 UH POSITION: Support
 CURRENT STATUS: Failed to meet Final Decking deadline

COMPARISON ON 2010 & 2011 STATE LEGISLATURE

	<u>2010 Session</u>	<u>2011 Session</u>
Number of Bills Introduced / Tracked:	H – 1151 / 189* S – 961 / 194*	H – 1665 / 275 S – 1559 / 244
Number of Bills Testified / Total Submitted:	H – 29 / 56 S – 31 / 65	H – 39 / 69 S – 39 / 87
Number of Bills Passed by the Legislature:	H – 17 S – 37	H – 17 S – 17
Number of Bills Enacted / Vetoed / Overridden:	H – 13 / 2 / 2 S – 31 / 1 / 5	H – 17 / 0 / 0 S – 15 / 2 / 0

**Does not include carryover measures from 2009*

Number of Concurrent Resolutions Introduced / Tracked:	H – 339 / 68 S – 241 / 52	H – 318 / 63 S – 178 / 40
Number of Concurrent Resolutions Testified / Total Submitted:	H – 11 / 14 S – 9 / 10	H – 18 / 22 S – 11 / 11
Number of Concurrent Resolutions Adopted:	H – 13 S – 7	H – 6 S – 1

Number of Governor's Messages Tracked:	S – 18	S – 26
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PREPARING FOR THE 2012 LEGISLATIVE SESSION

2012 LEGISLATIVE PROPOSALS

To prepare for the 2012 Legislative Session and to meet the Governor's and the Board of Regent's deadlines, the date below has been established for legislative proposals. The UH legislative package is scheduled to be discussed at the October meeting of the BOR.

Action	No. of copies	UH Deadline
Proposed bills and/or resolutions with justification sheets due to Government Relations Office	Electronic version only	August 15, 2011

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

Attached to this memo is a list of reports requested by the Legislature or mandated by statute. Please review this list carefully since there are new reports due before the start of the 2012 Legislative Session.

ANNUAL AND REQUESTED REPORTS TO THE 2012 LEGISLATURE**Legislative Reports**

Action	No. of copies	UH Deadline
Final draft of annual and requested reports due to Government Relations Office	Electronic version only	November 21 , 2011*
Lead VP's approval or request for changes to report		December 7, 2011
Report in final form to Government Relations Office	18 copies and electronic version	December 14, 2011

* Act 188, SLH 2008, is due one month prior to the November 21st deadline

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

UNIVERSITY OF HAWAII
ANNUAL REPORTS TO THE 2012 LEGISLATURE

STATUTE/BILL/ RESO#	TITLE	LEAD OFFICE	LEAD VP
ANNUAL REPORTS			
HRS 37-74	Annual Report on Transfer of Appropriated Funds and Positions	CFO	CFO
HRS 40-82	Annual Report Summarizing Uncollectible Accounts	VPR	VPR, UGC
HRS 304A-106	Annual Report on Trust Fund Revenues & Gifts	CFO	CFO
HRS 304A-302	Annual Report on Progress of Career and Technical Education	CTE	BOR
HRS 304A-1004	Annual Report on Salary	OHR	CFO
HRS 304A-1144	Annual Report on the Construction Academy Curriculum	VPCC	VPCC
HRS 304A-1202	Annual Report on Teacher Education Coord Comm	Mānoa	EVPAAP
HRS 304A-1704	Annual Report from the Medical Education Council	Mānoa	VPR
HRS 304A-1891	Annual Report from HNEI on expenditures, contracts, activities, technology	Mānoa	VPR
HRS 304A-1905	Annual Report on the Mauna Kea lands	Hilo	VPR
HRS 304A-2001	Report on Periodic Review of All UH System Programs Relative to Benchmarks (due 2nd year of biennium)	EVPAAP	EVPAAP, CFO
HRS 304A-2007	Annual Report on Income & Expenditures on all Special and Revolving Funds	CFO	CFO
HRS 304A-2151 (Act 186, SLH 2003)	Annual Report on Risk Management	UGC/Risk Mgmt	UGC
HRS 304A-2153	UH Tuition & Fees Special Fund for Fundraising	UHF	CFO
HRS 304A-2159	UH Student Scholarship & Assistance Special Fund	SA	VPSAUCR, CFO
HRS 304A-2168	Semi-annual report on the moneys in the Hawai'i Cancer Research Special Fund, beginning on January 1, 2010	Mānoa	CFO/VPR
HRS 304A-2253	Annual Report on Research & Training Revolving Fund	VPR	VPR, CFO
HRS 304A-2273	Annual Report on the Community College Conference Center Revolving Fund	VPCC	VPCC
HRS 304A-2689	Annual Report of all Revenue Bonds Issued	CFO	CFO
HRS 304A-3007	Annual Report from RCUH	RCUH	VPR
HRS 304A-3205	Annual Report in UH's continued participation in WICHE	SA	VPSAUCR
HRS 304A-3253	Annual Report on Operations of the Hawai'i Research Center for Future Studies	Mānoa	EVPAAP
HRS 304A-3305	Annual Report on Nursing Scholars Program	Mānoa	EVPAAP
Act 100, SLH 1999 (Section 7)	Annual Report on Government Operations	EVPAAP	EVPAAP
Act 281, SLH 2007	Annual Report from P-20 Initiative Council (due by December 31st of each year)	EVPAAP	EVPAAP
Act 188, SLH 2008 (Section 2)	Annual Incentive & Performance Report (due by November of each year starting 2008)	VPCC/CFO	VPCC/CFO
Act 18, Special Session 2009 (Section 5)	Report by the John A. Burns School of Medicine on the assessment of the physician workforce (due each odd-numbered year)	Mānoa	EVPAAP/VPR
Act 137, SLH 2009 (Section 4)	Report by Hawai'i EPSCoR on Hawai'i state science and technology plan (commence 2011 and update reports every five years thereafter)	VPR	VPR

UNIVERSITY OF HAWAII
ANNUAL REPORTS TO THE 2012 LEGISLATURE

STATUTE/BILL/ RESO#	TITLE	LEAD OFFICE	LEAD VP
2010 REQUESTS			
Act 24, SLH 2010 (amended Act 224, SLH 2008)	Interim Report by the Long Term Care Commission on the development of the five-year plan & proposed system reforms (due by January 19, 2011), Final Report (due by January 18, 2012)	Mānoa	EVPAAP
Act 82, SLH 2010	Report on procurement process for 2011 and 2012	CFO	CFO
SCR 110 SD2 HD1 (2010)	Report on the Comprehensive Plan by the Department of Education and the University of Hawaii's working group on any proposed legislation that furthers dyslexia awareness for 2012	Mānoa	EVPAAP
NEW REQUESTS			
Act 181, SLH 2011	Report by UH Public Policy Center on the progress made in implementing sustainability guidelines	Mānoa	EVPAAP
Act 164, SLH 2011 (Section 23)	Report on the expenditure of the funds from the Tobacco Master Settlement Agreement	CFO	CFO
Act 164, SLH 2011 (Section 69)	Report by the governor on the use of UH special funds when MOF for those projects in part II and listed in part IV of this Act is UH revenue bonds for 2012 and 2013	CFO	CFO
Act 164, SLH 2011 (Section 78)	Report by the governor on the transfer of unrequired GO bond funds to the UH project adjustment fund appropriated in part II and described in part IV of this Act for 2012 and 2013	CFO	CFO
Act 164, SLH 2011 (Section 79)	Report by the governor on supplemental allotments from the UH project adjustment fund for 2012 and 2013	CFO	CFO
Act 164, SLH 2011 (Section 119)	Report on funds expended to fill any position not authorized by the legislature	CFO	CFO
HCR 0273 (2011)	Report by UH School of Travel Industry Management on development of an online tutorial and provide regular in-person training seminars to visitor industry professionals on how to use Data Portal for 2012 session	Mānoa	EVPAAP
CONDITIONAL REPORTS			
HRS 487N-4	Report on Personal Information Security Breach Notification	Affected Campus/Unit	CIO
HRS 487J-4	Report on Notification of Social Security number disclosure	Affected Campus/Unit	CIO
HRS 487R-4	Report on Unauthorized Access Due to or After Disposal of Personal Information	Affected Campus/Unit	CIO
Act 94, SLH 2009 (Section 3)	Report on issuance of the additional revenue bonds authorized by section 2, including a detailed listing and description of all projects to be funded through the revenue bonds authorized pursuant to this Act.	CFO	CFO