

***REQUESTS BY THE HAWAII STATE LEGISLATURE
TO AGENCIES AND OFFICIALS OF FEDERAL,
STATE AND COUNTY GOVERNMENTS AND
QUASI-PUBLIC AND PRIVATE AGENCIES***

REGULAR SESSION OF 2004

**Compiled by the
Systems Office**

**LEGISLATIVE REFERENCE BUREAU
State Capitol
Honolulu, Hawaii 96813**

FOREWORD

This publication sets forth all of the requests made by the Hawaii State Legislature during the Regular Session of 2004 to agencies and officials of the federal, state and county governments and of quasi-public and private agencies. These requests are contained in acts enacted by the Legislature or bills passed which have yet to be approved by the Governor. These acts or bills include specific requests for submission of information back to the Legislature excluding annual and other reports requested on an indefinite basis. These requests are also contained in resolutions adopted by the Senate (SR) or House of Representatives (HR) or by the whole legislature (SCR or HCR). Dates by which reports and other responses are expected are indicated when specifically set by the Legislature. The names of the agencies involved in the conduct of a study or the execution of a request are underscored.

For the reader's convenience these legislative requests are also grouped together by agencies (see agency index); as well as by subject matter (see subject index).

Standard abbreviations used in the text are:

SB	-	Senate Bill
SC	-	Senate Conference Committee Report
SCR	-	Senate Concurrent Resolution
SD	-	Senate Draft
SR	-	Senate Resolution
SSCR	-	Senate Standing Committee Report
HB	-	House Bill
HC	-	House Conference Committee Report
HCR	-	House Concurrent Resolution
HD	-	House Draft
HR	-	House Resolution
HSCR	-	House Standing Committee Report
CD	-	Conference Draft
CCR	-	Conference Committee Report
SP	-	Special Session

An asterisk (*) preceding a measure number denotes that there are minor differences between the measures grouped together.

The word "filed" appended to certain committee reports denotes that the committee report is separated from the bill.

The word "notwithstanding" appended to certain committee reports denotes that the recommendations of the committee report were not followed.

Ken H. Takayama
Acting Director

June 2004

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ACT 40

HB 2004, HD1, SD1, CD1

DRUG ENDANGERED CHILD PROTECTIVE PROGRAM, DEVELOPMENT OF. Requires the Department of Human Services to coordinate the efforts of the Department of Health, the Department of Human Services, Department of the Attorney General, the Department of Education, County Police Departments, County Prosecutors, the Judiciary, and community agencies to develop the drug endangered child protective program.

Further requires the Department of Human Services to report findings and recommendations, including proposed legislation to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 516-04, SSCR 3092, CCR 5-04)

ACT 41

HB 1800, HD1, SD1, CD1

PART III, SECTION 5

CONVENTION CENTER OPERATIONS, VARIANCES IN. Requires the Hawaii Tourism Authority to submit a detailed report for expenditures comparing budget appropriations to actual expenditures for fiscal years 2003-2004 and 2004-2005 with accompanying explanations for variances for Hawaii Convention Center operations.

Requires the report to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

PART III, SECTION 5.1

PLANT, PEST, AND DISEASE CONTROL, TRUST FUND APPROPRIATION FOR. Requires the Department of Agriculture to submit a report including:

- (1) A detailed listing by position of overtime paid from the contribution of overtime plant quarantine trust fund; and
- (2) A description of actions taken by department to reduce reimbursable overtime costs.

Further requires the report to be submitted to the Legislature for the previous two fiscal years and the current fiscal year, five months actual, no later than twenty days prior to the convening of the Regular Session of 2005.

PART III, SECTION 5.2

RABIES QUARANTINE, SPECIAL FUND FOR. Requires the Department of Agriculture to submit a report including:

- (1) The source and amount of all revenue;
- (2) A detailed account of all expenditures; and
- (3) The number of personnel including position titles at each facility (animal quarantine station and airport animal quarantine holding facility).

Further requires the report to be submitted to the Legislature for the previous two fiscal years and the current fiscal year, five months actual, no later than twenty days prior to the convening of the Regular Session of 2005.

PART III, SECTION 18.1

INVASIVE SPECIES PREVENTION, CONTROL, RESEARCH, AND OUTREACH PARTNERSHIP PROGRAM, REPORT ON. Requires the Department of Land and Natural Resources to submit a report each year on the statewide strategic plan for the program and identify the short and long term needs of the program.

Further requires the Department to submit a report of all appropriation transfers to other departments, including a detailed breakdown of matching non-state funds or equivalent services received by source and how funds addressed the needs of the strategic plan and the strategic plan's performance outcomes to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

PART III, SECTION 25.1

HAWAII HEALTH SYSTEMS CORPORATION, AUDITED FINANCIAL REPORT OF. Requires the Hawaii Health Systems Corporation to submit its audited financial report for fiscal year 2003-2004 to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

PART III, SECTION 25.2

HAWAII HEALTH SYSTEMS CORPORATION, INTERIM FINANCIAL STATEMENTS FOR. Requires the Hawaii Health Systems Corporation to submit interim financial statements for the first six months of fiscal year 2004-2005 which shall include a balance sheet and income statement, a breakdown of revenues and expenditures by location / hospital, aging of accounts receivable, aging of accounts payable, capital lease payment schedule, and cash flow projections for the current and next fiscal year.

Further requires the report to be submitted to the Legislature no later than thirty days after the end of the first half of fiscal year 2004-2005.

PART III, SECTION 26.1

ADULT MENTAL HEALTH DIVISION PAYMENTS MADE PURSUANT TO THE MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF HEALTH. Requires the Adult Mental Health Division to submit a quarterly report on all payments made to the Med-Quest division for community mental health program services determined to be eligible for federal financial participation and provided to eligible aged, blind, and disabled medicaid recipients.

Further requires the report to be submitted to the Legislature no later than forty-five days after the end of each fiscal quarter.

PART III, SECTION 36.1

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT FINAL SECURITY RULE, REPORT ON. Requires the Department of Human Services to submit a status report on the progress made in complying with the Health Insurance Portability and Accountability Act Final Security Rule, all outstanding tasks, and an expenditure report of all related activities performed by the Department.

Further requires that the report be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

PART III, SECTION 37.1

DEPARTMENT OF HAWAIIAN HOME LANDS, 5 YEAR PLAN, REPORT ON. Requires the Department of Hawaiian Home Lands to submit a progress report concerning the implementation of the Department's five year plan including:

- (1) The number of applicants awarded Hawaiian home lands;
- (2) The number of applicants on the Hawaiian home lands waiting list; and
- (3) The location, status of awards, and number of home-sites and housing units for each of the existing and planned housing development projects.

Further requires that the report be submitted to the Legislature no later than thirty days after the end of each fiscal quarter.

PART III, SECTION 37.2

DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUNDS, REPORT ON. Requires the Department of Hawaiian Home Lands to submit a report regarding the actual and projected revenues and expenditures of the Department's trust funds that includes the previous three fiscal years, the current fiscal year, and the upcoming six fiscal years.

Further requires the report to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

PART III, SECTION 38.1

MED-QUEST DIVISION PAYMENTS MADE PURSUANT TO THE MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF HEALTH. Requires the Med-Quest Division to submit a quarterly report on all payments made to certified provider agencies for community mental health program services, pursuant to the agreement, receipts of federal reimbursements, and all payments made to the Adult Mental Health Division.

Further requires the report to be submitted to the Legislature no later than forty-five days after the end of each fiscal quarter.

PART III, SECTION 56

SUBSTANCE ABUSE TREATMENT, SEX OFFENDER TREATMENT, TRANSITION SKILLS, AND JOB DEVELOPMENT PROGRAMS FOR THE PRETRIAL INCARCERATED AND PAROLEE POPULATIONS. Requires the Department of Public Safety to submit a report each year on all services provided, graduation rates, recidivism rates of graduates, and expenditures for the previous fiscal year and the current fiscal year, four month actual.

Further requires the report to include monthly parole population counts and parole revocations for the previous fiscal year and the current fiscal year, four months actual and that the report be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

PART III, SECTION 60

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS GENERAL FUND REVENUE COLLECTIONS AND EXPENDITURES, REPORT ON. Requires the Department of Commerce and Consumer Affairs to submit a detailed report each year on how the Department's expenditures will be aligned with their general fund revenue collections.

Further requires the report to include a discussion of the plans for the lowering of its fees to appropriate levels and for the report to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

PART III, SECTION 76.1

RISK MANAGEMENT, REPORT ON. Requires the Department of Accounting and General Services to submit a report on risk management including information regarding the sufficient amount of funds that should be in the state risk management revolving fund for emergency use no later than twenty days prior to the convening of the Regular Session of 2005.

PART VII, SECTION 134.1

COMPACTS OF FREE ASSOCIATION, PLAN TO SECURE FEDERAL FUNDS FOR. Requires the Governor to submit a copy of the plan to the Legislature no later than two days after it is submitted to the Federal Government.

PART VII, SECTION 145.2

CAPITAL IMPROVEMENT PROGRAM PROJECTS, EVALUATION OF. Requires the Department of Budget and Finance to coordinate the evaluation of all executive branch agency contract expenditures for capital improvement program projects to determine whether the use of funds to contract services fall within the scope of the project title and description. Provides that the report shall include a complete list of capital improvement program projects under which expenditures were made, organized by department, a list of contracts entered into, and the purpose and product derived of each expenditure.

Further requires the Department to submit this report to the Legislature no later than August 15, 2004.

PART VII SECTION 145.4

PUBLIC EMPLOYEES SICK LEAVE FUNDS, RECOVERY OF. Requires the Director of Finance to report on the progress made toward recovering funds erroneously paid to state employees for sick leave in excess of sick leave credits accumulated by the employees.

Further requires the report to include a breakdown of unrecovered balances by department and by means of financing and be submitted to the Legislature no later than thirty days prior to the convening of the Regular Session of 2005.

(HSCR 774-04, SSCR 3085, CCR 1-04)

ACT 51

SB 3238, SD2, HD2, CD1

PART IV, SECTION 12

PRINCIPALS AND VICE PRINCIPALS, 12 MONTH TERM OF SERVICE. Requires the Department of Education, with the invited participation of the exclusive bargaining agent of educational officers of the Department, to propose salary schedules and other terms and conditions of employment of principals and vice principals based upon a twelve-month term of service.

Further requires the Department to submit findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

PART IV, SECTION 14

PRINCIPALS, PERFORMANCE CONTRACTS FOR. Requires the Superintendent of Education to select and convene a working group to create a plan for performance contracts for principals to be implemented beginning with the 2006-2007 school year. The working group shall include:

- (1) The Superintendent;
- (2) Representatives of complex area superintendents;
- (3) Representatives of school principals; and
- (4) Representatives of any other agency, organization, or group as deemed appropriate by the superintendent of education.

Further requires the Superintendent to request the exclusive representative for collective bargaining unit 6 to participate in the working group.

Further requires the working group to:

- (1) Establish appropriate performance criteria for which principals are to be evaluated under performance contracts, including:
 - (A) Core criteria to be incorporated into performance contracts statewide; and
 - (B) Criteria that may be used at the discretion of individual schools;
- (2) Determine appropriate performance benchmarks, or methods of devising performance benchmarks, that may be used to assess principal performance relative to expected standards, provided that such performance benchmarks, at a minimum, shall include those elements related to principals in the educational accountability system;
- (3) Determine appropriate rewards, assistance, and sanctions to be included or considered for inclusion in performance contracts; and
- (4) Address any other issues necessary for the implementation of performance contracts.

Requires the Department of Education to submit findings, including proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

PART VII, SECTION 42

DEPARTMENT OF EDUCATION, TRANSFER OF CERTAIN RIGHTS, POWERS, FUNCTIONS, DUTIES, AND RESOURCES TO. Requires the Department of Education to convene an interagency working group to develop comprehensive plans for transferring certain rights, powers, functions, duties, and resources, including positions, from the Departments of Accounting and General Services, Budget and Finance, Health, Human Resources Development, the Attorney General, and Human Services to the Department of Education.

Further requires the comprehensive plans to identify:

- (1) Each position to be transferred by position number; and
- (2) All moneys budgeted in support of each position to be transferred, including moneys for direct and indirect employee benefits,

at the lowest level on the state program structure.

Further requires the working group to include:

- (1) The Superintendent of Education;
- (2) The Comptroller;
- (3) The Director of Human Resources Development;
- (4) The Director of Human Services;

- (5) The Director of Health;
- (6) The Director of Finance;
- (7) The Attorney General;
- (8) The exclusive bargaining agents of affected employees; and
- (9) Any community members that may be appointed by the Superintendent.

Further requires the working group to submit its comprehensive plans, including proposed legislation, to implement the transfer of rights, powers, functions, duties, and resources, including positions relating to the:

- (1) Department of Accounting and General services and Department of Human Resources Development not less than thirty days prior to the convening of the Regular Session of 2005; and
- (2) Department of Budget and Finance, Department of the Attorney General, Department of Health, and Department of Human Services not less than thirty days prior to the convening of the Regular Session of 2006.

PART XI, SECTION 61

EDUCATION SYSTEM, REPORT ON. Requires the Department of Education to submit findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005 including:

- (1) A report regarding progress made in and the impact on the public education system of:
 - (A) Establishing a weighted student formula;
 - (B) Providing additional information technology;
 - (C) Empowering principals through the Hawaii principals academy and other means;
 - (D) Strengthening community involvement through school community councils and parent-community networking centers;
 - (E) Providing more mathematics textbooks;
 - (F) Lowering class size in kindergarten, grade one, and grade two;
 - (G) Providing full-time, year-round, high school student activity coordinators;
 - (H) Providing support for students who need additional help to succeed in school;
 - (I) Establishing a national board certification incentive program for teachers;
 - (J) Enhancing teacher education;
 - (K) Reducing the bureaucracy that hampers the effectiveness of the Department;
 - (L) Improving the educational accountability system; and
 - (M) Requiring the Board of Education members to hold community meetings in their districts; and
- (2) A list of statutes, rules, policies, or procedures that need to be amended, removed, or enacted to enable the effective implementation of the weighted student formula, implementation of school community councils, and enhance transparency in financial reporting; and
- (3) A list of programs recommended to be repealed to enable the Department and individual schools to have greater flexibility in budgeting, operations, and curriculum management.

Part XII, SECTION 65

PUBLIC SCHOOL, AMENDED DEFINITION OF. Requires the Legislative Reference Bureau to conduct a study to determine conforming amendments to the Hawaii Revised Statutes that may be necessary as a result of the amended definition of "public school", to effectuate the purposes of this Act without altering either the effect or intent of existing statutory language.

Further requires the Bureau to submit its findings, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 2073, 2537, HSCR 1004-04, 1040-04, CCR 9-04)

ACT 58

HB 2608, HD1, SD1

HAWAII TOURISM AUTHORITY, IMPROVING THE OPERATIONAL AND FINANCIAL EFFICIENCY OF. Requires the Hawaii Tourism Authority to report on the details of expenditures of moneys to improve the operational and financial efficiency of the Authority to the Legislature no later than January 15, 2005.

(HSCR 222-04, 769-04, SSCR 2924, 3229)

ACT 59

SB 2842, SD1, HD4

SEX OFFENDER REGISTRATION INFORMATION, PUBLICATION OF. Requires the Judicial Council of Hawaii to convene a Task Force made up of but not limited to representatives of:

- (1) The Judiciary;
- (2) The Department of the Attorney General;
- (3) The Office of the Public Defender;
- (4) The Department of the Prosecuting Attorney of each county;
- (5) The Police Department of each county;
- (6) The Hawaii State Bar Association;
- (7) The Hawaii Association of Criminal Defense Lawyers;
- (8) The American Civil Liberties Union of Hawaii;
- (9) Private citizens interested in criminal law and civil liberties;
- (10) Attorneys in private practice involving the criminal law; and
- (11) Victim advocate groups.

Requires the Task Force to review the applicable offenses that subject a person to possible publication of registration information under Chapter 846E, Hawaii Revised Statutes, and review:

- (1) Standards and criteria that may be required by the federal government in order for Hawaii to receive funding to support registration and publication of information;
- (2) Differing requirements for publication of information throughout the nation;
- (3) Applicable state statutes and rules from jurisdictions other than Hawaii;
- (4) Cost factors involved with various procedures used in other jurisdictions;
- (5) Evaluations of such statutes and procedures and the anticipated impact of enacting similar laws and procedures in Hawaii; and
- (6) Other relevant issues as deemed appropriate for discussion by the Task Force.

Further requires the findings to provide the Legislature with factual information, the national experience, and "best practices" for the purpose of assisting the Legislature in determining and developing proposed legislature (legislation) to ensure:

- (1) The most appropriate identification of offenses that are subject to Chapter 846E, Hawaii Revised Statutes;
- (2) The nature, scope, and extent of information to which the public has a right of access;
- (3) The manner of access to the registration information; and

- (4) Any periods of time or procedures by which convicted persons may petition for termination of public access in Hawaii.

Further requires findings to specifically include but not be limited to:

- (1) A compilation of the relevant Hawaii statutes and rules;
- (2) A compilation of the number of cases in each judicial circuit of Hawaii affected by the proposed changes in procedures;
- (3) A compilation of statutes and practices in other jurisdictions; and
- (4) An evaluation of statutes and charging practices and their impact on the administration of justice.

Further requires the Task Force to review and evaluate the issue of the lifetime requirement for public access to registration information and to issue findings that provide the Legislature with factual information, the national experience, and "best practices" for the purpose of assisting the Legislature in determining whether there is any period for any of the offenses whereby a person may be relieved of a requirement of public access to registration information or request that the person may be relieved of the requirement.

Further requires the Task Force to report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 2607, HSCR 819-04, 987-04, 1260-04, FLOOR AMENDMENT 16)

ACT 62

SB 2861, SD1, HD2, CD1

CRIMINAL CHARGES INSTITUTED WITH WRITTEN INFORMATION, RECORDING OF. Requires the Prosecuting Attorney of each county to maintain a record of all cases received and prosecuted by way of information, between the effective date of this Act and November 30, 2007 and to submit reports containing a record of the statistics to the Legislature no later than twenty days prior to the convening of the Regular Session of 2008.

(SSCR 2620, HSCR 1011-04, 1251-04, CCR 32-04)

ACT 88

SB 2899, SD2, HD1

NURSES, APPLICANTS FROM FOREIGN NURSING PROGRAMS. Requires the Board of Nursing to submit a report on findings resulting from research on matters relating to the Commission on Graduates of Foreign Nursing Schools examination and the English proficiency examination and their impact on nurse applicants.

Further requires the report to be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 2379, 2567, HSCR 942-04, 1113-04)

SB 17, SD1, HD1, CD2

KINDERGARTENS, TWO-TIER, IMPLEMENTATION OF. Requires the Department of Education to submit findings and recommendations regarding the implementation of the two-tier junior

kindergarten and kindergarten program to the Legislature no later than twenty days prior to the Regular Sessions of 2005, 2006, and 2007.

(SSCR 304, 669, HSCR 1117, 1456, CCR 125, 93-04)

SB 214, SD3, HD2, CD1

FREELY ASSOCIATED STATES OF MICRONESIA, THE REPUBLIC OF THE MARSHALL ISLANDS, AND THE REPUBLIC OF PALAU, PROGRAM OF SERVICES FOR. Requires Leeward Community College to submit a report on the status of the development of the program, including any efforts to secure funding for the program, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 2072, 2479, 2851, HSCR 783-04, 1249-04, CCR 117-04)

SB 2077, SD2, HD1, CD1

FUNCTIONAL PLANS, UPDATING OF. Requires each state agency to prepare an updated functional plan for consideration by the Legislature no later than June 30, 2006.

(SSCR 2357, 2700, HSCR 1138-04, CCR 57-04)

SB 2210, SD2, HD1, CD1

CONDOMINIUM DISPUTES HEARINGS PILOT PROGRAM, REPORT ON. Requires the Director of Commerce and Consumer Affairs to prepare and submit a report containing the Director's evaluation of the operation and effect of the condominium disputes hearings pilot program, including a summary of the requests for hearing brought under the pilot program, the disposition of such requests for hearing, an appraisal of the effectiveness of the pilot program, and recommendations for changes, modifications or repeal of the pilot program or parts thereof with accompanying reasons and data.

Further requires the Director to submit the report to the Legislature twenty days prior to the convening of the Regular Sessions of 2005 and 2006.

(SSCR 2443, 2661, HSCR 909-04, 1289-04, CCR 154-04)

SB 2528, SD1, HD1, CD1

TROPICAL STORMS AND HURRICANES, MITIGATING THE IMPACT OF. Requires the Department of Commerce and Consumer Affairs to submit a report which shall:

- (1) Outline a plan to mitigate the future impact of a tropic storm or hurricane on the public's safety, the insurance markets, and the economy;
- (2) Address how the Hawaii hurricane relief fund will be used to mitigate future damage from tropical storms and hurricanes; and
- (3) List each insurer that offers wind damage coverage and the approaches that each insurer is taking towards hazard mitigation

to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 2024, 2662, HSCR 1036-04, CCR 149-04)

SB 2716, SD1, HD2, CD1

HIGHER EDUCATION LAWS, IMPROVEMENT OF. Establishes the higher education statutory analysis interim study group to be appointed by the Speaker of the House of Representatives and the President of the Senate to study higher education laws as well as all other statutes identified by the study group as relevant to the recodification process.

Requires the Chairs of the House Committee on Higher Education and the Senate Committee on Education to serve as co-chairs of the study group and that members of the study group include:

- (1) The chair of the University of Hawaii Board of Regents or the chair's designee;
- (2) The President of the University of Hawaii or the President's designee; and
- (3) To be jointly appointed by the Speaker and the President:
 - (A) At least one faculty member of the University of Hawaii;
 - (B) At least one University of Hawaii student; and
 - (C) Any other individuals deemed to have appropriate expertise and experience.

Requires the study group to analyze statutory provisions relating to higher education and the University of Hawaii and make recommendations to:

- (1) Improve the organizational framework for relevant statutes;
- (2) Update and clarify the statutory provisions identified in paragraph (1), including suggestions for consolidation, amendment, or repeal; and
- (3) Provide consistency and clarity for draft statutory provisions.

Requires the Legislative Reference Bureau to provide technical assistance to the study group, to ensure clarity and conformance with proper statutory construction.

Further requires the study group to submit its findings and recommendations, including proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 2558, HSCR 855-04, 1282-04, CCR 69-04)

SB 2909, SD1, HD1, CD1

PUBLIC UTILITY RATES FOR UTILITIES WITH GROSS REVENUES OF LESS THAN \$2,000,000. Provides that if a proposed decision and order is rendered after the six-month period, the Public Utilities Commission shall report in writing the reasons to the Legislature within thirty days after rendering the proposed decision and order.

(SSCR 2551, HSCR 780-04, 974-04, 1214-04, CCR 52-04)

SB 2930, SD2, HD1, CD1

COMMUNITY CARE FOSTER FAMILY HOMES, CONFLICTS OF INTEREST IN CERTIFICATION AND MONITORING OF. Requires the Department of Human Services to submit a report detailing the impact changes made to Act 273, Session Laws of Hawaii 2001, as amended by Acts 95 and 98, Session Laws of Hawaii 2003, by this Act have had in addressing concerns raised in State Auditor's report regarding conflicts of interest in the certification of community care foster family homes and the Department's monitoring of home and community-based case management agencies and community care foster family homes to the Legislature no later than twenty days prior to the Regular Session of 2006.

(SSCR 2400, 2744, HSCR 885-04, 1269-04, CCR 108-04)

SB 2951, SD1, HD1, CD1

RADIOLOGIC TECHNOLOGY LAW VIOLATIONS, FINES FOR. Requires the Radiologic Technology Board to report on the issue of monetary fines for violations of the Radiologic Technology Law and related administrative rules.

Further requires the report to include information regarding the implementation of the fines, the sufficiency of the fine established, and the Board's efforts in adopting guidelines for the imposition of fines.

Further requires the Board to submit its report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 2541, HSCR 1060-04, CCR 53-04)

SB 3085, SD2, HD2, CD1

NURSES, ADVANCED PRACTICE, PRESCRIPTIVE AUTHORITY FORMULARY FOR. Requires the Department of Commerce and Consumer Affairs to establish a Joint Formulary Advisory Committee composed of:

- (1) Two persons licensed as advanced practice registered nurses and appointed by the Board of Nursing;
- (2) Two persons licensed in medicine by the Board of Medical Examiners and appointed by the Board;
- (3) Three persons licensed as pharmacists and appointed by the Board of Pharmacy;
- (4) One representative of the John A. Burns school of medicine appointed by the dean of the University of Hawaii School of Medicine; and
- (5) One representative from a school of Nursing with an advanced practice registered nurse program.

Requires the Committee to submit a report on its activities and recommendations with respect to the prescriptive authority formulary for advanced practice registered nurses to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

Further requires the report to include a report to the Committee from the Board of Medical Examiners that clearly justifies its denial of any recommendations made by the committee.

(SSCR 2464, 2806, HSCR 933-04, 1191-04, CCR 46-04)

SB 3148, SD2, HD3, CD1

NONCONTIGUOUS HOST CULTURE CHARTER SCHOOL DISTRICT, FEASIBILITY OF ESTABLISHING. Requires the Legislative Reference Bureau to conduct a feasibility study regarding the establishment of a noncontiguous host culture charter school district and a noncontiguous charter school district in the State in order to solidify existing host culture focused charter schools, increase charter school autonomy, and provide opportunities for additional federal funding. Further requires the study to include:

- (1) The financial and administrative implications of creating these additional school districts and of establishing local educational agency status for the purpose of obtaining additional federal funding;
- (2) An analysis of how the new districts would interact administratively with the Board of Education and the existing charter school administrative structure in the Department of Education; and
- (3) An analysis of whether the districts would violate the fourteenth amendment to the United States Constitution.

Further requires the Bureau to review and consider the proposals set forth in Senate Bill 3148, S.D. 2 and Senate Bill 3148, S.D. 2, H.D. 3 considered by the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2004.

Provides that if the Bureau is unable to conduct the study by itself out of available resources the Bureau may secure resources from external sources and work with independent consultants and other entities as the Bureau deems appropriate and that the is Bureau is exempt from the Procurement Code for the purposes of this Act.

Requires the Bureau to submit its feasibility study, including findings, recommendations, and any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 2456, 2781, HSCR 863-04, 984-04, 1205-04, CCR 113-04)

SB 3193, SD2, HD2, CD1

SECTION 2

PETROLEUM PRODUCTS, SHORTAGE OR CONDITIONS AFFECTING THE SUPPLY OF. Requires the Attorney General to immediately investigate any shortage or condition affecting the supply of any petroleum products or other matters relating to the requirements of the gasoline dealers law, institute all appropriate criminal and civil actions and pursue all legal and equitable remedies that may be available to the State, and submit a report to the Legislature regarding any shortage or condition affecting the supply of petroleum products.

SECTION 3

GASOLINE CONSUMERS, ADVERSE IMPACT ON. Requires the Public Utilities Commission to report to the Governor and the Legislature on any significant aberrations, trends, or conditions that may adversely affect the gasoline consumers.

SECTION 7

PETROLEUM INDUSTRY AND IMPACTS ON THE OUTER ISLANDS, INVESTIGATION OF. Convenes a special Task Force comprised of eight members of the Legislature representing districts on the islands of Kauai, Maui, Molokai, Lanai, and Hawaii to investigate the petroleum industry and its operations and impacts on the islands of Kauai, Maui, Molokai, Lanai, and Hawaii.

Requires the Director of Business, Economic Development, and Tourism and the Director of Transportation or their respective representatives to serve as ex officio members of the Task Force.

Further requires four members of the Task Force to be appointed by the Speaker of the House of Representatives and four members to be appointed by the President of the Senate. Of the eight members, the Speaker and the President shall each select a co-chairperson for the Task Force.

Provides that the duties of the Task Force are to:

- (1) Obtain an inventory of petroleum facilities serving each of the islands of Kauai, Maui, Molokai, Lanai, and Hawaii, including, but not limited to, ships, barges, and other modes of transporting, loading and off-loading facilities, storage facilities, and pipelines and rolling stock for the movement and distribution of petroleum products;
- (2) Meet with persons involved in the petroleum industry on the islands of Kauai, Maui, Molokai, Lanai, and Hawaii, including, but not limited to, shippers, wholesalers, jobbers, retailers, and consumers;
- (3) Determine the special needs and concerns of the petroleum suppliers and consumers on the islands of Kauai, Maui, Molokai, Lanai, and Hawaii;
- (4) Determine what, if any, special barriers to competition exist on the islands of Kauai, Maui, Molokai, Lanai, and Hawaii;
- (5) Review the need for a tax credit program to encourage the development of additional fuel storage terminal facilities on the islands of Kauai, Maui, Molokai, Lanai, and Hawaii;
- (6) Consider the need for a Hawaii fuel authority that would own and operate a fuel import terminal, buy gasoline in the world market, and resell the gasoline at retail at cost throughout the State;
- (7) Determine the appropriateness of the delineation of the various zones and the zone price adjustments; and
- (8) Consider any other issues or concerns that it may have relating to the petroleum industry in the State.

Further requires the Public Utilities Commission to provide necessary staff and logistical support to serve the Task Force.

Further requires the Task Force to prepare and submit a report with recommendations, including any proposed legislation, to the Legislature twenty days prior to the convening of the Regular Session of 2005.

(SSCR 2429, 2860, HSCR 859-04, 978-04, 1184-04, 158-04)

SB 3230, SD2, HD1, CD1

EARLY CHILDHOOD CARE DIRECT SERVICES PILOT PROJECT, EAST HAWAII, REPORT ON. Requires the Department of Human Services to establish a pilot project in East Hawaii to provide community-based, collaborative, comprehensive early childhood care direct services for children under age five and their families in the critical need areas as determined by the Department.

Further requires the Department to submit a report on the pilot project, including its status, outcomes, and findings and recommendations as to whether the pilot project should be continued or made permanent, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 2485, 2748, HSCR 895-04, 997-04, 1121-04, CCR 109-04)

HB 1786, HD1, SD2, CD1

PUBLIC EMPLOYEES, CIVIL SERVICE EXEMPT POSITIONS, REPORTS ON. Requires the Legislative Reference Bureau to compile a list of all statutory references to positions exempted from the civil service and submit a report of its findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

Further requires the Department of Human Resources Development to complete its review of all positions exempted from civil service in accordance with House Concurrent Resolution No. 94, Regular Session of 2003, and submit a report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 312-04, 680-04, SSCR 2926, 3254, CCR 81-04)

HB 1793, HD2, SD1, CD1

LAND EXCHANGE FOR LANDS NORTH OF WAHIAWA, OAHU, WITH GEORGE GALBRAITH TRUST, STATUS OF. Requires the Board of Land and Natural Resources to submit a report to the Legislature on the status of the negotiations with the George Galbraith Trust for the land exchange no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 50-04, 606-04, SSCR 3040, 3232, CCR 13-04)

HB 1929, HD1, SD2, CD1

REPAIR AND MAINTENANCE OF SCHOOLS, REPORT OF ANY MODIFICATIONS TO THE ESTABLISHMENT OF A COORDINATOR POSITION FOR. Authorizes the Governor to modify the provisions of this Act and to promptly report any modifications with reasons to the Legislature at its next session thereafter for review.

(HSCR 116-04, 578-04, SSCR 3024, 3142, CCR 83-04)

HB 2002, HD2, SD1, CD2

SCHOOL EXPENDITURES BY SCHOOL PRINCIPALS, REPORT ON INCREASING. Requires the Department of Education to submit a report detailing the programs and functions that would need to be placed under the control of individual schools to achieve certain benchmark figures in enabling principals to expend an increased percentage of the appropriations for total Department of Education budget. Requires the report to include:

- (1) A list of functions and programs for which moneys would be expended by school principals at eighty per cent and at ninety per cent of the appropriations for the total Department budget;
- (2) A description of required Department infrastructure and system support, including any buyback programs for services, to achieve the benchmark figures in paragraph (1); and
- (3) A description of any other requirements foreseen by the Department to be necessary to achieve the benchmark figures in paragraph (1).

Further requires the Department to submit the report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005

(HSCR 476-04, 773-04, SSCR 3088, CCR 136-04 - filed, SENATE FLOOR AMENDMENT 16, HOUSE FLOOR AMENDMENT 23)

HB 2005, HD1, SD1, CD1

PRESCRIPTION DRUG REPOSITORY PROGRAM, REPORT ON. Requires the Department of Health to submit a report on the:

- (1) Difficulties with the implementation and operation of the Prescription Drug Repository Program, if any;
- (2) Potential for expansion to include drugs donated by private individuals;
- (3) Possible strategies to provide incentives for dispensing pharmacies or institutional facilities to provide donations of prescription drugs to repositories; and
- (4) Suggested legislation

to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

(HSCR 46-04, 523-04, SSCR 3190, CCR 129-04)

HB 2022, HD2, SD1, CD1

GENERAL ASSISTANCE TO HOUSEHOLDS WITHOUT MINOR DEPENDENTS, PROGRESS REPORT ON. Requires the Department of Human Services to report on the progress of this Act which:

- (1) Adds that a person shall be eligible for general assistance if the person has a combination of physical and mental disability;
- (2) Gives the applicant for general assistance ten days to provide additional medical evidence, if a determination and certification is made that the applicant does not have a physical disability, mental disability or combination of both;
- (3) Requires the Department to provide the person with a copy of the recommended appropriate treatment; and
- (4) Repeals the requirement that the person accept and pursue appropriate medical treatment.

Further requires the Department to report to the Legislature twenty days prior to the convening of the Regular Session of 2005, 2006, and 2007.

(HSCR 422-04, 732-04, SSCR 2901, 3138, CCR 18-04)

HB 2025, HD3, SD2

PUBLIC EMPLOYEES GENDER-BASED PAY INEQUITIES, REVIEW OF. Establishes a Four-Year Pay Equity Task Force under the Office of the Governor consisting of:

- (1) One representative from each of the unions serving as exclusive representative for civil service workers;
- (2) The Director of Human Resources Development or the Director's Designee;
- (3) Four representatives of public employers appointed by the Governor;
- (4) The Chairperson of the Hawaii State Commission on the Status of Women or the Chairperson's designee; and
- (5) Three individuals appointed by the Governor who represent the public at large.

Requires the Task Force to review the 1995 Study of Wage Equity in Public Employee Bargaining Units 1 and 10, the 1987 study entitled, "A Job Evaluation Study of Selected Job Classes of the State and Counties of Hawaii," and any other relevant information.

Further requires the Task Force to review the materials and, as appropriate, develop recommendations for submission to the Legislature regarding the need for funding or specific actions to correct any gender-based pay inequities that are discovered and provide the Legislature with an annual report documenting its progress.

Act shall be repealed on June 30, 2010.

(HSCR 8-04, 304-04, 709-04, SSCR 3035, 3256)

HB 2301, HD1, SD1

APPELLATE SYSTEM OF THE COURTS, REVIEW OF PROPOSED CHANGES TO. Establishes an Appellate Review Task Force within the Judiciary to review proposed changes to the appellate system of the courts and make recommendations for implementation of proposed changes to the Legislature. Requires the Task Force to be composed of members appointed by the Chief Justice of the Hawaii Supreme Court, and to include but not be limited to representatives knowledgeable about the appellate process from the following agencies or groups:

- (1) The Judiciary's Appellate Rules Committee;
- (2) The Department of the Attorney General;
- (3) The Office of the Public Defender;
- (4) The Department of the Prosecuting Attorney of the City and County of Honolulu;
- (5) One or more representatives from the Prosecuting Attorney's Offices of the counties of Hawaii, Maui, and Kauai;
- (6) The Hawaii State Bar Association; and
- (7) One or more representatives from administrative agencies or boards whose decisions are subject to review in the court system.

Requires the Task Force to review the following matters:

- (1) Whether an en banc review process should be established at the Intermediate Court of Appeals level;
- (2) Whether certain classes of appeals should be appealed directly to the Supreme Court;
- (3) Whether certain questions of law should be entitled to appeal to the Supreme Court as a matter of right;
- (3) (sic) Whether the proposed three-tiered system has been implemented in states of comparable size and what are the experiences of those states with such a system;
- (4) What effect the changes in this Act will have on staffing at each of the affected court levels and the Offices of the Clerks;
- (5) Whether the number of judges currently sitting on the Intermediate Court of Appeals is sufficient;
- (6) Whether the current system of appellate review of administrative decisions for each agency or board should be changed;
- (7) Whether there should be a provision for selection of Intermediate Court of Appeals panels;
- (8) Whether the changes proposed in this Act will affect rates of appeal, timeliness of decision-making, and caseload management; and
- (9) Any other matters as may be assigned by the Legislature or Chief Justice.

Further requires the Task Force to make recommendations relating to the implementation of the

proposed court system, amendments to the proposed court system, enabling legislation, rules of procedure, and any matter as directed by the Chief Justice and submit a report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2006.

Requires the Judicial Council to supervise the Task Force, with staffing assistance from the Judiciary as assigned by the Chief Justice or Administrative Director.

Requires the Legislative Reference Bureau to provide technical assistance to the Task Force with legislative drafting and to assist in drafting any legislation proposed by the Task Force.

(HSCR 672-04, SSCR 2939, 3131)

HB 2859, HD2, SD2

EQUESTRIAN FACILITY FOR INTERNATIONAL USE, FEASIBILITY OF. Requires the Governor to convene an International Equestrian Facility Working Group consisting of at least nine members that represent both public and private interests and concerns.

Further requires that the public members include representatives of:

- (1) The Department of Business, Economic Development, and Tourism;
- (2) The University of Hawaii;
- (3) The Department of Land and Natural Resources;
- (4) The Department of Agriculture, Animal Industry Division; and
- (5) Each county.

Further requires that there be at least four private sector members who shall represent all stakeholders in the equestrian community of the State and that the chairperson of the Working Group be chosen from among the private sector members, and that the Department of Business, Economic Development, and Tourism provide staff and support services to the Working Group.

Further requires the Working Group to consider:

- (1) An examination of appropriate potential sites for the facility, including the status of lands and roads owned by the State or counties;
- (2) An analysis of the most appropriate form of funding, ownership, management, maintenance, and operation of the facility, including a state, private, and joint public-private organization;
- (3) An estimate of the total cost of construction, operation, maintenance, and management of the facility;
- (4) Proposals for funding the facility, including public, private, and shared public-private financing;
- (5) An estimate of the number of jobs that may be created or displaced;
- (6) The extent of community support at potential sites; and
- (7) Any other related issues not described in this Act.

Further requires the Group to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 261-04, 602-04, SSCR 3048, 3236)

**SCR 9, SD1, HD1
HR 157, HD1**

LAND EXCHANGE WITH MAUI LAND & PINEAPPLE COMPANY, RESTRICTIONS FOR. Requests the Department of Land and Natural Resources to notify in writing the Senate President and the Speaker of the House of Representatives of any request by Maui Land & Pineapple Company, Inc., to amend or waive the restrictions, and subsequently, the pertinent details, including but not limited to the appraisal values and proposed payment adjustment relating to the land exchange between the State of Hawaii and Maui Land & Pineapple Company, Ltd.

(SSCR 2874, HSCR 1379-04)

**SCR 12, SD1
SR 8, SD1**

BARBERS POINT HARBOR, OAHU, INCREASING THE DEPTH OF. Requests the Department of Transportation to seek federal matching funds to support the dredging operations of Barbers Point Harbor.

(SSCR 2509, HSCR 1034-04, 1527-04)

**SCR 13
SR 15**

MILITARY RESIDENTIAL COMMUNITIES INITIATIVE, EXPENDITURES ON. Requests Hawaii's Congressional Delegation:

- (1) Assist to ensure that at least eighty per cent of federal expenditures on the Residential Communities Initiative stays in Hawaii by the hiring or contracting of local construction firms and local laborers;
- (2) Inquire into, and if necessary cause to be investigated, the piecemeal system and rate fixing to circumvent Davis-Bacon; and
- (3) Take steps to ensure that local contractors are not underbid by mainland firms for the contracts on the Residential Communities Initiative.

(SSCR 3323, HSCR 1558-04)

**SCR 17, HD1
HR 117, HD1 ***

STATE CAPITOL, DESIGNATION AS SMOKE-FREE. Requests the Governor, the Lieutenant Governor, the President of the Senate, the Speaker of the House of Representatives, the Comptroller, the Director of the Public Safety (sic), and the Director of the Legislative Reference Bureau to designate the State Capitol as a completely smoke-free building with appropriate "No Smoking" signs to be posted and existing ashtrays removed.

Further requests the Governor to take steps to ensure enforcement of existing law that prohibits smoking in public areas of state-owned buildings.

*HR 117, HD1 Requests that the third and fourth floors of the State Capitol be designated as smoke-free and does not request designation by the Governor, Lieutenant Governor, the Comptroller, or the Director of Public Safety.

(SSCR 2918, HSCR 1503-04)

SCR 18

RELIGIOUS FREEDOM IN VIETNAM, SUPPORT OF. Resolves that the Legislature of the State of Hawaii:

- (1) Congratulates the new leadership of the Unified Buddhist Church of Vietnam;
- (2) Urges the Government of Vietnam to respect the right of all independent religious organizations to meet, worship, operate, and practice their faith in accordance with Vietnam's own constitution and international covenants to which Vietnam is a signatory;
- (3) Urges the Government of Vietnam to restore freedom to all Vietnamese citizens imprisoned or under house arrest for practicing their faith or for advocating freedom of religion, especially the Most Venerable Thich Huyen Quang and the Very Venerable Thich Quang Do;
- (4) Is committed to promoting religious freedom in Vietnam, and, in furtherance of this goal, urges the United States Congress to pass, and the United States President to sign into law, the Vietnam Human Rights Act, and urges the Congress and the executive branch to implement the recommendations of the United States Commission on International Religious Freedom; and
- (5) Urges the United States Embassy in Vietnam to closely monitor cases of abuse of religious belief and practice, routinely visit detained clergy members, especially those in need of medical care, and report to the Congress on specific measures taken to protect and promote religious freedom in Vietnam.

(SSCR 3280, HSCR 1510-04)

SCR 20 SR 10

UNIVERSITY OF HAWAII COLLEGE OF EDUCATION, MASTER BUILDING PLAN FOR. Requests the University of Hawaii to update the master building plan for the College of Education which was developed in 1994 by the Department of Accounting and General Services.

(SSCR 2547, HSCR 1522-04)

SCR 27 SR 63 * HR 47 **

PRESCRIPTION DRUGS, IMPORTING OF. Urges the members of Hawaii's Congressional Delegation to support legislation to effectively enable consumers to purchase imported prescription drugs.

* SR 63 Urges Congress and the President of the United States to pass legislation to allow prescription drugs to be imported from Canada.

** HR 47 Urges members of Congress, including Hawaii's Congressional Delegation to establish as an immediate priority the passage of legislation that makes safe, affordable prescription drugs accessible to all United States residents through reimportation and other means, including requesting the cooperation of the United States Secretary of Health and Human Services and the Food and Drug Administration.

(SSCR 3076, HSCR 1554-04)

SCR 30, HD1
SR 18 *
HR 8 *

LEE, JAE KWON AND JONATHAN COWLES, SUPPORTING THEIR JOURNEY TO NORTH KOREA. Urges the Democratic People's Republic of Korea to give its approval for Jae Kwon Lee and Jonathan Cowles to continue rowing their boat along the North Korean Coast under the supervision of the North Korean Maritime Police.

*SR 18 and HR 8 Urges the North Korean Government to give its approval.

(SSCR 3062, HSCR 1493-04)

SCR 37

COGNITIVE REHABILITATION, EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE OF EXAMINATION FOR. Requests the Auditor to conduct an impact assessment report, pursuant to sections 23-51 and 23-52, Hawaii Revised Statutes, of the social and financial impacts of mandating coverage of examination for cognitive rehabilitation for all policies and contracts, hospital and medical service plan contracts, medical service corporation contracts, and health maintenance organization plans and contracts issued after December 31, 2004, as provided in H.B. No.____(2004).

Further requests the Auditor to submit findings and recommendations to the Legislature, including any necessary implementing legislation, twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3063, HSCR 1494-04, 1517-04)

SCR 40
SR 20

CELLULAR AND RADIO ANTENNA TOWERS IN THE WAIAWA "PEARL CITY" INDUSTRIAL AREA, OAHU, ADVERSE HEALTH EFFECTS OF. Requests the members of the Hawaii Congressional Delegation to urge the Federal Communications Commission to examine and investigate the adverse health effects of radio and cellular antenna towers in the Waiawa "Pearl City" industrial area in Honolulu, and if necessary, to require the removal of any unused and potentially dangerous antennas that pose a health risk to the surrounding community.

(SSCR 3166, 3395, HSCR 1556-04)

SCR 45, SD1

HEALTHY START PROGRAM, PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH. Resolves that the Statewide Interagency Task Force be extended for one more year.

Further resolves that the Director of Human Services and Director of Health, or their designees, serve as co-chairs of the Task Force, and coordinate the meetings and seek assistance from agency and program staff, as necessary.

Further resolves that the Task Force may work to achieve the following:

- (1) Further discuss the preliminary recommendations and develop working agreements between the Department of Health and the Department of Human Services, and other parties to operationalize and implement the recommendations;
- (2) Implement a general plan for tracking, monitoring, assessing, and reporting on progress on indicators related to achievement of the overall goal;
- (3) Complete discussion on topics identified but not addressed by the Task Force; and
- (4) Develop any necessary legislation for consideration in the 2005 Legislative Session.

Requests the Task Force to submit a report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 2968, HSCR 1552-04)

SCR 49

PAIN MANAGEMENT, OFFERING OF, CONTINUING MEDICAL EDUCATION ON. Urges the Hawaii Consortium of Continuing Medical Education, Castle Medical Center, Hawaii Ophthalmological Society, Hilo Medical Center, Honolulu Medical Group, Kaiser Permanente Medical Center, Kapiolani Medical Center for Women & Children, Kapiolani Medical Center at Pali Momi, Kona Community Hospital, Kuakini Medical Center, Maui Memorial Medical Center, North Hawaii Community Hospital, Rehabilitation Hospital of the Pacific, Straub Clinic and Hospital, Straub Foundation, St. Francis Medical Center, St. Francis Medical Center West, Wahiawa General Hospital, and Wilcox Memorial Hospital to offer continuing medical education programs on pain management.

(SSCR 3290, HSCR 1553-04)

SCR 51

VETERANS, RESTORING HEALTH CARE BENEFITS TO. Urges United States Senator Daniel K. Inouye and United States Senator Daniel K. Akaka, and United States Representative Neil Abercrombie and United States Representative Ed Case to support our veterans by supporting the passage of S. 2065 and H.R. 3474, respectively.

(SSCR 3283, HSCR 1537-04)

SCR 52 SR 23

HAWAII NATIONAL GUARD AND MILITARY RESERVISTS, SUPPORT OF. Urges the people and businesses of Hawaii to recognize the sacrifices being made by the Hawaii based National Guardsmen and military reservists as they are deployed on active duty.

Encourages state government and business leaders to return deposits for goods or services and otherwise financially accommodate the needs of deployed Hawaii National Guardsmen and military reservists to the extent practicable.

(SSCR 3284, HSCR 1534-04)

SCR 54

PREGNANT WOMEN, APPLICATION FOR MEDICAID OR QUEST ENROLLMENT AND SUBSEQUENT INITIATION OF PRENATAL CARE. Requests the Auditor to evaluate the impact of the Department of Human Services' policy of expedited processing of applications received from pregnant women using the "Medical Assistance Application for Children and Pregnant Women Only" form on reducing the waiting period for Medicaid or QUEST enrollment and subsequent initiation of prenatal care.

Further requests that this evaluation to include, but not be limited to:

- (1) An assessment of this policy as currently implemented against the standard of presumptive eligibility with respect to timely access to and utilization of prenatal care;
- (2) A quality assurance survey of both public and privately funded prenatal care providers to determine provider satisfaction with implementation of this policy; and
- (3) An assessment of the impact of this expedited policy on the timely review and determination of eligibility of applications received by applicants that are not applying through the expedited process, e.g., those applicants who are not pregnant at the time of application.

Further requests the Auditor to report findings and recommendations, including proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3338, HSCR 1499-04)

SCR 56 SR 24

PRESCRIPTION DRUGS, NEGOTIATING PRICE REDUCTIONS OF. Urges the President and Congress to repeal the restriction on government to negotiate reductions in prescription drug prices with manufacturers.

(SSCR 3160, HSCR 1555-04)

SCR 68, SD1

HAWAII AND IT'S PRODUCTS, ESTABLISHING COOPERATIVE VENTURES WITH ORGANIZATIONS ON THE MAINLAND TO PROMOTE. Requests the Department of Business, Economic Development, and Tourism (DBEDT), with the assistance of the Hawaii Tourism Authority (HTA), the Hawaii Visitors and Convention Bureau (HVCB), and the University of Hawaii (UH), to study the feasibility of establishing cooperative ventures with United States mainland based organizations for the purposes of promoting Hawaii and Hawaii products, including:

- (1) Information on U.S. mainland based organizations with relationships in Hawaii that DBEDT, HTA, HVCB, and UH have worked with in efforts to promote Hawaii and its products, and the results of any cooperative ventures, including an evaluation of specific projects and programs;
- (2) Recommendations for further cooperative ventures that would provide the most return on any investment by the State, including recommendations for types of cooperative projects, such as tourism, business, development, events promoting UH sports activities, and others;

- (3) Projected budget requirements for any such ventures and how moneys would be expended, i.e., contractual or other; and
- (4) Recommendations for implementation of a pilot program with a U.S. mainland based organization, such as the Hawaii Chamber of Commerce of Northern California, for the purpose of promoting Hawaii, its culture, natural resources, and products.

Further requests DBEDT to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005 on its findings and recommendations, including recommendations for implementation of the pilot program.

(SSCR 3242, HSCR 1539-04)

**SCR 75
SR 35
HR 91**

FAMILY CAREGIVERS, SUPPORT OF. Urges the Governor, Department of Health, Department of Human Services, and the University of Hawaii to recognize the importance of the contributions of family caregivers and to support them to the extent possible, as a state objective in serving the long-term care needs of its residents.

(SSCR 3207, HSCR 1502-04)

SCR 79, SD1, HD1

DEVELOPMENTAL DISABILITIES, INDIVIDUALS WITH, CHOICE OF RESIDENTIAL SETTING. Requests the State Council on Developmental Disabilities to convene a Task Force to identify issues and solutions regarding individuals with developmental disabilities and their choice of residential setting.

Resolves that in identifying issues and solutions, the Task Force:

- (1) Identify residential options available;
- (2) Address individual choice and self determination in increasing residential options, including residency in unlicensed homes for individuals with developmental disabilities, such as adult residential care homes, adult foster homes, and developmental disabilities domiciliary care homes or those in the process of being licensed;
- (3) Identify statutes, administrative rules, policies, and directives to revise to allow homes that are unlicensed, but determined to provide safe and healthy environments, as a residential option; and
- (4) Identify statutes, administrative rules, policies, and directives that need to be revised to reflect individual choice and assure civil rights, health, and safety; and
- (5) Coordinate its activities with the Olmstead Task Force to prevent duplication of work.

Further resolves that the Task Force include representatives from the following agencies, organizations, or affiliations:

- (1) Individuals with developmental disabilities;
- (2) Family members of individuals with developmental disabilities;
- (3) The Department of Health (DOH), Developmental Disabilities Division;
- (4) DOH, Office of Health Care Assurance;
- (5) DOH, Adult Mental Health Division;
- (6) DOH, State Council on Developmental Disabilities;

- (7) Department of Human Services, Social Services Division;
- (8) Hawaii Disability Rights Center;
- (9) Office of the Public Guardian;
- (10) Residential services providers such as operators of adult residential care homes, developmental disabilities domiciliary care homes, and adult foster homes; and
- (11) Support services providers.

Further requests the Task Force to submit its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

Further requests DOH to not take any action which would result in the relocation of any individuals with developmental disabilities without their consent from a home in which they reside merely because of the failure of the home to be licensed.

(SSCR 3300, HSCR 1497-04, 1518-04)

SCR 81, SD1

SELF-SUFFICIENCY STANDARD, MAINTAINING THE ACCESS AND ACCURACY OF. Requests the Hawaii State Commission on the Status of Women to maintain the access and accuracy of the Self-sufficiency Standard, and with the assistance of other agencies, to identify other areas where the standard may be used.

Resolves that this identification shall consider the impact of assistance from public and private programs such as Section 8 rental assistance, child care assistance, food stamps, public health insurance, free and reduced lunch, and A Plus program, and how this assistance affects the gap between actual income and self-sufficiency.

Further requests the Department of Business, Economic Development, and Tourism, Research and Economic Analysis Division, to assist the Commission in the collection, periodic updating, and analysis of the information, and its economic impact.

Further requests the Commission to work with other governmental agencies, community groups, and businesses, including but not limited to the Department of Human Services, Honolulu City and County Department of Community Services, Housing and Community Development Corporation of Hawaii, Aloha United Way, University of Hawaii Bridge to Hope, Enterprise Honolulu, Maui Economic Development Board, Kauai Economic Development Board, Hawaii Island Economic Development Board, State Workforce Development Council, and the Hawaii Institute for Public Affairs in developing a Hawaii Self-sufficiency Standard.

Further requests that every state government agency assisting low-income households to utilize this standard, whenever possible, to help guide families and persons towards self-sufficiency and to evaluate programs and develop public policy.

(SSCR 3419, HSCR 1514-04)

SCR 85 SR 42

FORESTRY AND AGRICULTURAL RESOURCES, CONSERVATION OF. Urges the Department of Land and Natural Resources and the Department of Agriculture to consider and incorporate the

importance of economic factors and impacts in the application of laws and adoption of rules and policies concerning the conservation of forestry and agricultural resources.

(SSCR 3341, HSCR 1545-04)

**SCR 92, SD1
SR 48, SD1
HCR 84
HR 57**

UNIVERSITY OF HAWAII SCHOOL OF GLOBAL AND PUBLIC HEALTH, REBUILDING OF. Urges the University of Hawaii to speedily rebuild a school of global and public health.

Further urges the University to join with other institutions and to work cooperatively with the military, the Centers for Disease Control and Prevention, and others for research dollars and to boost research options and developmental planning.

(SSCR 3398, HSCR 1549-04)

**SCR 97
SR 51**

FILIPINO WORLD WAR II VETERAN'S CHILDREN, IMMIGRATION VISAS FOR. Urges the President of the United States and the United States Congress to support the passage of H.R. 3587 into law.

(SSCR 3331, HSCR 1535-04)

**SCR 99
SR 53
HCR 73
HR 50**

POAMOHO CAMP, OAHU, ALLOWING RESIDENTS TO CONTINUE TO RESIDE AT. Requests Del Monte to continue to operate Poamoho Camp until at least December 2005, or, in the alternative, offer financial assistance to aid residents of Poamoho Camp seeking housing solutions.

Further requests the Galbraith Estate to allow residents to continue to reside at Poamoho Camp by entering into an agreement to lease the 90-acre camp parcel to the Poamoho Camp Residents Association or an entity of the Association's choice until at least December 2005, to allow the residents time to find housing solutions or affordable alternative housing.

(SSCR 3176, 3365, HSCR 1542-04)

SCR 101, SD1, HD1

MARSHALL ISLANDS, CLEAN-UP OF NUCLEAR SITES AND DAY OF REMEMBRANCE. Requests the United States Congress to take appropriate measures to provide for the compensation of awards including property damage claims, to the fullest extent, as determined by the Marshall Islands Nuclear Claims Tribunal, and to provide for the costs of cleaning up nuclear sites in the Marshall Islands.

Further requests the Governor to declare March 1 as a Day of Remembrance for the survivors of the United States nuclear tests in the Marshall Islands.

(SSCR 3325, HSCR 1512-04)

SCR 106, SD1

DEVELOPMENTAL DISABILITY PROVIDERS, PROMPT AND TIMELY PAYMENT TO. Requests the Department of Health and the Department of Human Services to work collaboratively to address the issue of prompt and timely payment to developmental disability providers.

Further requests the Departments to take immediate action to complete the following tasks:

- (1) A status update on corrections made to resolve the billing and claims processing problem;
- (2) An investigation of alternative methods of speeding up the processing of claims within thirty days upon receipt of the claim;
- (3) Immediate advance payment to those developmental disability providers whose claims are still unpaid;
- (4) Identify the specific problems with short term and long term solutions to speeding up the processing of claims on a timely basis;
- (5) Identify statutes, administrative rules, policies, and directives to revise or adopt to encourage the timely processing of claims;
- (6) Determine and define "timely" with specific number of days; and
- (7) Determine whether to eliminate the prior authorization requirement.

Further requests the Departments to submit a report on a quarterly basis during the interim beginning July 1, 2004, to the Legislature regarding the progress and status of the tasks described above.

Further requests the Departments to submit findings and recommendations to the Legislature no later than June 30, 2004.

(SSCR 3337, HSCR 1509-04)

SCR 114

PARADISE PARK, OAHU, ACQUISITION OF. Urges the Governor to release the funds appropriated for the acquisition of Paradise Park in Manoa.

Requests the University of Hawaii Board of Regents to accelerate negotiations for acquisition of the existing improvements as well as lease and fee interest in the one hundred fifty-acre conservation land parcel that includes the former Paradise Park.

(SSCR 3392, HSCR 1550-04)

SCR 115 SR 60

LYON, HAROLD L., ARBORETUM, OAHU, MANAGEMENT AND FINANCIAL AUDIT OF. Requests the Auditor to perform a management and financial audit of the Harold L. Lyon Arboretum. Further requests the Auditor to address the issues raised in this Concurrent Resolution and other related issues and report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3393, HSCR 1519-04)

**SCR 126
SR 64**

VETERANS, INCREASING FUNDING FOR BENEFITS AND SERVICES TO. Urges Congress to increase funding for the continuation and expansion of veterans benefits and services.

(SSCR 3333, HSCR 1538-04)

SCR 127, SD1, HD1, CD1

SOCIAL WORKER SERIES, DELAYING THE ELIMINATION OF. Requests the Department of Human Resources Development (DHRD) to delay, for a minimum of three months but not more than nine months, the elimination of the Social Worker series until DHRD obtains the examination of, and consults and coordinates with, the Hawaii Chapter of the National Association of Social Workers, University of Hawaii School of Social Work, Hawaii Pacific University School of Social Work, Brigham Young University School of Social Work, and the Hawaii Government Employees Association.

Further requests DHRD to consider any input provided by the Departments of Education, Health, Human Services, and Public Safety, or any other affected department or agency.

Resolves that the examination should include a review of the potential effectiveness of the reclassification to determine whether the plan for reclassification will adequately address the shortage problem while continuing to ensure that effective social services are provided.

Further resolves that the examination should also consider whether the plan is the most effective option for resolving the social worker shortage problem by:

- (1) Analyzing the effects of changing minimum qualification requirements on the effectiveness of the social services provided to clients;
- (2) Determining whether positions that do not require formal coursework in social work should be given a "social work" job title, and if not, identifying those positions;
- (3) Determining whether the recruitment and retention of social workers could be better enhanced by improving working conditions, including smaller caseloads, flexible work schedules, and increased support staff; and
- (4) Evaluating the current compensation and benefits for social worker positions to ensure that they are commensurate with the demands of the job.

Further resolves that the University of Hawaii School of Social Work, Hawaii Pacific University School of Social Work, and the Brigham Young University School of Social Work jointly produce a status report of the examination after three months and after six months to the chairs of the House Committees on Health and Labor and Public Employment and the Senate Committees on Human Services and Labor.

Further resolves that DHRD report its findings to the Legislature after nine months.

(SSCR 3373, HSCR 1528-04, CCR 159-04)

**SCR 131, SD1
SR 69, SD1**

ROBOTICS EDUCATION IN HAWAII, DEVELOPMENT OF AND SUPPORT FOR. Requests the agencies and departments within the State of Hawaii, including but not limited to, the Department of Education; College of Engineering of the University of Hawaii; Hawaii Space Grant Consortium; Department of Business, Economic Development, and Tourism; Hawaii Tourism Authority; foundation and grants representatives; Hawaii Island Economic Development Board; Maui Economic Development Board; Kauai Economic Development Board; NASA Automation, Robotics, and Simulation Division; and potential business partners and supporters, to collaborate to address the coordination and support of robotics education programs in Hawaii, including sustainability, financing, infrastructure, educator professional development through conferences and workshops, and other related issues.

Further requests the Department of Education, in consultation with the agencies and entities named in the previous paragraph, to address the issues raised in this Concurrent Resolution and other related issues and report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3405, HSCR 1548-04)

**SCR 133
SR 71**

BOARD OF EDUCATION POLICIES DETERMINING MEETING SITES AND MEETING STRUCTURE, REVIEW OF. Requests the members of the Board of Education to review and revise policies by which they determine meeting sites and meeting structure to ensure that citizens residing in each educational district within the State are afforded a minimum of one opportunity per quarter to meet with at least one board member, the appropriate district superintendent, and other local education administrators at the complex level, in a community meeting designed to allow for and facilitate general discussion and input on local educational issues.

Further requests the Board to submit its findings to the Legislature no later than twenty days prior to the Regular Session of 2005.

(SSCR 3353, HSCR 1547-04)

SCR 135, SD1

AFFORDABLE HOUSING SHORTAGE, SOLUTIONS TO. Requests the Housing and Community Development Corporation of Hawaii to convene a Task Force to develop near-term solutions to Hawaii's affordable housing shortage problem, with respect to both the ownership and rental markets.

Resolves that the Task Force should include representatives from the appropriate state, county, and federal agencies, developers, financial institutions, the real estate industry, and housing advocacy organizations.

Further resolves that the Legislature acknowledges and commends the Corporation in its efforts in providing a forum for the discussion of the housing crisis and encourages them to continue their discussions.

Further resolves that the issues considered by the Task Force should include:

- (1) Incentives for the development of affordable housing;
- (2) Acceleration of regulatory and permitting processes;
- (3) Infrastructure issues;
- (4) Implementation issues; and
- (5) Incentives for affordable housing financing.

Further requests the Corporation to report its findings and recommendations, including proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3420, HSCR 1515-04)

SCR 136

ASIA-PACIFIC RISK MANAGEMENT AND INSURANCE PROGRAM WITHIN THE COLLEGE OF BUSINESS ADMINISTRATION AT THE UNIVERSITY OF HAWAII, ESTABLISHMENT OF. Requests the Board of Regents of the University of Hawaii to establish an Asia-Pacific Risk Management and Insurance Program within the College of Business Administration at the University of Hawaii at Manoa.

Resolves that, among other things, the Asia-Pacific Risk Management and Insurance Program will:

- (1) Expand the Master of Science in Finance Program, which is currently under review by the University of Hawaii, to include a specialization in risk management, given the explosive growth of the insurance industries in Asia;
- (2) Include specialized research programs in the insurance area focusing on best practices, policy issues, and regionalization and harmonization of insurance regulations;
- (3) Provide continuing education programs geared to meeting the needs of local insurance industry participants; and
- (4) Support the Insurance Division by providing research and counsel on complex and new initiatives in insurance.

Further requests the Board to report on the status of the Asia-Pacific Risk Management and Insurance Program to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3399, HSCR 1551-04)

SCR 146, SD1

DIALYSIS FACILITIES AT KEAAU FAMILY CENTER, HAWAII, ASSESSMENT FOR THE ESTABLISHMENT OF. Urges the Hawaii Health Systems Corporation and St. Francis Healthcare System to continue the current partnership and expand the network of dialysis facilities to the Keaau Family Center in the Puna District.

Further urges the Corporation and St. Francis Healthcare System to conduct a needs assessment that will determine the cost and requirements of establishing a dialysis center in Puna.

(SSCR 3326, HSCR 1541-04)

**SCR 149
SR 79**

FAST FERRY SERVICE, PLANNING AND IMPLEMENTATION OF. Requests the Department of Transportation to assist in the expeditious planning and implementation of the fast ferry service.

Further requests the Public Utilities Commission to expeditiously process any required certification of Hawaii Superferry, Inc..

Further requests the United States Maritime Administration to expeditiously process Hawaii Superferry, Inc.'s application for a Title XI guarantee commitment for the construction and permanent financing of the fast ferry vessels.

Urges Hawaii's Congressional Delegation to request the Administration to expeditiously consider Hawaii Superferry, Inc.'s application for a Title XI guarantee commitment for the construction and permanent financing of the fast ferry vessels.

(SSCR 3428, HSCR 1520-04)

**SCR 164
SR 84
HR 168, HD1 ***

STUDENT EXCHANGE PROGRAM WITH THE REPUBLIC OF THE PHILIPPINES, ESTABLISHMENT OF. Requests the Department of Education to establish a student exchange program to involve students in the public schools in Hawaii and students in the provinces in the Republic of the Philippines with which the State has State-Province relationships.

Resolves that the Legislature expresses on behalf of itself and the Filipino community of Hawaii, strong support for the planning and implementation of such a project.

*HR 168, HD1 Requests the Department to support a student exchange program.

(SSCR 3356, HSCR 1511-04)

**SCR 167
SR 87**

NATIVE HAWAIIANS INTELLECTUAL PROPERTY RIGHTS, RECOGNITION OF. Urges the Department of Business Economic Development and Tourism, in collaboration with the Office of Hawaiian Affairs, the State Foundation on Culture and the Arts, Department of Commerce and Consumer Affairs, Department of Land and Natural Resources, and any other relevant state agency, to conduct a study on the rights of the Native Hawaiian people as traditional, indigenous knowledge holders and the impacts of western intellectual property rights on those rights and the cultural, social, and economic development of the Native Hawaiian people.

Requests the University of Hawaii to adopt a Board of Regents policy that acknowledges the collective intellectual property rights of the Native Hawaiian people and that the Native Hawaiian people retain equitable title to the State's biological diversity and biological resources on public lands, as defined by section 171-2, Hawaii Revised Statutes, as assets of the public trust.

Further urges the federal government to also recognize that the Native Hawaiian people and other indigenous, native peoples living within the United States are indigenous, traditional knowledge holders and that they have collective intellectual property rights that must be recognized by the United States Copyright Office and the United States Patent and Trademark Office.

(SSCR 3389, HSCR 1543-04)

**SCR 168, SD1
SR 88, SD1**

BOATING FACILITIES, REPORT ON THE MANAGEMENT OF. Requests the Board of Land and Natural Resources to report to the Legislature on its efforts to remedy the problems identified by the Auditor's 1998 and 2001 audits of the management of state boating facilities by the Department of Land and Natural Resources no later than twenty days prior to the convening of the Regular Session of 2005.

Resolves that the report shall provide a detailed explanation for the delay or failure to address each concern identified by the Auditor and a detailed explanation and rationale for the delay or failure to implement the Auditor's recommendations.

(SSCR 3409, HSCR 1544-04)

**SCR 169
SR 89**

SEAWATER AIR CONDITIONING/THERMAL ENERGY STORAGE SYSTEM, FEASIBILITY OF IMPLEMENTING IN STATE FACILITIES. Requests the Department of Accounting and General Services to assist Honolulu Seawater Air Conditioning LLC in conducting a study to determine the feasibility of implementing the Seawater Air Conditioning/Thermal Energy Storage District Cooling System for use in state facilities.

Further requests that if the results of this study demonstrate that a Seawater Air Conditioning/Thermal Energy Storage District Cooling System provides life cycle benefits that exceed total costs, including environmental costs, the Department to recommend that this system become the preferred air conditioning system for use in state facilities located in areas where this technology is feasible and available.

Further requests the Department to require the use of this technology in all bidding documents involving the construction or renovation of state facilities located in areas where this technology is feasible and available, as well as to provide a preference to bidders that incorporate this technology in their bidding proposals.

(SSCR 3182, HSCR 1505-04)

**SCR 175, SD1
SR 94, SD1
HR 77, HD1**

HYDROGEN ECONOMY, INTERNATIONAL PARTNERSHIP FOR PROMOTING. Requests the Secretary of Energy of the United States of America to support a working partnership between

Iceland and Hawaii in order to promote a real world example of the commitment of the United States to the principles of the International Partnership for the Hydrogen Economy.

(SSCR 3415, HSCR 1506-04)

SCR 180, SD1, HD1

INTRA-GOVERNMENTAL WHEELING OF ELECTRICITY, EXPLORATION ON HOW TO IMPLEMENT. Requests the Public Utilities Commission to explore how to implement the concept of intra-governmental wheeling to facilitate government wheeling of electricity and other regulatory measures to support the development of renewable energy systems by federal, state, and county agencies.

(SSCR 3368, HSCR 1508-04)

SCR 181, SD1

VETERANS AFFAIRS STATE HOME, HAWAII, NAMING IN HONOR OF YUKIO OKUTSU. Requests the Governor of Hawaii to name the U.S. Department of Veterans Affairs State Home as the YUKIO OKUTSU VETERANS CARE HOME - HILO.

(SSCR 3370, HSCR 1533-04)

**SCR 185, SD1
SR 102, SD1**

SAFE DRINKING WATER ACT'S LEAD AND COPPER RULES, DEVELOPMENT AND IMPLEMENTATION OF ALTERNATIVE RULES. Urges the United States Environmental Protection Agency to immediately develop and implement alternative rules under the Lead and Copper Rules.

Requests the Agency to provide an option to identify and remove sources of contaminants when it has been demonstrated that the additives have not been effective in controlling the problem or if it is more practical or cost-effective to do so.

Further requests the Agency to alter its methods and standards of sampling schemes to include a higher level of detail and accuracy.

Further requests the Agency to allow for a contingency plan should all other routine recommendations for additives fail and allow a process for feedback for empirical data regarding effectiveness of additives.

Further requests the Agency to carefully monitor lead action levels, even after the onset of the recommended additive intervention.

Further requests the Agency to establish a mechanism to terminate the utilization of additives when the water supply has dropped below the 15 parts per billion action level.

Further requests the Agency to manage all water systems on a case by case basis in order to assess the varying environmental conditions at the local level.

Further requests the Agency to carefully study their criteria regarding lead contaminating brass in plumbing fixtures, assuring that no lead is leached.

(SSCR 3417, HSCR 1507-04)

SCR 199, HD1

SMALL BUSINESS DEVELOPMENT AND CAREERS IN CREATIVE INDUSTRIES FOR PEOPLE WITH DISABILITIES, ACCESS TO. Requests the Hawaii Workforce Development Council, the University of Hawaii, and VSA arts of Hawaii-Pacific to jointly convene a Task Force to examine strategies for systems change to create access to small business development and careers in creative industries for people with disabilities in Hawaii.

Further requests the Council, the University, and VSA arts of Hawaii-Pacific to report their findings and recommendations for effecting systems change and creating access to small business development and careers in creative industries for people with disabilities in Hawaii to the Governor and the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3421, HSCR 1521-04)

**SCR 203
SR 114, HCR 258, HR 186
HCR 250 *, HR 181 ***

FILIPINO VETERANS OF WORLD WAR II, IMPROVING BENEFITS FOR. Urges the United States Congress to support the passage of S. 68 to improve benefits for certain Filipino veterans of World War II.

*HCR 250 and HR 181 Urges the President of the United States and the United States Congress to support the passage of H.R. 677.

(SSCR 3335, HSCR 1536-04)

**SCR 209, SD1
SR 120, SD1**

HEEIA STATE PARK, OAHU, RENAMING TO LAE 'O KEALOHI STATE PARK. Requests the Department of Land and Natural Resources to rename Heeia State Park to Lae 'O Kealohi State Park in order to restore the ancient place name and to reflect the historical use of the area.

(SSCR 3401, HSCR 1532-04)

**SCR 212
SR 123**

WAIKANE TRAINING AREA, OAHU, EVALUATION, CLEAN-UP, AND TRANSFER. Requests the federal government to conduct a thorough evaluation of the condition of the Waikane Training Area, particularly with regard to environmental and ordnance-related hazards that exist on the property.

Further requests the federal government to plan for and conduct as thorough a clean-up of the Waikane Training Area as is technologically possible, including the remediation or removal of all environmental hazards and contamination and removal of all practice and live ordnance.

Further requests the federal government to conduct a post-clean-up environmental assessment of the Waikane Training Area evaluating the potential risks to human health and safety, for the purpose of determining the types of uses and activities that could appropriately be conducted on the property with minimal risk to potential users and the community at large.

Further requests the federal government to return the Waikane Training Area to the State of Hawaii upon completion of the clean-up.

Further requests the federal government to appropriate sufficient funds to plan for, implement, and complete the rehabilitation and transfer of the Waikane Training Area.

Further requests the members of Hawaii's Congressional Delegation to assist in seeking and obtaining the relief sought above.

(SSCR 3346, HSCR 1546-04)

SR 7, SD1

KOREAN VIETNAM VETERANS MEMORIAL ON THE GROUNDS OF THE STATE CAPITOL, DESIGN OF. Requests the Department of Accounting and General Services to design and erect an appropriate and attractive monument of the Korean Vietnam Veterans Memorial.

Resolves that the Department report to the Legislature on the status and progress of erecting a monument no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3362)

SR 8, SD1

BARBERS POINT HARBOR, OAHU, INCREASING THE DEPTH OF. See SCR 12, SD1.

(SSCR 2510)

SR 9

CENTRAL KITCHENS FOR THE DEPARTMENT OF EDUCATION, ESTABLISHMENT OF. Requests the Department of Education, with the assistance of the Department of Accounting and General Services, to conduct a feasibility study on the establishment of central kitchens for the Department of Education and to report findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 2546)

SR 10

UNIVERSITY OF HAWAII COLLEGE OF EDUCATION, MASTER BUILDING PLAN FOR. See SCR 20.

(SSCR 2548)

SR 11

VIETNAMESE AMERICAN COMMUNITY OF HAWAII, RECOGNITION OF. Urges state organizations and the County of Honolulu to recognize the goldenrod flag with three red stripes as the symbol of the Vietnamese American community of Hawaii and establish the manner by which the flag may be ceremoniously displayed on state premises.

(SSCR 3282)

SR 12

PHYSICAL EDUCATION PROGRAM AT THE ELEMENTARY SCHOOL-LEVEL, DEVELOPMENT OF. Requests the Department of Education to develop and require as part of the standards-based curriculum an elementary school-level physical education program for public schools to promote health-related fitness, physical competence, and cognitive understanding about physical activity for all students so that they can adopt healthy and physically active lifestyles.

Resolves that the program should include, but not be limited to, instruction by physical education specialists with baccalaureate degrees; require physical education in daily classes of at least thirty minutes; utilize fitness education and assessment to help children understand, enjoy, and improve or maintain physical health and well-being; provide opportunities to develop social and cooperative skills; design classes to include the involvement of all children in activities; and include instruction in healthy eating habits and good nutrition.

Further resolves that the program should encourage self monitoring of physical activity; provide for individualized activities; provide exposure to a variety of physical activities; concentrate on teaching physical skills; teach positive approaches to lifetime activity; and promote activity outside the school environment.

Further requests the Department to report its findings, conclusions, and recommendations on an elementary school-level physical education program to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 2867)

SR 13, SD1

INTERNATIONAL ANIMATION FILM FESTIVAL, ESTABLISHMENT OF. Requests the Department of Business, Economic Development, and Tourism, the State Film Office, the University of Hawaii, other state agencies, and other interested parties to work together to establish an international animation film festival.

Further requests the Department to convene a meeting open to all interested parties by July 1, 2004, with representatives from the State Film Office, the Hawaii Tourism Authority, the University of Hawaii, representatives of the Hawaii International Film Festival, Maui Film Festival, Cinema Paradise, and the Hawaii Student Film Festival, and others to formally begin this collaboration.

(SSCR 3383)

SR 15

MILITARY RESIDENTIAL COMMUNITIES INITIATIVE, EXPENDITURES ON. See SCR 13.

(SSCR 3324)

SR 17

PORNOGRAPHIC POPUP ADVERTISEMENTS, ACTION AGAINST. Urges the Federal Trade Commission to investigate and take action against the use of unsolicited pornographic popup advertisements.

(SSCR 3163)

SR 18

LEE, JAE KWON AND JONATHAN COWLES, SUPPORTING THEIR JOURNEY TO NORTH KOREA. See SCR 30, HD1

(SSCR 3061)

SR 19, SD1

PLEDGE OF ALLEGIANCE IN THE LEGISLATURE, RECITATION OF. Resolves that the Pledge of Allegiance be respectfully recited at the beginning of the floor session of the Senate and House on the first session day of the week.

Requests the Hawaii State Senate and House of Representatives to adopt the following guidelines during the recitation of the Pledge: the Pledge shall be rendered by standing at attention facing the flag with the right hand over the heart. When not in military uniform, men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute.

Further requests the President of the Senate and the Speaker of the House to lead the recital of the Pledge of Allegiance in their respective houses.

Resolves that the recitation of the Pledge of Allegiance be added to the Order of Business of each house, prior to the invocation.

(SSCR 3364)

SR 20

CELLULAR AND RADIO ANTENNA TOWERS IN THE WAIAWA "PEARL CITY" INDUSTRIAL AREA, OAHU, ADVERSE HEALTH EFFECTS OF. See SCR 40.

(SSCR 3167, 3396)

SR 23

HAWAII NATIONAL GUARD AND MILITARY RESERVISTS, SUPPORT OF. See SCR 52.

(SSCR 3285)

SR 24

PRESCRIPTION DRUGS, NEGOTIATING PRICE REDUCTIONS OF. See SCR 56.

(SSCR 3161)

SR 29, SD1

SPINNER DOLPHIN POPULATION IN HAWAII, PROTECTION OF. Requests the National Oceanic and Atmospheric Administration to work cooperatively with the Department of Land and Natural Resources to ensure that dolphin-watching activities and other human interactions with Hawaii's spinner dolphins are managed in a manner consistent with the Marine Mammal Protection Act (MMPA) and community-based, marine mammal conservation, while also providing for economically optimal and socially acceptable levels of ocean use.

Resolves that in the cooperative work requested above and in additional efforts undertaken by the Department, priority be given to minimizing adverse impacts of dolphin-watching activities on other ocean uses, including fishing, recreation, tourism, transportation, and traditional Hawaiian practices.

Further requests the Administration to work cooperatively with the Department to effectively enforce the MMPA and other existing federal and state laws that protect Hawaii's spinner dolphins.

(SSCR 3431)

**SR 31
HCR 112, HD1**

INDUSTRY CLUSTERS, IDENTIFICATION AND DEVELOPMENT OF. Requests the Department of Business, Economic Development, and Tourism and the Workforce Development Council to submit a report to the Legislature regarding actions which have been undertaken subsequent to the enactment of Act 148, Session Laws of Hawaii 2003.

Resolves that the report focus on the following areas:

- (1) The status of work on:
 - (A) The identification and development of industry clusters in order to determine their economic and workforce potential and the manner in which the industries can be better served;
 - (B) The development of labor demand and supply matrices for determining future labor demands under various economic scenarios and correlating anticipated labor supply with forecasted industry demands; and
 - (C) The expansion and enlargement of the educational pipeline through the promotion of youth and adult participation in post-secondary degree or certificate programs;
- (2) A timeline as to when and the manner in which:
 - (A) Action is being taken on the aforementioned initiatives; and
 - (B) Further information on such progress will be made available;
- (3) Recommendations as to methods to better facilitate the gathering and compilation of relevant and necessary data; and

- (4) Recommendations for connecting or making compatible the compiled data and other forms of data resulting from economic, workforce, or educational research.

Further resolves that the Department and the Council submit a report of their findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3295)

SR 35

FAMILY CAREGIVERS, SUPPORT OF. See SCR 75.

(SSCR 3208)

**SR 36, SD1
HCR 141 *
HR 98 ***

FETAL ALCOHOL SPECTRUM DISORDER, STATEWIDE EFFORT ADDRESSING. Requests the Department of Health to establish a coordinated statewide effort to address fetal alcohol spectrum disorder (FASD).

Resolves that the coordinated statewide effort should include but not be limited to the following topics:

- (1) Public awareness aimed at the general public, including awareness targeted at high-risk populations, the medical community, as well as public education on how to prevent FASD;
- (2) Professional education to teach professionals about FASD so they can recognize and identify FASD for referrals to diagnose, treat, and intervene, and teaching professionals to diagnose and screen and intervene using effective techniques;
- (3) Screening high-risk populations, including both women of childbearing age and children already affected;
- (4) Diagnosing high-risk populations, including children already affected and women at risk;
- (5) Surveillance and data, including collecting and analyzing prevalence and incidence statistics to help define and describe the problem; and
- (6) Intervening with high-risk populations, including treating women of childbearing age to reduce and eliminate the risk of an alcohol exposed pregnancy and preventing secondary conditions in children already affected by FASD.

Further requests the Department to submit a report describing its progress in establishing a coordinated statewide system addressing the above areas to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

*HCR 141 and HR 98 Does not target the medical community for public awareness.

(SSCR 3340)

SR 37, SD1

POLIO AWARENESS IN HAWAII, DECLARING 2004 AS YEAR OF. Requests the Governor to declare 2004 as "The Year of Polio Awareness" in Hawaii.

(SSCR 3308)

SR 40, SD2

FAMILY COURT MISUSE OF LEGAL INTERVENTIONS, HEARINGS ON. Requests the Senate Committee on Human Services to convene interim hearings on the misuse of legal interventions available to the Family Court, including an assessment of the caseload, the long-term use of such interventions as temporary restraining orders, the selection, use, and accountability of Custody Guardians ad Litem and other court-appointed personnel, and other issues that may have an impact on the timely and fair resolution of cases that meet an acceptable national standard of care for the best interests of the children and families before the Family Court.

Resolves that the Committee also consider any relevant laws and policies that other states have implemented to resolve similar problems and consult with the National Council of Juvenile and Family Court Judges, the National Center for State Courts, and the National Children's Rights Council for their expertise dealing with these sensitive issues.

Further requests the Committee to report its findings and any recommendation for legislative action to resolve these issues, no later than twenty days prior to the Regular Session of 2005.

(SSCR 3535 - filed, FLOOR AMENDMENT 17)

SR 41, SD1

CHILD SUPPORT ADJUSTMENTS FOR ACTIVATED MILITARY PERSONNEL, AMENDMENTS TO. Resolves that a Task Force be convened to study and determine whether there should be amendments to current child support laws for activated military personnel.

Further resolves that the Task Force include, but not be limited to, representatives from the Department of Human Services, the Department of the Attorney General, the Judiciary, and the United States Department of Defense to be convened by the Judiciary no later than August 1, 2004.

Further resolves that the Task Force submit a report of its findings, recommendations, and proposed legislation to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3385)

SR 42

FORESTRY AND AGRICULTURAL RESOURCES, CONSERVATION OF. See SCR 85.

(SSCR 3342)

SR 43

YOUTH OF THE FIRST REPRESENTATIVE DISTRICT, PROGRAMS FOR. Requests the Department of Education (DOE) to work in conjunction with the youth of the First Representative District to continue to support community associations and other agencies such as the Department

of Land and Natural Resources, the County of Hawaii Police Department, the County of Hawaii Fire Department, the County of Hawaii Department of Parks and Recreation, and other public and private agencies, to develop specific programs such as athletic leagues, youth centers, youth hotlines, and fine arts activities in the areas of music, drama, or dance that will channel collective energies in a positive direction.

Further requests the DOE, with broad community participation, and in conjunction with youth, various community leaders, and other agencies, to provide assistance in developing community-based programs that promote leadership-building, team spirit, high self-esteem, and reinforcement of values that result in positive contributions to the community.

Further requests the DOE to submit a report to the Legislature on the progress of the collective efforts of establishing community based programs for youth no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3351)

SR 44, SD1

KONA AIRPORT STATE RECREATION AREA, HAWAII, RENAMING AS THE KIYONO KUNITAKE STATE RECREATION AREA. Requests the Governor to rename the old Kona Airport State Recreation Area the Kiyono Kunitake State Recreation Area in honor of Kiyono Kunitake's community contributions.

(SSCR 3330)

SR 46, SD1

SCHOOL HEALTH AIDE SUBSTITUTES, STAFFING FOR. Requests the Department of Health (DOH), in collaboration with the Department of Education, to develop a program to provide dependable substitutes for school health aides throughout the State to ensure that every school health room is staffed at all times by qualified health personnel.

Resolves that the DOH submit a report on this program no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3291)

SR 47 HR 63

MILITARY IMPACTED SCHOOLS, ADDRESSING PROBLEMS FACED BY. Requests the Superintendent of Education to establish a Task Force to include, but not be limited to, principals and vice-principals of each military impacted school, representatives of teachers, Parent Community Networking Centers, or school/community based management groups of each military impacted school, representatives of the transition centers in the Radford Complex schools, and representatives of the commanding officers of military installations.

Further requests the Task Force to consider the following:

- (1) Whether, despite the anticipated fluctuations in enrollment in military impacted schools, allocated teaching and administrative staff, including counseling and resource position teachers, should remain constant;
- (2) With the proposed implementation of a weighted formula system for funding individual schools, whether military dependent students or military impacted schools should be allocated a greater weight;
- (3) Whether each military impacted school should be assigned a vice-principal in anticipation of added administrative duties due to the high transient rate;
- (4) Whether each military impacted school should have or is properly utilizing existing Primary School Adjustment Projects, Parent Community Networking Centers, or transition centers like the Radford Complex schools;
- (5) Whether military impacted schools, the Department of Education, and the various military installations should collaborate on the dissemination of relevant information regarding Hawaii's public school system and the specific school that will receive students from incoming military families through the military website or the Department of Education website; and
- (6) Whether military impacted schools should consider special workshops for military families to familiarize them with Hawaii's school system, unique culture, and available activities of which they may take advantage.

Further requests the Superintendent to report findings and recommendations of the Task Force to the Legislature twenty days before the convening of the Regular Session of 2005.

(SSCR 3425)

SR 48, SD1

UNIVERSITY OF HAWAII SCHOOL OF GLOBAL AND PUBLIC HEALTH, REBUILDING OF. See SCR 92, SD1.

(SSCR 3397)

SR 49, SD1

MENTALLY ILL PATIENTS, FEASIBILITY OF PROVIDING CONTINUING SERVICES ON A FEE FOR SERVICE BASIS. Requests the Department of Health to convene a Task Force to explore the feasibility of:

- (1) Allowing private pay patients to receive day continuing services, including mental health treatment, psychosocial rehabilitation services, and other community support on a voluntary basis;
- (2) Requiring private pay patients to pay in full for those services;
- (3) Establishing a schedule of graduated fees to be charged for the provision of those services to private pay patients; and
- (4) Developing public private partnerships to enhance mental health services in the community.

Further requests the Task Force to interpret the terms "continuing services" and "private pay patient" as follows:

- (1) "Continuing services" means services provided by the Department of Health and voluntarily requested by the private pay patient that are designed to promote recovery from severe and persistent mental illness through treatment, psychosocial rehabilitation

- services, and other community support, based on the understanding that severe and persistent mental illness is generally life-long, with an individualized course of recovery that may include relapse and remission; and
- (2) "Private pay patient" means a person who:
- (A) Is otherwise eligible, as assessed by the Department of Health, to receive day continuing services;
 - (B) Requests to receive those services voluntarily; and
 - (C) Is able to and does pay in full, any graduated charges to be established and imposed by the Director of Health for the provision of these services.

Resolves that the Task Force include representatives of the Department of Human Services, Hawaii Medical Service Association, Kaiser Permanente, the National Alliance for the Mentally Ill-Oahu, two public sector consumers, and two private sector consumers.

Further requests the Director of Health to submit a report to the Legislature on the progress of its actions, as well as the findings of the Task Force, no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3379)

SR 50

ALIENS CONVICTED OF CRIMES, DEPORTATION OF. Urges the United States Congress to amend the laws on immigration to allow immigration authorities to exercise judicial discretion in a proceeding to deport an alien convicted of a crime and to allow a convicted alien to seek a waiver from deportation upon demonstration of successful rehabilitation evidenced by no subsequent criminal convictions.

(SSCR 3423)

SR 51

FILIPINO WORLD WAR II VETERAN'S CHILDREN, IMMIGRATION VISAS FOR. See SCR 97.

(SSCR 3332)

SR 53

POAMOHO CAMP, OAHU, ALLOWING RESIDENTS TO CONTINUE TO RESIDE AT. See SCR 99.

(SSCR 3177, 3366)

SR 57, SD1

DIGITAL MEDIA INDUSTRY IN HAWAII, DEVELOPMENT OF. Requests the Hawaii Film and Television Development Board to develop a comprehensive strategy designed not only to attract digital media productions and investments to Hawaii, including video and computer games, computer-based graphics and animation, and music, but also to nurture and support a strong and diverse industry in Hawaii.

Encourages the Board to consult with members of Hawaii's respective film, television, digital media, game, graphics and animation, and music communities to garner valuable input and insight, to ensure that any digital media related strategy promulgated by Board is not only comprehensive in scope, but also well coordinated.

Further encourages the Board to consider Hawaii's unique strengths and resources, which include a highly educated and trained workforce, the University of Hawaii Academy for Creative Media, a growing game, animation, and music segment of the industry, as well as Hawaii's close proximity and relationships with countries throughout Asia and the Pacific Rim.

(SSCR 3372)

SR 58, SD1

INSTITUTIONAL NETWORK AND THE PUBLIC, EDUCATION, AND GOVERNMENT ACCESS SYSTEM, IMPROVEMENT AND EXPANSION OF. Requests the Department of Accounting and General Services, the Department of Commerce and Consumer Affairs, the Department of Education, the University of Hawaii, and representatives of the counties of Honolulu, Kauai, Maui, and Hawaii, to form an intergovernmental committee, charged with the task of examining the current structure of the Institutional Network and the Public, Education, and Government Access system and formulating a coordinated intergovernmental strategy designed to improve and expand the Institutional Network as well as the Public, Education, and Government Access system to meet future demand on both systems.

Encourages this committee to gather and analyze all relevant and necessary data, consult with experts, and seek input from members of the private sector in making any suggestions or recommendations to the Legislature.

Requests the University of Hawaii be charged with the responsibility of overseeing and leading this effort in formulating this intergovernmental strategy.

Resolves that any findings and recommendations made by this committee with regards to improving and expanding the Institutional Network as well as the Public, Education, and Government Access system shall be submitted to the Legislature and to Hoike: Kauai Community TV, Olelo: Oahu Community TV, Akaku: Maui Community TV, and Na Leo O Hawaii, no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3404)

SR 60

LYON, HAROLD L., ARBORETUM, OAHU, MANAGEMENT AND FINANCIAL AUDIT OF. See SCR 115.

(SSCR 3394)

SR 63

PRESCRIPTION DRUGS, IMPORTING OF. See SCR 27.

(SSCR 3427)

SR 64

VETERANS, INCREASING FUNDING FOR BENEFITS AND SERVICES TO. See SCR 126.

(SSCR 3334)

**SR 67, SD1
HR 49, HD1 ***

PEOPLE'S REPUBLIC OF CHINA, VISAS FOR THE CITIZENS OF. Urges the President of the United States to secure an Authorized Destination Status agreement with the government of the People's Republic of China to allow visitor visas to be issued to citizens of the People's Republic of China to visit the United States.

Further urges Premier Wen Jiabao to restore human rights to citizens of the People's Republic of China, and to crack down on international illegal drug trafficking into the United States from China.

Requests the Department of Homeland Security to postpone implementation of the new program of photographing and fingerprinting until more immigration officials are stationed at Honolulu International Airport, and take other steps to expedite the processing of foreign visitors to Hawaii.

Further requests the members of Hawaii's Congressional Delegation to assist the administration to facilitate, to the extent possible, the implementation of this Resolution.

*HR 49, HD1 Only urges the Department of Homeland Security to relax restrictions on the granting of nonimmigrant visas to nationals of the People's Republic of China for the purpose of business, tourism, and study in the United States.

(SSCR 3297)

SR 69, SD1

ROBOTICS EDUCATION IN HAWAII, DEVELOPMENT OF AND SUPPORT FOR. See SCR 131, SD1.

(SSCR 3406)

SR 71

BOARD OF EDUCATION POLICIES DETERMINING MEETING SITES AND MEETING STRUCTURE, REVIEW OF. See SCR 133.

(SSCR 3354)

**SR 77
HCR 195**

LABOR UNIONS, SUPPORT OF THE EMPLOYEE FREE CHOICE ACT. Urges Hawaii's Congressional Delegation to support the Employee Free Choice Act and to impel the United States Congress to pass this measure to protect America's workers and preserve their freedom to choose for themselves whether or not to form a union.

(SSCR 3293)

SR 79

FAST FERRY SERVICE, PLANNING AND IMPLEMENTATION OF. See SCR 149.

(SSCR 3429)

**SR 80, SD1
HCR 165, SD1
HR 113***

ISLAND BURIAL COUNCILS, INVESTIGATION OF ADMINISTRATIVE PRACTICES FOR APPOINTMENTS TO. Directs the Department of Land and Natural Resources to provide the Governor with a list of recommended nominees for the burial councils in a timely manner.

Requests that the Department provide a comprehensive explanation as to why it failed to recommend and support at least two well-qualified Native Hawaiian candidates to the Maui/Lanai Islands Burial Council and the Hawaii Island Burial Council to the Governor for appointment to those councils.

Further requests the Auditor to investigate the Department to determine whether these questionable administrative practices involving Island Burial Council recommendations for appointment amount to significant deviations from chapter 6E, HRS, and chapter 13-300, Hawaii Administrative Rules, that must as a matter of law require that corrective actions be taken.

Resolves that to protect and balance the important privacy interests of individuals seeking appointment to a State board or commission, including the Island Burial Council, the Auditor is requested to seek the consent or approval of eligible candidates for the Island Burial Council prior to disclosing any identifying information of a particular candidate as part of the Auditor's investigation into the Department's selection process for candidates to this Council.

Further requests the Auditor to report findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

Resolves that within thirty days of the passage of this measure, the Department is requested to provide the Governor and simultaneously make available to the general public a list of the candidates that the Department has recommended for appointment by the Governor to the island burial councils since January 1, 2003 and an accompanying report that shall include:

- (1) A list of all individuals recommended to the island burial councils by the Office of Hawaiian Affairs, appropriate Hawaiian organizations, as well as development and large property owner interests;
- (2) A description of the consultations that occurred with appropriate Hawaiian organizations, including when the consultations occurred, an identification of the individuals involved in the consultations, the substance of the consultations, and the outcome of the consultations; and
- (3) An explanation of the Department's decisions to include or eliminate a nominee for each individual recommended by the Office of Hawaiian Affairs, Hawaiian organizations, and others.

*HR 113 Does not request the Auditor to seek the consent or approval of eligible candidates for the Island Burial Council prior to disclosing any identifying information of a particular candidate as part of the Auditor's investigation into the Department's selection process for candidates to this Council .

(SSCR 3408)

SR 84

STUDENT EXCHANGE PROGRAM WITH THE REPUBLIC OF THE PHILIPPINES,
ESTABLISHMENT OF. See SCR 164.

(SSCR 3357)

SR 86 HCR 49, HD1, SD1 * HR 32, HD1 **

PRECAUTIONARY PRINCIPLE APPROACH TO DECISION-MAKING, EFFECTIVENESS OF.
Requests that where there are reasonable grounds for concern, the Precautionary Principle approach to decision-making shall be implemented by state departments and agencies to help reduce harm by triggering a process to select the least potential threat.

Resolves that the Precautionary Principle approach to decision-making to be implemented by state departments and agencies includes the following essential elements:

- (1) Anticipatory Action: There is a duty to take anticipatory action to prevent harm. Government, business, and community groups, as well as the general public, share this responsibility;
- (2) Right to Know: The community has a right to know complete and accurate information on potential human health and environmental impacts associated with the selection of products, services, operations, or plans. The burden to supply this information lies with the proponent, not with the general public;
- (3) Alternatives Assessment: An obligation exists to examine a full range of alternatives and select the alternative with the least potential impact on human health and the environment including the alternative to do nothing;
- (4) Full Cost Accounting: When evaluating potential alternatives, there is a duty to consider all the reasonably foreseeable costs, including raw materials, manufacturing, transportation, use, cleanup, eventual disposal, and health costs even if such costs are not reflected in the initial price. Short- and long-term benefits and time thresholds should be considered when making decisions; and
- (5) Participatory Decision Process: Decisions applying to the Precautionary Principle must be transparent, participatory, and informed by the best available information.

Further requests the Department of Health to report to the Legislature on the overall effectiveness of the Precautionary Principle policy no later than November 1, 2007.

*HCR 49, HD1, SD1 Requests the Legislative Reference Bureau to conduct a review that examines the San Francisco Precautionary Principle ordinance.

Further requests the Bureau to report its findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

**HR 32, HD1 Requests the Legislative Reference Bureau to conduct a policy review that examines, where there are reasonable grounds for concern, the Precautionary Principle approach to decision-making shall be implemented by state departments and agencies to help reduce harm by triggering a process to select the least potential threat.

Further requests the Bureau to examine the Precautionary Principle in relation to existing environmental reviews and regulatory processes and report its findings to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3181)

SR 87

NATIVE HAWAIIANS INTELLECTUAL PROPERTY RIGHTS, RECOGNITION OF. See SCR 167.

(SSCR 3390)

SR 88, SD1

BOATING FACILITIES, REPORT ON THE MANAGEMENT OF. See SCR 168, SD1

(SSCR 3410)

SR 89

SEAWATER AIR CONDITIONING/THERMAL ENERGY STORAGE SYSTEM, FEASIBILITY OF IMPLEMENTING IN STATE FACILITIES. See SCR 169.

(SSCR 3183)

SR 91

COMPOST FOR REMEDIATION OF DEPLETED SOILS, VALUE OF. Urges the Department of Business, Economic Development, and Tourism to coordinate state efforts to demonstrate the value of compost for remediation of depleted soils.

Further urges the Department to form an advisory committee to formulate recommendations concerning the development of opportunities for remediation of marginal soils, as well as the development of a market for expanded use of compost as a plant bedding material.

Further urges the Department to coordinate efforts to promote the value of compost to potential end users.

(SSCR 3412)

SR 93, SD1

LIGHT POLLUTION, INVESTIGATION OF. Requests the counties to address all light pollution issues through their ordinances.

Resolves that these issues include eliminating or mitigating artificial lights from adjacent buildings affecting the shorelines and nearshore waters that harm sea turtles, Newell's shearwaters, dark-rumped petrels, band-rumped storm petrels, Hawaiian monk seals, or any other marine population so threatened or harmed.

Further resolves that these issues include eliminating or mitigating artificial lights from buildings affecting the darkness of our skies near key astronomy and space surveillance sites.

(SSCR 3414)

SR 94, SD1

HYDROGEN ECONOMY, INTERNATIONAL PARTNERSHIP FOR PROMOTING. See SCR 175, SD1

(SSCR 3416)

**SR 97, SD1
HCR 245, HD1, SD1
HR 177, HD1 ***

SHIPPING MATERIALS, BACKHAULING TO REDUCE THE VOLUME OF. Requests the Department of Health to work with the Hawaii Food Industry Association to determine the feasibility of requiring large "big box" retailers and wholesalers to backhaul packaging, crating, insulation, pallets, and other accommodating materials used for shipping, including:

- (1) Consulting with shipping and container companies to gauge the costs of such an effort; and
- (2) Determining what is currently being done to dispose of these materials and developing solutions to reduce volume of shipping materials being used.

Further requests the Department to report its findings and recommendations including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

*HR 177, HD1 Does not make a request to the Department of Health, but does make a request to the Hawaii Food Industry Association and to the Hawaii Retailers Association to report on the status of backhauling packaging, crating, insulation, pallets, and other accommodating materials used for shipping and to determine what more can be done to increase backhaul efforts.

Further requests the organizations to report its findings and recommendations including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3369)

SR 100, SD1

MOLDS, IDENTIFYING KEY ISSUES REGARDING. Requests the Department of Health and the American Industrial Health Hygiene Association to convene a mold working group to identify key issues regarding molds that should be addressed in future legislation, including but not limited to those relating to defining mold amplification, dosage, and routes of transmission, health threat assessment, and mold identification, characterization, and remediation.

Resolves that the mold working group be comprised of representatives from the Department of Health, Department of Accounting and General Services, the University of Hawaii John A. Burns School of Medicine, Hawaii Association of Realtors, Building Owners and Managers Association, American Industrial Hygiene Association, Indoor Air Quality Association, Environmental Science International, a certified industrial hygienist with experience in indoor air quality, an architect with experience in building diagnostics and forensic architecture, and representatives from the property and casualty insurance industry.

Further resolves that the mold working group investigate and propose legislation regarding:

- (1) Permissible mold exposure limits;
- (2) Mold assessment standards;
- (3) Mold identification guidelines;
- (4) Mold remediation and post-remediation clearance standards;
- (5) Duties and responsibilities of property sellers, landlords, tenants, property managers, resort and hotel maintenance, and state and federal building maintenance departments regarding the disclosure and removal of molds;
- (6) Any other matter related to the health and safety risks of exposure to molds; and
- (7) Recommendations on the feasibility of setting permissible exposure limits to mold in indoor environments.

Further resolves that, in doing its work, the working group use the following definitions:

- (1) "Mold Assessment" means an inspection, investigation, or survey of a dwelling or other structure to provide the owner or occupant with information regarding the presence, identification, or evaluation of mold; the development of a mold management plan or remediation protocol; or the collection or analysis of a mold sample; and
- (2) "Mold Remediation" means the removal, cleaning, sanitizing, demolition, or other treatment, including preventive activities, of mold or mold contaminated matter that was not purposely grown at that location.

Further requests the Department of Health to report the findings and conclusions of the mold working group, together with its recommendations for legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3328)

SR 102, SD1

SAFE DRINKING WATER ACT'S LEAD AND COPPER RULES, DEVELOPMENT AND IMPLEMENTATION OF ALTERNATIVE RULES. See SCR 185, SD1.

(SSCR 3418)

SR 104, SD1

HAIKU STAIRS, OAHU, PREVENTING ILLEGAL ENTRY UNTIL PERMANENT ACCESS IS RESOLVED. Requests the City and County of Honolulu to take further action to prevent illegal entry to the Haiku Stairs until the issue of permanent access to the Haiku Stairs is finally resolved.

Further requests the City and County to be mindful and sensitive to the needs of the surrounding neighborhoods, especially near and around the Haiku Stairs, as to issues of parking congestion, trespassing, and vandalism, to ensure that these communities are no longer imposed upon when the Haiku Stairs are reopened.

Urges the City and County to give direct participation to all interested parties in the development of any contingency plans for access to the Haiku Stairs.

Further requests the Mayor of the City and County to submit to the Legislature the current plans for opening the Haiku Stairs and Haiku Valley to the public when this plan is finalized but not later than twenty days prior to the convening of the Regular Session of 2005, and include the following information:

- (1) An estimate of additional capital improvement costs to complete the Haiku Stairs and Haiku Valley project and the projected annual operation and maintenance costs;
- (2) Specific efforts undertaken by members of the Mayor's administration to inform Haiku residents of the specific access point as well as to work to resolve issues relating to trespassing and traffic mitigation;
- (3) Specific information regarding the expenditure of city and county funds, including past and present contracts and the scope of work currently planned for the Haiku Stairs and Haiku Valley;
- (4) Specific information regarding anticipated city and county expenditures and contracts to be executed once the land acquisition and access issues are resolved, including the disclosure of information regarding the amount of funds and scope of work planned for the Haiku Stairs and Haiku Valley;
- (5) Specific information on all land exchanges, purchases, leases, easements, or licenses necessary to complete the project, including the maps of all city and county properties to be exchanged and the values thereof;
- (6) The nature of any contingency plans should current plans fail to be consummated, including a possible land exchange with the Department of Hawaiian Home Lands and arrangements for access to the Haiku Stairs via Windward Community College and the Hawaii State Hospital, under the management of a nonprofit organization;
- (7) An estimate of the daily, monthly, and annual usage of the Haiku Stairs by hikers and any limitation, if any, sought to be imposed on the number of hikers allowed to utilize the stairs;
- (8) The city and county's plan and timetable for providing public access to the stairs;
- (9) Plans which will ensure the protection and preservation of twenty-one archaeological and sacred Native Hawaiian sites within Haiku Valley, including two heiau, a burial cave (Kaualehu), and a large lo'i complex; and
- (10) Plans for warning signs to minimize the City and County of Honolulu's liability.

(SSCR 3345)

SR 111

ALTERNATIVE SCHOOLS OR DROPOUT CENTERS FOR ADOLESCENTS WHO SUFFER FROM DRUG ADDICTION, FEASIBILITY OF ESTABLISHING. Requests the Department of Education to explore the feasibility of establishing alternative schools or dropout centers for adolescents who suffer from drug addiction.

Resolves that the Department report its recommendations and cost analysis to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(SSCR 3359)

SR 113, SD2

HAWAIIAN STUDENTS AT THE UNIVERSITY OF HAWAII, RECRUITMENT AND RETENTION OF. Requests the Auditor to conduct a management and effectiveness audit of programs to recruit and retain Hawaiian students at the University of Hawaii and to establish a baseline for evaluation of improvements in programming in the future.

Further requests the Auditor to report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

Further requests the Chancellors of the University of Hawaii to form task forces to evaluate the

results of the audit and plan for the improvement of services to recruit and retain native Hawaiian and Hawaiian students.

(SSCR 3377, SSCR 3446)

SR 114

FILIPINO VETERANS OF WORLD WAR II, IMPROVING BENEFITS FOR. See SCR 203.

(SSCR 3336)

SR 120, SD1

HEEIA STATE PARK, OAHU, RENAMING TO LAE 'O KEALOHI STATE PARK. See SCR 209, SD1.

(SSCR 3402)

SR 123

WAIKANE TRAINING AREA, OAHU, EVALUATION, CLEAN-UP, AND TRANSFER. See SCR 212.

(SSCR 3347)

HCR 36, HD1

RABAT-SALÉ-ZEMMOUR-ZAËR OF THE KINGDOM OF MOROCCO, SISTER-STATE RELATIONSHIP WITH. Requests the Governor to take all necessary actions to establish a sister-state relationship with the state of Rabat-Salé-Zemmour-Zaër, Kingdom of Morocco, to include economic, social, governmental, educational, and cultural exchange.

Resolves that the state of Rabat-Salé-Zemmour-Zaër be offered the privileges and honors that Hawaii extends to its sister-states and provinces and that this sister-state relationship continue until July 1, 2009.

Further requests the Governor to report to the Legislature on the progress made with respect to this Concurrent Resolution no later than twenty days prior to the convening of the Regular Session of 2005.

Further requests the United States Secretary of State and the Embassy in Rabat to assist in the matters proposed by this Concurrent Resolution.

Further requests the business community of Hawaii to assist in the matters proposed by this Concurrent Resolution, as in all matters concerning sister-state relations.

(HSCR 1047-04, SSCR 3498)

HCR 49, HD1, SD1

PRECAUTIONARY PRINCIPLE APPROACH TO DECISION MAKING, EFFECTIVENESS OF.
See SR 86.

(HSCR 1342-04, 1429-04, SSCR 3482)

HCR 54, HD1, SD1
HR 36, HD1 *

KANEOHE MEADOWLAND (HE'EIA WETLANDS), OAHU, PROTECTION AND ENHANCEMENT OF. Requests the Hawaii Community Development Authority to transfer ownership of the Kaneohe meadowland (He'eia wetlands) to the State of Hawaii as public lands to be administered by the Department of Land and Natural Resources (DLNR) for the protection and enhancement of the natural and cultural resources of the wetlands.

Further requests DLNR to work with cooperating partners, and the local community to protect and enhance the He'eia wetlands, as part of the He'eia ahupua'a.

*HR 36, HD1 Requests the Hawaii Community Development Authority to work with the Department of Land and Natural Resources, cooperating partners, and the local community to protect and enhance the Kaneohe meadowland.

(HSCR 1032-04, SSCR 3477)

HCR 63

FELIX CONSENT DECREE, STATE'S EFFORTS TO COMPLY WITH. Resolves that the President of the Senate and the Speaker of the House of Representatives, from time to time, may refer to the Joint Senate-House Investigative Committee specific matters that are within the scope of the Committee's jurisdiction, and that the Committee shall work in cooperation with the President and Speaker for the purposes stated in this Concurrent Resolution.

Further resolves that the Committee submit its written findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1422-04, SSCR 3479)

HCR 73

POAMOHO CAMP, OAHU, ALLOWING RESIDENTS TO CONTINUE TO RESIDE AT. See SCR 99.

(HSCR 1375-04, SSCR 3478)

HCR 77, HD2

SICK LEAVE, USE FOR FAMILY LEAVE PURPOSES. Urges the Department of Labor and Industrial Relations to enforce the provisions of Act 44, Session Laws of Hawaii 2003, in accordance with the Legislature's intent.

Requests the Director of Labor and Industrial Relations to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005 that shall include, but

not be limited to:

- (1) A status report on the adoption of rules confirming that the Department's interpretation of "accrued and available sick leave" is consistent with legislative intent as stated in this Concurrent Resolution and that such rules define "accrued and available sick leave" to mean that accrued sick leave days in excess of the minimum required for a self-insured temporary disability insurance plan shall be available for paid family leave pursuant to chapter 398, Hawaii Revised Statutes;
- (2) The number of employers who are self-insured for temporary disability insurance who denied the use of sick leave for family leave purposes during fiscal years 2003-2004 and 2004-2005, as indicated by complaints lodged with the Department, or audits and investigations performed by the Department.
- (3) The number of employees covered by an employer's self-insured temporary disability insurance plan who have been denied the use of sick leave for family leave purposes during fiscal years 2003-2004 and 2004-2005, as indicated by complaints lodged with the Department by unions or individuals, or audits and investigations performed by the Department.

(HSCR 1079-04, 1487-04, SSCR 3522)

HCR 83, SD1
HR 56 *

OPEN SOURCE SOFTWARE IN STATE GOVERNMENT OPERATIONS, USE OF. Requests the Department of Accounting and General Services to provide a status report on the current use of open source software applications within state government and to adopt a state policy on the use of open source software applications within government agencies.

Resolves that the Department submit a report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

*HR 56 Requests the Department to adopt a state policy supporting the use of open source software applications.

(HSCR 1431-04, SSCR 3494)

HCR 84

UNIVERSITY OF HAWAII SCHOOL OF GLOBAL AND PUBLIC HEALTH, REBUILDING OF. See SCR 92, SD1.

(HSCR 1362-04, SSCR 3480)

HCR 90, HD1

MONEY TRANSMITTERS, REGULATION OF. Requests the Auditor to perform a sunrise review of the regulation of money transmitters.

Further requests the Auditor, in addition to any areas required by statute, to address the following:

- (1) The impact of regulation on the money transmitting businesses;
- (2) The impact of regulation on those sending money and the recipients of these funds;

- (3) The impact of regulation on the criminal justice system;
- (4) An assessment of the Uniform Money Services Act and of its effect, if it is adopted in Hawaii;
- (5) An assessment of House Bill No. 2428 and its effect, if it is adopted in Hawaii; and
- (6) Federal laws related to money transmitters and the issue of federal preemption.

Further requests the State Auditor to report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1094-04, 1442-04, SSCR 3468)

**HCR 103, HD1
HR 70, HD1**

FEDERAL INDEPENDENCE PLUS INITIATIVE FOR INDIVIDUALS WITH DISABILITIES REQUIRING LONG-TERM CARE, BENEFITS OF PARTICIPATING IN. Requests the Department of Health and the Department of Human Services to examine the federal Independence Plus Initiative to determine whether individuals with disabilities in the State can benefit from that initiative through the acquisition of federal waivers for flexible home- and community-based services for those individuals requiring long-term care.

Further requests the Director of Health and Director of Human Services to submit a report to the Governor and the Legislature no later than twenty days prior to the convening of the Regular Session of 2005, recommending whether the Departments should participate in the federal Independence Plus Initiative through application for waivers, including details of the waiver or waivers sought, together with descriptions of services to be provided and how the waivers will operate.

Further requests the Directors to submit any proposed legislation, if necessary to proceed with any application for waivers, to the Legislature for consideration of passage during the Regular Session of 2005.

Further requests the Directors to keep the Governor and the Legislature appropriately apprised of progress concerning the application for any waivers sought.

(HSCR 1066-04, 1446-04, SSCR 3471)

HCR 112, HD1

INDUSTRY CLUSTERS, IDENTIFICATION AND DEVELOPMENT OF. See SR 31.

(HSCR 1099-04, SSCR 3523)

**HCR 117
HR 79**

PERKINS, CARL D., VOCATIONAL AND TECHNICAL EDUCATION ACT, SUPPORT OF. Requests that Congress support full funding for the Carl D. Perkins Vocational and Technical Education Act.

(HSCR 1421-04, SSCR 3517)

HCR 118, HD1

ENVIRONMENTAL PROTECTION, MONITORING PROGRAM TO EMPHASIZE. Requests the Legislative Reference Bureau to study the feasibility of establishing a suitable monitoring program that emphasizes environmental protection.

Resolves that the study should include the following:

- (1) The placement of the monitoring program within the Department of Land and Natural Resources, and its relationship to the Department of Health, the Office of Planning within the Department of Business, Economic Development, and Tourism, and the counties, in areas such as sharing of water quality data;
- (2) The need to enact legislation that would provide the monitoring program with enforcement powers to take action against violators; and
- (3) Possible sources to fund the monitoring program, such as an aquaculture development special fund, the real estate conveyance tax, or impact fees generated from activities that pollute Hawaii's ocean.

Further resolves that the Bureau consult with appropriate local and state agencies, scientists and experts, environmental organizations who in turn are requested to cooperate with and assist the Bureau to the extent of their ability.

Further resolves that the Bureau submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1343-04, 1450-04, SSCR 3483)

HCR 123, HD1 HR 83, HD1

RENTAL PROPERTIES OF THE CITY AND COUNTY OF HONOLULU, OAHU, ASSISTING PRIVATE DEVELOPERS IN PURCHASING. Requests the Housing and Community Development Corporation of Hawaii to make financing tools available to assist private developers in purchasing the rental properties.

Encourages the Corporation to give priority in financial assistance to nonprofit, low-income housing developers before for-profit developers.

(HSCR 1098-04, SSCR 3469)

HCR 138, HD1, SD1

MAMMOGRAPHY, REIMBURSEMENT FOR. Resolves that the Department of Health and the Insurance Commissioner review reimbursement levels of providers for all mammography studies and follow up diagnostic testing designed to identify breast-related cancers in order to ascertain the appropriateness of those reimbursement levels.

Requests the Director of Health to investigate the current reimbursement levels for screening and diagnostic mammography and related diagnostic studies, in order to take whatever steps are deemed necessary by the Director to assure adequate access by patients to those studies.

(HSCR 1058-04, SSCR 3474)

HCR 141

FETAL ALCOHOL SPECTRUM DISORDER, STATEWIDE EFFORT ADDRESSING. See SR 36, SD1.

(HSCR 1051-04, 1444-04, SSCR 3462)

HCR 149 HR 106

YELLOWSTONE BUFFALO PRESERVATION ACT, SUPPORT OF. Urges Hawaii's Congressional Delegation to help prevent the inhumane treatment of the Yellowstone buffalo and support passage of the Yellowstone Buffalo Preservation Act, H.R. 3446.

(HSCR 1109-04, SSCR 3520)

HCR 152, HD2

MEDICAL MARIJUANA, STUDY OF. Recognizes the difficulty that patients have in acquiring marijuana for medicinal purposes and requests the Legislative Reference Bureau, with the assistance of the Department of Public Safety, to conduct a study based on information available from other states.

Resolves that the study identify the following:

- (1) Methods by which registered users may access, cultivate, distribute, or purchase marijuana plants or products for medicinal purposes;
- (2) Processes or procedures by which state and local agencies have made distinctions between medical (legal) marijuana and recreational (illegal) marijuana; and
- (3) Experience of states in obtaining access to marijuana supplied by the federal government for therapeutic research.

(HSCR 1095-04, 1490-04, SSCR 3472)

HCR 153, HD1

CENTER FOR THE ADVANCEMENT OF GLOBAL HEALTH, WELFARE, EDUCATION, AND PEACE BY AND FOR CHILDREN, YOUTH, AND FAMILIES, ESTABLISHMENT OF. Requests the United Nations (UN) to consider establishing in Hawaii a Center for the Advancement of Global Health, Welfare, Education, and Peace By and For Children, Youth, and Families (Center).

Urges the President of the United States and members of the United States Congress to support the establishment of such a Center.

Further requests the Matsunaga Peace Institute, the United Nations Association in Hawaii, the House Committee on International Affairs, and the Keiki Caucus of the Hawaii State Legislature to convene an Exploratory Task Force to develop such a proposal for consideration by the UN.

Resolves that assistance be sought from foundations and other nongovernmental organizations who might assist in funding the Center.

Further urges the World Youth Congress, which will be holding its third meeting in Glasgow, Scotland, in August 2005, to establish a Center dedicated to UN Secretary General Kofi Annan.

(HSCR 1371-04, SSCR 3485)

HCR 154

FAMILY CAREGIVERS, DATA ON. Requests the Executive Office on Aging to provide data on Hawaii's family caregivers and the older adults to whom they provide assistance.

Further requests that the data provided by the Office include, but not be limited to, the demographics, needs, and financial costs of Hawaii's family caregivers.

Further requests the Executive Director of the Office to submit the data and related findings and recommendations to the Legislature, including any necessary proposed legislation, at least twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1070-04, SSCR 3473)

HCR 156, HD1

MENTAL HEALTH TREATMENT TO PERSONS COMMITTED TO STATE-OPERATED OR - CONTRACTED FACILITIES, EVALUATION OF. Requests the Department of Health (DOH) to convene a working group to evaluate alternatives and make recommendations to streamline and expedite the length of time it takes to obtain an order to treat defendants committed under chapter 334 or 704, Hawaii Revised Statutes (HRS).

Resolves that the working group consider how the order to treat could accompany patients when they are committed to any state-operated or -contracted facility under chapter 334 or 704, HRS.

Further resolves that the working group comprise but not be limited to representatives from:

- (1) DOH, including staff from the Hawaii State Hospital;
- (2) The Department of the Attorney General;
- (3) The Judiciary;
- (4) The Hawaii Mental Health Association;
- (5) The Hawaii Psychiatric Medical Association;
- (6) The Hawaii Disability Rights Center;
- (7) The National Association of the Mentally Ill Oahu;
- (8) The Hawaii Government Employees Association; and
- (9) Qualified mental health consumer advocates.

Further requests that the working group, through DOH, report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1425-04, SSCR 3490)

HCR 161 HR 110

HALEIWA TOWN, OAHU, DECLARING AS THE SURFING CAPITAL OF THE WORLD. Requests the Governor to recognize and declare Haleiwa Town as the Surfing Capital of the World.

(HSCR 1074-04, SSCR 3518)

HCR 165, SD1

ISLAND BURIAL COUNCILS, INVESTIGATION OF ADMINISTRATIVE PRACTICES FOR APPOINTMENTS TO. See SR 80, SD1.

(HSCR 1427-04, SSCR 3491)

HCR 171

VANPOOL PROGRAM, FEASIBILITY OF TRANSFERRING TO THE COUNTIES. Requests the Department of Transportation to determine the advisability and feasibility of transferring the responsibility for operating the vanpool programs to the counties.

Requests the departments in each county that oversee public transportation or general transportation matters to cooperate with and assist the Department of Transportation in this review.

(HSCR 1411-04, SSCR 3499)

**HCR 179
HR 123**

KAWAIHAE HARBOR, HAWAII, PROVIDING ACCESS TO THE SMALL BOAT HARBOR AND BEACH AREA. Requests the Department of Transportation to study the feasibility of developing an access road on the southern end of Kawaihae Harbor to provide access to boating facilities and beachfronts in the area.

Resolves that the Department also study the feasibility of erecting a fence to separate the commercial side of Kawaihae Harbor from recreational and public activities and making any other improvements as necessary.

Further resolves that in conducting this study, the Department work with the local community to determine the best location for erecting the fence.

Further resolves that the Department submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005, that contains cost estimates for:

- (1) Surveying the southern end of Kawaihae Harbor;
- (2) Erecting a fence to separate the commercial side of Kawaihae Harbor from recreational and public activities;
- (3) Developing and constructing a public access road on the southern end of Kawaihae Harbor; and
- (4) Making any other necessary improvements to facilitate these projects.

(HSCR 1406-04, SSCR 3521)

**HCR 181
HR 125**

HAWAIIAN CULTURAL CONSULTANTS AND MONITORS, REQUIRING CONSTRUCTION PROJECTS TO HAVE. Requests the State Historic Preservation Division to study the feasibility of requiring construction projects to have cultural consultants and monitors. Resolves that the cultural consultants and monitors:

- (1) Be lineal descendants, if at all possible;
- (2) If no lineal descendants can be identified, be Hawaiian elders; and
- (3) Watch over a culturally sensitive area, provide guidance regarding the construction project, and serve as intermediaries with the community.

Further resolves that the Division:

- (1) Research a fee structure to pay such cultural consultants and monitors; and
- (2) Report its findings to the Legislature about:
 - (A) The feasibility of requiring construction projects to have cultural consultants and monitors; and
 - (B) A fee structure

no later than twenty days prior to the Regular Session of 2005.

(HSCR 1382-04, SSCR 3492)

HCR 195

LABOR UNIONS, SUPPORT OF THE EMPLOYEE FREE CHOICE ACT. See SR 77.

(HSCR 1100-04, SSCR 3524)

HCR 199

HAIKU STAIRS, OAHU, CEASING THE ISSUANCE OF EASEMENTS TO ACCESS. Requests the Department of Hawaiian Home Lands, Department of Transportation, Department of Land and Natural Resources, and Office of Hawaiian Affairs to not issue any easements to the City and County of Honolulu for access to Haiku Valley and the "Haiku Stairs" until such time that all required permitting, necessary approvals, and conditional agreements are identified by the respective agencies and adhered to by the City including but not limited to an indemnification agreement, a memorandum of agreement to share the cost of maintaining the H-3 access road, requirements for preservation of cultural and burial sites, and a change in the Conservation District Use Permit for the H-3 access road which is presently limited to maintenance and without provision for recreational use which must be approved by the Board of Land and Natural Resources.

Urges the Department of Hawaiian Home Lands to honor the requirements requested by its sister agencies before finalizing any agreements with the City.

Further urges the Director of Hawaiian Home Lands, Director of Transportation, Director of Land and Natural Resources, Director of the Office of Hawaiian Affairs, Chairperson of the Hawaiian Homes Commission, Chairperson of the Board of Land and Natural Resources, and Chairperson of the Board of Trustees of the Office of Hawaiian Affairs to submit a report of their findings, recommendations, and actions taken to the Legislature no later than December 31, 2004.

(HSCR 1344-04, 1492-04, SSCR 3519)

**HCR 202
HR 141**

REPUBLIC OF KOREA, EXPANDING VISA PROCESSING CAPACITY AND INCLUSION IN THE VISA WAIVER PROGRAM. Urges the members of Hawaii's Congressional Delegation to introduce federal legislation to provide additional resources to expand visa processing capacity in the Consular Section of the United States Embassy in Seoul in the Republic of Korea, and to include the Republic of Korea in the Visa Waiver Program.

(HSCR 1398-04, SSCR 3486)

**HCR 203
HR 142**

OCCUPATIONAL, PHYSICAL, AND SPEECH THERAPISTS WITHIN THE DEPARTMENT OF EDUCATION, PARITY BETWEEN. Requests the Department of Education and the Department of Human Resources Development to study and implement parity between occupational therapists, physical therapists, and speech therapists working within the Department of Education.

Resolves that the study include a review and analysis of the following:

- (1) Updating job descriptions relevant to the new roles of occupational therapists and physical therapists as staff specialists, since they transitioned from the Department of Health to the Department of Education in 2001, including review and input from present occupational therapists and physical therapists in the Department of Education;
- (2) A classification study specific to occupational therapists and physical therapists within the Department of Education, looking to bring their class specialization from SR20 to SR22, by utilizing the same "distinguishing characteristics" contained in the speech therapists IV description, specifically, Type II, which involves providing services under a non-technical supervisor;
- (3) Inclusion of similar shortage differentials including geographic differentials; and
- (4) Amending the memorandum of understanding entered into between the Department of Education and the Hawaii Government Employees Association, American Federation of State, County and Municipal Employees, Local 152, AFL-CIO, on August 30, 1989 to include occupational therapists and physical therapists.

Further requests the Departments to report their findings and recommendations, including proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1433-04, SSCR 3501)

**HCR 211
HR 148**

SUBSTANCE ABUSE TREATMENT PROGRAM FACILITIES, ESTABLISHMENT OF. Requests the Department of Accounting and General Services (DAGS) to conduct a search for a surplus of

state property which could be leased to substance abuse treatment programs for the establishment of facilities to assist in the treatment of recovering addicts.

Further requests the Department of Health (DOH) and Department of Human Services (DHS) to work in conjunction with DAGS to look for federal funding and grant monies to assist in the development of these housing facilities for the treatment programs.

Resolves that DAGS, along with DOH and DHS, report their findings, including any recommended legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1435-04, SSCR 3464)

**HCR 214
HR 151**

HOME OWNERSHIP OPTIONS, EXPLORATION OF. Requests the Housing and Community Development Corporation to explore home ownership options and study the feasibility of implementing a housing demonstration project at Hauiki Homes and other state-owned and operated housing projects.

Further requests the Corporation to report its findings, conclusions, and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1353-04, SSCR 3470)

**HCR 238
HR 172**

ONLINE "FIXIT" SYSTEM ON THE STATE WEBSITE, IMPLEMENTATION OF. Requests the Governor to implement an online "fixIt" system similar to that of the City and County of Honolulu.

(HSCR 1437-04, SSCR 3493)

HCR 245, HD1, SD1

SHIPPING MATERIALS, BACKHAULING TO REDUCE THE VOLUME OF. See SR 97, SD1.

(HSCR 1360-04, SSCR 3475)

HCR 250

FILIPINO VETERANS OF WORLD WAR II, IMPROVING BENEFITS FOR. See SCR 203.

(HSCR 1347-04, SSCR 3497)

**HCR 255, HD1
HR 183, HD1**

HEEIA, KEAAHALA/KEOLAA, KAWA, AND KANEOHE STREAMS, OAHU, EROSION OF. Requests the Department of Land and Natural Resources and the City & County of Honolulu to:

- (1) Assist homeowners to prevent further erosion along Heeia, Keaahala/Keolaa, Kawa, and Kaneohe streams on Oahu; and
- (2) Identify relevant sources of federal and state funding to repair and renovate the banks of such streams to prevent further erosion.

Further requests the Department to seek the assistance of the Army Corps of Engineers in its efforts.

(HSCR 1388-04, SSCR 3466)

HCR 258

FILIPINO VETERANS OF WORLD WAR II, IMPROVING BENEFITS FOR. See SCR 203.

(HSCR 1349-04, SSCR 3500)

HCR 260 HR 187

AGRIBUSINESS INCUBATOR IN WAIALUA, OAHU, DEVELOPMENT OF. Requests the College of Tropical Agriculture and Human Resources of the University of Hawaii to develop and manage an agribusiness incubator in the Waialua District to further the development of agribusiness in Hawaii.

(HSCR 1165-04, 1467-04, SSCR 3467)

HCR 261, HD1, SD1 HR 188, HD1 *

CRIMINAL PENALTIES DESCRIBED AS MISDEMEANORS OR PETTY MISDEMEANORS, DECRIMINALIZATION OF. Requests the Legislative Reference Bureau to identify, review, and analyze, to the extent possible, all statutes (other than the Hawaii Penal Code) and state rules that:

- (1) Establish criminal offenses described as misdemeanors or petty misdemeanors but that are punishable only by fines; or
- (2) Establish criminal penalties of imprisonment or fines in excess of \$1,000, or both, for conduct that, in a common sense, plain meaning application of the provision, is non-serious.

Further requests the Bureau to recommend changes to the penalties imposed by the identified statutes and state rules that would make the penalties more consistent with the penalties imposed for decriminalized traffic infractions.

Further requests the Bureau to submit its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

Resolves that each county is urged to identify, review, and change all county ordinances and rules that:

- (1) Establish criminal offenses described as misdemeanors or petty misdemeanors but that are punishable only by fines; or
- (2) Establish criminal penalties of imprisonment or fines in excess of \$1,000, or both, for conduct that, in a common sense, plain meaning application of the provision, is non-serious.

Requests each county to make the necessary changes to the penalties imposed by the identified county ordinances and rules that would make the penalties more consistent with the penalties imposed for decriminalized traffic infractions.

Further requests the Judiciary, the Department of the Attorney General, state departments and agencies that have adopted rules establishing violations that are punishable as criminal offenses, the various county prosecutors, the various county police departments, and the Office of the Public Defender to cooperate with the Bureau for the purposes of this study, including, but not limited to, providing copies in paper and electronic form of all statutes, rules, ordinances, bail forfeiture schedules, and other relevant source material pertaining to criminal prohibitions and penalties.

*HR 188, HD1 Requests the Bureau to identify, review, and analyze ordinances and recommend changes to county ordinances and does not urge each county to identify, review, and change county ordinances and rules. Further requests county departments and county councils to cooperate with the Bureau.

(HSCR 1308-04, 1457-04, SSCR 3487)

**HCR 265, HD1
HR 190, HD1**

GENDER RESPONSIVE ENVIRONMENTS AT THE WOMEN'S COMMUNITY CORRECTIONAL CENTER AND AT THE HAWAII YOUTH CORRECTIONAL FACILITY, DEVELOPMENT OF. Requests the Department of Public Safety and the Office of Youth Services to develop and submit to the Legislature no later than 20 days prior to the convening of the Regular Session of 2005, a plan for creating a gender responsive environment at the Women's Community Correctional Center and at the Hawaii Youth Correctional Facility.

Resolves that policies, practices, and programs address substance abuse, trauma, and mental health and be culturally relevant.

Further requests these agencies to submit a brief descriptive outline of the plan for gender responsive programming at each facility, including but not limited to:

- (1) Substance abuse treatment;
- (2) Parenting;
- (3) Anger management;
- (4) Educational opportunities;
- (5) Marketable job skill development;
- (6) Job training; and
- (7) An ongoing training program for staff to foster a gender-sensitive environment for women and girls.

Further resolves that the gender responsive programming plan include a timeline for implementation of these programs, as well as how access and eligibility is determined, the criteria for graduating and advancing to the next level, and the maximum number of women and girls who can participate in each program.

Further resolves that the training program for staff and correctional officers be articulated to include new hires as well as ongoing training for existing staff and to include the latest research in gender responsiveness.

(HSCR 1355-04, SSCR 3488)

**HCR 267, HD1
HR 192, HD1**

INTERNET SEX OFFENDER REGISTRY, RESTORING PUBLIC ACCESS TO. Requests the Attorney General, with the full cooperation of the county prosecutors, to commence immediate efforts to revive the internet sex offender registry through the procedures currently available under Hawaii's Megan's Law, and report to the Legislature on the progress of those efforts; specifically, to report on the following:

- (1) The criteria used to decide which offenders to pursue first for hearings under this law, including such factors as the age of the conviction, the types of underlying facts favorable to a finding of dangerousness, whether the offenders were currently on probation or parole, the level of the offense, and the severity of the underlying crime;
- (2) The resources dedicated to pursuing hearings under this law, including number and type of personnel assigned to this task, and the hours allocated to immediately commence this important task;
- (3) A chronology of the steps taken by the Attorney General's office and the offices of the county prosecutor to use the hearing procedure under this law to revive the internet sex offender registry; and
- (4) The results of these efforts, including the dates that hearings were commenced and completed, and the dates that sex offender registration information was or will be once again made available to the public on the internet sex offender registry.

Further requests the Attorney General to submit the resulting findings to the Legislature in a preliminary report on September 30, 2004, and in a final report twenty days prior to the convening of the Regular Session of 2005.

Resolves that the report categorize the offenses of individuals who are registered under Hawaii's Megan's Law, the number of individuals in each category of offense, a breakdown by counties and the extent to which hearings have been brought, and adjudicated to completion.

Further requests the Office of the Attorney General to inform the Legislature, before any hearings are commenced but not later than Thursday, May 27, 2004, of its position regarding whether and to what extent the hearing process under Hawaii's Megan's Law requires the participation of a public defender.

Further requests the Attorney General, Adult Client Services, and Hawaii Paroling Authority to work in close consultation to expeditiously identify high priority candidates for the internet sex offender registry so the Attorney General can move quickly to have these offenders placed on a public internet sex offender registry.

Further requests the county prosecutors to cooperate fully with the Attorney General in efforts to effectuate the request being made in this Resolution.

Further requests the Judiciary to keep statistics on any hearings requested under Hawaii's Megan's Law.

(HSCR 1484-04, SSCR 3489)

HR 2, HD1

PUBLIC GUARDIAN, OFFICE OF THE, REEVALUATING THE PLACEMENT OF. Requests the Judiciary to convene a Task Force to examine current situations, practices, and laws relating to public guardians, for the purpose of reevaluating the appropriate placement of the Office of the Public Guardian.

Resolves that the Task Force include the supervisor of the Office who shall serve as the temporary chairperson for organizational purposes until the Task Force is organized.

Further resolves that the Task Force be permanently chaired by a neutral party not attached to any of the organizations represented in the Task Force.

Further resolves that the Task Force be comprised of the director or administrator, or their designee from the following organizations:

- (1) Department of Human Services;
- (2) Department of Health;
- (3) Department of the Attorney General, Family Law Division;
- (4) The Judiciary;
- (5) The Attorney General;
- (6) The Public Defender;
- (7) University of Hawaii's School of Law Elder Law Program;
- (8) Hawaii Disability Rights Center;
- (9) Legal Aid Society of Hawaii;
- (10) Volunteer Legal Services Hawaii;
- (11) Hawaii Association for Retarded Citizens;
- (12) Mental Health Association of Hawaii;
- (13) Healthcare Association of Hawaii;
- (14) American Association of Retired Persons, Hawaii; and
- (15) Department of Health, State Council on Developmental Disabilities.

Further requests the Task Force to prepare appropriate legislation and submit its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 868-04, 1481-04)

HR 8, HD1

LEE, JAE KWON AND JONATHAN COWLES, SUPPORTING THEIR JOURNEY TO NORTH KOREA. See SCR 30, HD1

(HSCR 871-04)

HR 28, HD1

NATIVE TREE FARMS, ESTABLISHMENT OF. Requests the Department of Land and Natural Resources to promote the recovery of native plant species by encouraging the establishment of native tree farms on public lands and lands not designated as important agricultural lands.

(HSCR 1383-04)

HR 32, HD1

PRECAUTIONARY PRINCIPLE APPROACH TO DECISION-MAKING, EFFECTIVENESS OF. See SR 86.

(HSCR 1341-04, 1428-04)

HR 36, HD1

KANEOHE MEADOWLAND (HE'EIA WETLANDS), OAHU, PROTECTION AND ENHANCEMENT OF. See HCR 54, HD1, SD1

(HSCR 1031-04)

HR 42

NO CHILD LEFT BEHIND ACT, WAIVERS FROM AND FUNDING FOR. Requests Congress to amend the No Child Left Behind Act of 2001 to include waivers to help states meet the requirements of this law. Specifically, this body requests a waiver from deeming a school as failing based solely on participation rates.

Resolves that the State requests the President and Congress to provide the State with sufficient funding necessary to meet the mandate to leave no child behind.

(HSCR 1416-04)

HR 47

PRESCRIPTION DRUGS, IMPORTING OF. See SCR 27.

(HSCR 1104-04)

HR 48

TOURISM, STATEWIDE CONFERENCE ON. Urges the Hawaii Tourism Authority to hold a statewide conference on tourism in 2004 and present its findings and recommendations to the Legislature twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1027-04)

HR 49, HD1

PEOPLE'S REPUBLIC OF CHINA, VISAS FOR THE CITIZENS OF. See SR 67, SD1.

(HSCR 1372-04)

HR 50

POAMOHO CAMP, OAHU, ALLOWING RESIDENTS TO CONTINUE TO RESIDE AT. See SCR 99.

(HSCR 1374-04)

HR 54, HD1

MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003, REPEAL OR REFORM OF. Requests Hawaii's Congressional Delegation to promote the repeal of the Medicare Prescription Drug and Modernization Act of 2003 and work to enact legislation that will ensure universal access to a single-payer uniform health insurance program with subsidies for needy seniors and establish a prescription drug plan as part of the traditional Medicare program designed to lower the cost of prescription drugs for everyone through bulk purchasing.

Further requests, in the alternative, the Delegation to promote reform of the Act to address the groups of individuals that:

- (1) Will not qualify for prescription drug coverage, but are still required to pay monthly premiums; and
- (2) Will not qualify for low-income protection because of the restricted assets test.

(HSCR 1376-04)

HR 56

OPEN SOURCE SOFTWARE IN STATE GOVERNMENT OPERATIONS, USE OF. See HCR 83, SD1.

(HSCR 1430-04)

HR 57

UNIVERSITY OF HAWAII SCHOOL OF GLOBAL AND PUBLIC HEALTH, REBUILDING OF. See SCR 92, SD1.

(HSCR 1361-04)

HR 58, HD1

GAY, LESBIAN, BISEXUAL, AND TRANSGENDER STUDENTS, DEMOGRAPHICS AND NEEDS OF. Requests the Department of Education and other departments as applicable, with the help of the Hawaii Safe Schools Coalition and other relevant community groups, to study the demographics and needs of gay, lesbian, bisexual, and transgender youth in Hawaii's public schools.

Further requests the Department to report findings and recommendations based on its review of the implementation and effectiveness of the Department's administrative rules prohibiting harassment based on a student's sexual orientation, as well as findings and recommendations

based on its study of the needs and demographics of the gay, lesbian, bisexual, and transgender youth community, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1423-04)

HR 59, HD1

ECOTOURISM, DEVELOPMENT OF STANDARDS AND OPERATING GUIDELINES FOR. Requests the Governor to establish a Task Force to research and collect input from local tour operators, the local community, environmentalists, and the Hawaiian community relative to creating a clear comprehensive definition of "ecotourism" and develop standards and operating guidelines for implementation of an ecotourism program.

Further requests the Governor to include in the composition of the Task Force representatives from:

- (1) The Department of Business, Economic Development, and Tourism;
- (2) Hawaii Tourism Authority;
- (3) The Department of Land and Natural Resources;
- (4) The Office of Hawaiian Affairs;
- (5) The School of Travel Industry Management of the University of Hawaii;
- (6) The Hawaii Ecotourism Association;
- (7) Other environmental groups;
- (8) Local tour operators; and
- (9) The local community.

Requests the Governor to submit the findings and recommendations of the Task Force to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1399-04)

HR 63

MILITARY IMPACTED SCHOOLS, ADDRESSING PROBLEMS FACED BY. See SR 47.

(HSCR 1418-04)

HR 64, HD1

KEEHI LAGOON RECREATIONAL PLAN, OAHU, REVIEW OF. Requests the Board of Land and Natural Resources to meet with all stakeholders and registered users of Keehi Lagoon, including the Office of Hawaiian Affairs and canoe paddling clubs, to review and update the Keehi Lagoon Recreation Plan, and, in particular, to discuss the feasibility and means by which unutilized and underutilized areas of Keehi Lagoon may be used productively.

Further requests the Board to explore the leasing of unutilized fast and submerged lands, excluding those areas within the State's Keehi Small Boat Harbor or those currently used by canoe paddlers, for private development of boating and ocean recreational facilities.

Resolves that the Board not use this Resolution to satisfy the requirements of obtaining legislative approval for the leasing of submerged lands and lands beneath tidal waters under the terms, conditions, and restrictions provided in section 171-53 (c), Hawaii Revised Statutes.

Further requests the Governor to consider transferring lands in or around Keehi Lagoon from the Department of Transportation to the Department of Land and Natural Resources should any of those fast and submerged lands be identified as land suitable for the development of small boat and ocean recreational facilities.

Further requests the Board to report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1110-04)

HR 67

HAWAII BUSINESSES' PROCUREMENT OPPORTUNITIES WITH THE FEDERAL GOVERNMENT AND OTHER STATE GOVERNMENTS AND TERRITORIES, ASSISTING. Requests the Department of Business, Economic Development, and Tourism to develop further expertise within the Department to assist Hawaii businesses with procurement opportunities with the federal government and other state governments and territories.

(HSCR 1083-04)

HR 68

LEEWARD BIKE PATH AND PEARL HARBOR HISTORIC TRAIL, OAHU, DESIGN FOR. Requests the Department of Transportation to submit a report on the design for the Leeward Bikeway as a shared use path from Waipahu to Nanakuli and linking with the City's existing Pearl Harbor Bike Path, including a timeline and plan for implementing the design to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

Urges the City and County of Honolulu to make enhancements that can be made to the right-of-way and establish goals and objectives to implement projects related to the trail.

(HSCR 1403-04)

HR 69, HD1

TAX INCENTIVES UNDER TITLE 14, HAWAII REVISED STATUTES, REVIEW OF. Requests the Department of Taxation (DOT) to compile data on all current tax incentives provided under title 14, Hawaii Revised Statutes, that benefit a specific person, group, or organization and does not apply to the general public.

Further requests DOT to provide the data to the Department of Business, Economic Development, and Tourism (DBEDT), which is requested to conduct a review and cost benefit analysis pursuant to this Resolution of all current tax incentives, with the assistance of DOT, Enterprise Honolulu, and the University of Hawaii Economic Research Organization.

Further requests DBEDT to include in the review and cost benefit analysis a detailed justification for each of these tax incentives.

Further requests DBEDT to report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1067-04, 1469-04)

HR 70, HD1

FEDERAL INDEPENDENCE PLUS INITIATIVE FOR INDIVIDUALS WITH DISABILITIES REQUIRING LONG-TERM CARE, BENEFITS OF PARTICIPATING IN. See HCR 103, HD1.

(HSCR 1065-04, 1445-04)

HR 77, HD1

HYDROGEN ECONOMY, INTERNATIONAL PARTNERSHIP FOR PROMOTING. See SCR 175, SD1.

(HSCR 1401-04)

HR 79

PERKINS, CARL D., VOCATIONAL AND TECHNICAL EDUCATION ACT, SUPPORT OF. See HCR 117.

(HSCR 1420-04)

HR 81

WORLD EXPOSITION, AICHI, JAPAN, PARTICIPATION IN. Requests the Hawaii Tourism Authority to participate in the 2005 World Exposition in Aichi, Japan, with a promotional exhibit on tourism.

(HSCR 1071-04)

HR 83, HD1

RENTAL PROPERTIES OF THE CITY AND COUNTY OF HONOLULU, OAHU, ASSISTING PRIVATE DEVELOPERS IN PURCHASING. See HCR 123, HD1.

(HSCR 1097-04)

HR 84, HD1

WASTE TREATMENT IN HONOKAA, HAWAII, JOINT IMPLEMENTATION PLAN FOR. Requests the Department of Health and County of Hawaii, in collaboration with other state agencies, county departments, and interested and affected residents of Honokaa, to develop a joint implementation plan for waste treatment in Honokaa and examine the feasibility of utilizing the excess capacity of Hawaii Health Systems Corporation.

Further requests the Department and County to report their findings, conclusions, and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1152-04, 1447-04)

HR 88

HAMILTON, DUNCAN, REQUEST FOR EXTENSION OF HIS E-2 NON-IMMIGRANT TREATY INVESTOR STATUS. Requests the Director of the California Service Center for the Bureau of United States Citizenship and Immigration Services to reopen Duncan Hamilton's request (WAC-03-255-54028) for the extension of his E-2 non-immigrant treaty investor status and those of his two daughters, and approve his extension request.

(HSCR 1479-04)

HR 91

FAMILY CAREGIVERS, SUPPORT OF. See SCR 75.

(HSCR 1345-04)

HR 95, HD1

MAMMOGRAPHY, REIMBURSEMENT FOR. Requests the Department of Health (DOH), Hawaii Medical Association (HMA), and American Cancer Society (ACS) to support reimbursement for mammography at levels that allow health care providers to recover costs and acquire current generation imaging equipment, such as computer aided diagnosis and digital mammography.

Further requests the DOH, HMA, and ACS to support the position that physicians should be allowed to provide women with access to technology that can save lives, including computer aided diagnosis, and additional imaging tests to screen women with a high risk of breast cancer.

(HSCR 1057-04)

HR 98

FETAL ALCOHOL SPECTRUM DISORDER, STATEWIDE EFFORT ADDRESSING. See SR 36, SD1.

(HSCR 1050-04, 1443-04)

HR 103, HD1

PHILIPPINES AND HAWAII, TRAVEL BARRIERS BETWEEN. Requests the Hawaii Tourism Authority to work directly with any and all federal, state, and county agencies, including the United

States Citizenship and Immigration Services, Department of Business, Economic Development, and Tourism, and the Filipino Centennial Celebration Commission to:

- (1) Coordinate its efforts to help reduce travel barriers between the Philippines and Hawaii; and
- (2) Coordinate the development of sports, culture, health and wellness, technology, agriculture, and nature tourism between Hawaii and the Philippines.

Further requests the Authority to develop a detailed strategic plan to carry out this task and to report its findings and recommended strategic plan, including specific deliverables and a timeline, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1044-04, 1452-04)

HR 106

YELLOWSTONE BUFFALO PRESERVATION ACT, SUPPORT OF. See HCR 149.

(HSCR 1108-04)

HR 110

HALEIWA TOWN, OAHU, DECLARING AS THE SURFING CAPITAL OF THE WORLD. See HCR 161.

(HSCR 1073-04)

HR 113

ISLAND BURIAL COUNCILS, INVESTIGATION OF ADMINISTRATIVE PRACTICES FOR APPOINTMENTS TO. See SR 80, SD1.

(HSCR 1426-04)

HR 114, HD1

NORTHWESTERN HAWAIIAN ISLANDS' WATERS, DESIGNATION AS A MARINE REFUGE. Urges the Department of Land and Natural Resources to designate the State waters in the Northwestern Hawaiian Islands as a marine refuge to provide long-term and lasting protections to the fragile ecosystems in that region.

Requests the Department to report its progress in designating these State waters, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1385-04)

HR 116, HD2

PACIFIC MISSILE RANGE FACILITY, KAUAI, EASEMENT FOR. Urges the Board of Land and Natural Resources to support the Navy's request for a restrictive easement for State lands adjacent to the inland perimeter of the Pacific Missile Range Facility and a long-term lease of approximately 270 acres of coral based State land deemed unsuitable for agriculture located between the main highway and the base at the Facility, which also contains the pumping and drainage systems.

(HSCR 1331-04, 1473-04)

HR 117, HD1

STATE CAPITOL, DESIGNATION AS SMOKE-FREE. See SCR 17, HD1.

(HSCR 1081-04 - notwithstanding)

HR 118, HD1

FILIPINO NATIONAL LONGLINE FISHERS, IMPACT OF PROHIBITING FROM ENTERING HAWAIIAN PORTS. Requests the United States Citizenship and Immigration Services and its Honolulu District Director to: consult with Filipino national longline fishers to assess the impact of the decision of the Immigration and Naturalization Service to prohibit Filipino national longline fishers with a C-1 visa from entering Hawaiian ports; to provide information concerning alternative nonimmigrant visas that might appropriately be applied for and granted; and to explore possible extension of visa provisions applicable to fishing vessels in Guam.

Further requests the Filipino Coalition for Solidarity, Inc. to serve as liaison in communications with the United States Citizenship and Immigration Services concerning this matter, which may include consultation with representative of the longline fishing industry and others with specialized knowledge of the working conditions of non-United States citizens employed in Hawaii's longline fishing industry.

(HSCR 1309-04, 1485-04)

HR 123

KAWAIHAE HARBOR, HAWAII, PROVIDING ACCESS TO THE SMALL BOAT HARBOR AND BEACH AREA. See HCR 179.

(HSCR 1405-04)

HR 125

HAWAIIAN CULTURAL CONSULTANTS AND MONITORS, REQUIRING CONSTRUCTION PROJECTS TO HAVE. See HCR 181.

(HSCR 1381-04)

HR 136, HD1

GALBRAITH ESTATE, OAHU, CONDEMNATION PROCEEDINGS ON REAL PROPERTY OWNED BY. Requests the Department of Land and Natural (sic) to initiate condemnation proceedings on real property owned by the Galbraith Estate in the areas of and surrounding Kukaniliko, the Village of Poamoho, and Lake Wilson.

(HSCR 1324-04, 1461-04)

HR 140, HD1

ROCK AND LAND SLIDES, TASK FORCE ON THE HAZARDS OF. Requests the Chairperson of the Board of Land and Natural Resources to establish a Task Force made up of representatives from the Department of Land and Natural Resources, Department of Transportation, Office of Planning, University of Hawaii College of Engineering, University of Hawaii Institute of Geophysics, and the respective county Planning Departments, along with practicing and consulting geologists, licensed soils and structural engineers, the Attorney General, major landowners of hillside property that are subject to rock and land slides, and other interested persons.

Further requests the Legislative Reference Bureau to provide assistance to the Task Force. Further requests the Task Force to consider, among others, the following issues:

- (1) Determining the most comprehensive and expeditious manner of identifying lands that are hazardous to human activities and occupation due to the potential for land and rock slides;
- (2) Establishing criteria for identifying or predicting other hazardous areas of potential land or rock slides;
- (3) Determining the effectiveness of buffer zones and the use of barriers, screening, and other measures to protect against and prevent future injury or damage from land and rock slides;
- (4) Proposing amendments to county zoning laws to establish buffer zones near identified hazardous lands and regulating the uses and activities allowed near or within hazardous lands;
- (5) Proposing amendments to county building codes and new building and construction standards for improvements and structures to be built in or near hazardous lands; and
- (6) Liability as a result of identifying previously known, now known, and necessary legislation to protect government.

Further requests the Chairperson to report the findings and recommendations of the Task Force, including proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1333-04, 1463-04)

HR 141

REPUBLIC OF KOREA, EXPANDING VISA PROCESSING CAPACITY AND INCLUSION IN THE VISA WAIVER PROGRAM. See HCR 202.

(HSCR 1397-04)

HR 142

OCCUPATIONAL, PHYSICAL, AND SPEECH THERAPISTS WITHIN THE DEPARTMENT OF EDUCATION, PARITY BETWEEN. See HCR 203.

(HSCR 1432-04)

HR 148

SUBSTANCE ABUSE TREATMENT PROGRAM FACILITIES, ESTABLISHMENT OF. See HCR 211.

(HSCR 1434-04)

HR 150, HD2

DRUG ENDANGERED CHILD PROTECTION PROGRAM, DEVELOPMENT OF. Requests the Department of Human Services to convene a Task Force to develop a drug endangered child protection program.

Resolves that the Department include representatives from the following agencies and organizations to participate on the Task Force:

- (1) The Department of Health;
- (2) The Department of Education;
- (3) The Office of the Public Defender;
- (4) Federal, state, and county law enforcement agencies;
- (5) The four county prosecuting attorney's offices;
- (6) Blueprint for Change and four other community organizations that focus on children or domestic violence issues;
- (7) Private sector child mental health providers certified by the American Society for Addictions Medicine;
- (8) Drug treatment experts, particularly those with experience in family drug use and expertise with drug using women;
- (9) Civil liberties experts; and
- (10) A member of a private defense bar.

Further resolves that the Task Force submit a comprehensive report on the development of this program to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1301-04, 1476-04)

HR 151

HOME OWNERSHIP OPTIONS, EXPLORATION OF. See HCR 214.

(HSCR 1352-04)

HR 154, HD1

STATE CONSERVATION DISTRICT PROGRAM, STUDY OF. Requests the Legislative Reference Bureau to:

- (1) Conduct a study of the State Conservation District program to best determine its future directions and responsibilities;
- (2) Evaluate the methods by which each county processes and exempts land that is governed by soil and water conservation districts from local grading ordinances and include this evaluation in its report to the Legislature; and
- (3) Include recommended statutory or regulatory changes that should be made to ensure appropriate regulatory oversight in its report to the Legislature.

Resolves that the study also include recommendations on how best to integrate the differing resource conservation initiatives being conducted by state and federal government entities involved in water quality, environmental resources, and agriculture.

Further resolves that recommendations be made regarding structural improvements, funding, meaningful penalties, and other mechanisms to strengthen the State's efforts toward resource conservation for the future.

Further resolves that a report be submitted to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1322-04, 1454-04)

HR 157, HD1

LAND EXCHANGE WITH MAUI LAND & PINEAPPLE COMPANY, RESTRICTIONS FOR. See SCR 9, SD1.

(HSCR 1378-04)

HR 160

SEA TURTLE DAY IN HAWAII, DECLARATION OF. Requests the Governor of the State of Hawaii to declare May 23, 2004, as "Sea Turtle Day" in Hawaii.

(HSCR 1390-04)

HR 161, HD1

TRAFFIC SIGNALS, STUDY TO MODIFY. Requests the Department of Transportation and the City and County of Honolulu to conduct a study on lengthening yellow lights and providing all-way red light traffic signal delay to address the problem of running red lights prior to the implementation of any permanent or temporary fixed red light or photo enforcement program.

(HSCR 1339-04, 1465-04)

HR 162, HD1

WATER QUALITY, REVIEW OF POLICIES ON. Requests the Environmental Protection Agency to reconsider its decision to not issue new rules and standards for water quality.

Further requests the Agency to review and strengthen its policies on water quality monitoring, enforcement, and data collection practices, in the best interests of the environment and public health.

(HSCR 1389-04)

HR 163, HD1

EDUCATION OF MILITARY CHILDREN (IMPACT AID PROGRAM), FEDERAL FUNDING FOR. Urges the President to fully fund the Impact Aid program.

Further urges Congress to support the President's efforts to fully fund the Impact Aid program or support increases if the President fails to support this increase.

(HSCR 1471-04)

HR 168, HD1

STUDENT EXCHANGE PROGRAM WITH THE REPUBLIC OF THE PHILIPPINES, ESTABLISHMENT OF. See SCR 164.

(HSCR 1414-04)

HR 169

'AHIHI-KINA'U NATURAL AREA RESERVE TO KANALOA POINT, MAUI, RECOGNITION AS A NATIONAL SEASHORE. Urges the Secretary of the Interior to recognize the importance of the 'Ahihi Kina'u Natural Area Reserve to Kanaloa Point area by designating it a National Seashore.

(HSCR 1392-04)

HR 170, HD1

PSEUDOEPHEDRINE, REPEAL OF THE EXCEPTION FROM PERMIT REQUIREMENTS FOR. Requests the Department of Public Safety to review and consider whether the Legislature should repeal the exception of pseudoephedrine from the reporting, recordkeeping, and permit requirements generally applicable to list 1 chemicals.

Further requests the Department to submit its findings and recommendations to the Legislature prior to the convening of the Regular Session of 2005.

Further request the Narcotics Enforcement Division of the Department to work with retailers of pseudoephedrine items in educating employees on the products used to manufacture crystal methamphetamine, with the goal of securing the retailers voluntary support in enforcing methamphetamine laws.

Further requests the Division to conduct workshops with retailers developing a "train the trainer" program following the example of the Kansas project, which has become a model program for retailers of pseudoephedrine products and other items used to manufacture crystal methamphetamine, such as chemicals, solvents, glassware, or other apparatuses.

(HSCR 1350-04)

HR 172

ONLINE "FIXIT" SYSTEM ON THE STATE WEBSITE, IMPLEMENTATION OF. See HCR 238.

(HSCR 1436-04)

HR 173

SHORELINES, STANDARDS FOR DETERMINATION OF. Requests the Department of Land and Natural Resources, with the assistance of the State Surveyor and Department of Commerce and Consumer Affairs, to:

- (1) Develop and implement an educational program to set standards for proficiency, certification or qualification for surveyors in the determination of shorelines; and
- (2) Investigate the availability and costs of technology, including videographics, and additional staff, such as but not limited to a state shoreline locator, who is knowledgeable in coastal morphology and videography, and has experience with the characteristics of high seasonal surf, that will enhance the effectiveness, public confidence, and accuracy in determining shorelines.

Further requests the Department to report its findings and recommendation, including but not limited to the costs of staffing, programs, and fees or appropriations to fund the program to the Legislature no later than twenty days prior to the convening of the Regular Session of 2005.

(HSCR 1320-04, 1458-04)

HR 177, HD1

SHIPPING MATERIALS, BACKHAULING TO REDUCE THE VOLUME OF. See SR 97, SD1.

(HSCR 1359-04)

HR 181

FILIPINO VETERANS OF WORLD WAR II, IMPROVING BENEFITS FOR. See SCR 203.

(HSCR 1346-04)

HR 183, HD1

HEEIA, KEAAHALA/KEOLAA, KAWA, AND KANEOHE STREAMS, OAHU, EROSION OF. See HCR 255, HD1.

(HSCR 1387-04)

HR 186

FILIPINO VETERANS OF WORLD WAR II, IMPROVING BENEFITS FOR. See SCR 203.

(HSCR 1348-04)

HR 187

AGRIBUSINESS INCUBATOR IN WAIALUA, OAHU, DEVELOPMENT OF. See HCR 260.

(HSCR 1164-04, 1475-04)

HR 188, HD1

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(HSCR 1307-04, 1456-04)

HR 190, HD1

GENDER RESPONSIVE ENVIRONMENTS AT THE WOMEN'S COMMUNITY CORRECTIONAL CENTER AND AT THE HAWAII YOUTH CORRECTIONAL FACILITY, DEVELOPMENT OF. See HCR 265, HD1.

(HSCR 1354-04)

HR 191

CLEAN AIR ACT, REPEAL CHANGES MADE TO. Requests the United States Congress to repeal the changes made by the Bush Administration to the Clean Air (sic) in 2002.

(HSCR 1356-04)

HR 192, HD1

INTERNET SEX OFFENDER REGISTRY, RESTORING PUBLIC ACCESS TO. See HCR 267, HD1.

(HSCR 1483-04)

HR 198

EMERGENCIES, PREPAREDNESS FOR. Urges all Hawaii residents to work through the Hawaii State Chapter of the American Red Cross to help prepare their families and community for emergencies.

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