

BILLS BY SEN. ESPERO THAT PASSED THE LEGISLATURE IN 2011

MEASURE : SB0008 SD1 HD2 (HSCR 420)
ACT : 005 2011
TITLE : RELATING TO EDUCATION.
INTRO : Tokuda J (first primary), Tsutsui S, Ihara L, Galuteria B, Chun Oakland S, Kim D, Espero W, Dela Cruz D, Ige D, Kidani M, Slom S, Baker R, Fukunaga C, Kahele G, English J, Nishihara C, Wakai G, Kouchi R, Green J
DESCRIPT : Repeals and replaces the board of education. Provides that the board shall consist of 9 members who shall be appointed by the governor with the advice and consent of the senate, plus 1 nonvoting member who shall be a public high school student. Requires the board to invite the senior military commander in Hawaii to appoint a nonvoting military representative. Repeals the election of the board of education. -- SB0008 HD2
STATUS : Mar-03 11 Received by the Governor
Mar-14 11 Approved by Governor (Act 5 2011)

MEASURE : SB0011 SD2 HD2 (HSCR 1499)
ACT : 215 2011
TITLE : RELATING TO THE DEPARTMENT OF THE SHERIFF.
INTRO : Chun Oakland S (first primary), Espero W
DESCRIPT : Establishes a task force to determine whether the department of public safety is capable of supporting and maintaining the duties and functions of the sheriff division; determine whether it is feasible and essential to create a department of the sheriff; and if feasible, create a plan to establish a new department of the sheriff with functions presently existing under the department of public safety. Report to the legislature. Task force to cease on May 1, 2012 (sunset). -- SB0011 HD2
STATUS : May-06 11 Received by the Governor
Jul-11 11 Approved by Governor (Act 215 2011)

MEASURE : SB0044 SD1 HD1 CD1 (CCR 14)
TITLE : RELATING TO PUBLIC SAFETY.
INTRO : Espero W (first primary)
DESCRIPT : Establishes provisions relating to annual corrections and program report. Requires the department of public safety to submit an annual corrections and program report, among other reports that may be required from time to time, that consolidates into 1 report the reports that are required relating to mental health services at certain correctional facilities; relating to mental health services for committed persons; relating to gender responsive community based programs for women; relating to cognitive restructuring; relating to children of incarcerated persons; and relating to key performance indicators. Requires the department to post the annual report electronically on its website in a timely manner. Requires the department to develop key performance measures that accurately reflect progress toward specific goals, including reducing the rate of recidivism; decreasing prisoner assaults on correctional staff; reducing correctional staff turnover; and improving departmental efficiencies in staffing, budgeting, and data management and analysis. Annual report to the legislature and post the reports electronically on the department's internet website in a timely manner. -- SB0044 CD1
STATUS : Jul-12 11 Vetoes

MEASURE : SB0045 HD1 CD1 (CCR 4)
ACT : 216 2011
TITLE : RELATING TO PUBLIC SAFETY.
INTRO : Espero W (first primary)
DESCRIPT : Amends provisions relating to civil service and exemptions. Repeals the exemption for 1st deputy sheriff, and 2nd deputy sheriff. -- SB0045 CD1
STATUS : May-06 11 Received by the Governor
Jul-11 11 Approved by Governor (Act 216 2011)

MEASURE : SB0049 SD1 HD2 CD1 (CCR 27)
TITLE : RELATING TO CORRECTIONAL FACILITIES.
INTRO : Espero W (first primary)
DESCRIPT : Establishes provisions relating to correctional facility and community correctional center deaths; reporting. Requires that within 48 hours the director of public safety shall report to the governor and the governor shall report to the legislature, the death of correctional facility or community

BILLS BY SEN. ESPERO THAT PASSED THE LEGISLATURE IN 2011

correctional center employees who die on the grounds of a correctional facility or center where Hawaii inmates reside or who sustain an injury that causes the death of the employee; and any Hawaii inmate who is incarcerated in a correctional facility or community correctional center. Provides that when the official cause of death has been officially determined, requires the director to immediately report the official cause of death to the governor, and the governor to immediately report the official cause of death to the legislature. Provides that the director shall have the discretion to withhold disclosure of the decedent's name pending notification of the death to the next of kin or if the decedent's identity is protected from disclosure by state or federal laws. -- SB0049 CD1

STATUS : Jul-12 11 Vetoes

MEASURE : SB0052 SD1 HD1 CD1 (CCR 105)
 ACT : 125 2011
 TITLE : RELATING TO REGISTRATION OF SEX OFFENDERS.

INTRO : Espero W (first primary)
 DESCRIPT : Amends provisions relating to definitions under the Hawaii criminal justice data center of civil identification law. Redefines sex offense to include an offense that is a violation of promoting prostitution in the 1st degree and privacy. -- SB0052 CD1

STATUS : May-06 11 Received by the Governor
 Jun-15 11 Approved by Governor (Act 125 2011)

MEASURE : SB0081 HD2 (HSCR 1474)
 ACT : 039 2011
 TITLE : RELATING TO STARLIGHT RESERVE.

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

STATUS : Apr-18 11 Received by the Governor
 May-04 11 Approved by Governor (Act 39 2011)

MEASURE : SB0098 SD2 HD1 CD1 (CCR 1)
 ACT : 213 2011
 TITLE : RELATING TO WATER CARRIERS.

INTRO : Baker R (first primary), Tsutsui S, Kouchi R, Green J, Chun Oakland S, Espero W
 DESCRIPT : Establishes provisions relating to notice of hearing required under the Hawaii water carrier act. Requires the public utilities commission to provide reasonable notice whenever the commission conducts a public hearing on an application for a certificate of public convenience and necessity. -- Requires notice to be provided at least 30 before the date fixed by the commission for the public hearing. Prohibits the commission to approve an application or otherwise grant authorization to an application to operate as a water carrier until the commission has given notice and held public hearings. Further prohibits the commission to make finding of public convenience and necessity or issue an authorization, whether interim, permanent, or otherwise, to operate as a water carrier without specific findings supported by evidence in the record. Further prohibits the commission to make a finding of public convenience and necessity nor issue a certificate if the evidence in the record indicates that the issuance of the certificate would diminish an existing water carrier's ability to realize its allowed rate of return or if the certificate would allow an applicant to serve only high margin or high profit ports or lines of service that are currently served by an existing carrier. Further prohibits the commission to issue any certificate that is designated as interim or temporary or does not conform to the requirements except in response to an emergency situation. Requires the commission to post a link on the front page of the commission's website to a publicly accessible electronic version of each application for a certificate and to each order of the commission regarding posted applications, including the final decision and order and remain active for at least 30 days from the filing of the application or the issuance of the order or decision and order. -- SB0098 CD1

STATUS : Apr-25 11 Received by the Governor
 Jul-11 11 Approved by Governor (Act 213 2011)

MEASURE : SB0172 SD2 HD2 CD1 (CCR 2)
 ACT : 127 2011
 TITLE : RELATING TO FIREWORKS.
 INTRO : Espero W (first primary), Gabbard M

BILLS BY SEN. ESPERO THAT PASSED THE LEGISLATURE IN 2011

DESCRIPT : Establishes provisions relating to labeling of display fireworks. Requires that each shell, mine, comet, and multiple tube device, such as finale or barrage boxes, roman candle batteries, or cakes, to bear a permanent label, listing the licensee's name, address, and contact information to include telephone number or electronic mail address. -- Establishes provisions relating to display site inspection. Authorizes fire chief to conduct an inspection of the display personnel and site within the fire chief's county. -- Establishes provisions relating to display stop order. Authorizes the fire chief to immediately revoke or suspend any permit for display of aerial devices, display fireworks, or articles pyrotechnics for adverse climatic or atmospheric conditions; issuance of red flag warnings; or any other conditions determined to be potentially hazardous to persons or property. -- Amends provisions relating to permissible uses of display fireworks, articles pyrotechnic, and aerial devices. Allows display fireworks, articles pyrotechnic, and aerial devices to be set off, ignited, discharged, or otherwise caused to explode within the State from 9:00 a.m. to 9:00 p.m., and allows the fire chief to extend the time period for special events. -- Exempts filming of motion picture or television program production that has been issued a film permit by the department of business, economic development, and tourism from time restriction. -- Amends provisions relating to application for license. Requires written documentation of the proposed display event and related contact information when applying for a license to import aerial devices, display fireworks, or articles pyrotechnic. -- Requires the licensee prior to booking shipment to include written documentation of the proposed display event or events and related contact information to the fire chief to validate the importation of a 3 month or 6 month inventory. Requires licensee to also provide an inventory breakdown for each proposed display. -- SB0172 CD1

STATUS : May-06 11 Received by the Governor
 Jun-15 11 Approved by Governor (Act 127 2011)

MEASURE : SB0173 SD2 HD2 (HSCR 1462)
 ACT : 224 2011
 TITLE : RELATING TO FIRE PROTECTION.
 INTRO : Espero W (first primary)
 DESCRIPT : Establishes provisions relating to novelty lighters, prohibited, penalties. Prohibits the sale and distribution of novelty lighters in the state. Establishes penalty of imprisonment or fines, or both. -- SB0173 HD2

STATUS : May-06 11 Received by the Governor
 Jul-12 11 Became Law Without the Governor's Signature (Act 224 2011)

MEASURE : SB0742 SD2 HD1 CD1 (CCR 42)
 ACT : 188 2011
 TITLE : RELATING TO THE STATE FIRE COUNCIL.
 INTRO : Espero W (first primary)
 DESCRIPT : Establishes provisions relating to administrative staffing for state fire council. Allows the state fire council to employ on a full time basis an administrator and administrative assistant. Exempts civil service and collective bargaining laws. -- SB0742 CD1

STATUS : May-06 11 Received by the Governor
 Jul-05 11 Approved by Governor (Act 188 2011)

MEASURE : SB0883 SD2 HD1 (HSCR 1086)
 ACT : 070 2011
 TITLE : RELATING TO SPECIAL NUMBER PLATES.
 INTRO : Espero W (first primary)
 DESCRIPT : Amends provisions relating to special number plates (license plates); military service. Allows specific proof that the applicant would qualify for a gold star lapel button and provides that the applicant shall not be disqualified for the plates because the applicant is the grandparent of the deceased member of the US armed forces. -- SB0883 HD1

STATUS : Apr-21 11 Received by the Governor
 May-31 11 Approved by Governor (Act 70 2011)

MEASURE : SB1493 SD1 HD3 CD1 (CCR 8)
 TITLE : RELATING TO LIGHT POLLUTION.
 INTRO : Espero W (first primary), Shimabukuro M
 DESCRIPT : Establishes provisions relating to starlight reserve strategy. Requires every new and

BILLS BY SEN. ESPERO THAT PASSED THE LEGISLATURE IN 2011

replacement outdoor light fixture be fully shielded. Identifies specific lighting sources that are
exempt. -- SB1493 CD1
STATUS : Jul-12 11 Vetoed