

**SESSION LAWS**  
**OF**  
**HAWAII**  
**PASSED BY THE**  
**THIRTIETH STATE LEGISLATURE**  
**STATE OF HAWAII**

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**REGULAR SESSION**  
**2020**

Convened on Wednesday, January 15, 2020 and  
Adjourned sine die on Friday, July 10, 2020

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Published under Authority of  
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by the  
Revisor of Statutes  
State of Hawaii  
Honolulu, Hawaii



## PREFACE

This volume contains all of the laws enacted by the Hawaii State Legislature during the Regular Session of 2020.

The text of the laws is printed in full except as provided herein. Statutory material that is being repealed is either bracketed or bracketed and stricken. New material is indicated by underscoring. However, as authorized by Section 23G-16.5, Hawaii Revised Statutes (HRS), the text is edited to omit the bracketed material for HRS sections that are being repealed in their entirety and to omit the underscoring for entirely new HRS sections. With the exception of the foregoing and certain obvious typographical errors that have been corrected, the text of the laws appears as enacted.

Explanatory notes appear at the end of the corresponding laws. The notes clarify editorial changes and inconsistencies in text.

Charlotte A. Carter-Yamauchi  
Revisor of Statutes

Honolulu, Hawaii  
September 15, 2020

**STATE OF HAWAII**  
**ELECTED OFFICIALS AND LEGISLATIVE OFFICERS**

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**UNITED STATES CONGRESS**

Senate:  
Brian E. Schatz  
Mazie Hirono

House of Representatives:  
Ed Case  
Tulsi Gabbard

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**STATE EXECUTIVE OFFICERS**

Governor of Hawaii.....David Y. Ige  
Lieutenant Governor ..... Josh Green, M.D.

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**OFFICERS AND MEMBERS OF THE  
THIRTIETH STATE LEGISLATURE  
REGULAR SESSION 2020**

**SENATE**

President.....Ronald D. Kouchi  
Vice President ..... Michelle N. Kidani  
Clerk.....Carol T. Taniguchi

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First District—(Hawaii)  
Kaiali'i Kahele (D)

Tenth District—(Oahu)  
Les Ihara, Jr. (D)

Second District—(Hawaii)  
Russell E. Ruderman (D)

Eleventh District—(Oahu)  
Brian T. Taniguchi (D)

Third District—(Hawaii)  
Dru Mamo Kanuha (D)

Twelfth District—(Oahu)  
Sharon Y. Moriwaki (D)

Fourth District—(Hawaii)  
Lorraine R. Inouye (D)

Thirteenth District—(Oahu)  
Karl Rhoads (D)

Fifth District—(Maui)  
Gilbert S. C. Keith-Agaran (D)

Fourteenth District—(Oahu)  
Donna Mercado Kim (D)

Sixth District—(Maui)  
Rosalyn H. Baker (D)

Fifteenth District—(Oahu)  
Glenn Wakai (D)

Seventh District—(Maui/Molokai/Lanai)  
J. Kalani English (D)

Sixteenth District—(Oahu)  
Bennette Misalucha<sup>1</sup> (D)

Eighth District—(Kauai/Niihau)  
Ronald D. Kouchi (D)

Seventeenth District—(Oahu)  
Clarence K. Nishihara (D)

Ninth District—(Oahu)  
Stanley Chang (D)

Eighteenth District—(Oahu)  
Michelle N. Kidani (D)

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<sup>1</sup>Appointed to seat formerly held by Breene Harimoto (deceased).

Nineteenth District—(Oahu)  
Kurt Fevella (R)

Twentieth District—(Oahu)  
Mike Gabbard (D)

Twenty-Third District—(Oahu)  
Gil Riviere (D)

Twenty-First District—(Oahu)  
Maile S. L. Shimabukuro (D)

Twenty-Fourth District—(Oahu)  
Jarrett Keohokalole (D)

Twenty-Second District—(Oahu)  
Donovan M. Dela Cruz (D)

Twenty-Fifth District—(Oahu)  
Laura H. Thielen (D)

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## HOUSE OF REPRESENTATIVES

Speaker ..... Scott K. Saiki  
 Vice Speaker ..... Mark M. Nakashima  
 Clerk ..... Brian L. Takeshita

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First District—(Hawaii) Mark M. Nakashima (D)	Seventeenth District—(Oahu) Gene Ward, Ph.D. (R)
Second District—(Hawaii) Chris Todd (D)	Eighteenth District—(Oahu) Mark J. Hashem (D)
Third District—(Hawaii) Richard H. K. Onishi (D)	Nineteenth District—(Oahu) Bertrand Kobayashi (D)
Fourth District—(Hawaii) Joy A. San Buenaventura (D)	Twentieth District—(Oahu) Calvin K. Y. Say (D)
Fifth District—(Hawaii) Richard P. Creagan (D)	Twenty-First District—(Oahu) Scott Y. Nishimoto (D)
Sixth District—(Hawaii) Nicole E. Lowen (D)	Twenty-Second District—(Oahu) Tom Brower (D)
Seventh District—(Hawaii) David A. Tarnas (D)	Twenty-Third District—(Oahu) Dale T. Kobayashi (D)
Eighth District—(Maui) Troy N. Hashimoto (D)	Twenty-Fourth District—(Oahu) Della Au Belatti (D)
Ninth District—(Maui) Justin H. Woodson (D)	Twenty-Fifth District—(Oahu) Sylvia Luke (D)
Tenth District—(Maui) Angus L. K. McKelvey (D)	Twenty-Sixth District—(Oahu) Scott K. Saiki (D)
Eleventh District—(Maui) Tina Wildberger (D)	Twenty-Seventh District—(Oahu) Takashi Ohno (D)
Twelfth District—(Maui) Kyle T. Yamashita (D)	Twenty-Eighth District—(Oahu) John M. Mizuno (D)
Thirteenth District—(Maui/Molokai/ Lanai) Lynn DeCoite (D)	Twenty-Ninth District—(Oahu) Daniel Holt (D)
Fourteenth District—(Kauai) Nadine K. Nakamura (D)	Thirtieth District—(Oahu) Romy M. Cachola (D)
Fifteenth District—(Kauai) James Kunane Tokioka (D)	Thirty-First District—(Oahu) Aaron Ling Johanson (D)
Sixteenth District—(Kauai/Niihau) Dee Morikawa (D)	Thirty-Second District—(Oahu) Linda Ichiyama (D)

Thirty-Third District—(Oahu) Sam Satoru Kong (D)	Forty-Third District—(Oahu) Stacelynn K. M. Eli (D)
Thirty-Fourth District—(Oahu) Gregg Takayama (D)	Forty-Fourth District—(Oahu) Cedric Asuega Gates (D)
Thirty-Fifth District—(Oahu) Roy M. Takumi (D)	Forty-Fifth District—(Oahu) Lauren Kealohilani Matsumoto (R)
Thirty-Sixth District—(Oahu) Val Okimoto (R)	Forty-Sixth District—(Oahu) Amy A. Perruso (D)
Thirty-Seventh District—(Oahu) Ryan I. Yamane (D)	Forty-Seventh District—(Oahu) Sean Quinlan (D)
Thirty-Eighth District—(Oahu) Henry J. C. Aquino (D)	Forty-Eighth District—(Oahu) Lisa Kitagawa (D)
Thirty-Ninth District—(Oahu) Ty J. K. Cullen (D)	Forty-Ninth District—(Oahu) Scot Z. Matayoshi (D)
Fortieth District—(Oahu) Bob McDermott (R)	Fiftieth District—(Oahu) Cynthia Thielen (R)
Forty-First District—(Oahu) Rida Cabanilla Arakawa (D)	Fifty-First District—(Oahu) Chris Lee (D)
Forty-Second District—(Oahu) Sharon E. Har (D)	

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**Session Laws of Hawaii  
Passed By The  
Thirtieth State Legislature  
Regular Session  
2020**

**ACT 1**

H.B. NO. 2661

A Bill for an Act Making Appropriations to Provide for the Expenses of the Legislature, the Auditor, the Legislative Reference Bureau, the Ombudsman, and the Ethics Commission.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. There is appropriated out of the general revenues of the State of Hawaii the sum of \$10,322,455 or so much thereof as may be necessary to the senate for the following expenses:

- (1) The sum of \$9,059,955 for defraying any and all session and nonsession expenses of the senate up to and including June 30, 2021, including the 2020 regular session, thirtieth legislature of the State of Hawaii, and pre-session expenses and the expenses of any committee or committees established during the interim between the 2020 and 2021 regular sessions;
- (2) The sum of \$1,150,000 for defraying the expenses of the legislative information system for cost items such as hardware, software, consultants, installation, materials, supplies, and other related costs associated with the legislative information system that have been or will be incurred; and
- (3) The sum of \$112,500 for defraying the cost of the legislative broadcasting program to pay for the production and distribution of television broadcasts of legislative proceedings.

The sum appropriated in this section shall be expended by the senate.

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$14,135,592 or so much thereof as may be necessary to the house of representatives for the following expenses:

- (1) The sum of \$13,084,668 for defraying any and all session and nonsession expenses of the house of representatives up to and including June 30, 2021, including the 2020 regular session, thirtieth legislature of the State of Hawaii, and pre-session expenses and the expense of any committee or committees established during the interim between the 2020 and 2021 regular sessions;
- (2) The sum of \$938,424 for defraying the expenses of the legislative information system for cost items such as hardware, software, consultants, installation, materials, supplies, and other related costs as-

## ACT 1

- sociated with the legislative information system that have been or will be incurred; and
- (3) The sum of \$112,500 for defraying the cost of the legislative broadcasting program to pay for the production and distribution of television broadcasts of legislative proceedings.

The sum appropriated in this section shall be expended by the house of representatives.

SECTION 3. Payment of expenses of the senate during the interim between the 2020 and 2021 regular sessions shall be made only with the approval of the president of the senate, and payment of expenses of the house of representatives during the interim between the 2020 and 2021 regular sessions shall be made only with the approval of the speaker of the house of representatives.

SECTION 4. Before January 20, 2021, the senate and the house of representatives shall each have their accounts audited, and a full report of the respective audits shall be presented to the senate and house of representatives convening on January 20, 2021.

SECTION 5. Unless otherwise prescribed by law, the expenses of any member of the legislature while traveling abroad on official business of the legislature shall be \$145 a day as authorized by the president of the senate and speaker of the house of representatives.

SECTION 6. There is appropriated out of the general revenues of the State of Hawaii the sum of \$3,359,915 or so much thereof as may be necessary to the office of the auditor for the following expenses:

- (1) The sum of \$3,209,915 for defraying the expenses of the office of the auditor during fiscal year 2020-2021; and
- (2) The sum of \$150,000 during fiscal year 2020-2021 for:
  - (A) Performing special studies;
  - (B) Improving capabilities for planning, programming, and budgeting;
  - (C) Fulfilling other special requests made of the auditor by the legislature or jointly by the president of the senate and the speaker of the house of representatives;
  - (D) Legislative studies and contractual services for those studies; and
  - (E) Such other purposes as may be determined by the joint action of the president of the senate and the speaker of the house of representatives.

The sum appropriated in this section shall be expended by the auditor.

SECTION 7. There is appropriated out of the general revenues of the State of Hawaii the sum of \$2,800,000 or so much thereof as may be necessary to the office of the auditor during fiscal year 2020-2021 to be deposited into the audit revolving fund established pursuant to section 23-3.6, Hawaii Revised Statutes.

SECTION 8. There is appropriated out of the audit revolving fund the sum of \$6,300,000 or so much thereof as may be necessary to the office of the auditor during fiscal year 2020-2021 for the office to conduct or complete its audit functions as provided by law.

The sum appropriated shall be expended by the auditor.

SECTION 9. There is appropriated out of the general revenues of the State of Hawaii the sum of \$4,003,999 or so much thereof as may be necessary to the legislative reference bureau for defraying the expenses of the legislative reference bureau during fiscal year 2020-2021, including equipment relating to computer systems programming and operations.

The sum appropriated in this section shall be expended by the legislative reference bureau.

SECTION 10. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,443,007 or so much thereof as may be necessary to the office of the ombudsman for defraying the expenses of the office during fiscal year 2020-2021.

The sum appropriated in this section shall be expended by the ombudsman.

SECTION 11. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,252,667 or so much thereof as may be necessary to the office of the state ethics commission for defraying the expenses of the office during fiscal year 2020-2021.

The sum appropriated in this section shall be expended by the state ethics commission.

SECTION 12. There is appropriated out of the general revenues of the State of Hawaii the following sums or so much thereof as may be necessary to be expended for the purpose of accrued vacation payments and vacation transfer payments for any employee leaving the employ of the senate, house of representatives, office of the auditor, legislative reference bureau, office of the ombudsman, and state ethics commission:

<u>Expending Agency</u>	<u>Amount</u>
Senate	\$245,000
House of Representatives	\$294,524
Office of the Auditor	\$68,106
Legislative Reference Bureau	\$26,810
Office of the Ombudsman	\$14,035
State Ethics Commission	\$16,553

provided that the appropriate expending agency shall first make payments from the vacation payout allocation before expending funds from turnover and vacancy amounts; and provided further that any unexpended funds shall lapse to the general fund on June 30, 2021.

SECTION 13. Except for moneys in the audit revolving fund, as of the close of business on June 30, 2021, the unexpended or unencumbered balance of any appropriation made by this Act shall lapse into the general fund.

SECTION 14. Each section of this Act is declared to be severable from the remainder of this Act.

SECTION 15. This Act shall take effect upon its approval.

(Approved May 15, 2020.)

A Bill for an Act Relating to State Funds.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that the global respiratory disease pandemic named “coronavirus disease 2019”, or COVID-19, has deeply impacted Hawaii’s health and economy. The COVID-19 pandemic has resulted in a statewide stay-at-home order, a mandatory fourteen-day quarantine for travelers, and the closing of all nonessential businesses. In April 2020, Hawaii’s unemployment rate increased to an unprecedented thirty-five per cent with businesses reportedly reducing their workforces by about two hundred twenty thousand workers during the COVID-19 economic shutdown. Nearly a third of these businesses also reported that their revenue has been reduced to essentially zero during the shutdown.

In expectation of an economic downturn, the State Council on Revenues lowered its fiscal year 2021 forecast from four per cent to zero per cent, meaning that the State will have about \$225,000,000 less in revenues than expected.

As constitutionally required, the state commission on salaries convened and reported to the legislature in 2019 the recommended increased salary adjustments for officers of the executive and judicial branches of state government for the following six years and members of the legislature for four years. The legislature did not disapprove the commission’s recommendation by adoption of a concurrent resolution in 2019.

Implementation of the commission’s salary recommendations began for the executive and judicial branches on July 1, 2019, with the second of six planned raises for the executive and judicial branches scheduled for July 1, 2020. The first recommended raise for members of the legislature is scheduled for January 1, 2021.

Due to the unprecedented economic downturn resulting from the COVID-19 pandemic, the legislature believes that continued implementation of the commission’s recommendations for the executive and judicial branches, and planned adjustments for the legislature, is irresponsible at this time and should be deferred.

The purpose of this Act is to defer the implementation of the commission on salaries recommendations until July 1, 2021.

SECTION 2. (a) Notwithstanding any law to the contrary and notwithstanding the legislature not disapproving the commission on salaries’ recommendation for salary increases by adoption of a concurrent resolution in 2019, beginning on July 1, 2020, and continuing through June 30, 2021, the annual salaries of the governor, lieutenant governor, justices and judges of all state courts, administrative director of the State or an equivalent position, and department heads or executive officers and the deputies or assistants to the department heads or executive officers of the departments of:

- (1) Accounting and general services;
- (2) Agriculture;
- (3) The attorney general;
- (4) Budget and finance;
- (5) Business, economic development, and tourism;
- (6) Commerce and consumer affairs;
- (7) Defense;
- (8) Hawaiian home lands;

- (9) Health;
- (10) Human resources development;
- (11) Human services;
- (12) Labor and industrial relations;
- (13) Land and natural resources;
- (14) Public safety;
- (15) Taxation; and
- (16) Transportation,

shall remain at the salary rate as of June 30, 2020; provided that on July 1, 2021, the salaries of these positions shall be adjusted pursuant to the salary recommendations of the commission on salaries to the level they would have been on July 1, 2021, without the delay under this Act; provided further that the salary recommendations of the commission on salaries for these positions effective July 1, 2022, and each year thereafter through July 1, 2024, shall become effective on that date in accordance with the recommendations.

(b) Notwithstanding any law to the contrary and notwithstanding the legislature not disapproving the commission on salaries' recommendation for salary increases by adoption of a concurrent resolution in 2019, beginning on January 1, 2021, and continuing through June 30, 2021, the annual salaries of members of the legislature shall remain at the salary rate as of June 30, 2020; provided that on July 1, 2021, the salaries of the legislators shall be adjusted pursuant to the salary recommendations of the commission on salaries to the level they would have been on January 1, 2021, without the delay under this Act; provided further that the salary recommendations of the commission on salaries for legislators effective January 1, 2022, and each year thereafter through January 1, 2024, shall become effective on that date in accordance with the recommendations.

(c) This section shall not be enforced to the extent that it is preempted by federal law.

SECTION 3. This Act shall take effect upon its approval.

(Approved July 6, 2020.)

## ACT 3

H.B. NO. 2500

A Bill for an Act Relating to the State Budget.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. (a) The purpose of this Act is to authorize the issuance of general obligation bonds by the State; authorize the borrowing of moneys from the Municipal Liquidity Facility under section 13(3) of the Federal Reserve Act, 12 U.S.C. §343(3); and declare the legislature's findings with respect to these bond authorizations as required by article VII, section 13 of the Constitution of the State of Hawaii.

The legislature finds that the Federal Reserve has authorized the establishment and operation of the Municipal Liquidity Facility under section 13(3) of the Federal Reserve Act, enumerated in 12 U.S.C. §343(3), to facilitate access to credit and liquidity in order for state, city, and county governments to better manage periods of dislocation related to the coronavirus disease 2019, or COVID-19, pandemic. By enabling the Municipal Liquidity Facility, the Federal Reserve has engaged its full range of tools to support the flow of credit to households, businesses, and communities to counter the economic impact of the COVID-19 pandemic and promote a swift recovery once disruption related to the pandemic abates. The legislature intends that the:



## ACT 3

- (1) Municipal Liquidity Facility be utilized at levels that are prudent and do not adversely affect the State; and
- (2) Amount authorized for the Municipal Liquidity Facility contained herein reflects flexibility and balances the executive branch's prerogative to prudently execute the State's economic recovery with the means authorized by the legislature.

Presently, this Act authorizes borrowings in excess of the debt limit. Pursuant to Article VII, Section 13 of the Constitution of the State of Hawaii, the State may exceed the debt limit if an emergency condition is declared by the governor and concurred to by a two-thirds vote of the legislature. This provision is to allow the governor and the legislature by mutual agreement to exceed the debt ceiling when an extraordinary emergency exists. Although the governor issued a proclamation declaring that the effects of the COVID-19 pandemic created an emergency condition in the State and issued nine supplemental emergency proclamations to deal with the pandemic, none of these proclamations address the State's need to exceed the debt limit.

To permit this Act to exceed the State's debt limit, the governor has declared that an emergency condition exists due to the COVID-19 pandemic and has requested that each house of the legislature by a two-thirds vote concur with this declaration.

(b) Declaration of findings with respect to the general obligation bonds authorized by this Act. Pursuant to article VII, section 13, of the state constitution, which states: "Effective July 1, 1980, the legislature shall include a declaration of findings in every general law authorizing the issuance of general obligation bonds that the total amount of principal and interest, estimated for such bonds and for all bonds authorized and unissued and calculated for all bonds issued and outstanding, will not cause the debt limit to be exceeded at the time of issuance", the legislature finds and declares as follows:

- (1) The debt limit of the State will be exceeded by the general obligation bonds authorized by this Act;
- (2) Limitation on general obligation debt. The debt limit of the State is set forth in article VII, section 13, of the state constitution, which states in part: "General obligation bonds may be issued by the State; provided that such bonds at the time of issuance would not cause the total amount of principal and interest payable in the current or any future fiscal year, whichever is higher, on such bonds and on all outstanding general obligation bonds to exceed: a sum equal to twenty percent of the average of the general fund revenues of the State in the three fiscal years immediately preceding such issuance until June 30, 1982; and thereafter, a sum equal to eighteen and one-half percent of the average of the general fund revenues of the State in the three fiscal years immediately preceding such issuance." Article VII, section 13, of the state constitution also provides that, in determining the power of the State to issue general obligation bonds, certain bonds are excludable, including "[r]eimbursable general obligation bonds issued for a public undertaking, improvement or system but only to the extent that reimbursements to the general fund are in fact made from the net revenue, or net user tax receipts, or combination of both, as determined for the immediately preceding fiscal year" and bonds constituting instruments of indebtedness under which the State incurs a contingent liability as a guarantor, but only to the extent the principal amount of the bonds does not exceed seven per cent of the principal amount of outstanding gen-



eral obligation bonds not otherwise excluded under article VII, section 13, of the state constitution.

- (3) Actual and estimated debt limits. The limit on principal and interest of general obligation bonds issued by the State, actual for fiscal year 2019-2020 and estimated for each fiscal year from 2020-2021 to 2022-2023, is as follows:

<u>Fiscal Year</u>	<u>Net General Fund Revenues</u>	<u>Debt Limit</u>
2016-2017	\$7,346,008,625	
2017-2018	7,656,001,540	
2018-2019	7,910,649,595	
2019-2020	7,567,600,000	\$1,412,947,352
2020-2021	6,614,801,000	1,426,612,153
2021-2022	7,333,031,000	1,362,404,787
2022-2023	(not applicable)	1,326,784,973

For fiscal years 2019-2020, 2020-2021, 2021-2022, and 2022-2023, respectively, the debt limit is derived by multiplying the average of the net general fund revenues for the three preceding fiscal years by eighteen and one-half per cent. The net general fund revenues for fiscal years 2016-2017, 2017-2018, and 2018-2019 are actual, as presented in the Statement of the Debt Limit of the State of Hawaii as of July 1, 2019, dated November 18, 2019. The net general fund revenues for fiscal years 2019-2020 to 2021-2022 are estimates, based on general fund revenue estimates made as of May 28, 2020, by the council on revenues, the body assigned by article VII, section 7, of the state constitution to make such estimates, and based on estimates made by the department of budget and finance of those receipts that cannot be included as general fund revenues for the purpose of calculating the debt limit, all of which estimates the legislature finds to be reasonable.

- (4) Principal and interest on outstanding bonds applicable to the debt limit.

- (A) The total amount of principal and interest on outstanding general obligation bonds, after the exclusions permitted by article VII, section 13, of the state constitution, for determining the power of the State to issue general obligation bonds within the debt limit as of June 1, 2020, is as follows for fiscal year 2020-2021 to fiscal year 2026-2027:

<u>Fiscal Year</u>	<u>Principal and Interest</u>
2020-2021	\$768,823,622
2021-2022	753,610,056
2022-2023	725,933,034
2023-2024	712,063,283
2024-2025	672,615,397
2025-2026	649,837,432
2026-2027	601,561,400

The amount of principal and interest on outstanding bonds applicable to the debt limit generally continues to decline each year from fiscal year 2027-2028 to fiscal year 2038-2039 when the final installment of \$37,533,250 shall be due and payable.

- (B) The outstanding principal amount of bonds constituting instruments of indebtedness under which the State may incur a contingent liability as a guarantor is \$233,500,000, all or part of which is excludable in determining the power of the State to issue general obligation bonds, pursuant to article VII, section 13, of the state constitution.
- (5) Amount of authorized and unissued general obligation bonds and guaranties and proposed bonds and guaranties.
  - (A) As calculated from the state comptroller's bond fund report as of April 30, 2020, adjusted for:
    - (i) Appropriations to be funded by general obligation bonds or reimbursable general obligation bonds as provided in Act 40, Session Laws of Hawaii 2019 (the General Improvement Act of 2019) and Act 189, Session Laws of Hawaii 2019, to be expended in fiscal year 2020-2021, adjusted for additional appropriations provided in House Bill No. 2725, H.D. 1, S.D. 1<sup>1</sup> (the Supplemental Improvements Act of 2020), as amended by Senate Bill No. 126 H.D. 1, S.D. 1, C.D. 1,<sup>2</sup> Senate Bill No. 3139, S.D. 1, H.D. 1,<sup>3</sup> as amended by Senate Bill No. 126 H.D. 1, S.D. 1, C.D. 1,<sup>2</sup> Senate Bill No. 75, S.D. 2, H.D. 1,<sup>4</sup> as amended by Senate Bill No. 126 H.D. 1, S.D. 1, C.D. 1,<sup>2</sup> Act 12, Session Laws of Hawaii 2018, as amended by Act 35, Session Laws of Hawaii 2019, as amended by Senate Bill No. 126 H.D. 1, S.D. 1, C.D. 1,<sup>2</sup> and Senate Bill No. 126 H.D. 1, S.D. 1, C.D. 1;<sup>2</sup>
    - (ii) Lapses as provided in House Bill No. 2725, H.D. 1, S.D. 1<sup>1</sup> (the Supplemental Improvements Act of 2020), as amended by Senate Bill No. 126 H.D. 1, S.D. 1, C.D. 1;<sup>2</sup>
    - (iii) Appropriations to be funded by general obligation bonds or reimbursable general obligation bonds as provided in Act 38, Session Laws of Hawaii 2019 (the Judiciary Appropriations Act of 2019) to be expended in fiscal year 2020-2021, adjusted for additional appropriations provided in Senate Bill No. 3080, S.D. 3, H.D. 1<sup>5</sup> (the Judiciary Supplemental Appropriations Act of 2020); and
    - (iv) Lapses as provided in Senate Bill No. 3080, S.D. 3, H.D. 1<sup>5</sup> (the Judiciary Supplemental Appropriations Act of 2020);

the total amount of authorized but unissued general obligation bonds is \$3,920,402,480. The total amount of general obligation bonds authorized in this Act is \$3,073,991,000. The total amount of general obligation bonds previously authorized and unissued, as adjusted, and the general obligation bonds authorized in this Act is \$6,994,393,480.
  - (B) The outstanding principal amount of bonds constituting instruments of indebtedness under which the State may incur a contingent liability as a guarantor is \$233,500,000, all or part of which is excludable in determining the power of the State to issue general obligation bonds, pursuant to article VII, section 13, of the state constitution.
- (6) Proposed general obligation bond issuance. As reported therein for the fiscal years 2020-2021, 2021-2022, and 2022-2023, the State proposes to issue \$3,475,000,000 in general obligation bonds (which in-

cludes \$2,100,000,000 in working capital indebtedness or Municipal Liquidity Facility indebtedness) during the first half of fiscal year 2020-2021, \$675,000,000 in general obligation bonds during the second half of fiscal year 2020-2021, \$675,000,000 in general obligation bonds during the first half of fiscal year 2021-2022, \$675,000,000 in general obligation bonds during the second half of fiscal year 2021-2022, \$715,000,000 in general obligation bonds during the first half of fiscal year 2022-2023, and \$815,000,000 in general obligation bonds during the second half of fiscal year 2022-2023. Except for the working capital indebtedness and Municipal Liquidity Facility indebtedness, the State anticipates issuing a combination of twenty-year serial bonds with principal repayments beginning the third and fifth years and ten-year serial bonds with principal repayments beginning the first year, payable in substantially equal annual installments of principal and interest payment with interest payments commencing six months from the date of issuance and being paid semi-annually thereafter. It is assumed that this practice will continue to be applied to the bonds that are proposed to be issued. The working capital indebtedness and Municipal Liquidity Facility indebtedness is anticipated to be for a term of three years, payable in substantially equal annual installments of principal payments, with interest repaid at the end of the three-year term.

- (7) Sufficiency of proposed general obligation bond issuance to meet the requirements of authorized and unissued bonds, as adjusted, and bonds authorized by this Act. From the schedule reported in paragraph (6), the total amount of general obligation bonds that the State proposes to issue during the fiscal years 2020-2021 to 2021-2022 is \$5,500,000,000. An additional \$1,530,000,000 is proposed to be issued in fiscal year 2022-2023. The total amount of \$5,500,000,000 that is proposed to be issued through fiscal year 2021-2022 is sufficient to meet the requirements of the authorized and unissued bonds, as adjusted, the total amount of which is \$6,994,393,480 reported in paragraph (5), except for \$1,494,393,480. It is assumed that the appropriations to which an additional \$1,494,393,480 in bond issuance needs to be applied will have been encumbered as of June 30, 2022. The \$1,530,000,000 that is proposed to be issued in fiscal year 2022-2023 will be sufficient to meet the requirements of the June 30, 2022, encumbrances in the amount of \$1,494,393,480. The amount of assumed encumbrances as of June 30, 2022, is reasonable and conservative, based upon an inspection of June 30 encumbrances of the general obligation bond fund as reported by the state comptroller. Thus, taking into account the amount of authorized and unissued bonds, as adjusted, and the bonds authorized by this Act versus the amount of bonds proposed to be issued by June 30, 2022, and the amount of June 30, 2022, encumbrances versus the amount of bonds proposed to be issued in fiscal year 2022-2023, the legislature finds that, in the aggregate, the amount of bonds proposed to be issued is sufficient to meet the requirements of all authorized and unissued bonds and the bonds authorized by this Act.
- (8) Bonds excludable in determining the power of the State to issue bonds. As noted in paragraph (2), certain bonds are excludable in determining the power of the State to issue general obligation bonds.

- (A) General obligation reimbursable bonds can be excluded under certain conditions. It is not possible to make a conclusive determination as to the amount of reimbursable bonds that are excludable from the amount of each proposed bond issued because:
  - (i) It is not known exactly when projects for which reimbursable bonds have been authorized in prior acts and in this Act will be implemented and will require the application of proceeds from a particular bond issue; and
  - (ii) Not all reimbursable general obligation bonds may qualify for exclusion.

However, the legislature notes that with respect to the principal and interest on outstanding general obligation bonds, according to the department of budget and finance, the average proportion of principal and interest that is excludable each year from the calculation against the debt limit is 0.74 per cent for approximately ten years from fiscal year 2019-2020 to fiscal year 2028-2029. For the purpose of this declaration, the assumption is made that 0.50 per cent of each bond issue will be excludable from the debt limit, an assumption that the legislature finds to be reasonable and conservative.

- (B) Bonds constituting instruments of indebtedness under which the State incurs a contingent liability as a guarantor can be excluded but only to the extent the principal amount of those guaranties does not exceed seven per cent of the principal amount of outstanding general obligation bonds not otherwise excluded under subparagraph (A); provided that the State shall establish and maintain a reserve in an amount in reasonable proportion to the outstanding loans guaranteed by the State as provided by law.

According to the department of budget and finance and the assumptions presented herein, the total principal amount of outstanding general obligation bonds and general obligation bonds proposed to be issued, which are not otherwise excluded under article VII, section 13, of the state constitution for the fiscal years 2019-2020, 2020-2021, 2021-2022, and 2022-2023 are as follows:

<u>Fiscal Year</u>	<u>Total amount of General Obligation Bonds not otherwise excluded by Article VII, Section 13, of the State Constitution</u>
2019-2020	6,704,598,064
2020-2021	10,844,348,064
2021-2022	12,187,598,064
2022-2023	13,709,948,064

Based on the foregoing and based on the assumption that the full amount of a guaranty is immediately due and payable when the guaranty changes from a contingent liability to an actual liability, the aggregate principal amount of the portion of the outstanding guaranties and the guaranties proposed to be incurred, which does not exceed seven per cent of the average amount set forth in the last

column of the above table and for which reserve funds have been or will have been established as heretofore provided, can be excluded in determining the power of the State to issue general obligation bonds. As it is not possible to predict with a reasonable degree of certainty when a guaranty will change from a contingent liability to an actual liability, it is assumed in conformity with fiscal conservatism and prudence, that all guaranties not otherwise excluded pursuant to article VII, section 13, of the state constitution will become due and payable in the same fiscal year in which the greatest amount of principal and interest on general obligation bonds, after exclusions, occurs. Thus, based on these assumptions and on the determination in paragraph (9), all of the outstanding guaranties can be excluded.

- (9) Determination whether the debt limit will be exceeded at the time of issuance. From the foregoing and on the assumption that all of the bonds identified in paragraph (6) will be issued at an interest rate not to exceed 5.75 per cent in fiscal years 2021 through 2023, it can be determined from the following schedule that the bonds that are proposed to be issued, which include all authorized and unissued bonds previously authorized, as adjusted, general obligation bonds, and instruments of indebtedness under which the State incurs a contingent liability as a guarantor authorized in this Act, will cause the debt limit to be exceeded at the time of the bond issuance:

<u>Time of Issuance and Amount to be Counted Against Debt Limit</u>	<u>Debt Limit at Time of Issuance</u>	<u>Greatest Amount and Year of Highest Principal and Interest on Bonds and Guaranties</u>	
1st half FY 2020-2021 \$3,468,125,000	1,426,612,153	1,594,188,551	(2021-2022)
2nd half FY 2020-2021 \$671,625,000	1,426,612,153	1,632,806,988	(2021-2022)
1st half FY 2021-2022 \$671,625,000	1,362,404,787	1,652,116,207	(2021-2022)
2nd half FY 2021-2022 \$671,625,000	1,362,404,787	1,682,370,181	(2022-2023)
1st half FY 2022-2023 \$711,425,000	1,326,784,973	1,730,621,623	(2023-2024)
2nd half FY 2022-2023 \$810,925,000	1,326,784,973	1,802,149,811	(2023-2024)

- (10) Overall and concluding finding. From the facts, estimates, and assumptions stated in this declaration of findings, the conclusion is reached that the total amount of principal and interest estimated for the general obligation bonds authorized in this Act, and for all bonds authorized and unissued, and calculated for all bonds issued and outstanding, and all guaranties, will cause the debt limit to be exceeded at the time of issuance.

SECTION 2. The legislature finds the bases for the declaration of findings set forth in this Act are reasonable. The assumptions set forth in this Act with respect to the principal amount of general obligation bonds that will be issued, the amount of principal and interest on reimbursable general obligation bonds that are assumed to be excludable, and the assumed maturity structure

## ACT 3

shall not be deemed to be binding, it being the understanding of the legislature that these matters must remain subject to substantial flexibility.

**SECTION 3.** Authorization for issuance of general obligation bonds. General obligation bonds may be issued as provided by law in an amount that may be necessary to finance projects authorized in House Bill No. 2725, H.D. 1, S.D. 1<sup>1</sup> (the Supplemental Improvements Act of 2020), as amended by Senate Bill No. 126 H.D. 1, S.D. 1, C.D. 1,<sup>2</sup> Senate Bill No. 3080, S.D. 3, H.D. 1<sup>5</sup> (the Judiciary Supplemental Appropriations Act of 2020), Senate Bill No. 3139, S.D. 1, H.D. 1,<sup>3</sup> as amended by Senate Bill No. 126 H.D. 1, S.D. 1, C.D. 1,<sup>2</sup> Senate Bill No. 75, S.D. 2, H.D. 1,<sup>4</sup> as amended by Senate Bill No. 126 H.D. 1, S.D. 1, C.D. 1,<sup>2</sup> Act 12, Session Laws of Hawaii 2018, as amended by Act 35, Session Laws of Hawaii 2019, as amended by Senate Bill No. 126 H.D. 1, S.D. 1, C.D. 1,<sup>2</sup> and Senate Bill No. 126 H.D. 1, S.D. 1, C.D. 1;<sup>2</sup> passed by the legislature during the regular session of 2020 and designated to be financed from the general obligation bond fund and from the general obligation bond fund with debt service cost to be paid from special funds; provided that the sum total of general obligation bonds issued under the authority established in this section shall not exceed \$3,073,991,000.

Any law to the contrary notwithstanding, general obligation bonds may be issued from time to time in accordance with section 39-16, Hawaii Revised Statutes, in a principal amount as may be required to refund any general obligation bonds of the State of Hawaii heretofore or hereafter issued pursuant to law.

**SECTION 4.** Working capital indebtedness. Instruments of indebtedness may be issued as provided by law in an amount that may be necessary to finance any permitted purpose under House Bill No. 2200, H.D. 1, S.D. 1,<sup>6</sup> passed by the legislature during the regular session of 2020; provided that the sum total of these instruments of indebtedness issued under the authority established in this section, together with any instruments of indebtedness issued under the authority established in section 5, shall not, in the aggregate, exceed \$2,100,000,000.

**SECTION 5.** Municipal liquidity facility. Instruments of indebtedness may be issued as provided by law in an amount that may be necessary to finance any permitted purpose under section 13(3) of the Federal Reserve Act, authorized in House Bill No. 2200, H.D. 1, S.D. 1,<sup>6</sup> passed by the legislature during the regular session of 2020; provided that the sum total of these instruments of indebtedness issued under the authority established in this section, together with any instruments of indebtedness issued under the authority established in section 4, shall not, in the aggregate, exceed \$2,100,000,000.

**SECTION 6.** The provisions of this Act are declared to be severable and if any portion thereof is held to be invalid for any reason, the validity of the remainder of this Act shall not be affected.

**SECTION 7.** In printing this Act, the revisor of statutes shall substitute in sections 1, 3, 4, and 5 the corresponding act numbers for bills identified therein.

**SECTION 8.** This Act shall take effect upon its approval.

(Approved July 6, 2020.)

### Notes

1. Act 6.
2. Act 9.
3. Act 4.



- 4. Act 8.
- 5. Act 5.
- 6. Act 7.

## ACT 4

S.B. NO. 3139

A Bill for an Act Relating to the State Budget.

*Be It Enacted by the Legislature of the State of Hawaii:*

## PART I

SECTION 1. The legislature finds that Act 39, Session Laws of Hawaii 2018, appropriated \$200,000,000 in general funds to the rental housing revolving fund. In addition, the rental housing revolving fund receives \$38,000,000 annually from conveyance tax collections. On June 30, 2019, the ending balance of the rental housing revolving fund was \$362,740,473, and by June 30, 2020, the ending balance is projected to be \$445,624,761. The economic impact of the coronavirus disease 2019 (COVID-19) has created a severe budget shortfall for the State.

Accordingly, the purpose of this part is to:

- (1) Replace, where eligible, general fund appropriations with general obligation bond funds;
- (2) Deposit, or authorize the transfer of, those general funds into the emergency and budget reserve fund; and
- (3) Authorize the transfer of excess moneys from other sources into the emergency and budget reserve fund.

SECTION 2. The director of finance is authorized to issue general obligation bonds in the sum of \$250,000,000 or so much thereof as may be necessary and the same sum or so much thereof as may be necessary is appropriated for fiscal year 2020-2021 for deposit into the rental housing revolving fund; provided that the appropriation made for the capital improvement project authorized by this section shall not lapse at the end of the fiscal year for which the appropriation is made; provided further that all moneys from the appropriation unencumbered as of June 30, 2022, shall lapse as of that date.

SECTION 3. On May 28, 2020, the director of finance is authorized to transfer from the rental housing revolving fund to the emergency and budget reserve fund the sum of \$250,000,000 or so much thereof as may be necessary for fiscal year 2019-2020.

SECTION 4. Act 268, Session Laws of Hawaii 2019, is amended by repealing section 4.

~~["SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$20,000,000 or so much thereof as may be necessary for fiscal year 2019-2020 for the establishment and development of the stadium development district for public use.~~

~~The sum appropriated shall be expended by the Hawaii community development authority for the purposes of this Act; provided that the appropriation shall not lapse at the end of the fiscal year for which the appropriation is made; provided further that all moneys unencumbered as of June 30, 2022, shall lapse as of that date."]~~

## ACT 4

SECTION 5. Act 268, Session Laws of Hawaii 2019, is amended by amending section 6 to read as follows:

“SECTION 6. The director of finance is authorized to issue general obligation bonds in the sum of ~~\$150,000,000~~ \$170,000,000 or so much thereof as may be necessary and the same sum or so much thereof as may be necessary is appropriated for fiscal year 2019-2020 to the Hawaii community development authority for the stadium development district[-]; provided that the appropriation made for the capital improvement project authorized by this section shall not lapse at the end of the fiscal year for which the appropriation is made; provided further that all moneys from the appropriation unencumbered as of June 30, 2022, shall lapse as of that date.

The sum appropriated shall be expended by the Hawaii community development authority for the purposes of this Act.”

SECTION 6. On May 28, 2020, there is appropriated out of the general revenues of the State of Hawaii the sum of \$20,000,000 or so much thereof as may be necessary for fiscal year 2019-2020 to be deposited into the emergency and budget reserve fund.

SECTION 7. On May 28, 2020, the director of finance is authorized to transfer from the mental health and substance abuse special fund to the emergency and budget reserve fund the sum of \$25,000,000 or so much thereof as may be necessary for fiscal year 2019-2020.

SECTION 8. On May 28, 2020, the director of finance is authorized to transfer from the Hawaii tobacco settlement special fund to the emergency and budget reserve fund the sum of \$8,000,000 or so much thereof as may be necessary for fiscal year 2019-2020.

### PART II

SECTION 9. The legislature finds that the Supplemental Appropriations Act of 2020<sup>1</sup> and the Judiciary Supplemental Appropriations Act of 2020<sup>2</sup> reduced expenditures in fiscal year 2019-2020 and fiscal year 2020-2021. The purpose of this part is to transfer those savings to the emergency and budget reserve fund.

SECTION 10. On May 28, 2020, there is appropriated out of the general revenues of the State of Hawaii the sum of ~~\$432,000,605~~ \$0<sup>3</sup> or so much thereof as may be necessary for fiscal year 2019-2020 to be deposited into the emergency and budget reserve fund.

### PART III

SECTION 11. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 12. This Act shall take effect on May 27, 2020; provided that section 2 shall take effect on July 1, 2020.

(Approved July 6, 2020.)

#### Notes

1. The Supplemental Appropriations Act of 2020, H.B. 2200, H.D. 1, S.D. 1, became Act 7.
2. The Judiciary Supplemental Appropriations Act of 2020, S.B. 3080, S.D. 3, H.D. 1, became Act 5.
3. Item vetoed, replaced with “\$0”, and initialed “DYI”.



ACT 5

S.B. NO. 3080

A Bill for an Act Relating to the Judiciary.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. This Act shall be known and may be cited as the Judiciary Supplemental Appropriations Act of 2020.

SECTION 2. Act 38, Session Laws of Hawaii 2019, is amended by amending part II to read as follows:

**“PART II. PROGRAM APPROPRIATIONS**

SECTION 3. The following sums, or so much thereof as may be sufficient to accomplish the purposes and programs designated herein, are appropriated or authorized from the sources of funding specified to the judiciary for the fiscal biennium beginning July 1, 2019, and ending June 30, 2021. The total expenditures and the number of permanent and temporary positions established in each fiscal year of the fiscal biennium shall not exceed the sums and the position ceilings indicated for each year, except as provided in this Act.

PROGRAM APPROPRIATIONS				APPROPRIATIONS	
ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	FISCAL M	FISCAL M
				YEAR O	YEAR O
				2019-2020 F	2020-2021 F
<b>The Judicial System</b>					
1.	JUD101	COURTS OF APPEAL		[—73.00*] 71.00*	[—73.00*] 71.00*
	OPERATING		JUD	1.00# [—7,216,185 A] 7,085,769 A	1.00# [—7,216,185 A] 7,085,769 A
2.	JUD310	FIRST JUDICIAL CIRCUIT		[—1,103.50*] 1,001.50*	[—1,103.50*] 1,001.50*
	OPERATING		JUD	[—58.58#] 45.10# [—88,278,054 A] 81,521,805 A	[—58.58#] 45.10# [—88,425,760 A] 81,669,511 A
			JUD	41.00* 4,429,112 B	41.00* 4,429,112 B
3.	JUD320	SECOND JUDICIAL CIRCUIT		[—210.50*] 196.50*	[—210.50*] 196.50*
	OPERATING		JUD	1.68# [—17,949,998 A] 16,931,765 A	1.68# [—17,955,448 A] 16,937,215 A
4.	JUD330	THIRD JUDICIAL CIRCUIT		[—240.00*] 224.00*	[—240.00*] 224.00*
	OPERATING		JUD	[—5.68#] 3.68# [—21,729,887 A] 20,438,738 A	[—5.68#] 3.68# [—21,761,042 A] 20,469,893 A

## ACT 5

5. JUD350 - FIFTH JUDICIAL CIRCUIT		[ <del>103.00*</del> ]	[ <del>103.00*</del> ]
		98.00*	98.00*
		[ <del>2.60#</del> ]	[ <del>2.60#</del> ]
		1.60#	1.60#
OPERATING	JUD	[ <del>8,455,480A</del> ]	[ <del>8,447,902A</del> ]
		7,901,044A	7,893,466A
6. JUD501 - JUDICIAL SELECTION COMMISSION		1.00*	1.00*
OPERATING	JUD	103,414A	103,414A
7. JUD601 - ADMINISTRATION		[ <del>226.00*</del> ]	[ <del>226.00*</del> ]
		206.00*	206.00*
		[ <del>9.48#</del> ]	[ <del>9.48#</del> ]
		6.48#	6.48#
OPERATING	JUD	[ <del>28,086,186A</del> ]	[ <del>27,587,239A</del> ]
		25,124,640A	26,325,693A
		1.00*	1.00*
		9.00#	9.00#
	JUD	8,034,802B	8,034,802B
	JUD	343,261W	343,261W
INVESTMENT CAPITAL	JUD	9,355,000C	[ <del>0C</del> ]
			76,000,000C <sup>1</sup>

SECTION 3. Part III, Act 38, Session Laws of Hawaii 2019, is amended by adding a new section to read as follows:

“SECTION 7.1. (a) Beginning on the effective date of this Act the judiciary shall submit a weekly report to the legislature that includes the following information for all inmates released pursuant to supreme court orders entered in SCPW-20-0000200 and SCPW-20-0000213:

- (1) The inmate’s name;
- (2) The inmate’s release date;
- (3) The correctional center or facility where the inmate was released from;
- (4) The inmate’s criminal status before release, for example felony probationer, misdemeanor, or petty misdemeanor;
- (5) Any objections made to the inmate’s release;
- (6) The inmate’s verified residence address at the time of release;
- (7) The inmate’s current verified residence address or homeless status;
- (8) The conditions of supervised release;
- (9) The name of the person or agency that is responsible for supervising the inmate upon release; and
- (10) If a released inmate is subsequently arrested, the inmate’s arrest record following release.

(b) The information provided pursuant to subsection (a) shall be updated in each subsequent report to reflect the inmate’s current status, including any changes to subsection (a)(7) and (10).”

SECTION 4. Act 38, Session Laws of Hawaii 2019, is amended by amending part IV to read as follows:

### **“PART IV. CAPITAL IMPROVEMENT PROJECTS**

SECTION 8. The sum of [~~\$9,355,000~~] \$85,355,000 appropriated or authorized in part II of this Act for capital improvement projects shall be expended by the judiciary for the projects listed below; provided that several related or similar projects may be combined into a single project, if a combination is advanta-

geous or convenient for implementation; provided further that the total cost of the projects thus combined shall not exceed the total of the sums specified for the projects separately. The amount after each cost element and the total funding for each project listed in this part are in thousands of dollars.

**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021

**A. ECONOMIC DEVELOPMENT**

**JUD601 - ADMINISTRATION**

1.		HOAPILI HALE PARKING STRUCTURE SEWER, STORM DRAIN, AC AND FIRE SPRINKLER PIPING IMPROVEMENTS, MAUI				
		DESIGN AND CONSTRUCTION, IN PHASES AS FUNDS ALLOW, TO RENOVATE THE SANITARY (WASTE), STORM DRAIN, AC (CHILLED WATER), AND FIRE SUPPRESSION SYSTEMS IN THE PARKING STRUCTURE AT HOAPILI HALE, MAUI.				
		TOTAL FUNDING	JUD	850	C	
2.		HOAPILI HALE SECURITY IMPROVEMENTS, MAUI				
		DESIGN AND CONSTRUCTION FOR SECURITY-RELATED IMPROVEMENTS AT HOAPILI HALE, MAUI.				
		TOTAL FUNDING	JUD	3,510	C	
3.		KAAHUMANU HALE REPAIR BASEMENT LEAKS AND DAMAGES, OAHU				
		DESIGN AND CONSTRUCTION TO REPAIR LEAKS IN THE TELECOMMUNICATIONS ROOM AND THE EVIDENCE ROOM IN THE BASEMENT PARKING AREA AT KAAHUMANU HALE, OAHU.				
		TOTAL FUNDING	JUD	1,995	C	
4.		LUMP SUM CIP FOR JUDICIARY FACILITIES, STATEWIDE				
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS INCLUDING DEFERRED REPAIRS AND MAINTENANCE, ALTERATIONS, UPGRADES AND RENOVATIONS TO JUDICIARY FACILITIES, STATEWIDE.				
		TOTAL FUNDING	JUD	3,000	C	
4.1		<u>WAHIAWA CIVIC CENTER INCLUDING NEW JUDICIARY COMPLEX, OAHU</u>				
		<u>PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR A NEW JUDICIARY COMPLEX AT WAHIAWA CIVIC CENTER, WAHIAWA, OAHU. PROJECT INCLUDES NEW DISTRICT COURTHOUSE AND ANCILLARY FACILITIES TO SUPPORT EXISTING AND FUTURE CIVIC CENTER PROGRAMS AT TMKS INCLUDING: (1) 7-4-004:001, (1) 7-4-004:071, AND (1) 7-4-006:012.</u>				
		TOTAL FUNDING	JUD		C	76,000C"

**ACT 5**

SECTION 5. Act 38, Session Laws of Hawaii 2019, is amended by amending part V to read as follows:

**“PART V. ISSUANCE OF BONDS**

SECTION 9. General obligation bonds may be issued, as provided by law, to yield the amount that may be necessary to finance projects authorized in part II and listed in part [V] IV of this Act; provided that the sum of the general obligation bonds so issued shall not exceed [~~\$9,355,000.~~] \$85,355,000.”

SECTION 6. Part V, Act 38, Session Laws of Hawaii 2019, is amended as follows:

1. By adding a new section to read:

“SECTION 9A. Any law to the contrary notwithstanding, the appropriation under Act 195, Session Laws of Hawaii 2017, section 8, as amended and renumbered by Act 26, Session Laws of Hawaii 2018, part IV, in the amount indicated or balance thereof, unallotted, unencumbered, or encumbered and unrequired is hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
<u>A-7.01</u>	<u>3,074,733.45 C”</u>

2. By adding a new section to read:

“SECTION 9B. Any law to the contrary notwithstanding, the appropriations under Act 61, Session Laws of Hawaii 2011, part IV, as amended and renumbered by Act 107, Session Laws of Hawaii 2012, part IV, in the amounts indicated or balance thereof, unallotted, unencumbered, or encumbered and unrequired are hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
<u>A-2</u>	<u>34,216.66 C</u>
<u>A-4</u>	<u>138,026.54 C</u>
<u>A-5</u>	<u>22,845.05 C</u>
<u>A-6</u>	<u>3,900.18 C</u>
<u>A-6.02</u>	<u>82,070 C</u>
<u>A-6.03</u>	<u>8,410 C</u>
<u>A-7</u>	<u>305,696.80 C”</u>

3. By adding a new section to read:

“SECTION 9C. Any law to the contrary notwithstanding, the appropriations under Act 169, Session Laws of Hawaii 2007, part IV, as amended and renumbered by Act 102, Session Laws of Hawaii 2008, part IV, in the amount indicated or balance thereof, unallotted, unencumbered, or encumbered and unrequired is hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
<u>1</u>	<u>213,341.80 C”</u>

SECTION 7. Act 38, Session Laws of Hawaii 2019, Part VI, Section 10 is amended to read as follows:

**“PART VI. SPECIAL PROVISIONS**

SECTION 10. Any law or any provision of this Act to the contrary notwithstanding, the appropriations made for capital improvement projects authorized in part II and listed in part [V] IV of this Act shall not lapse at the end of the fiscal year for which the appropriations are made; provided that all ap-

propriations made for fiscal year 2019-2020 and fiscal year 2020-2021 that are unencumbered as of June 30, 2022, shall lapse as of that date.”

SECTION 8. If any portion of this Act or its application to any person or circumstances is held to be invalid for any reason, the remainder of the Act and any provision thereof shall not be affected. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be independent of the invalid portion and shall be expended to fulfill the objective and intent of the appropriation to the extent possible.

SECTION 9. If any manifest clerical, typographical, or other mechanical error is found in this Act, the chief justice may correct the error. All changes made pursuant to this section shall be reported to the legislature at its next regular session.

SECTION 10. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 11. This Act shall take effect upon its approval.

(Became law on July 7, 2020, without the governor’s signature, pursuant to Art. III, §16, State Constitution.)

**ACT 6**

H.B. NO. 2725

A Bill for an Act Relating to Capital Improvement Projects.

*Be It Enacted by the Legislature of the State of Hawaii:*

**PART I. GENERAL PROVISIONS**

SECTION 1. **SHORT TITLE.** This Act shall be known and may be cited as the Supplemental Improvements Act of 2020.

SECTION 2. This part amends Act 40, Session Laws of Hawaii 2019, and other appropriations and authorizations effective during fiscal biennium 2019-2021.

SECTION 3. Part II of Act 40, Session Laws of Hawaii 2019, is amended by amending section 3 to read as follows:

“SECTION 3. **APPROPRIATIONS.** The following sums, or so much thereof as may be sufficient to accomplish the purposes and programs designated herein, are hereby appropriated or authorized, as the case may be, from the means of financing specified to the expending agencies designated for the fiscal biennium beginning July 1, 2019, and ending June 30, 2021. The total expenditures and the number of positions in each fiscal year of the biennium shall not exceed the sums and the position ceilings indicated for each fiscal year, except as provided elsewhere in this Act or as provided by general law.

**PROGRAM APPROPRIATIONS**

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
				M O F	M O F

**A. ECONOMIC DEVELOPMENT**

1.	AGR131 - RABIES QUARANTINE INVESTMENT CAPITAL	AGS	200,000 C
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**ACT 6**

**PROGRAM APPROPRIATIONS**

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
2.	AGR132 - ANIMAL DISEASE CONTROL	INVESTMENT CAPITAL	AGS	500,000 C	C
3.	LNR172 - FORESTRY - RESOURCE MANAGEMENT AND DEVELOPMENT	INVESTMENT CAPITAL	LNR	50,000 C	370,000 C
4.	AGR141 - AGRICULTURAL RESOURCE MANAGEMENT	INVESTMENT CAPITAL	AGR	7,800,000 C	14,800,000 C
			AGR	R	500,000 R
5.	AGR161 - AGRIBUSINESS DEVELOPMENT AND RESEARCH	INVESTMENT CAPITAL	AGR	15,900,000 C	600,000 C
6.	AGR192 - GENERAL ADMINISTRATION FOR AGRICULTURE	INVESTMENT CAPITAL	AGR	C	200,000 C
			AGS	4,400,000 C	150,000 C
			AGR	R	200,000 R
7.	LNR153 - FISHERIES MANAGEMENT	INVESTMENT CAPITAL	LNR	550,000 C	150,000 C
8.	BED143 - HAWAII TECHNOLOGY DEVELOPMENT CORPORATION	INVESTMENT CAPITAL	BED	15,225,000 C	2,775,000 C
9.	LNR141 - WATER AND LAND DEVELOPMENT	INVESTMENT CAPITAL	LNR	8,300,000 C	7,300,000 C
10.	BED160 - HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION	INVESTMENT CAPITAL	BED	42,000,000 C	75,000,000 C

**B. EMPLOYMENT**

0.1	LBR171 - UNEMPLOYMENT INSURANCE PROGRAM	INVESTMENT CAPITAL	LBR	C	10,000,000 C
1.	HMS802 - VOCATIONAL REHABILITATION	INVESTMENT CAPITAL	AGS	811,000 C	C

**C. TRANSPORTATION FACILITIES**

1.	TRN102 - DANIEL K. INOUE INTERNATIONAL AIRPORT	INVESTMENT CAPITAL	TRN	184,400,000 E	103,400,000 E
			TRN	70,000,000 X	X
2.	TRN104 - GENERAL AVIATION	INVESTMENT CAPITAL	TRN	8,450,000 E	E
			TRN	5,001,000 N	N
3.	TRN111 - HILO INTERNATIONAL AIRPORT	INVESTMENT CAPITAL	TRN	800,000 E	23,000,000 E
4.	TRN114 - ELLISON ONIZUKA KONA INTERNATIONAL AIRPORT AT KEAHOLE	INVESTMENT CAPITAL	TRN	15,721,000 E	9,000,000 E
5.	TRN131 - KAHULUI AIRPORT	INVESTMENT CAPITAL	TRN	38,000,000 E	E

## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
6.	TRN133 - HANA AIRPORT	INVESTMENT CAPITAL	TRN	400,000 E	2,000,000 E
7.	TRN141 - MOLOKAI AIRPORT	INVESTMENT CAPITAL	TRN	3,500,000 E	E
8.	TRN151 - LANAI AIRPORT	INVESTMENT CAPITAL	TRN	400,000 E	2,000,000 E
9.	TRN161 - LIHUE AIRPORT	INVESTMENT CAPITAL	TRN	12,000,000 E	11,000,000 E
10.	TRN195 - AIRPORTS ADMINISTRATION	INVESTMENT CAPITAL	TRN	4,250,000 B	4,250,000 B
			TRN	198,300,000 E	372,490,000 E
			TRN	3,000 N	2,000 N
			TRN	10,750,000 X	44,150,000 X
11.	TRN301 - HONOLULU HARBOR	INVESTMENT CAPITAL	TRN	4,000 B	4,000 B
			TRN	81,038,000 E	26,488,000 E
			TRN	4,000 N	4,000 N
			TRN	4,000 R	4,000 R
12.	TRN303 - KALAELOA BARBERS POINT HARBOR	INVESTMENT CAPITAL	TRN	4,000 B	4,000 B
			TRN	39,988,000 E	63,988,000 E
			TRN	4,000 N	4,000 N
			TRN	4,000 R	4,000 R
13.	TRN311 - HILO HARBOR	INVESTMENT CAPITAL	TRN	4,000 B	4,000 B
			TRN	4,988,000 E	48,938,000 E
			TRN	4,000 N	4,000 N
			TRN	4,000 R	4,000 R
14.	TRN313 - KAWAIIHAE HARBOR	INVESTMENT CAPITAL	TRN	4,000 B	4,000 B
			TRN	1,988,000 E	6,988,000 E
			TRN	4,000 N	4,000 N
			TRN	4,000 R	4,000 R
15.	TRN331 - KAHULUI HARBOR	INVESTMENT CAPITAL	TRN	4,000 B	4,000 B
			TRN	41,988,000 E	14,488,000 E
			TRN	4,000 N	4,000 N
			TRN	4,000 R	4,000 R
16.	TRN361 - NAWILIWILI HARBOR	INVESTMENT CAPITAL	TRN	4,000 B	4,000 B
			TRN	11,988,000 E	2,988,000 E
			TRN	4,000 N	4,000 N
			TRN	4,000 R	4,000 R
17.	TRN363 - PORT ALLEN HARBOR	INVESTMENT CAPITAL	TRN	B	4,000 B
			TRN	E	3,988,000 E
			TRN	N	4,000 N
			TRN	R	4,000 R

**ACT 6**

**PROGRAM APPROPRIATIONS**

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
18.	TRN395 - HARBORS ADMINISTRATION				
	INVESTMENT CAPITAL		TRN	4,000 B	2,504,000 B
			TRN	16,992,000 E	14,992,000 E
			TRN	4,000 R	4,000 R
19.	TRN501 - OAHU HIGHWAYS				
	INVESTMENT CAPITAL		TRN	B	21,800,000 B
			TRN	5,799,000 C	C
			TRN	D	100,000,000 D
			TRN	153,950,000 E	338,820,000 E
			TRN	44,600,000 N	53,681,000 N
20.	TRN511 - HAWAII HIGHWAYS				
	INVESTMENT CAPITAL		TRN	B	7,000,000 B
			TRN	700,000 E	142,900,000 E
			TRN	2,000,000 N	16,801,000 N
21.	TRN531 - MAUI HIGHWAYS				
	INVESTMENT CAPITAL		TRN	118,550,000 E	123,605,000 E
			TRN	7,400,000 N	2,400,000 N
22.	TRN561 - KAUAI HIGHWAYS				
	INVESTMENT CAPITAL		TRN	B	22,000,000 B
			TRN	4,100,000 E	79,200,000 E
			TRN	N	1,602,000 N
23.	TRN595 - HIGHWAYS ADMINISTRATION				
	INVESTMENT CAPITAL		TRN	2,000,000 B	2,000,000 B
			TRN	20,800,000 E	41,040,000 E
			TRN	42,801,000 N	71,564,000 N
<b>D. ENVIRONMENTAL PROTECTION</b>					
1.	HTH840 - ENVIRONMENTAL MANAGEMENT				
	INVESTMENT CAPITAL		HTH	4,708,000 C	4,708,000 C
			HTH	23,538,000 N	23,538,000 N
2.	LNR402 - NATIVE RESOURCES AND FIRE PROTECTION PROGRAM				
	INVESTMENT CAPITAL		LNR	1,900,000 C	2,360,000 C
3.	LNR407 - NATURAL AREA RESERVES AND WATERSHED MANAGEMENT				
	INVESTMENT CAPITAL		LNR	6,980,000 C	6,287,000 C
4.	LNR906 - LNR - NATURAL AND PHYSICAL ENVIRONMENT				
	INVESTMENT CAPITAL		LNR	1,000,000 C	C
<b>E. HEALTH</b>					
1.	HTH211 - KAHUKU HOSPITAL				
	INVESTMENT CAPITAL		AGS	1,500,000 C	C
2.	HTH212 - HAWAII HEALTH SYSTEMS CORPORATION - REGIONS				
	INVESTMENT CAPITAL		HTH	23,999,000 C	36,249,000 C
3.	HTH214 - MAUI HEALTH SYSTEM, A KFH LLC				
	INVESTMENT CAPITAL		HTH	6,000,000 C	8,000,000 C
			HTH	R	1,000,000 R



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
4.	HTH430	- ADULT MENTAL HEALTH - INPATIENT INVESTMENT CAPITAL	AGS	8,445,000 C	8,997,000 C
5.	HTH710	- STATE LABORATORY SERVICES INVESTMENT CAPITAL	AGS	4,422,000 C	6,227,000 C
6.	HTH907	- GENERAL ADMINISTRATION INVESTMENT CAPITAL	AGS	3,592,000 C	15,344,000 C
<b>F. SOCIAL SERVICES</b>					
1.	HMS503	- HAWAII YOUTH CORRECTIONAL FACILITY (HYCF) INVESTMENT CAPITAL	AGS	2,525,000 C	C
2.	DEF112	- SERVICES TO VETERANS INVESTMENT CAPITAL	DEF DEF	1,000,000 C 4,546,000 P	26,275,000 C 3,825,000 P
3.	HMS220	- RENTAL HOUSING SERVICES INVESTMENT CAPITAL	HMS	20,000,000 C	7,635,000 C
4.	HHL602	- PLANNING AND DEVELOPMENT FOR HAWAIIAN HOMESTEADS INVESTMENT CAPITAL	HHL	26,000,000 C	34,850,000 C
<b>G. FORMAL EDUCATION</b>					
1.	EDN100	- SCHOOL-BASED BUDGETING INVESTMENT CAPITAL	EDN UOH EDN	456,058,000 C C 74,000,000 P	390,670,000 C 200,000 C 26,800,000 P
2.	EDN400	- SCHOOL SUPPORT INVESTMENT CAPITAL	EDN	10,000,000 C	C
3.	EDN600	- CHARTER SCHOOLS INVESTMENT CAPITAL	EDN EDN	12,700,000 C 3,000,000 R	14,595,000 C R
4.	EDN407	- PUBLIC LIBRARIES INVESTMENT CAPITAL	AGS	15,369,000 C	6,420,000 C
5.	UOH100	- UNIVERSITY OF HAWAII, MANOA INVESTMENT CAPITAL	UOH UOH	41,500,000 C 38,000,000 E	6,000,000 C E
6.	UOH210	- UNIVERSITY OF HAWAII, HILO INVESTMENT CAPITAL	UOH	8,321,000 C	8,000,000 C
7.	UOH800	- UNIVERSITY OF HAWAII, COMMUNITY COLLEGES INVESTMENT CAPITAL	UOH UOH	50,650,000 C 4,000,000 D	37,748,000 C D
8.	UOH900	- UNIVERSITY OF HAWAII, SYSTEMWIDE SUPPORT INVESTMENT CAPITAL	UOH UOH	89,250,000 C 4,800,000 E	52,748,000 C 4,800,000 E

**ACT 6**

**PROGRAM APPROPRIATIONS**

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
<b>H. CULTURE AND RECREATION</b>					
0.1	UOH881 - AQUARIA	INVESTMENT CAPITAL	UOH	C	600,000 C
1.	AGS881 - STATE FOUNDATION ON CULTURE AND THE ARTS	INVESTMENT CAPITAL	AGS	0B	0 B
2.	LNR802 - HISTORIC PRESERVATION	INVESTMENT CAPITAL	LNR	250,000 C	500,000 C
3.	LNR804 - FOREST AND OUTDOOR RECREATION	INVESTMENT CAPITAL	LNR	450,000 C	750,000 C
4.	LNR806 - PARKS ADMINISTRATION AND OPERATION	INVESTMENT CAPITAL	LNR	4,550,000 C	15,350,000 C
			LNR	500,000 N	500,000 N
5.	LNR801 - OCEAN-BASED RECREATION	INVESTMENT CAPITAL	LNR	1,150,000 C	7,300,000 C
			LNR	N	1,901,000 N
<b>I. PUBLIC SAFETY</b>					
1.	PSD900 - GENERAL ADMINISTRATION	INVESTMENT CAPITAL	AGS	23,000,000 C	5,000,000 C
			PSD	3,000,000 C	3,000,000 C
2.	DEF110 - AMELIORATION OF PHYSICAL DISASTERS	INVESTMENT CAPITAL	AGS	3,165,000 C	6,740,000 C
			DEF	413,000 C	2,648,000 C
			AGS	P	0 P
			DEF	300,000 P	8,731,000 P
<b>J. INDIVIDUAL RIGHTS</b>					
<b>K. GOVERNMENT-WIDE SUPPORT</b>					
0.1	BED144 - STATEWIDE PLANNING AND COORDINATION	INVESTMENT CAPITAL	BED	C	1,500,000 C
0.2	BUF101 - DEPARTMENTAL ADMINISTRATION AND BUDGET DIVISION	INVESTMENT CAPITAL	AGS	C	900,000 C
1.	AGS130 - ENTERPRISE TECHNOLOGY SERVICES - GOVERNANCE AND INNOVATION	INVESTMENT CAPITAL	AGS	1,800,000 C	17,000,000 C
2.	AGS131 - ENTERPRISE TECHNOLOGY SERVICES - OPERATIONS AND INFRASTRUCTURE MAINTENANCE	INVESTMENT CAPITAL	AGS	5,015,000 C	1,000,000 C
3.	AGS111 - ARCHIVES - RECORDS MANAGEMENT	INVESTMENT CAPITAL	AGS	1,150,000 C	C
4.	LNR101 - PUBLIC LANDS MANAGEMENT	INVESTMENT CAPITAL	LNR	0B	0 B
			LNR	1,250,000 C	9,050,000 C
			LNR	N	5,000,000 N
			LNR	1,250,000 R	7,650,000 R
			LNR	T	5,150,000 T

## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
5.	AGS221	PUBLIC WORKS - PLANNING, DESIGN, AND CONSTRUCTION INVESTMENT CAPITAL	AGS	30,189,000 C	9,850,000 C
6.	AGS233	CENTRAL SERVICES - BUILDING REPAIRS AND ALTERATIONS INVESTMENT CAPITAL	AGS	300,000 C	2,000,000 C
7.	SUB201	CITY AND COUNTY OF HONOLULU INVESTMENT CAPITAL	CCH CCH	9,000,000 C S	640,000 C 160,000 S
8.	SUB301	COUNTY OF HAWAII INVESTMENT CAPITAL	COH COH	10,200,000 C 2,040,000 S	7,700,000 C 2,360,000 S
9.	SUB401	COUNTY OF MAUI INVESTMENT CAPITAL	COM COM	1,075,000 C 270,000 S	C S
10.	SUB501	COUNTY OF KAUAI INVESTMENT CAPITAL	COK COK	4,500,000 C 900,000 S	12,680,000 C 2,820,000 S

SECTION 4. Part III of Act 40, Session Laws of Hawaii 2019, is amended by amending section 4 to read as follows:

“SECTION 4. CAPITAL IMPROVEMENT PROJECTS AUTHORIZED. The sums appropriated or authorized in part II of this Act for capital improvements shall be expended for the projects listed below. Accounting of the appropriations by the department of accounting and general services shall be based on the projects as the projects are listed in this section. Several related or similar projects may be combined into a single project if the combination is advantageous or convenient for implementation; provided that the total cost of the projects thus combined shall not exceed the total of the sum specified for the projects separately. (The amount after each cost element and the total funding for each project listed in this part are in thousands of dollars).

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021

## A. ECONOMIC DEVELOPMENT

## AGRI131 - RABIES QUARANTINE

- |    |  |     |       |   |
|----|--|-----|-------|---|
| 1. | RENOVATION OF KENNELS AT THE ANIMAL QUARANTINE STATION, OAHU       |     |       |   |
|    | CONSTRUCTION TO RENOVATE KENNELS AT THE ANIMAL QUARANTINE STATION. |     |       |   |
|    | TOTAL FUNDING  | AGS | 200 C | C |

**ACT 6**

**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
<b>AGR132 - ANIMAL DISEASE CONTROL</b>					
2.		AIRPORT ANIMAL QUARANTINE HOLDING FACILITY IMPROVEMENTS, OAHU			
		DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO THE AIRPORT ANIMAL QUARANTINE FACILITY.			
		TOTAL FUNDING	AGS	500 C	C
<b>LNR172 - FORESTRY - RESOURCE MANAGEMENT AND DEVELOPMENT</b>					
4.		PUU WAAWAA FOREST RESERVE, HAWAII			
		PLANS, DESIGN, AND CONSTRUCTION FOR REMOVAL OF STRUCTURES AND HAZARDOUS MATERIALS.			
		TOTAL FUNDING	LNR	50 C	150 C
4.1		SEPTIC SYSTEM IMPROVEMENTS AT PUA LOKE BASEYARD, KAUAI			
		CONSTRUCTION FOR CONVERSION OF PUA LOKE BASEYARD CESSPOOL TO SEPTIC SYSTEM.			
		TOTAL FUNDING	LNR	C	220 C
<b>AGR141 - AGRICULTURAL RESOURCE MANAGEMENT</b>					
5.		MOLOKAI IRRIGATION SYSTEM IMPROVEMENTS, MOLOKAI			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS TO THE MOLOKAI IRRIGATION SYSTEM.			
		TOTAL FUNDING	AGR	C	9,300 C
6.		KAHUKU AGRICULTURAL PARK MISCELLANEOUS IMPROVEMENTS, OAHU			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS TO THE KAHUKU AGRICULTURAL PARK.			
		TOTAL FUNDING	AGR	1,700 C	C
7.		KALAELOA HARVESTING FACILITY, OAHU			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR INFRASTRUCTURE UPGRADES AND CAPITAL IMPROVEMENTS TO THE HAWAII DEPARTMENT OF AGRICULTURE (HDOA) KALAELOA HARVESTING FACILITY, INCLUDING BUT NOT LIMITED TO ADJACENT HDOA PROPERTIES LOCATED AT 91265 OLAI ST AND 91319 OLAI ST: TMK 91031025, 91031001; AND OTHER RELATED IMPROVEMENTS AND/OR CONSTRUCTION AND/OR DESIGN AS DETERMINED BY THE HDOA AGRICULTURAL RESOURCE MANAGEMENT DIVISION.			
		TOTAL FUNDING	AGR	1,600 C	C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
7.1		KALAELOA HARVESTING FACILITY, OAHU			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR INFRASTRUCTURE UPGRADES AND CAPITAL IMPROVEMENTS TO THE HAWAII DEPARTMENT OF AGRICULTURE (HDOA) KALAELOA HARVESTING FACILITY, INCLUDING BUT NOT LIMITED TO ADJACENT HDOA PROPERTIES LOCATED AT 91265 OLAI ST AND 91319 OLAI ST: TMK 91031025, 91031001; AND OTHER RELATED IMPROVEMENTS AND/OR CONSTRUCTION AND/OR DESIGN AS DETERMINED BY THE HDOA AGRICULTURAL RESOURCE MANAGEMENT DIVISION.			
		TOTAL FUNDING	AGR	C	5,000C
8.		KAUAI IRRIGATION SYSTEMS, KAUAI			
		PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS TO INCREASE IRRIGATION SYSTEM CAPACITY.			
		TOTAL FUNDING	AGR	2,000C	C
9.		WAIMANALO IRRIGATION SYSTEM IMPROVEMENTS, OAHU			
		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS TO THE WAIMANALO IRRIGATION SYSTEM.			
		TOTAL FUNDING	AGR	2,500C	C
9.1		HAWI RESERVOIR DECOMMISSIONING, HAWAII			
		PLANS, LAND, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR DECOMMISSIONING THE HAWI RESERVOIR.			
		TOTAL FUNDING	AGR	C	500C
			AGR	R	500R
<b>AGR161 - AGRIBUSINESS DEVELOPMENT AND RESEARCH</b>					
10.		AGRICULTURAL LAND, OAHU			
		PLANS, LAND ACQUISITION, DESIGN, AND EQUIPMENT FOR ACQUISITION AND DEVELOPMENT OF LANDS ON OAHU: TMK 9-2-001: POR11.			
		TOTAL FUNDING	AGR	15,000C	C
11.		CHRISTIAN CROSSING BRIDGE, KALEPA, KAUAI			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT TO REPAIR AND STRENGTHEN THE BRIDGE AND SUPPORTING STRUCTURES.			
		TOTAL FUNDING	AGR	900C	C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
				M O F	M O F
11.1		KEKAHA BRIDGE, KAUAI			
		PLANS, DESIGN, AND CONSTRUCTION TO IMPROVE INTERIOR ACCESS ROAD AND KEKAHA DITCH BRIDGE CROSSING.			
		TOTAL FUNDING	AGR	C	600 C
<b>AGR192 - GENERAL ADMINISTRATION FOR AGRICULTURE</b>					
12.		MISCELLANEOUS HEALTH, SAFETY, CODE, AND OTHER REQUIREMENTS, STATEWIDE			
		DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO ADDRESS HEALTH, SAFETY, CODE, AND OTHER REQUIREMENTS, STATEWIDE.			
		TOTAL FUNDING	AGS	3,300 C	C
13.		HONALO MARSHALLING YARD, HAWAII			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS, RENOVATIONS, REFURBISHMENTS, NEW CONSTRUCTION, INFRASTRUCTURE IMPROVEMENTS, AND RELATED WORK FOR THE HONALO MARSHALLING YARD; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	AGS	1,100 C	C
13.1		HALAWA ANIMAL QUARANTINE STATION, OAHU			
		DESIGN AND CONSTRUCTION FOR REMOVAL OR REMEDIATION OF GROUND SURFACING TAR-LIKE SUBSTANCE FROM SITE AND OTHER AFFECTED AREAS, PARKING LOT IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; AND ALL PROJECT RELATED COSTS.			
		TOTAL FUNDING	AGS	C	150 C
13.2		ROAD REPAIR AND MAINTENANCE, HAWAII			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REPAIR AND MAINTENANCE OF FARM ROAD IN HAMAKUA DISTRICT, ISLAND OF HAWAII; PROVIDED THAT MATCHING FUNDS ARE PROVIDED BY A NON-GOVERNMENT ENTITY; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	AGR	C	200 C
			AGR	R	200 R

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>LNR153 - FISHERIES MANAGEMENT</b>					
14.		ANUENUE FISHERIES RESEARCH CENTER SEWER LINE, OAHU			
		CONSTRUCTION OF A NEW SEWER LINE CONNECTING TWO EXISTING RESTROOMS TO THE EXISTING CITY SEWER, INCLUDING A STUB-OUT FOR FUTURE RESTROOM/SHOWER BUILDING.			
		TOTAL FUNDING LNR		550 C	C
14.1		ANUENUE FISHERIES RESEARCH CENTER, OAHU			
		DESIGN AND CONSTRUCTION FOR INSTALLATION OF PHOTOVOLTAIC SYSTEM AND RELATED IMPROVEMENTS.			
		TOTAL FUNDING LNR		C	150 C
<b>BED143 - HAWAII TECHNOLOGY DEVELOPMENT CORPORATION</b>					
15.		MILILANI TECH PARK LOT #17, OAHU			
		LAND ACQUISITION OF MILILANI TECH PARK LOT #17 FOR USE AS A COMMUNITY ARTS AND THEATRE CENTER, AND ANCILLARY SUPPORT TO THE FIRST RESPONDERS TECH PARK.			
		TOTAL FUNDING BED		15,225 C	C
15.1		FIRST RESPONDERS TECH PARK, OAHU			
		LAND ACQUISITION OF MILILANI TECH PARK LOT #17 AND ADJACENT PARCELS LOTS 937, 939-B, AND 938 FOR USE AS A COMMUNITY ARTS AND THEATRE CENTER, AND ANCILLARY SUPPORT TO THE FIRST RESPONDERS TECH PARK.			
		TOTAL FUNDING BED		C	2,775 C
<b>LNR141 - WATER AND LAND DEVELOPMENT</b>					
16.		ROCKFALL AND FLOOD MITIGATION, STATEWIDE			
		PLANS, DESIGN, AND CONSTRUCTION FOR ROCKFALL AND FLOOD MITIGATION AT VARIOUS LOCATIONS, STATEWIDE. THE LEGISLATURE FINDS AND DECLARES THAT THE APPROPRIATION IS IN THE PUBLIC INTEREST AND FOR THE PUBLIC'S HEALTH, SAFETY AND GENERAL WELFARE OF THE STATE.			
		TOTAL FUNDING LNR		3,000 C	3,000 C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
17.		KUNIA WELLS, OAHU			
		PLANS, DESIGN, CONSTRUCTION AND EQUIPMENT FOR AN EXPLORATORY WELL IN KUNIA; GROUND AND SITE IMPROVEMENTS; NEW CONSTRUCTION, INFRASTRUCTURE DEVELOPMENT, IMPROVEMENTS, REFURBISHMENTS, AND DEVELOPMENT; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	LNR	1,000 C	C
18.		ALA WAI CANAL WALL IMPROVEMENTS, OAHU			
		DESIGN AND CONSTRUCTION TO STABILIZE AND IMPROVE PORTION OF ALA WAI CANAL WALL TO PROTECT ADJACENT SIDEWALK AND ROADWAY.			
		TOTAL FUNDING	LNR	1,800 C	4,000 C
18.1		DIAMOND HEAD SEAWALL, OAHU			
		PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS TO A SEAWALL; AND ALL PROJECT RELATED COSTS; PROJECT MAY INCLUDE REFURBISHMENT, RENEWAL, RENOVATION, REHABILITATION, OR NEW CONSTRUCTION; EQUIPMENT AND APPURTENANCES; GROUND AND SITE IMPROVEMENTS.			
		TOTAL FUNDING	LNR	C	50 C
18.2		UPCOUNTRY MAUI WELL, MAUI			
		PLANS, DESIGN, AND CONSTRUCTION FOR WATER WELL IN UPCOUNTRY MAUI.			
		TOTAL FUNDING	LNR	C	250 C
18.3		EXPLORATORY WATER WELL, HAWAII			
		PLANS, DESIGN, AND CONSTRUCTION FOR AN EXPLORATORY WELL AND RELATED IMPROVEMENTS FOR AGRICULTURAL USE IN NORTH KOHALA, HAWAII.			
		TOTAL FUNDING	LNR	2,500 C	C
<b>BED160 - HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION</b>					
19.		DWELLING UNIT REVOLVING FUND INFUSION, STATEWIDE			
		CONSTRUCTION TO PROVIDE AN INFUSION OF FUNDS TO FINANCE ADDITIONAL AFFORDABLE HOUSING, STATEWIDE.			
		TOTAL FUNDING	BED	42,000 C	25,000 C



**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021

19.1		DWELLING UNIT REVOLVING FUND INFUSION, STATEWIDE				
		CONSTRUCTION TO PROVIDE AN INFUSION OF FUNDS TO FINANCE ADDITIONAL AFFORDABLE HOUSING FOR COUNTIES WITHIN THE STATE HAVING A POPULATION OF LESS THAN 500,000; INCLUDING INFRASTRUCTURE AND OTHER RELATED COSTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.				
		TOTAL FUNDING	BED		C	50,000 C

**B. EMPLOYMENT**

**LBR171 - UNEMPLOYMENT INSURANCE PROGRAM**

0.1		UNEMPLOYMENT INSURANCE INFORMATION TECHNOLOGY SYSTEM MODERNIZATION, STATEWIDE				
		PLANS, DESIGN, CONSTRUCTION AND EQUIPMENT FOR THE UNEMPLOYMENT SYSTEM INFORMATION TECHNOLOGY SYSTEM.				
		TOTAL FUNDING	LBR		C	10,000 C

**HMS802 - VOCATIONAL REHABILITATION**

1.		HOOPONO FLOOD ZONE REMEDIATION, OAHU				
		DESIGN AND CONSTRUCTION TO REPLACE BASEMENT WALLS WITH A STRUCTURE TO WITHSTAND FORCES DUE TO POTENTIAL FLOODING, ELEVATE WALL OPENINGS, AND PROTECT THE EQUIPMENT AROUND THE BUILDING.				
		TOTAL FUNDING	AGS		811 C	C

**C. TRANSPORTATION FACILITIES**

**TRN102 - DANIEL K. INOUE INTERNATIONAL AIRPORT**

1.		DANIEL K. INOUE INTERNATIONAL AIRPORT, INTRA-TERMINAL TRANSPORTATION, OAHU				
		CONSTRUCTION FOR IMPROVEMENTS FOR TRANSPORTATION BETWEEN TERMINALS AND OTHER RELATED IMPROVEMENTS AT THE AIRPORT.				
		TOTAL FUNDING	TRN		10,000 E	E

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
2.		DANIEL K. INOUYE INTERNATIONAL AIRPORT, NEW MAUKA CONCOURSE IMPROVEMENTS, OAHU			
		CONSTRUCTION FOR NEW COMMUTER FACILITIES, NEW MAUKA CONCOURSE, AIRCRAFT APRON, TAXIWAYS AND BLAST FENCE NEAR THE INTERISLAND TERMINAL, AND OTHER RELATED IMPROVEMENTS FOR THE AIRPORT MODERNIZATION PROGRAM. (OTHER FUNDS FROM PASSENGER FACILITY CHARGES).			
		TOTAL FUNDING	TRN	100,000 E	E
			TRN	70,000 X	X
3.		DANIEL K. INOUYE INTERNATIONAL AIRPORT, SYSTEMS IMPROVEMENTS, OAHU			
		DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO VARIOUS SYSTEMS AT THE AIRPORT. IMPROVEMENTS MAY INCLUDE AIR CONDITIONING, BAGGAGE HANDLING, UTILITY, ENERGY CONTROLS, SECURITY, COMMUNICATIONS, LIFE SAFETY, SIGNAGE, STORM WATER, AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	27,500 E	12,000 E
4.		DANIEL K. INOUYE INTERNATIONAL AIRPORT, TERMINAL MODIFICATIONS, OAHU			
		DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO INCREASE EFFICIENCY, CAPACITY OR SAFETY OF THE TERMINALS AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	46,900 E	61,400 E
4.1		DANIEL K. INOUYE INTERNATIONAL AIRPORT, DIAMOND HEAD CONCOURSE EXTENSION, OAHU			
		DESIGN FOR DIAMOND HEAD CONCOURSE IMPROVEMENTS AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	E	30,000 E

TRN104 - GENERAL AVIATION

5.		KALAELOA AIRPORT, FACILITY IMPROVEMENTS, OAHU			
		DESIGN AND CONSTRUCTION FOR FACILITY IMPROVEMENTS AND OTHER RELATED IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	8,450 E	E
			TRN	5,001 N	N

**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>TRN111 - HILO INTERNATIONAL AIRPORT</b>					
6.		HILO INTERNATIONAL AIRPORT, TERMINAL IMPROVEMENTS, HAWAII			
		DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO THE TERMINAL AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	800 E	23,000 E
<b>TRN114 - ELLISON ONIZUKA KONA INTERNATIONAL AIRPORT AT KEAHOLE</b>					
7.		ELLISON ONIZUKA KONA INTERNATIONAL AIRPORT AT KEAHOLE, TERMINAL IMPROVEMENTS, HAWAII			
		CONSTRUCTION OF TERMINAL IMPROVEMENTS AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	15,721 E	E
7.1		ELLISON ONIZUKA KONA INTERNATIONAL AIRPORT AT KEAHOLE, FACILITY IMPROVEMENTS, HAWAII			
		CONSTRUCTION FOR IMPROVEMENTS OF VARIOUS FACILITIES AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	E	9,000 E
<b>TRN131 - KAHULUI AIRPORT</b>					
8.		KAHULUI AIRPORT, TERMINAL IMPROVEMENTS, MAUI			
		CONSTRUCTION OF IMPROVEMENTS TO THE TERMINAL AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	10,000 E	E
9.		KAHULUI AIRPORT, FACILITY IMPROVEMENTS, MAUI			
		CONSTRUCTION FOR FACILITY IMPROVEMENTS AT THE AIRPORT.			
		TOTAL FUNDING	TRN	28,000 E	E
<b>TRN133 - HANA AIRPORT</b>					
10.		HANA AIRPORT, FACILITY IMPROVEMENTS, MAUI			
		DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO VARIOUS FACILITIES AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	400 E	2,000 E

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>TRN141 - MOLOKAI AIRPORT</b>					
11.		MOLOKAI AIRPORT, FACILITY IMPROVEMENTS, MOLOKAI DESIGN FOR IMPROVEMENTS OF VARIOUS FACILITIES AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	3,500 E	E
<b>TRN151 - LANAI AIRPORT</b>					
12.		LANAI AIRPORT, FACILITY IMPROVEMENTS, LANAI DESIGN AND CONSTRUCTION FOR IMPROVEMENTS OF VARIOUS FACILITIES AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	400 E	2,000 E
<b>TRN161 - LIHUE AIRPORT</b>					
13.		LIHUE AIRPORT, FACILITY IMPROVEMENTS, KAUAI CONSTRUCTION FOR IMPROVEMENTS OF VARIOUS FACILITIES AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	10,000 E	E
14.		LIHUE AIRPORT, TERMINAL IMPROVEMENTS, KAUAI DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO THE TERMINAL AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	2,000 E	11,000 E
<b>TRN195 - AIRPORTS ADMINISTRATION</b>					
15.		AIRFIELD IMPROVEMENTS, STATEWIDE DESIGN AND CONSTRUCTION FOR AIRFIELD IMPROVEMENTS AT STATEWIDE AIRPORTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT. (OTHER FUNDS FROM PASSENGER FACILITY CHARGES).			
		TOTAL FUNDING	TRN	164,000 E	305,000 E
			TRN	2N	2N
			TRN	8,000 X	X
16.		AIRPORT IMPROVEMENTS, STATEWIDE PLANS, DESIGN, AND CONSTRUCTION FOR PREVIOUSLY APPROVED PROJECTS AT STATEWIDE AIRPORTS FOR ALTERNATE FUNDING. (OTHER FUNDS FROM PASSENGER FACILITY CHARGES).			
		TOTAL FUNDING	TRN	4,300 E	E
			TRN	2,600 X	X

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
17.		AIRPORT PLANNING STUDY, STATEWIDE			
		PLANS FOR AIRPORT IMPROVEMENTS, ECONOMIC STUDIES, RESEARCH, PLANNING PROGRAM MANAGEMENT, NOISE MONITORING STUDIES, NOISE COMPATIBILITY STUDIES, AND ADVANCE PLANNING OF FEDERAL AID AND NON-FEDERAL AID PROJECTS.			
		TOTAL FUNDING	TRN	1,500 E	1,500 E
18.		AIRPORTS DIVISION CAPITAL IMPROVEMENT PROGRAM PROJECT STAFF COSTS, STATEWIDE			
		PLANS, DESIGN, AND CONSTRUCTION FOR COSTS RELATED TO WAGES AND FRINGE BENEFITS FOR PERMANENT PROJECT FUNDED STAFF POSITIONS FOR THE IMPLEMENTATION OF CAPITAL IMPROVEMENT PROGRAM PROJECTS FOR THE DEPARTMENT OF TRANSPORTATION'S AIRPORTS DIVISION. PROJECT MAY ALSO INCLUDE FUNDS FOR NON-PERMANENT CAPITAL IMPROVEMENT PROGRAM RELATED POSITIONS (OTHER FUNDS FROM PASSENGER FACILITY CHARGES).			
		TOTAL FUNDING	TRN	4,250 B	4,250 B
			TRN	150 X	150 X
19.		MISCELLANEOUS AIRPORT PROJECTS, STATEWIDE			
		DESIGN AND CONSTRUCTION OF IMPROVEMENTS AT VARIOUS STATE AIRPORTS, IMPROVEMENTS FOR SAFETY AND CERTIFICATION REQUIREMENTS, OPERATIONAL EFFICIENCY, AND PROJECTS REQUIRED FOR AIRPORT RELATED DEVELOPMENT.			
		TOTAL FUNDING	TRN	3,500 E	7,000 E
20.		RUNWAY SAFETY AREA IMPROVEMENTS, STATEWIDE			
		DESIGN AND CONSTRUCTION FOR RUNWAY SAFETY AREA IMPROVEMENTS AND OTHER RELATED IMPROVEMENTS AT STATEWIDE AIRPORTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	25,000 E	50,000 E
			TRN	1 N	N
20.1		CONSTRUCTION MANAGEMENT SUPPORT, STATEWIDE			
		CONSTRUCTION FOR CONSTRUCTION MANAGEMENT SUPPORT AT AIRPORT FACILITIES, STATEWIDE.			
		TOTAL FUNDING	TRN	E	2,000 E

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
20.2		FACILITY IMPROVEMENTS, STATEWIDE			
		CONSTRUCTION FOR IMPROVEMENTS OF VARIOUS FACILITIES AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	E	4,990 E
20.3		PROGRAM MANAGEMENT, STATEWIDE			
		DESIGN FOR THE PROGRAM MANAGEMENT OF THE MODERNIZATION PROGRAM AT AIRPORTS, STATEWIDE.			
		TOTAL FUNDING	TRN	E	2,000 E
20.4		RENTAL CAR FACILITY IMPROVEMENTS, STATEWIDE			
		CONSTRUCTION TO PROVIDE CONSOLIDATED CAR RENTAL FACILITIES FOR THE RENTAL CAR AGENCIES AND OTHER RELATED IMPROVEMENTS.			
		TOTAL FUNDING	TRN	X	44,000 X

**TRN301 - HONOLULU HARBOR**

21.		HONOLULU HARBOR IMPROVEMENTS, OAHU			
		PLANS, LAND ACQUISITION, DESIGN, AND CONSTRUCTION OF CAPITAL IMPROVEMENT PROGRAM PROJECTS THAT WILL PROVIDE FOR SAFER, MORE EFFICIENT USE OF EXISTING AND/OR ADDITIONAL OPERATIONAL AREAS THROUGHOUT HONOLULU HARBOR, OAHU. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	4B	4B
			TRN	81,038 E	26,488 E
			TRN	4N	4N
			TRN	4R	4R

**TRN303 - KALAELOA BARBERS POINT HARBOR**

22.		KALAELOA BARBERS POINT HARBOR IMPROVEMENTS, OAHU			
		PLANS, LAND ACQUISITION, DESIGN, AND CONSTRUCTION OF CAPITAL IMPROVEMENT PROGRAM PROJECTS THAT WILL PROVIDE FOR SAFER, MORE EFFICIENT USE OF EXISTING AND/OR ADDITIONAL OPERATIONAL AREAS THROUGHOUT KALAELOA BARBERS POINT HARBOR, OAHU. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	4B	4B
			TRN	39,988 E	63,988 E
			TRN	4N	4N
			TRN	4R	4R

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>TRN311 - HILO HARBOR</b>					
23.		HILO HARBOR IMPROVEMENTS, HAWAII			
		PLANS, LAND ACQUISITION, DESIGN, AND CONSTRUCTION OF CAPITAL IMPROVEMENT PROGRAM PROJECTS THAT WILL PROVIDE FOR SAFER, MORE EFFICIENT USE OF EXISTING AND/OR ADDITIONAL OPERATIONAL AREAS THROUGHOUT HILO HARBOR, HAWAII. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	4B	4B
			TRN	4,988 E	48,938 E
			TRN	4N	4N
			TRN	4R	4R
<b>TRN313 - KAWAIHAE HARBOR</b>					
24.		KAWAIHAE HARBOR IMPROVEMENTS, HAWAII			
		PLANS, LAND ACQUISITION, DESIGN, AND CONSTRUCTION OF CAPITAL IMPROVEMENT PROGRAM PROJECTS THAT WILL PROVIDE FOR SAFER, MORE EFFICIENT USE OF EXISTING AND/OR ADDITIONAL OPERATIONAL AREAS THROUGHOUT KAWAIHAE HARBOR, HAWAII. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	4B	4B
			TRN	1,988 E	6,988 E
			TRN	4N	4N
			TRN	4R	4R
<b>TRN331 - KAHULUI HARBOR</b>					
25.		KAHULUI HARBOR IMPROVEMENTS, MAUI			
		PLANS, LAND ACQUISITION, DESIGN, AND CONSTRUCTION OF CAPITAL IMPROVEMENT PROGRAM PROJECTS THAT WILL PROVIDE FOR SAFER, MORE EFFICIENT USE OF EXISTING AND/OR ADDITIONAL OPERATIONAL AREAS THROUGHOUT KAHULUI HARBOR, MAUI. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	4B	4B
			TRN	41,988 E	14,488 E
			TRN	4N	4N
			TRN	4R	4R

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021

**TRN361 - NAWILIWILI HARBOR**

26. NAWILIWILI HARBOR IMPROVEMENTS, KAUAI

PLANS, LAND ACQUISITION, DESIGN, AND CONSTRUCTION OF CAPITAL IMPROVEMENT PROGRAM PROJECTS THAT WILL PROVIDE FOR SAFER, MORE EFFICIENT USE OF EXISTING AND/OR ADDITIONAL OPERATIONAL AREAS THROUGHOUT NAWILIWILI HARBOR, KAUAI. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.

TOTAL FUNDING	TRN	4B	4B
	TRN	11,988 E	2,988 E
	TRN	4N	4N
	TRN	4R	4R

**TRN363 - PORT ALLEN HARBOR**

27. PORT ALLEN HARBOR IMPROVEMENTS, KAUAI

PLANS, LAND ACQUISITION, DESIGN, AND CONSTRUCTION OF CAPITAL IMPROVEMENT PROGRAM PROJECTS THAT WILL PROVIDE FOR SAFER, MORE EFFICIENT USE OF EXISTING AND/OR ADDITIONAL OPERATIONAL AREAS THROUGHOUT PORT ALLEN HARBOR, KAUAI. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.

TOTAL FUNDING	TRN	B	4B
	TRN	E	3,988 E
	TRN	N	4N
	TRN	R	4R

**TRN395 - HARBORS ADMINISTRATION**

28. COMMERCIAL HARBORS ADMINISTRATION INITIATIVES, STATEWIDE

PLANS, LAND ACQUISITION, DESIGN, AND CONSTRUCTION FOR COSTS RELATED TO STATEWIDE IMPROVEMENTS FOR THE DEPARTMENT OF TRANSPORTATION'S HARBORS DIVISION, STATEWIDE.

TOTAL FUNDING	TRN	4B	4B
	TRN	14,992 E	14,992 E
	TRN	4R	4R



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
29.		MODERNIZATION PROGRAM - HARBORS DIVISION CIP PROJECT STAFF COSTS, STATEWIDE			
		PLANS FOR COSTS RELATED TO WAGES AND FRINGE BENEFITS FOR PERMANENT HARBOR MODERNIZATION PLAN PROJECT FUNDED STAFF POSITIONS FOR THE IMPLEMENTATION OF MODERNIZATION PROGRAM PROJECTS FOR THE DEPARTMENT OF TRANSPORTATION'S HARBORS DIVISION, STATEWIDE. PROJECTS MAY ALSO INCLUDE FUNDS FOR NON- PERMANENT CAPITAL IMPROVEMENT PROGRAM RELATED POSITIONS.			
		TOTAL FUNDING	TRN	B	2,500 B
			TRN	2,000 E	E
<b>TRN501 - OAHU HIGHWAYS</b>					
30.		CULVERT ASSESSMENT AND REMEDIATION, OAHU			
		DESIGN AND CONSTRUCTION TO ASSESS CULVERTS AND REPAIR AND/OR REPLACE CULVERTS REQUIRING REMEDIATION.			
		TOTAL FUNDING	TRN	2,000 E	5,000 E
31.		FARRINGTON HIGHWAY, MAKAHA BRIDGES NO. 3 AND NO. 3 A REPLACEMENT, OAHU			
		CONSTRUCTION FOR THE REPLACEMENT OF BRIDGES NO. 3 AND 3 A IN THE VICINITY OF MAKAHA BEACH PARK TO INCLUDE SIDEWALKS, BRIDGE RAILINGS, AND OTHER IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	200 E	E
			TRN	800 N	N
32.		FARRINGTON HIGHWAY, OAHU			
		PLANS, DESIGN, CONSTRUCTION, LAND ACQUISITION, AND EQUIPMENT FOR TRAFFIC IMPROVEMENTS ON THE WAIANAE COAST, INCLUDING, BUT NOT LIMITED TO, EXTENSION OF THE FIFTH LANE ON FARRINGTON HIGHWAY, CONDEMNATION OF PAAKEA ROAD AND LUALUALEI NAVAL ROAD, AND IMPROVEMENTS IN THE NANAKULI TO WAIANAE CORRIDOR; EQUIPMENT AND APPURTENANCES; REFURBISHMENT, IMPROVEMENTS, REHABILITATION, NEW CONSTRUCTION, RENOVATION, AND REPLACEMENT; THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	27,000 E	E

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
33.		FORT BARRETTE ROAD IMPROVEMENTS, VIC. OF ROOSEVELT AVENUE TO VICINITY OF FARRINGTON HIGHWAY, OAHU			
		CONSTRUCTION FOR CONGESTION MITIGATION AND AUXILIARY TRANSPORTATION FACILITIES ALONG FORT BARRETTE ROAD.			
		TOTAL FUNDING	TRN	3,000 E	E
34.		FREEWAY DESTINATION SIGN UPGRADE/REPLACEMENT, OAHU			
		DESIGN AND CONSTRUCTION FOR REPLACING AND/OR UPGRADING THE EXISTING FREEWAY DESTINATION SIGNS AND SIGN SUPPORT STRUCTURES. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	750 E	300 E
			TRN	3,000 N	1,200 N
35.		GUARDRAIL AND SHOULDER IMPROVEMENTS, VARIOUS LOCATIONS, OAHU			
		DESIGN AND CONSTRUCTION FOR INSTALLING AND/OR UPGRADING THE EXISTING GUARDRAILS, END TERMINALS, TRANSITIONS, BRIDGE RAILING, BRIDGE ENDPPOSTS AND CRASH ATTENUATORS; AND UPGRADING SHOULDERS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	500 E	4,520 E
			TRN	2,000 N	18,080 N
36.		HIGHWAY LIGHTING REPLACEMENT AT VARIOUS LOCATIONS, OAHU			
		CONSTRUCTION FOR REPLACING AND/OR UPGRADING THE EXISTING HIGHWAY LIGHTING SYSTEM ON STATE HIGHWAYS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	7,700 E	E
			TRN	30,800 N	N
37.		INTERSTATE ROUTE H-3, FINISH WORK AND MITIGATION, JUNCTION AT H-1 TO KANEOHE MARINE CORPS AIR STATION (KMCAS), OAHU			
		CONSTRUCTION FOR FINISH WORK RELATED TO THE CONSTRUCTION OF INTERSTATE ROUTE H-3. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	2,500 E
			TRN	N	10,000 N

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
38.		KALIHI STREET PEDESTRIAN SAFETY IMPROVEMENTS, VICINITY OF KING ST. TO VICINITY OF DILLINGHAM BLVD, OAHU			
		CONSTRUCTION FOR PEDESTRIAN FACILITY IMPROVEMENTS ALONG KALIHI STREET TO PROVIDE INCREASED PEDESTRIAN SAFETY AND ACCESSIBILITY.			
		TOTAL FUNDING	TRN	2,300 E	E
39.		KAMEHAMEHA HIGHWAY, REHABILITATION AND/OR REPLACEMENT OF LAIELOA STREAM BRIDGE, OAHU			
		CONSTRUCTION FOR REHABILITATION AND/OR REPLACEMENT OF A CONCRETE SLAB BRIDGE ON KAMEHAMEHA HIGHWAY IN THE VICINITY OF LAIE TO INCLUDE BRIDGE RAILINGS, WALKWAYS, AND OTHER IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	1,200 E	200 E
			TRN	4,800 N	800 N
40.		KAMEHAMEHA HIGHWAY, REHABILITATION AND/OR REPLACEMENT OF WAIPILOPILO STREAM BRIDGE, OAHU			
		CONSTRUCTION FOR REHABILITATION AND/OR REPLACEMENT OF A CONCRETE TEE-BRIDGE ON KAMEHAMEHA HIGHWAY IN THE VICINITY OF HAUULA TO INCLUDE BRIDGE RAILINGS, WALKWAYS, AND OTHER IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	100 E
			TRN	N	400 N
41.		KUNIA EAST BOUND ON-RAMP, OAHU			
		PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION AND EQUIPMENT FOR A KUNIA EAST BOUND ON-RAMP; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	TRN	100,000 E	E
42.		MISCELLANEOUS PERMANENT BEST MANAGEMENT PRACTICES, OAHU			
		LAND ACQUISITION, DESIGN, AND CONSTRUCTION FOR PERMANENT BEST MANAGEMENT PRACTICE IMPROVEMENTS TO EXISTING HIGHWAY FACILITIES INCLUDING INSTALLATION OF STRUCTURAL AND NATURAL BEST MANAGEMENT PRACTICES AT VARIOUS LOCATIONS ON OAHU.			
		TOTAL FUNDING	TRN	900 E	2,200 E

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
43.		PALI HIGHWAY TRAFFIC SIGNALS, PEDESTRIAN SAFETY IMPROVEMENTS, OAHU			
		DESIGN AND CONSTRUCTION FOR INSTALLING TRAFFIC SIGNALS AT FOUR LOCATIONS ALONG THE PALI HIGHWAY (ROUTE 61) NECESSARY TO PROVIDE INCREASED PEDESTRIAN SAFETY AND ACCESSIBILITY, AS WELL AS INCREASED TRAFFIC SAFETY; INCLUDING IMPROVEMENTS AND/OR MODIFICATIONS TO EXISTING INTERSECTIONS AND HIGHWAY FACILITIES; INSTALLATION OF TRAFFIC SIGNALS IN THE VICINITY OF THE INTERSECTIONS OF AHIPUU STREET AND PALI HIGHWAY, WOOD STREET AND PALI HIGHWAY, DOWSETT AVENUE (LOWER) AND PALI HIGHWAY, AND DOWSETT AVENUE (UPPER) AND PALI HIGHWAY.			
		TOTAL FUNDING	TRN	5,200E	E
44.		TRAFFIC OPERATIONAL IMPROVEMENTS TO EXISTING INTERSECTIONS AND HIGHWAYS FACILITIES, OAHU			
		DESIGN AND CONSTRUCTION FOR MISCELLANEOUS IMPROVEMENTS TO EXISTING INTERSECTIONS AND HIGHWAY FACILITIES NECESSARY FOR IMPROVED TRAFFIC OPERATIONS INCLUDING ELIMINATING CONSTRUCTIONS, MODIFYING AND/OR INSTALLING TRAFFIC SIGNALS, CONSTRUCTING TURNING LANES, ACCELERATION AND/OR DECELERATION LANES, AND OTHER IMPROVEMENTS FOR MORE EFFICIENT TRAFFIC FLOW.			
		TOTAL FUNDING	TRN	2,400E	2,000E
45.		WAIAHOLE BRIDGE REPLACEMENT, KAMEHAMEHA HIGHWAY, OAHU			
		CONSTRUCTION FOR THE REPLACEMENT OF THE EXISTING CONCRETE STRUCTURE. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	800E	E
			TRN	3,200N	N

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
46.		WAIANAE COAST FARRINGTON HIGHWAY IMPROVEMENTS, OAHU			
		PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT TO EXTEND THE FIFTH LANE TO WIDEN FARRINGTON HIGHWAY; CREATE PARALLEL ROUTE FOR THE WAIANAE COAST; AND OTHER TRAFFIC IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO SAFETY IMPROVEMENTS, SYSTEM PRESERVATION, AND TRAFFIC CONGESTION RELIEF.			
		TOTAL FUNDING	TRN	5,000	C
47.		WHITMORE AVENUE PEDESTRIAN IMPROVEMENTS, OAHU			
		PLANS, DESIGN, AND CONSTRUCTION FOR PEDESTRIAN IMPROVEMENTS ALONG WHITMORE AVENUE.			
		TOTAL FUNDING	TRN	799	C
47.1		EROSION CONTROL PROGRAM FOR STATE HIGHWAYS AND FACILITIES, OAHU			
		DESIGN AND CONSTRUCTION FOR PERMANENT EROSION CONTROL MITIGATION MEASURES ON STATE HIGHWAYS AND FACILITIES ON OAHU.			
		TOTAL FUNDING	TRN	E	2,200 E
47.2		FARRINGTON HIGHWAY IMPROVEMENTS BETWEEN HONOKAI HALE AND HAKIMO ROAD, OAHU			
		CONSTRUCTION FOR IMPROVEMENTS ALONG FARRINGTON HIGHWAY FOR ALTERNATIVE CONGESTION RELIEF AND/OR SAFETY IMPROVEMENTS ALONG FARRINGTON HIGHWAY BETWEEN HONOKAI HALE AND HAKIMO ROAD, AND REQUIRED MITIGATIVE MEASURES. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	200 E
			TRN	N	800 N
47.3		INTERSTATE ROUTE H-1 IMPROVEMENTS, VIC. OF OLA LANE TO VIC. OF VINEYARD BOULEVARD, OAHU			
		PLANS, LAND ACQUISITION, AND CONSTRUCTION FOR AN ADDITIONAL LANE ON THE H-1 FREEWAY EASTBOUND LANES FROM THE VICINITY OF MIDDLE STREET TO THE VICINITY OF VINEYARD BOULEVARD.			
		TOTAL FUNDING	TRN	B	13,300 B
			TRN	E	100,000 E

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
47.4		INTERSTATE ROUTE H-1 WIDENING, EASTBOUND, VICINITY OF WAIKELE TO VIC. OF HALAWA, OAHU			
		LAND ACQUISITION AND CONSTRUCTION FOR MODIFICATIONS TO H-1 FREEWAY AND VIADUCT STRUCTURE.			
		TOTAL FUNDING	TRN	B	500 B
			TRN	E	200,000 E
47.5		INTERSTATE ROUTE H-3, TUNNEL IMPROVEMENTS, OAHU			
		CONSTRUCTION AND EQUIPMENT FOR IMPROVEMENTS AT THE H-3 TUNNELS, INCLUDING INSTALLATION OF EXHAUST FAN DAMPERS, UPGRADE OF TUNNEL SIGN STRUCTURES, SURFACE TREATMENT OF CONCRETE PAVEMENT, AND OTHER MISCELLANEOUS IMPROVEMENTS.			
		TOTAL FUNDING	TRN	E	8,000 E
47.6		KAMEHAMEHA HIGHWAY IMPROVEMENTS, VICINITY OF LANIAKEA, OAHU			
		CONSTRUCTION FOR IMPROVEMENTS IN THE VICINITY OF LANIAKEA, INCLUDING REALIGNMENT FOR PEDESTRIAN SAFETY. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	B	8,000 B
			TRN	N	1 N
47.7		KAMEHAMEHA HIGHWAY, KAIPAPAU STREAM BRIDGE REPLACEMENT AND/OR REHABILITATION, OAHU			
		CONSTRUCTION FOR REPLACEMENT AND/OR REHABILITATION OF KAIPAPAU STREAM BRIDGE TO INCLUDE SIDEWALKS, BRIDGE RAILINGS, AND OTHER IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	300 E
			TRN	N	1,200 N
47.8		SAND ISLAND ACCESS ROAD, TRUCK WEIGH STATION, OAHU			
		CONSTRUCTION OF A TRUCK WEIGH STATION ON SAND ISLAND ACCESS ROAD. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	1,800 E
			TRN	N	1,200 N

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
47.9		IMPROVEMENTS AND EXPANSION AT THE INTERSECTION OF KAMEHAMEHA HIGHWAY AND LIKELIKE HIGHWAY			
		CONSTRUCTION OF AN ADDITIONAL LEFT TURN LANE AT THE INTERSECTION OF KAMEHAMEHA HIGHWAY AND LIKELIKE HIGHWAY; THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	3,500 E
47.10		KAILUA, OAHU			
		PLANS, DESIGN, AND CONSTRUCTION FOR SAFETY IMPROVEMENTS TO PRIORITY STREETS IN KAILUA; THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	1,000 E
47.11		FARRINGTON HIGHWAY WIDENING, KAPOLEI GOLF COURSE TO FORT WEAVER ROAD, OAHU			
		CONSTRUCTION FOR THE WIDENING OF FARRINGTON HIGHWAY FROM THE VICINITY OF KAPOLEI GOLF COURSE TO THE VICINITY OF FORT WEAVER ROAD.			
		TOTAL FUNDING	TRN	D	100,000 D
47.12		ALA MOANA BOULEVARD ELEVATED PEDESTRIAN WALKWAY, OAHU			
		CONSTRUCTION FOR A NEW, ELEVATED PEDESTRIAN WALKWAY OVER ALA MOANA BOULEVARD IN THE VICINITY OF KEWALO HARBOR. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	5,000 E
			TRN	N	20,000 N

TRN511 - HAWAII HIGHWAYS

48.		HAWAII BELT ROAD, REHABILITATION / REPLACEMENT OF HAKALAU BRIDGE, HAWAII			
		DESIGN FOR THE REHABILITATION / REPLACEMENT OF HAKALAU BRIDGE. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	2,400 E
			TRN	N	9,600 N

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
49.		HAWAII BELT ROAD, REHABILITATION / REPLACEMENT OF KOLEKOLE STREAM BRIDGE, HAWAII			
		DESIGN FOR THE REHABILITATION / REPLACEMENT OF KOLEKOLE STREAM BRIDGE. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	500 E	1,200 E
			TRN	2,000 N	4,800 N
50.		KAWAIHAE ROAD, SAFETY IMPROVEMENTS, RUNAWAY TRUCK RAMP, HAWAII			
		LAND ACQUISITION AND CONSTRUCTION FOR THE INSTALLATION OF A RUNAWAY TRUCK RAMP ALONG KAWAIHAE ROAD.			
		TOTAL FUNDING	TRN	200 E	500 E
50.1		DANIEL K. INOUYE HIGHWAY EXTENSION, MAMALAHOA HIGHWAY TO QUEEN KAAHUMANU HIGHWAY, HAWAII			
		LAND ACQUISITION AND CONSTRUCTION FOR A NEW ROADWAY AND/OR REALIGNMENT, AND EXTENDING THE DANIEL K. INOUYE HIGHWAY FROM MAMALAHOA HIGHWAY TO QUEEN KAAHUMANU HIGHWAY.			
		TOTAL FUNDING	TRN	B	5,000 B
			TRN	E	85,000 E
50.2		KAWAIHAE ROAD, WAIAKA STREAM BRIDGE REPLACEMENT AND REALIGNMENT, HAWAII			
		LAND ACQUISITION AND DESIGN FOR REPLACING THE EXISTING WAIAKA STREAM BRIDGE, REALIGNING THE BRIDGE APPROACHES, RECONSTRUCTING THE ROUTE 19/ROUTE 250 INTERSECTION, AND INSTALLING SAFETY IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	1,700 E
			TRN	N	2,400 N
50.3		KEAAU-PAHOA ROAD IMPROVEMENTS, KEAAU TO PAHOA, HAWAII			
		CONSTRUCTION FOR WIDENING THE TWO LANE HIGHWAY TO FOUR LANES OR ALTERNATE ALIGNMENTS IN THIS CORRIDOR. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	30,000 E
			TRN	N	1 N



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
50.4		WAIMEA REGIONAL SAFETY IMPROVEMENTS, HAWAII			
		DESIGN AND CONSTRUCTION FOR IMPROVEMENTS IN WAIMEA, INCLUDING MULTIMODAL IMPROVEMENTS IN WAIMEA TOWN, OPERATIONAL IMPROVEMENTS AT KAWAIHAE ROAD AND LINDSEY ROAD, AND A BYPASS BETWEEN KAWAIHAE ROAD AND MAMALAHOA HIGHWAY.			
		TOTAL FUNDING	TRN	B	2,000 B
			TRN	E	20,000 E
50.5		TRAFFIC OPERATIONAL IMPROVEMENTS TO EXISTING INTERSECTIONS AND HIGHWAY FACILITIES, HAWAII			
		LAND ACQUISITION AND CONSTRUCTION FOR IMPROVEMENTS TO EXISTING INTERSECTIONS AND HIGHWAY FACILITIES NECESSARY FOR IMPROVED TRAFFIC OPERATION, INCLUDING ELIMINATING CONSTRUCTIONS, MODIFYING AND/OR INSTALLING TRAFFIC SIGNALS, CONSTRUCTING TURNING LANES, ACCELERATION AND/OR DECELERATION LANES, AND OTHER IMPROVEMENTS.			
		TOTAL FUNDING	TRN	E	2,100 E
<b>TRN531 - MAUI HIGHWAYS</b>					
51.		HALEAKALA HIGHWAY WIDENING AT MILE POST 0.8, MAUI			
		CONSTRUCTION FOR WIDENING THE HIGHWAY FROM ONE LANE TO TWO LANES, EXTENDING A BOX CULVERT AND CONSTRUCTING HEADWALLS AND WING WALLS.			
		TOTAL FUNDING	TRN	4,000 E	E
52.		HANA HIGHWAY BRIDGE PRESERVATION, MAUI			
		LAND ACQUISITION AND DESIGN FOR THE IMPLEMENTATION OF THE BRIDGE PRESERVATION PLAN FOR HANA HIGHWAY IN THE VICINITY OF THE HANA PRESERVATION DISTRICT, TO INCLUDE BRIDGE REHABILITATION AND/OR REPLACEMENT. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	850 E	E
			TRN	3,400 N	N
53.		HANA HIGHWAY IMPROVEMENTS, HUELO TO HANA, MAUI			
		CONSTRUCTION FOR IMPROVING, UPGRADING AND/OR REPAIRING ROADWAYS, BRIDGES, WALLS, DRAINAGE STRUCTURES, GUARDRAILS, AND OTHER FACILITIES ON ROUTE 360 HANA HIGHWAY.			
		TOTAL FUNDING	TRN	2,700 E	E

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
54.		HONOAPIILANI HIGHWAY COASTAL MITIGATION, VIC. OF UKUMEHAME TO VIC. OF LAUNIUPOKO, MAUI  PLANS FOR MITIGATION SOLUTIONS TO THE ISSUE OF SHORELINE EROSION ALONG HONOAPIILANI HIGHWAY, FROM UKUMEHAME TO LAUNIUPOKO. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	1,000 E	E
			TRN	4,000 N	N
55.		MISCELLANEOUS DRAINAGE IMPROVEMENTS, MAUI  DESIGN AND CONSTRUCTION FOR DRAINAGE IMPROVEMENTS TO EXISTING HIGHWAY FACILITIES INCLUDING INSTALLATION OF DRAINAGE FACILITIES, CATCH BASINS, GRATED DROP INLETS, LINED SWALES, HEADWALLS, AND CULVERTS AT VARIOUS LOCATIONS.			
		TOTAL FUNDING	TRN	E	1,000 E
56.		PAIA BYPASS, MAUI  PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT TO COMPLETE THE PAIA BYPASS; EQUIPMENT AND APPURTENANCES; REFURBISHMENT, IMPROVEMENTS, REHABILITATION, NEW CONSTRUCTION, RENOVATION, AND REPLACEMENT; THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	110,000 E	E
57.		PEDESTRIAN IMPROVEMENTS AT VARIOUS LOCATIONS, MAUI  DESIGN AND CONSTRUCTION FOR PEDESTRIAN FACILITY IMPROVEMENTS IN ORDER TO PROVIDE INCREASED PEDESTRIAN SAFETY AND ACCESSIBILITY AT VARIOUS LOCATIONS ON MAUI.			
		TOTAL FUNDING	TRN	E	500 E
58.		PUUNENE AVENUE IMPROVEMENTS, KAMEHAMEHA AVENUE TO KUIHELANI HIGHWAY, MAUI  CONSTRUCTION FOR THE WIDENING OF PUUNENE AVENUE FROM KAMEHAMEHA AVENUE TO KUIHELANI HIGHWAY FROM TWO TO FOUR LANES, AND FOR THE INSTALLATION OF SAFETY IMPROVEMENTS.			
		TOTAL FUNDING	TRN	E	40,000 E

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
59.		TRAFFIC OPERATIONAL IMPROVEMENTS TO EXISTING INTERSECTIONS AND HIGHWAY FACILITIES, MAUI			
		DESIGN AND CONSTRUCTION FOR MISCELLANEOUS IMPROVEMENTS TO EXISTING INTERSECTIONS AND HIGHWAY FACILITIES NECESSARY FOR IMPROVED TRAFFIC OPERATION, INCLUDING ELIMINATING CONSTRUCTIONS, MODIFYING AND/OR INSTALLING TRAFFIC SIGNALS, CONSTRUCTING TURNING LANES, ACCELERATION AND/OR DECELERATION LANES, AND OTHER IMPROVEMENTS.			
		TOTAL FUNDING	TRN	E	1,405E
59.1		GUARDRAIL AND SHOULDER IMPROVEMENTS ON STATE HIGHWAYS, MAUI			
		DESIGN AND CONSTRUCTION FOR INSTALLING AND/OR UPGRADING EXISTING GUARDRAILS, END TERMINALS, TRANSITIONS, BRIDGE RAILINGS, BRIDGE ENDPOSTS AND CRASH ATTENUATORS, AND RECONSTRUCTING AND PAVING SHOULDERS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	500E
			TRN	N	400N
59.2		HANA HIGHWAY ROCKFALL MITIGATION, HUELO TO HANA, MAUI			
		CONSTRUCTION TO MITIGATE ROCKFALLS AND POTENTIAL LANDSLIDE AREAS ALONG THE SLOPES OF ROUTE 360 HANA HIGHWAY AT VARIOUS LOCATIONS.			
		TOTAL FUNDING	TRN	E	2,000E
59.3		HONOAPIILANI HIGHWAY, REHABILITATION AND/OR REPLACEMENT OF HONOLUA BRIDGE, MAUI			
		CONSTRUCTION FOR REHABILITATION AND/OR REPLACEMENT OF A CONCRETE TEE-BEAM BRIDGE ON HONOAPIILANI HIGHWAY IN THE VICINITY OF HONOLUA BAY TO INCLUDE BRIDGE RAILINGS AND OTHER IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REPLACEMENT.			
		TOTAL FUNDING	TRN	E	500E
			TRN	N	2,000N

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
59.4		MAUI DISTRICT BASEYARD/OFFICE IMPROVEMENTS, MAUI			
		DESIGN AND CONSTRUCTION FOR MAUI DISTRICT BASEYARD/OFFICE IMPROVEMENTS, INCLUDING EXPANSION AND RENOVATIONS.			
		TOTAL FUNDING	TRN	E	5,700 E
59.5		TRAFFIC SIGNAL MODERNIZATION AT VARIOUS LOCATIONS, MAUI			
		CONSTRUCTION FOR UPGRADING OF EXISTING TRAFFIC SIGNAL SYSTEMS, INCLUDING ASSESSMENT AND DEVELOPMENT OF CRITERIA FOR IMPLEMENTATION OF SCHEDULED REPLACEMENTS AND UPGRADES; PROVIDING INTERCONNECTION OF SIGNALIZED INTERSECTIONS; AND UPGRADING TO MEET CURRENT STANDARDS.			
		TOTAL FUNDING	TRN	E	2,000 E
59.6		HONOAPIILANI HIGHWAY REALIGNMENT, HONOKOWAI TO LAUNIUPOKO, MAUI			
		CONSTRUCTION FOR A NEW ALIGNMENT OF HONOAPIILANI HIGHWAY FROM LAHAINALUNA ROAD TO THE VICINITY OF LAUNIUPOKO.			
		TOTAL FUNDING	TRN	E	70,000 E

**TRN561 - KAUAI HIGHWAYS**

60.		GUARDRAIL AND SHOULDER IMPROVEMENTS ON STATE HIGHWAYS, KAUAI			
		CONSTRUCTION FOR INSTALLING AND/OR UPGRADING OF GUARDRAILS, END TERMINALS, TRANSITIONS, BRIDGE RAILINGS, BRIDGE ENDPOSTS AND CRASH ATTENUATORS, AND RECONSTRUCTING AND PAVING OF SHOULDERS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	400 E
			TRN	N	1,600 N

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
61.		KUHIO HIGHWAY WIDENING AND DRAINAGE IMPROVEMENTS, KAUAI			
		PLANS, DESIGN, AND CONSTRUCTION FOR THE WIDENING OF KUHIO HIGHWAY NEAR 3-4684 KUHIO HIGHWAY, KAUAI, AND OTHER IMPROVEMENTS TO PROVIDE INCREASED TRAFFIC SAFETY, CORRIDOR CAPACITY, AND OPERATIONAL IMPROVEMENTS; PROJECT MAY INCLUDE, BUT NOT LIMITED TO ELIMINATING CONSTRUCTIONS, MODIFYING AND/OR INSTALLING TRAFFIC SIGNALS, CONSTRUCTING TURNING LANES, ACCELERATION AND/OR DECELERATION LANES. PROJECT TO INCLUDE DESIGN AND CONSTRUCTION FOR DRAINAGE IMPROVEMENTS ALONG KUHIO HIGHWAY IN THE VICINITY 3-4684 KUHIO HIGHWAY, KAUAI.			
		TOTAL FUNDING	TRN	2,000 E	E
62.		KUHIO HIGHWAY, SLOPE STABILIZATION AT LUMAHAI HILLSIDE, KAUAI			
		LAND ACQUISITION AND CONSTRUCTION FOR SLOPE STABILIZATION AT LUMAHAI HILLSIDE.			
		TOTAL FUNDING	TRN	200 E	2,000 E
63.		TRAFFIC OPERATIONAL IMPROVEMENTS TO EXISTING INTERSECTIONS AND HIGHWAYS, KAUAI			
		DESIGN AND CONSTRUCTION FOR MISCELLANEOUS IMPROVEMENTS TO EXISTING INTERSECTIONS AND HIGHWAY FACILITIES NECESSARY FOR IMPROVED TRAFFIC OPERATION, INCLUDING ELIMINATING CONSTRUCTIONS, MODIFYING AND/OR INSTALLING TRAFFIC SIGNALS, CONSTRUCTING TURNING LANES, ACCELERATION AND/OR DECELERATION LANES, AND OTHER IMPROVEMENTS.			
		TOTAL FUNDING	TRN	1,900 E	5,100 E
64.		WAIMEA CANYON DRIVE/KOKEE ROAD IMPROVEMENTS, KAUAI			
		DESIGN FOR PAVED SHOULDERS, INSTALLING GUARDRAILS, PAVEMENT MARKINGS AND SIGNS, AND OTHER IMPROVEMENTS IN THE VICINITY OF MILE POST 0 TO MILE POST 14.			
		TOTAL FUNDING	TRN	E	100 E

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
64.1		KAUAI BASEYARD IMPROVEMENTS, KAUAI			
		CONSTRUCTION FOR RENOVATIONS AND IMPROVEMENTS TO THE KAUAI DISTRICT BASEYARD, INCLUDING THE INSTALLATION OF A FIRE DETECTION SPRINKLER SYSTEM, RENOVATION OF OFFICES, PERFORMING VARIOUS BUILDING REPAIRS, AND REPLACING DAMAGED STORM SHIELDS.			
		TOTAL FUNDING	TRN	E	600E
64.2		KUHIO HIGHWAY IMPROVEMENTS, HANAMAULU TO KAPAA, KAUAI			
		LAND ACQUISITION, DESIGN, AND CONSTRUCTION FOR CONGESTION RELIEF IN THE VICINITY OF KAPAA, INCLUDING WIDENING OF SECTIONS OF KUHIO HIGHWAY. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	B	22,000 B
			TRN	E	70,000 E
			TRN	N	1 N
64.3		KUHIO HIGHWAY INTERSECTION IMPROVEMENTS AT KOLO ROAD / KALAMANIA ROAD, KAUAI			
		DESIGN FOR INTERSECTION IMPROVEMENTS, WHICH MAY INCLUDE SIGNALIZATION OR ROUNDABOUT SOLUTIONS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	500E
			TRN	N	1 N
64.4		RECONFIGURATION OF THE AKUKINI ROAD AND KAPULE HIGHWAY, KAUAI			
		DESIGN AND CONSTRUCTION FOR THE RECONFIGURATION OF THE AHUKINI ROAD AND KAPULE HIGHWAY INTERSECTION AT THE ENTRANCE TO THE LIHUE AIRPORT TO ADD AN ADDITIONAL NORTHBOUND LANE ON KAUAI VETERANS MEMORIAL HIGHWAY AND KAPULE HIGHWAY.			
		TOTAL FUNDING	TRN	E	500E

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>TRN595 - HIGHWAYS ADMINISTRATION</b>					
65.		CLOSEOUT OF HIGHWAY DESIGN PROJECTS, STATEWIDE			
		DESIGN FOR COMPLETION AND CLOSEOUT OF DESIGN PROJECTS IN CLOSING STAGES AND/OR FOR PROJECTS REQUIRING FUNDS FOR FINAL SETTLEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	5,000 E	2,800 E
			TRN	1 N	1 N
66.		HEIGHT MODERNIZATION FACILITIES, STATEWIDE			
		DESIGN FOR HEIGHT MODERNIZATION FACILITIES ON VARIOUS ISLANDS. THIS PROJECT IS DEEMED NECESSARY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	700 E
			TRN	N	1 N
67.		HIGHWAY PLANNING, STATEWIDE			
		PLANS FOR FEDERAL AID AND NON-FEDERAL AID PROGRAMS AND PROJECTS THAT INCLUDE ROADWAY CLASSIFICATION, DATA COLLECTION, LONG AND MID-RANGE PLANNING, TRANSPORTATION NEEDS STUDIES, RESEARCH, HRS 343/NEPA STUDIES, CORRIDOR STUDIES, SCOPING, BRIDGE EVALUATIONS, AND TECH TRANSFER AND WORKFORCE DEVELOPMENT. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	7,850 E	6,700 E
			TRN	31,400 N	20,400 N
68.		HIGHWAYS DIVISION CAPITAL IMPROVEMENTS PROGRAM PROJECT STAFF COSTS, STATEWIDE			
		PLANS, LAND ACQUISITION, DESIGN, AND CONSTRUCTION FOR COSTS RELATED TO WAGES AND FRINGE BENEFITS FOR PERMANENT PROJECT FUNDED STAFF POSITIONS FOR IMPLEMENTATION OF CIP PROJECTS FOR DEPARTMENT OF TRANSPORTATION'S HIGHWAYS DIVISION. PROJECTS MAY ALSO INCLUDE FUNDS FOR NON-PERMANENT CIP PROJECT RELATED POSITIONS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	2,000 B	2,000 B

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
69.		IMPROVEMENTS TO INTERSECTIONS AND HIGHWAY FACILITIES, STATEWIDE			
		LAND ACQUISITION, DESIGN, AND CONSTRUCTION FOR MISCELLANEOUS IMPROVEMENTS TO EXISTING INTERSECTIONS AND HIGHWAY FACILITIES NECESSARY FOR TRAFFIC SAFETY. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	1,300 E	1,650 E
			TRN	5,200 N	8,600 N
70.		MISCELLANEOUS DRAINAGE IMPROVEMENTS, STATEWIDE			
		DESIGN AND CONSTRUCTION FOR DRAINAGE IMPROVEMENTS TO EXISTING HIGHWAY FACILITIES INCLUDING INSTALLATION OF DRAINAGE FACILITIES, CATCH BASINS, GRATED DROP INLETS, LINED SWALES, HEADWALLS, AND CULVERTS AT VARIOUS LOCATIONS.			
		TOTAL FUNDING	TRN	5,100 E	200 E
71.		SEISMIC RETROFIT OF VARIOUS BRIDGES, STATEWIDE			
		DESIGN AND CONSTRUCTION FOR SEISMIC RETROFIT OF VARIOUS BRIDGES STATEWIDE. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	800 E
			TRN	N	3,200 N
72.		TRAFFIC COUNTING STATIONS AT VARIOUS LOCATIONS, STATEWIDE			
		CONSTRUCTION FOR INSTALLING TRAFFIC DETECTOR LOOPS AND PIEZOELECTRIC SENSORS, ASSOCIATED WIRING, JUNCTION BOXES, AND TRAFFIC CABINETS FOR CONTINUOUS TRAFFIC MONITORING STATIONS AT VARIOUS LOCATIONS ON STATE ROADWAYS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	100 E	E
			TRN	400 N	N



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
73.		TRAFFIC SIGNAL MODERNIZATION AT VARIOUS LOCATIONS, STATEWIDE			
		DESIGN AND CONSTRUCTION FOR UPGRADING OF EXISTING TRAFFIC SIGNAL SYSTEMS, INCLUDING ASSESSMENT & DEVELOPMENT OF CRITERIA FOR IMPLEMENTING SCHEDULED REPLACEMENTS AND UPGRADES; PROVIDING INTERCONNECTION OF SIGNALIZED INTERSECTIONS; UPGRADING TO MEET CURRENT STANDARDS; AND IMPLEMENTING SIGNAL SYSTEM INNOVATIONS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	1,450 E	2,000 E
			TRN	5,800 N	8,000 N
73.1		CLOSEOUT OF HIGHWAY CONSTRUCTION PROJECTS, STATEWIDE			
		CONSTRUCTION FOR COMPLETION AND CLOSEOUT OF OUTSTANDING CONSTRUCTION PROJECTS FOR POSTING OF AS-BUILT PLANS, OUTSTANDING UTILITY BILLINGS, PAYMENTS TO OTHERS FOR PROJECT RELATED WORK, AND OTHER CLOSING COSTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	7,800 E
			TRN	N	1 N
73.2		HIGHWAYS DIVISION MATERIALS TESTING AND RESEARCH FACILITY RENOVATION, STATEWIDE			
		LAND ACQUISITION AND DESIGN FOR RENOVATION AND IMPROVEMENTS TO THE HIGHWAYS DIVISION MATERIALS TESTING AND RESEARCH FACILITY.			
		TOTAL FUNDING	TRN	E	550 E
73.3		MAJOR PAVEMENT IMPROVEMENTS, STATEWIDE			
		CONSTRUCTION FOR MAJOR PAVEMENT RECONSTRUCTION, RESURFACING, RESTORATION AND/OR REHABILITATION ALONG STATE ROUTES. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	TRN	E	10,000 E
			TRN	N	1 N

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)		
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F	
73.4		ROCKFALL PROTECTION/SLOPE STABILIZATION AT VARIOUS LOCATIONS, STATEWIDE				
		CONSTRUCTION FOR ROCKFALL/SLOPE PROTECTION AND SLOPE STABILIZATION MITIGATION MEASURES AT VARIOUS LOCATIONS STATEWIDE. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.				
		TOTAL FUNDING	TRN	E		5,000 E
			TRN	N		20,000 N
73.5		VEHICLE TO EVERYTHING (V2X) TECHNOLOGY, STATEWIDE				
		DESIGN AND EQUIPMENT FOR A CELLULAR-BASED VEHICLE TO EVERYTHING (V2X) SYSTEM. INSTALLATION INCLUDES IN-FIELD DEVICES, ASSOCIATED SOFTWARE AND SMARTPHONE APPLICATION. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.				
		TOTAL FUNDING	TRN	E		2,840 E
			TRN	N		11,360 N

**D. ENVIRONMENTAL PROTECTION**

**HTH840 - ENVIRONMENTAL MANAGEMENT**

1.		WASTEWATER TREATMENT REVOLVING FUND FOR POLLUTION CONTROL, STATEWIDE				
		CONSTRUCTION FUNDS TO PROVIDE STATE MATCH (20%) FOR FEDERAL CAPITALIZATION GRANTS FOR WASTEWATER PROJECTS. FUNDS TO BE TRANSFERRED TO THE WATER POLLUTION CONTROL REVOLVING FUND PURSUANT TO CHAPTER 342D, HRS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.				
		TOTAL FUNDING	HTH	2,487 C		2,487 C
			HTH	12,431 N		12,431 N
2.		SAFE DRINKING WATER REVOLVING FUND, STATEWIDE				
		CONSTRUCTION FUNDS TO PROVIDE STATE MATCH (20%) FOR FEDERAL CAPITALIZATION GRANTS FOR DRINKING WATER TREATMENT REVOLVING LOAN FUND, PURSUANT TO CHAPTER 340E, HRS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.				
		TOTAL FUNDING	HTH	2,221 C		2,221 C
			HTH	11,107 N		11,107 N

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>LNR402 - NATIVE RESOURCES AND FIRE PROTECTION PROGRAM</b>					
3.		COQUI FROG ERADICATION CONTAINMENT BARRIER, MAUI PLANS, DESIGN, AND CONSTRUCTION TO ERADICATE COQUI FROGS ON MAUI.		750C	750C
		TOTAL FUNDING	LNR		
4.		DOFAW MAUI BASEYARD GENERATOR, MAUI PLANS, DESIGN, AND CONSTRUCTION FOR INSTALLATION OF A STANDBY GENERATOR TO MAINTAIN BASEYARD EMERGENCY OPERATIONS DURING POWER OUTAGES.		C	55C
		TOTAL FUNDING	LNR		
5.		DOFAW MAUI BASEYARD RESTROOM RENOVATION, MAUI PLANS, DESIGN, AND CONSTRUCTION FOR RENOVATION OF DOFAW MAUI BASEYARD RESTROOM FACILITIES.		C	55C
		TOTAL FUNDING	LNR		
6.		HILO BASEYARD BULK FUEL TANK INSTALLATION, HAWAII CONSTRUCTION OF A NEW BULK FUEL STORAGE TANK FOR HILO BASEYARD.		150C	C
		TOTAL FUNDING	LNR		
7.		KANAHA POND STATE WILDLIFE SANCTUARY FENCE REPLACEMENT, MAUI PLANS, DESIGN, AND CONSTRUCTION OF PERIMETER FENCE FOR PROTECTION OF WETLANDS AND ENDANGERED WATER BIRDS.		300C	C
		TOTAL FUNDING	LNR		
8.		KANAIO RESOURCE PROTECTION, MAUI PLANS, DESIGN, AND CONSTRUCTION FOR RESOURCE PROTECTION FENCE.		C	800C
		TOTAL FUNDING	LNR		
10.		MAUNA KEA FENCE, HAWAII CONSTRUCTION TO MODIFY AND REPLACE UNGULATE EXCLUSION FENCE ON MAUNA KEA TO ALLOW FOR FEDERALLY MANDATED UNGULATE CONTROL.		500C	500C
		TOTAL FUNDING	LNR		

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
11.		NORTH KONA GAME MANAGEMENT HABITAT CONSERVATION PLAN FENCING, HAWAII  CONSTRUCTION FOR 92-ACRE FENCE ON THE CONE AT PUU WAAWAA FOREST RESERVE TO PROTECT TWO NATIVE ENDANGERED PLANT SPECIES, MITIGATE FOR LOSS OF 10 OR MORE ADDITIONAL NATIVE ENDANGERED PLANT SPECIES.  TOTAL FUNDING LNR		200 C	200 C
<b>LNR407 - NATURAL AREA RESERVES AND WATERSHED MANAGEMENT</b>					
12.		INVERTEBRATE AND PLANT PROPAGATION FACILITY, OAHU  PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR INVERTEBRATE AND PLANT PROPAGATION FACILITY AND BASEYARD IMPROVEMENTS.  TOTAL FUNDING LNR		C	200 C
13.		KAENA POINT PREDATOR PROOF FENCE RETROFITS, OAHU  PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REPLACEMENT OF EXISTING FENCE AND GATES.  TOTAL FUNDING LNR		22 C	20 C
14.		KANAIO DRY FOREST FENCE, MAUI  PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT TO PROTECT AND RESTORE A DRYLAND FOREST IN THE LEEWARD HALEAKALA REGION OF MAUI.  TOTAL FUNDING LNR		300 C	C
15.		NURSERY AND FACILITY RENOVATION, KAUAI  PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT TO RENOVATE TWO PLANT NURSERIES.  TOTAL FUNDING LNR		75 C	75 C
16.		WATERSHED PROTECTION AND INITIATIVES, STATEWIDE  PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT TO PROTECT AND RESTORE FORESTED WATERSHEDS AND OTHER WATER SUPPLIES, STATEWIDE; EQUIPMENT AND APPURTENANCES, AND ALL PROJECT RELATED COSTS. THE LEGISLATURE FINDS AND DECLARES THAT THE APPROPRIATION IS IN THE PUBLIC INTEREST AND FOR THE PUBLIC'S HEALTH, SAFETY AND GENERAL WELFARE OF THE STATE.  TOTAL FUNDING LNR		6,583 C	5,992 C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
<b>LNR906 - LNR - NATURAL AND PHYSICAL ENVIRONMENT</b>					
17.		ENVIRONMENTAL STUDIES FOR VARIOUS PROJECTS, STATEWIDE  PLANS TO CONDUCT ENVIRONMENTAL STUDIES FOR LANDS UNDER THE JURISDICTION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES.			
		TOTAL FUNDING	LNR	1,000	C
<b>E. HEALTH</b>					
<b>HTH211 - KAHUKU HOSPITAL</b>					
1.		LUMP SUM KAHUKU MEDICAL CENTER, IMPROVEMENTS AND RENOVATIONS, OAHU  PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR KAHUKU MEDICAL CENTER FOR IMPROVEMENTS AND RENOVATIONS INCLUDING NEW FACILITIES, RENOVATION, EXPANSION, AND/OR REPLACEMENT OF FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	AGS	1,500	C
<b>HTH212 - HAWAII HEALTH SYSTEMS CORPORATION - REGIONS</b>					
2.		HALE HO'OLA HAMAKUA, HOSPITAL RENOVATIONS, HAWAII  PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR THE RENOVATION, RESTORATION, IMPROVEMENTS, NEW CONSTRUCTION, REFURBISHMENT, UPGRADE, AND REPAIR OF HALE HO'OLA HAMAKUA; INCLUDING BUT NOT LIMITED TO AC/HVAC, AC/HVAC DUCT WORK, KITCHEN RENOVATIONS, WALK IN FREEZER, RESIDENT ROOMS, RESIDENT BEDS, DOORWAYS, EXTERIOR AND INTERIOR PAINTING; GROUND AND SITE IMPROVEMENTS; RELATED INFRASTRUCTURE IMPROVEMENTS AND CONSTRUCTION; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	HTH	2,100	C
3.		KAU HOSPITAL, HAWAII  DESIGN, CONSTRUCTION, AND EQUIPMENT TO RENOVATE BATHROOMS, KITCHENS, AND FLOORING AT KAU HOSPITAL.			
		TOTAL FUNDING	HTH	500	C

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
4.		LUMP SUM HAWAII HEALTH SYSTEMS CORPORATION; IMPROVEMENTS AND RENOVATIONS, HAWAII  PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE HAWAII REGIONS OF THE HAWAII HEALTH SYSTEMS CORPORATION FOR IMPROVEMENTS AND RENOVATIONS INCLUDING RENOVATIONS AND/OR EXPANSION OF FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING HTH		13,000 C	13,975 C
5.		LUMP SUM HAWAII HEALTH SYSTEMS CORPORATION; IMPROVEMENTS AND RENOVATIONS, KAUAI  PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE KAUAI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION FOR IMPROVEMENTS AND RENOVATIONS INCLUDING RENOVATIONS AND/OR EXPANSION OF FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING HTH		4,216 C	4,532 C
6.		LUMP SUM HAWAII HEALTH SYSTEMS CORPORATION; IMPROVEMENTS AND RENOVATIONS, OAHU  PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE OAHU REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION FOR IMPROVEMENTS AND RENOVATIONS INCLUDING RENOVATIONS AND/OR EXPANSION OF FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING HTH		2,783 C	2,992 C
7.		SAMUEL MAHELONA MEMORIAL HOSPITAL, CT SCAN ROOM RENOVATION, KAUAI  DESIGN AND CONSTRUCTION TO RENOVATE THE CT SCAN ROOM. TOTAL FUNDING HTH		1,400 C	C
7.1		KAUAI VETERANS MEMORIAL HOSPITAL, CT SCANNER, KAUAI  DESIGN AND EQUIPMENT TO PURCHASE AND INSTALL A CT SCANNER FOR KAUAI VETERANS MEMORIAL HOSPITAL. TOTAL FUNDING HTH		C	1,300 C
7.2		KAUAI VETERANS MEMORIAL HOSPITAL, IT RENOVATIONS, KAUAI  DESIGN AND CONSTRUCTION TO RENOVATE IT DEPARTMENT AT KAUAI VETERANS MEMORIAL HOSPITAL. TOTAL FUNDING HTH		C	300 C

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
7.3		KVMH, 3D MAMMOGRAPHY MACHINE, KAUAI DESIGN, CONSTRUCTION AND EQUIPMENT TO INSTALL A 3D MAMMOGRAPHY MACHINE AT KAUAI VETERANS MEMORIAL HOSPITAL.			
		TOTAL FUNDING	HTH	C	650 C
7.4		MALUHIA, UPGRADE PLUMBING IN PATIENT ROOMS, OAHU DESIGN AND CONSTRUCTION TO UPGRADE PLUMBING IN PATIENT ROOMS.			
		TOTAL FUNDING	HTH	C	700 C
7.5		SMMH, CT SCANNER, KAUAI DESIGN AND EQUIPMENT TO PURCHASE AND INSTALL A CT SCANNER.			
		TOTAL FUNDING	HTH	C	1,300 C
7.6		HILO MEDICAL CENTER DBA HAWAII PACIFIC ONCOLOGY, HAWAII PLANS, DESIGN, EQUIPMENT AND CONSTRUCTION FOR THE EXPANSION AND IMPROVEMENT OF THE CLINIC.			
		TOTAL FUNDING	HTH	C	6,500 C
7.7		HILO MEDICAL CENTER, CARDIAC CENTER, HAWAII CONSTRUCTION AND EQUIPMENT FOR A SECOND CATHETERIZATION LABORATORY, CARDIAC UNIT.			
		TOTAL FUNDING	HTH	C	3,500 C
7.8		SAMUEL MAHELONA MEMORIAL HOSPITAL, KAUAI PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR ENVIRONMENTAL IMPACT STATEMENT, PROJECT MANAGEMENT AND COORDINATION.			
		TOTAL FUNDING	HTH	C	500 C
<b>HTH214 - MAUI HEALTH SYSTEM, A KFH LLC</b>					
8.		LUMP SUM MAUI HEALTH SYSTEM, FACILITIES REPAIR, RENOVATIONS AND UPGRADES, MAUI/LANAI PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR MAUI HEALTH SYSTEM FOR IMPROVEMENTS AND RENOVATIONS INCLUDING NEW FACILITIES, RENOVATIONS, EXPANSION, AND/OR REPLACEMENTS OF FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	HTH	6,000 C	6,000 C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
8.1		MAUI MEMORIAL MEDICAL CENTER, PARKING FACILITIES IMPROVEMENTS, MAUI			
		PLANS AND DESIGNS FOR STRUCTURAL IMPROVEMENTS FOR MAUI MEMORIAL MEDICAL CENTER; PROVIDED THAT STATE FUNDS SHALL NOT BE MADE AVAILABLE UNLESS THEY ARE MATCHED BY PRIVATE CONTRIBUTIONS IN THE AMOUNT APPROPRIATED HERE; PROVIDED FURTHER THAT MAUI MEMORIAL MEDICAL CENTER SHALL EXPLORE ALL MEANS OF FINANCING OPTIONS FOR CONSTRUCTION OF THIS PROJECT INCLUDING BUT NOT LIMITED TO REVENUE BONDS.			
		TOTAL FUNDING	HTH	C	2,000C
			HTH	R	1,000R
<b>HTH430 - ADULT MENTAL HEALTH - INPATIENT</b>					
9.		HAWAII STATE HOSPITAL, HEALTH AND SAFETY, OAHU			
		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR NECESSARY IMPROVEMENTS TO PROVIDE FOR HEALTH AND SAFETY, ACCESSIBILITY, AND OTHER CODE REQUIREMENTS.			
		TOTAL FUNDING	AGS	8,445C	8,997C
<b>HTH710 - STATE LABORATORY SERVICES</b>					
10.		HAWAII STATE LABORATORIES IMPROVEMENTS, OAHU			
		DESIGN AND CONSTRUCTION FOR NECESSARY IMPROVEMENTS TO PROVIDE FOR HEALTH AND SAFETY, ACCESSIBILITY, AND OTHER CODE REQUIREMENTS.			
		TOTAL FUNDING	AGS	4,422C	6,227C
<b>HTH907 - GENERAL ADMINISTRATION</b>					
11.		DEPARTMENT OF HEALTH, HEALTH AND SAFETY, STATEWIDE			
		DESIGN AND CONSTRUCTION FOR NECESSARY IMPROVEMENTS TO PROVIDE FOR HEALTH AND SAFETY, ACCESSIBILITY, AND OTHER CODE REQUIREMENTS.			
		TOTAL FUNDING	AGS	1,945C	14,414C
12.		DEPARTMENT OF HEALTH, REPAIRS AND MAINTENANCE, STATEWIDE			
		DESIGN AND CONSTRUCTION FOR NECESSARY REPAIRS AND MAINTENANCE TO FACILITIES.			
		TOTAL FUNDING	AGS	1,647C	C



## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)		
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021	
12.1		DEPARTMENT OF HEALTH, IMPROVEMENTS, STATEWIDE				
		DESIGN AND CONSTRUCTION FOR NECESSARY IMPROVEMENTS TO PROVIDE FOR HEALTH AND SAFETY, ACCESSIBILITY, AND OTHER CODE REQUIREMENTS.				
		TOTAL FUNDING	AGS	C	930	C
<b>F. SOCIAL SERVICES</b>						
<b>HMS503 - HAWAII YOUTH CORRECTIONAL FACILITY (HYCF)</b>						
1.		HAWAII YOUTH CORRECTIONAL FACILITY, CAMPUS IMPROVEMENTS, PLANNING, OAHU				
		PLANS TO REDEVELOP THE HAWAII YOUTH CORRECTIONAL FACILITY CAMPUS TO INCLUDE MODERNIZATION OF EXISTING FACILITIES, CONSTRUCTION OF NEW FACILITIES, DEMOLITION OF UNNEEDED FACILITIES, AND SITE AND INFRASTRUCTURE IMPROVEMENTS.				
		TOTAL FUNDING	AGS	800	C	C
2.		HAWAII YOUTH CORRECTIONAL FACILITY, GYM FOUNDATION REPAIRS, OAHU				
		DESIGN AND CONSTRUCTION FOR FOUNDATION REPAIRS FOR THE HAWAII YOUTH CORRECTIONAL FACILITY'S GYM.				
		TOTAL FUNDING	AGS	225	C	C
3.		HAWAII YOUTH CORRECTIONAL FACILITY, SEWER IMPROVEMENTS, OAHU				
		DESIGN AND CONSTRUCTION TO ASSESS, REPAIR, AND IMPROVE THE HAWAII YOUTH CORRECTIONAL FACILITY'S SEWER SYSTEM.				
		TOTAL FUNDING	AGS	600	C	C
4.		HAWAII YOUTH CORRECTIONAL FACILITY, WATER SYSTEM IMPROVEMENTS, OAHU				
		DESIGN AND CONSTRUCTION TO ASSESS, REPAIR, AND IMPROVE THE HAWAII YOUTH CORRECTIONAL FACILITY'S WATER SYSTEM.				
		TOTAL FUNDING	AGS	900	C	C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021

**DEF112 - SERVICES TO VETERANS**

- 5. HAWAII STATE VETERANS CEMETERY UPGRADES AND IMPROVEMENTS, OAHU

DESIGN AND CONSTRUCTION FOR UPGRADES AND IMPROVEMENTS AT HAWAII STATE VETERANS CEMETERY TO INCLUDE THE CONSTRUCTION OF DOUBLE-DEPTH LAWN CRYPTS, IMPROVEMENTS TO THE COMMITTAL SHELTER, INSTALLATION OF SECURITY SYSTEMS AT THE ADMINISTRATION AND MAINTENANCE BUILDINGS, UPGRADE TO THE IRRIGATION SYSTEM, AND OTHER IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID AND/OR REIMBURSEMENTS.

TOTAL FUNDING	DEF	1,000 C	C
	DEF	4,546 P	P

- 5.1 VA LONG-TERM CARE FACILITY, OAHU

CONSTRUCTION AND EQUIPMENT FOR A NEW LONG-TERM CARE STATE VETERANS HOME ON THE ISLAND OF OAHU. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.

TOTAL FUNDING	DEF	C	26,275 C
	DEF	P	3,825 P

**HMS220 - RENTAL HOUSING SERVICES**

- 6. LUMP SUM PUBLIC HOUSING DEVELOPMENT, IMPROVEMENTS, AND RENOVATIONS, STATEWIDE

PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REAC IMPROVEMENTS PHA-WIDE, INCLUDES BUT IS NOT LIMITED TO HEALTH, SAFETY AND SECURITY IMPROVEMENTS; PUNCHBOWL HOMES UPGRADE TO FIRE ALARM SYSTEM; PHYSICAL NEEDS ASSESSMENT; ADA ACCESSIBILITY COMPLIANCE FOR VARIOUS STATE AND FEDERAL PROJECTS, STATEWIDE.

TOTAL FUNDING	HMS	20,000 C	C
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## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
6.1		LUMP SUM PUBLIC HOUSING DEVELOPMENT, IMPROVEMENTS, AND RENOVATIONS, STATEWIDE			
		PLANS, DESIGN, CONSTRUCTION AND EQUIPMENT TO DEVELOP, UPGRADE, RENOVATE PUBLIC HOUSING FACILITIES. INCLUDING GROUND AND SITE IMPROVEMENTS, INFRASTRUCTURE, EQUIPMENT, APPURTENANCES AND ALL RELATED AND ASSOCIATED PROJECT COSTS FOR PUBLIC HOUSING DEVELOPMENT, IMPROVEMENTS, AND RENOVATIONS, STATEWIDE. INCLUDING FUNDS FOR PERMANENT AND NON-PERMANENT CIP PROJECT RELATED POSITIONS.			
		TOTAL FUNDING	HMS	C	5,135C
6.2		HPHA SCHOOL STREET CAMPUS RENOVATION AND EXPANSION, OAHU			
		PLANS, DESIGN, AND CONSTRUCTION, TO DEVELOP UP TO EIGHT HUNDRED SENIOR AFFORDABLE HOUSING UNITS ON HPHA'S SCHOOL STREET CAMPUS; PROJECT SHALL INTEGRATE WITH THE REPLACEMENT OF LANAKILA MULTI-PURPOSE SENIOR CENTER PROJECT LOCATED ON ADJACENT PROPERTY; EQUIPMENT; APPURTENANCES; AND ALL PROJECT RELATED COSTS (ITEM NO. K-12.2 LANAKILA MULTI-PURPOSE SENIOR CENTER REPLACEMENT (LMPSC), OAHU).			
		TOTAL FUNDING	HMS	C	2,500C
<b>HHL602 - PLANNING AND DEVELOPMENT FOR HAWAIIAN HOMESTEADS</b>					
7.		LUMP SUM - HAWAIIAN HOME LANDS LOT DEVELOPMENT, STATEWIDE			
		PLANS, DESIGN, AND CONSTRUCTION FOR VARIOUS IMPROVEMENTS TO EXISTING INFRASTRUCTURE ON HAWAIIAN HOME LANDS, STATEWIDE, AND RELATED IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT; AND ALL PROJECT RELATED COSTS.			
		TOTAL FUNDING	HHL	20,000C	20,000C
8.		LUMP SUM R&M - HAWAIIAN HOME LANDS EXISTING INFRASTRUCTURE, STATEWIDE			
		PLANS, DESIGN, AND CONSTRUCTION FOR REPAIR AND MAINTENANCE TO EXISTING INFRASTRUCTURE ON VARIOUS HAWAIIAN HOME LANDS, STATEWIDE, AND RELATED IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT; AND ALL PROJECT RELATED COSTS.			
		TOTAL FUNDING	HHL	5,000C	5,000C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
9.		LAND ACQUISITION FOR LOT DEVELOPMENT, OAHU PLANS AND LAND ACQUISITION FOR LAND ACQUISITION ON OAHU: TMK(S) 39008034, 39005001			
		TOTAL FUNDING	HHL	1,000 C	C
9.1		LEIALII PARKWAY AND HIGHWAY IMPROVEMENTS, MAUI PLANS, DESIGNS, AND CONSTRUCTION FOR LEIALII PARKWAYS AND HIGHWAY IMPROVEMENTS.			
		TOTAL FUNDING	HHL	C	9,000 C
9.2		WAIMANALO, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR SPEED ABATEMENT, PEDESTRIAN SAFETY, AND REPAIR WORK ON NAKINI STREET AND HULI STREET IN WAIMANALO.			
		TOTAL FUNDING	HHL	C	800 C
9.3		KAPOLEI PARKWAY, SAFETY WALL, OAHU DESIGN AND CONSTRUCTION OF A SAFETY WALL AT THE INTERSECTION OF KAPOLEI PARKWAY AND KAMAAHA STREET TO PROVIDE HEALTH AND SAFETY.			
		TOTAL FUNDING	HHL	C	50 C

**G. FORMAL EDUCATION**

**EDN100 - SCHOOL-BASED BUDGETING**

1.	AIEA HIGH SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR BUILDING A REGRADE HILLSIDE; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.				
	TOTAL FUNDING	EDN	600 C	C	
2.	AIEA HIGH SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR GIRLS ATHLETIC LOCKER ROOM, WEIGHT TRAINING, AND OTHER IMPROVEMENTS.				
	TOTAL FUNDING	EDN	5,400 C	C	
3.	ALA WAI ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR A NEW COVERED PLAY COURT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.				
	TOTAL FUNDING	EDN	500 C	C	

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
4.		ALIAMANU ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR A COVERED PLAYCOURT/BASKETBALL COURT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	300 C	C
5.		AUGUST AHRENS ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO RENOVATE RESTROOMS IN BUILDING J; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	500 C	C
6.		AUGUST AHRENS ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO REPLACE BUILDING I CARPET; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	250 C	C
7.		AUGUST AHRENS ELEMENTARY SCHOOL, OAHU CONSTRUCTION FOR A BUS SHELTER AND NEW PARKING LOT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	2,050 C	C
8.		BALDWIN HIGH SCHOOL, MAUI CONSTRUCTION TO REROOF BUILDING B; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	1,000 C	C
9.		BALDWIN HIGH SCHOOL, MAUI DESIGN AND CONSTRUCTION FOR GIRLS ATHLETIC LOCKER ROOM. TOTAL FUNDING	EDN	1,400 C	C
10.		BENJAMIN PARKER ELEMENTARY SCHOOL, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR BOUNDARY SURVEY, RETAINING WALL REPLACEMENTS AND IMPROVEMENTS TO IMPROVE DRAINAGE. TOTAL FUNDING	EDN	525 C	C
11.		CAMPBELL HIGH SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR TRACK AND FIELD, AND OTHER ATHLETIC FACILITIES IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	6,290 C	C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
12.		CASTLE HIGH SCHOOL, OAHU CONSTRUCTION TO REPLACE STADIUM LIGHT FIXTURES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	300 C	C
		TOTAL FUNDING			
13.		CASTLE HIGH SCHOOL, OAHU DESIGN AND CONSTRUCTION TO RESURFACE ROADWAY AND PARKING LOT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	402 C	C
		TOTAL FUNDING			
14.		CENTRAL MIDDLE SCHOOL, OAHU EQUIPMENT FOR THE REPLACEMENT OF STAGE LIGHTING IN BUILDING B.	EDN	120 C	C
		TOTAL FUNDING			
15.		DOLE MIDDLE SCHOOL, OAHU DESIGN FOR ARCHITECTURAL BARRIER REMOVAL.	EDN	C	300 C
		TOTAL FUNDING			
16.		DOLE MIDDLE SCHOOL, OAHU PLANS, DESIGN, AND CONSTRUCTION FOR OPEN AIR-COVERED STUDENT LEARNING ENRICHMENT/ACTIVITY AREA; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	4,000 C	C
		TOTAL FUNDING			
17.		EAST KAPOLEI MIDDLE SCHOOL, OAHU DESIGN, CONSTRUCTION, AND EQUIPMENT FOR COMPLETION OF PHASE 3; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	20,000 C	C
		TOTAL FUNDING			
18.		EWA BEACH ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR VARIOUS REPAIR AND MAINTENANCE PROJECTS AT EWA BEACH ELEMENTARY SCHOOL; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	466 C	C
		TOTAL FUNDING			
19.		EWA BEACH ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION TO RENOVATE BUILDING C RESTROOMS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	260 C	C
		TOTAL FUNDING			

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
20.		EWA ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR VARIOUS REPAIR AND MAINTENANCE PROJECTS AT EWA ELEMENTARY SCHOOL; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		2,319 C	C
21.		FARRINGTON HIGH SCHOOL, OAHU CONSTRUCTION TO REPLACE RAILINGS IN BUILDINGS I AND J; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		300 C	C
22.		FARRINGTON HIGH SCHOOL, OAHU DESIGN AND CONSTRUCTION TO REPLACE THE GYM BLEACHERS. TOTAL FUNDING EDN		875 C	C
23.		FERN ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO REPLACE CAMPUS FIRE ALARM SYSTEM; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		1,440 C	C
24.		FERN ELEMENTARY SCHOOL, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR CAMPUS DRAINAGE SYSTEM FOR BUILDING C, G, J, I, AND B TO PREVENT FLOODING; GROUND AND SITE IMPROVEMENTS. TOTAL FUNDING EDN		225 C	C
25.		HAAHEO ELEMENTARY SCHOOL, HAWAII CONSTRUCTION, EQUIPMENT AND ELECTRICAL UPGRADES FOR A FOUR CLASSROOM BUILDING AND LIBRARY; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		22,710 C	C
26.		HAHAIONE ELEMENTARY SCHOOL, OAHU DESIGN FOR ARCHITECTURAL BARRIER REMOVAL. TOTAL FUNDING EDN		C	270 C
27.		HAHAIONE ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION TO REROOF BUILDING B AND I; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		575 C	C

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
28.		HAIKU ELEMENTARY SCHOOL, MAUI PLANS, DESIGN AND CONSTRUCTION FOR COVERED WALKWAY AND BUILDING E REROOF; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	700 C	C
29.		HEEIA ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION TO UPGRADE FIRE ALARMS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	372 C	C
30.		HEEIA ELEMENTARY SCHOOL, OAHU DESIGN, CONSTRUCTION, AND EQUIPMENT FOR CAMPUS DRAINAGE IMPROVEMENTS INCLUDING BUILDING B AND C; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	600 C	C
31.		HICKAM ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO REPLACE CAMPUS WATERLINES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	170 C	C
32.		HIGHLANDS INTERMEDIATE SCHOOL, OAHU DESIGN AND CONSTRUCTION OF CAMPUS-WIDE ELECTRICAL UPGRADES; AND GROUND AND SITE IMPROVEMENTS.	EDN	5,500 C	C
33.		HILO INTERMEDIATE SCHOOL, HAWAII PLANS, DESIGN, AND CONSTRUCTION FOR BUILDING L REPLACEMENT OF 2ND FLOOR CEILINGS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	400 C	C
34.		HOKULANI ELEMENTARY SCHOOL, OAHU DESIGN FOR ADA TRANSITION.	EDN	C	230 C
35.		HONOKAA ELEMENTARY SCHOOL, HAWAII DESIGN FOR ARCHITECTURAL BARRIER REMOVAL.	EDN	C	300 C



## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
36.		HONOKAA HIGH AND INTERMEDIATE SCHOOL, HAWAII DESIGN FOR ARCHITECTURAL BARRIER REMOVAL.			
		TOTAL FUNDING	EDN	C	450 C
37.		HOOKENA ELEMENTARY SCHOOL, HAWAII DESIGN AND CONSTRUCTION FOR BUILDING D FIRE ALARM WIRING; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	200 C	C
38.		IAO INTERMEDIATE SCHOOL, MAUI DESIGN, CONSTRUCTION, AND EQUIPMENT FOR RENOVATIONS TO THE OLD CAFETERIA, BUILDING C, TO PROVIDE ADDITIONAL CLASSROOMS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	4,000 C
39.		IAO INTERMEDIATE SCHOOL, MAUI DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE INSTALLATION OF AIR CONDITIONING SYSTEMS TO AIR CONDITION BUILDING A; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	1,100 C	C
40.		JEFFERSON ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO RESURFACE THE OUTDOOR BASKETBALL COURT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	300 C	C
41.		JEFFERSON ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION TO RESURFACE THE PARKING LOT AND DRIVEWAY; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	300 C	C
42.		KAELEPULU ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO REPLACE BASKETBALL BACKBOARDS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	30 C	C

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
43.		KAELEPULU ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO RESURFACE PLAYCOURT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	351 C	C
44.		KAELEPULU ELEMENTARY SCHOOL, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR AN OUTDOOR STAGE WITH THE APPLICABLE ELECTRICAL, LIGHTING, AND SOUND EQUIPMENT; GROUND AND SITE IMPROVEMENTS; AND EQUIPMENT AND APPURTENANCES.	EDN	1,000 C	C
45.		KAHALA ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR ADA TRANSITION.	EDN	1,530 C	C
46.		KAHALUU ELEMENTARY SCHOOL, OAHU PLANS, EQUIPMENT, AND CONSTRUCTION FOR FIRE ALARM UPGRADE; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	486 C	C
47.		KAHUKU HIGH AND INTERMEDIATE SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR ATHLETIC FIELDS DRAINAGE IMPROVEMENTS.	EDN	4,500 C	C
48.		KAHULUI ELEMENTARY SCHOOL, MAUI DESIGN AND CONSTRUCTION FOR PARKING LOT FENCING.	EDN	500 C	C
49.		KAHULUI ELEMENTARY SCHOOL, MAUI PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR A NEW CLASSROOM BUILDING; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	6,000 C	C
50.		KAILUA HIGH SCHOOL, OAHU DESIGN, CONSTRUCTION, AND EQUIPMENT FOR INSTALLATION OF BASEBALL INFIELD TURF, BASELINES, AND OTHER RELATED IMPROVEMENTS.	EDN	1,700 C	C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
51.		KAILUA HIGH SCHOOL, OAHU CONSTRUCTION FOR BUILDING T IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	300 C	C
		TOTAL FUNDING			
52.		KAILUA HIGH SCHOOL, OAHU CONSTRUCTION TO REPLACE STADIUM LIGHT POLES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	700 C	C
		TOTAL FUNDING			
53.		KAILUA HIGH SCHOOL, OAHU CONSTRUCTION TO REROOF BUILDING N AND COVERED WALKWAY; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	557 C	C
		TOTAL FUNDING			
54.		KAIMUKI HIGH SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR GIRLS ATHLETIC LOCKER ROOM.	EDN	400 C	C
		TOTAL FUNDING			
55.		KAIMUKI HIGH SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR SOFTBALL FIELD IMPROVEMENTS.	EDN	C	80 C
		TOTAL FUNDING			
56.		KAIMUKI HIGH SCHOOL, OAHU DESIGN AND CONSTRUCTION OF A NEW AUDITORIUM RESTROOMS ADJOINING THE BUILDING FRONT. DESIGN AND CONSTRUCTION TO CONSOLIDATE CAMPUS TO ONE LOCATION AND RENOVATE EXISTING FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	1,000 C	C
		TOTAL FUNDING			
57.		KAISER HIGH SCHOOL, OAHU PLANS, DESIGN, AND CONSTRUCTION TO REPLACE LEAKING LOCKER ROOM CEILING.	EDN	90 C	990 C
		TOTAL FUNDING			
58.		KAIULANI ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO INSTALL WATER FOUNTAINS IN BUILDINGS A, B, AND C; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	24 C	C
		TOTAL FUNDING			

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
59.		KALAKAUA MIDDLE SCHOOL, OAHU DESIGN FOR BUILDING G AND H TO DEMOLISH; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	80C	C
60.		KALAKAUA MIDDLE SCHOOL, OAHU DESIGN FOR DUE DILIGENCE EFFORT TO CONSTRUCT NEW CAMPUS AIR CONDITIONING; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	100C	C
61.		KALAMA INTERMEDIATE SCHOOL, MAUI CONSTRUCTION TO RENOVATE PARKING LOT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	238C	C
62.		KALAMA INTERMEDIATE SCHOOL, MAUI DESIGN FOR DUE DILIGENCE EFFORT FOR CONSTRUCTION OF A MULTIPURPOSE ROOM. TOTAL FUNDING	EDN	100C	C
63.		KALAMA INTERMEDIATE SCHOOL, MAUI DESIGN TO REPLACE CAMPUS FIRE ALARM; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	55C	C
64.		KALANI HIGH SCHOOL, OAHU CONSTRUCTION FOR RUBBERIZED TRACK AND INSTALLATION OF FIELD TURF. TOTAL FUNDING	EDN	2,990C	C
65.		KALANI HIGH SCHOOL, OAHU DESIGN AND CONSTRUCTION TO REPLACE THE GYM BLEACHERS. TOTAL FUNDING	EDN	875C	C
66.		KALEIOPUU ELEMENTARY SCHOOL, OAHU DESIGN FOR DUE DILIGENCE EFFORT TO CONSTRUCT A NEW CLASSROOM BUILDING; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	250C	C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
67.		KAMILOIKI ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR ADA TRANSITION.			
		TOTAL FUNDING	EDN	1,530 C	C
68.		KANOELANI ELEMENTARY SCHOOL, OAHU PLANS, DESIGN AND CONSTRUCTION TO INCREASE THE CAFETERIA CAPACITY TO ACCOMMODATE THE GROWING STUDENT POPULATION; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	3,000 C	C
69.		KAPAA HIGH SCHOOL, KAUAI DESIGN FOR ARCHITECTURAL BARRIER REMOVAL.			
		TOTAL FUNDING	EDN	450 C	C
70.		KAPAA HIGH SCHOOL, KAUAI DESIGN AND CONSTRUCTION FOR PARKING LOT AND DRAINAGE IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TO FIX THE PARKING LOT, DRIVEWAY INCLUDED AND DRAINAGE SYSTEM OF KAPAA HIGH SCHOOL GYMNASIUM BOYS AND GIRLS CLUB, INCLUDING BOTH EXISTING AREAS AND NEW AND EXPANDED PAVED AREAS. GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	2,550 C	C
71.		KAPALAMA ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO RECARPET VARIOUS ROOMS IN BUILDING F; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	50 C	C
72.		KAPALAMA ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR ADA TRANSITION.			
		TOTAL FUNDING	EDN	180 C	1,500 C
73.		KAPALAMA ELEMENTARY SCHOOL, OAHU DESIGNS FOR BUILDING I TO DEMOLISH CUSTODIAN COTTAGE; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	75 C	C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
74.		KAPIOLANI ELEMENTARY SCHOOL, HAWAII DESIGN AND CONSTRUCTION FOR SOFTBALL FIELD IMPROVEMENTS. TOTAL FUNDING EDN		750 C	C
75.		KAPUNAHALA ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR A PORTABLE CLASSROOM; PROJECT TO INCLUDE DUE DILIGENCE EFFORT TO CONSTRUCT A NEW PORTABLE CLASSROOM. TOTAL FUNDING EDN		250 C	1,750 C
76.		KAPUNAHALA ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR ADA TRANSITION. TOTAL FUNDING EDN		180 C	1,500 C
77.		KAPUNAHALA ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR RESURFACING OF THE PARKING LOT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		480 C	C
78.		KAU HIGH AND PAHALA ELEMENTARY SCHOOL, HAWAII DESIGN AND CONSTRUCTION FOR BUILDING C TO REPLACE CAFETERIA WALK-IN CHILL BOX AND FREEZER; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		200 C	C
79.		KAULUWELA ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION REPLACE CAMPUS FIRE ALARMS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		300 C	C
80.		KAULUWELA ELEMENTARY SCHOOL, OAHU PLANS, DESIGN, AND CONSTRUCTION FOR CLASSROOM WALLS IN BUILDING S AND BUILDING D. DESIGN AND CONSTRUCTION TO CONSOLIDATE CAMPUS TO ONE LOCATION AND RENOVATE EXISTING FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		3,500 C	C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
81.		KAULUWELA ELEMENTARY SCHOOL, OAHU PLANS, DESIGN, AND CONSTRUCTION FOR PLAYGROUND BEHIND BUILDING D; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES	EDN	1,000	C
82.		KAUNAKAKAI ELEMENTARY SCHOOL, MOLOKAI PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR ROOF REPLACEMENT AND INSTALL BLEACHERS.	EDN	750	C
83.		KAWANANAKOA MIDDLE SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR ADA TRANSITION.	EDN	100	C
84.		KAWANANAKOA MIDDLE SCHOOL, OAHU DESIGN AND CONSTRUCTION TO REPAIR BUILDING F AND G RAILINGS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	150	C
85.		KAWANANAKOA MIDDLE SCHOOL, OAHU DESIGN AND CONSTRUCTION TO REPAIR BUILDING J RAILINGS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	150	C
86.		KE KULA O EHUNUIKAIMALINO, HAWAII CONSTRUCTION TO REPLACE CAMPUS FIRE ALARMS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	207	C
87.		KEAAU ELEMENTARY SCHOOL, HAWAII CONSTRUCTION FOR CAMPUS WIDE FIRE ALARM REPLACEMENT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	270	C
88.		KEAAU HIGH SCHOOL, HAWAII DESIGN AND CONSTRUCTION FOR CAMPUS-WIDE RE-WIRING OF FIRE ALARMS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	175	C

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ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020	FISCAL M YEAR O 2020-2021
89.		KEAAU MIDDLE SCHOOL, HAWAII			
		DESIGN AND CONSTRUCTION FOR CAMPUS REPAIR FIRE ALARM SYSTEM; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	90C	C
90.		KEALAKEHE ELEMENTARY SCHOOL, HAWAII			
		PLANS, LAND ACQUISITION, DESIGN, AND CONSTRUCTION FOR A NEW CLASSROOM BUILDING; IMPROVEMENTS FOR ACCESS ROADS AND PARKING LOTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	14,990C	C
91.		KEALAKEHE HIGH SCHOOL, HAWAII			
		CONSTRUCTION OF A ALL-WEATHER SYNTHETIC TRACK; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	3,000C	C
92.		KEAUKAHA ELEMENTARY SCHOOL, HAWAII			
		CONSTRUCTION TO REPLACE AC IN PORTABLES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	140C	C
93.		KEKAHA ELEMENTARY SCHOOL, KAUAI			
		REPAIR AND MAINTENANCE TO SCHOOL'S BUILDINGS, REPLACE STAGE CURTAIN IN CAFETERIA, RE-CARPETING AND RE-TILING, BASKETBALL COURT RESURFACING, REPLACE TERMITE DAMAGED BEAMS AND POSTS, REROOFING. DESIGN AND CONSTRUCTION TO CONSOLIDATE CAMPUS TO ONE LOCATION AND RENOVATE EXISTING FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	2,050C	C
94.		KEKAULIKE HIGH SCHOOL, MAUI			
		CONSTRUCTION TO REPLACE CAMPUS FIRE ALARM; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES			
		TOTAL FUNDING	EDN	117C	C



## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
95.		KEKAULIKE HIGH SCHOOL, MAUI PLANS, DESIGN AND CONSTRUCTION FOR A BASEBALL AND SOFTBALL COMPLEX. TURF FIELD, SITE IMPROVEMENTS, LIGHTS, SCOREBOARD, EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	1,700	C
96.		KEONEPOKO ELEMENTARY SCHOOL, HAWAII DESIGN AND CONSTRUCTION FOR CAMPUS-WIDE REPLACEMENT OF FIRE ALARMS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	500	C
97.		KIHEI ELEMENTARY SCHOOL, MAUI DESIGN FOR ADA TRANSITION. TOTAL FUNDING	EDN	C	270C
98.		KIHEI HIGH SCHOOL, MAUI PLANS AND DESIGN FOR DUE DILIGENCE EFFORT FOR A PEDESTRIAN SAFETY SOLUTION; PROJECT MAY INCLUDE RELATED PLANS, STUDIES, AND REPORTS. TOTAL FUNDING	EDN	250	C
99.		KILAUEA ELEMENTARY SCHOOL, KAUAI CONSTRUCTION TO REPAIR AND RESURFACE CRACKED AND PEELING OUTDOOR PLAYCOURT. TOTAL FUNDING	EDN	325	C
100.		KOKO HEAD ELEMENTARY SCHOOL, OAHU DESIGN FOR ADA TRANSITION. TOTAL FUNDING	EDN	C	180C
101.		KONAWAENA HIGH SCHOOL, HAWAII CONSTRUCTION TO REPLACE VINYL COMPOSITION TILE IN ADMINISTRATIVE OFFICE; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	20	C
102.		KONAWAENA HIGH SCHOOL, HAWAII DESIGN AND CONSTRUCTION FOR SOFTBALL FIELD IMPROVEMENTS. TOTAL FUNDING	EDN	1,130	C
103.		KUALAPUU ELEMENTARY SCHOOL, MOLOKAI CONSTRUCTION FOR ADA TRANSITION. TOTAL FUNDING	EDN	300	C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
104.		KUHIO ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO REPAINT BUILDING C AND H; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	150	C
		TOTAL FUNDING			
105.		LAHAINALUNA HIGH SCHOOL, MAUI DESIGN AND CONSTRUCTION FOR ARCHITECTURAL BARRIER REMOVAL.	EDN	150	C
		TOTAL FUNDING			
106.		LAHAINALUNA HIGH SCHOOL, MAUI PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REPAIRS, UPGRADES, AND/OR REPLACEMENT OF ELECTRICAL METERS AND OTHER ELECTRICAL SYSTEM INFRASTRUCTURE IMPROVEMENTS AT THE MAIN CAMPUS FOR BUILDING H, I, J, K, L, W, Y, DAIRY, BOARDER'S FIELD, AND PORTABLES P-1, P-12, P-15, P-16, P-17, AND P-18.	EDN	5,000	C
		TOTAL FUNDING			
107.		LAHAINALUNA HIGH SCHOOL, MAUI DESIGN AND CONSTRUCTION TO REPAIR AND RESURFACE TRACK AND FIELD; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	2,000	C
		TOTAL FUNDING			
108.		LEILEHUA HIGH SCHOOL, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS TO THE STADIUM AND FOOTBALL FIELD; PROJECT SCOPE TO INCLUDE THE STADIUM FIELD TURF AND SYNTHETIC TRACK SURFACE, RESTROOMS, CONCESSION STANDS, AND ANNOUNCERS BOOTH; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	5,300	C
		TOTAL FUNDING			
109.		LEILEHUA HIGH SCHOOL, OAHU DESIGN AND CONSTRUCTION TO REPAVE EXISTING CAMPUS ROADS AND DRIVEWAY; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	2,500	C
		TOTAL FUNDING			
110.		LIHOLIHO ELEMENTARY SCHOOL, OAHU DESIGN FOR CAMPUS DRAINAGE SYSTEM FOR BUILDING J, F, AND H TO PREVENT FLOODING.	EDN	100	C
		TOTAL FUNDING			

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ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
111.		LIKELIKE ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO DEMOLISH CUSTODIAN COTTAGE; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	120 C	C
112.		LIKELIKE ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR ADA TRANSITION.	EDN	180 C	1,500 C
113.		LOKELANI INTERMEDIATE SCHOOL, MAUI DESIGN AND CONSTRUCTION FOR ARCHITECTURAL BARRIER REMOVAL.	EDN	300 C	C
114.		LUMP SUM CIP - COMPLIANCE, STATEWIDE DESIGN AND CONSTRUCTION PROJECTS TO BRING THE DOE IN COMPLIANCE WITH ADA, ABR, AND GENDER EQUITY REQUIREMENTS.	EDN	5,000 C	C
115.		LUMP SUM CIP - HEALTH AND SAFETY, STATEWIDE PLANS, DESIGN, AND CONSTRUCTION FOR IMPROVEMENTS TO SCHOOL FACILITIES AND GROUNDS TO MEET HEALTH AND SAFETY REQUIREMENTS/ LAWS, AND ORDINANCES AND/OR COUNTY REQUIREMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	10,000 C	10,000 C
116.		LUMP SUM CIP - PROJECT COMPLETION, STATEWIDE PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION AND EQUIPMENT FOR PROJECT COMPLETION INCLUDING CONSTRUCTION MANAGEMENT COSTS, PURCHASE ORDERS, UTILITIES CHARGES, CHANGE ORDERS, AND ALL OTHER COSTS ASSOCIATED WITH THE COMPLETION OF A PROJECT.	EDN	38,000 C	36,248 C
117.		LUMP SUM CIP - REPAIR AND MAINTENANCE, STATEWIDE PLANS, DESIGN, AND CONSTRUCTION TO MAINTAIN AND IMPROVE FACILITIES AND INFRASTRUCTURE, INCLUDING HAZARDOUS MATERIALS REMEDIATION; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	110,700 C	107,000 C

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
118.		LUMP SUM - OFFICE OF INFORMATION TECHNOLOGY SERVICES, STATEWIDE  DESIGN, CONSTRUCTION, AND EQUIPMENT TO MAINTAIN AND IMPROVE DOE'S CONVERGED INFRASTRUCTURE PROVIDING BELLS AND PAGING FOR SCHOOL SAFETY; CONVERGED INFRASTRUCTURE PROVIDING SCHOOLS ACCESS TO ON-LINE LEARNING AND INTERNET RESOURCES; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		8,500 C	2,500 C
119.		MAKAWAO ELEMENTARY SCHOOL, MAUI  CONSTRUCTION OF COVERED WALKWAYS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		850 C	C
120.		MAUI HIGH SCHOOL, MAUI  DESIGN AND CONSTRUCTION FOR GIRLS ATHLETIC LOCKER ROOM AND BATHROOM, P.E. AND ATHLETIC FACILITIES, AND OTHER RELATED FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		C	8,000 C
121.		MAUI WAENA INTERMEDIATE SCHOOL, MAUI  DESIGN, CONSTRUCTION, AND EQUIPMENT FOR AIR CONDITIONING SYSTEMS FOR THE HEAT ABATEMENT OF MAUI WAENA INTERMEDIATE SCHOOL, PROJECT MAY INCLUDE, BUT NOT LIMITED TO, BUILDING C, D, G, E, B, AND A; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		1,000 C	C
122.		MAUI WAENA INTERMEDIATE SCHOOL, MAUI  DESIGN, CONSTRUCTION, AND EQUIPMENT TO AERATE THE P.E. FIELD; PROJECT MAY ALSO INCLUDE REGRADING AREAS OF THE FIELD TO REMOVE HARD SOIL; GROUND AND SITE IMPROVEMENTS. TOTAL FUNDING EDN		C	1,810 C
123.		MCKINLEY HIGH SCHOOL, OAHU  DESIGN AND CONSTRUCTION FOR ARCHITECTURAL BARRIER REMOVAL. TOTAL FUNDING EDN		2,350 C	C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
124.		MILILANI HIGH SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR GIRLS ATHLETIC LOCKER ROOM. TOTAL FUNDING	EDN	650	C
125.		MILILANI HIGH SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR SOFTBALL FIELD IMPROVEMENTS. TOTAL FUNDING	EDN	1,680	C
126.		MILILANI HIGH SCHOOL, OAHU PLAN, DESIGN, AND CONSTRUCTION OF A NEW GYMNASIUM BUILDING AND REFURBISHMENT OF CURRENT GYMNASIUM INTO A PERFORMING ARTS FACILITY; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	250	C
127.		MILILANI MIDDLE SCHOOL, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR SIDEWALK IMPROVEMENT PROJECT; EXPANSION AND WIDENING OF ALL SIDEWALKS CAMPUS- WIDE; GROUND AND SITE IMPROVEMENTS. TOTAL FUNDING	EDN	490	C
128.		MILILANI UKA ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO STABILIZE AN UNDEVELOPED ERODING SLOPE FRONTING THE KAMEHAMEHA SIDE OF THE SCHOOL CAMPUS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	1,200	C
129.		MOANALUA ELEMENTARY SCHOOL, OAHU DESIGN FOR DUE DILIGENCE EFFORT TO CONSTRUCT ELECTRICAL UPGRADES AND AIR CONDITIONING IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	100	C
130.		MOANALUA HIGH SCHOOL, OAHU CONSTRUCTION TO REPLACE STADIUM LIGHT POLES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	2,100	C

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
131.		MOANALUA MIDDLE SCHOOL, OAHU			
		PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR A CENTRALIZED AREA FOR STUDENTS TO BE DROPPED OFF AND/OR PICKED UP. THE AREA NEEDS TO BE COVERED AND CEMENTED WITH SEATING AND WILL BE LOCATED BETWEEN THE CAFETERIA AND ADMINISTRATION OFFICE; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	1,500 C	C
132.		MOKAPU ELEMENTARY SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR CAMPUS IMPROVEMENTS INCLUDING REPLACEMENT FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	EDN	18,500 C	4,300 C
			EDN	74,000 P	17,200 P
133.		MOLOKAI HIGH SCHOOL, MOLOKAI			
		DESIGN AND CONSTRUCTION FOR BASEBALL FIELD.			
		TOTAL FUNDING	EDN	C	300 C
134.		NAHIENAENA ELEMENTARY SCHOOL, MAUI			
		CONSTRUCTION FOR PLAYFIELD REPLACE IRRIGATION; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	225 C	C
135.		NAHIENAENA ELEMENTARY SCHOOL, MAUI			
		CONSTRUCTION TO REPAINT PORTABLES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	225 C	C
136.		NANAKULI HIGH AND INTERMEDIATE SCHOOL, OAHU			
		PLANS, DESIGN, AND CONSTRUCTION TO BUILD A PERFORMING ARTS CENTER AUDITORIUM; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	2,000 C	C

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ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
137.		NIMITZ ELEMENTARY SCHOOL, OAHU CONSTRUCTION FOR BUILDING C AND D STRUCTURAL REPAIRS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		1,263 C	C
138.		NIU VALLEY MIDDLE SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR ARCHITECTURAL BARRIER REMOVAL. TOTAL FUNDING EDN		2,800 C	C
139.		NOELANI ELEMENTARY SCHOOL, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE INSTALLATION OF A NEW PLAYGROUND BY BUILDING B; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		150 C	C
140.		NUUANU ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION TO UPGRADE FIRE ALARMS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		110 C	C
141.		PAAUILO ELEMENTARY AND INTERMEDIATE SCHOOL, HAWAII DESIGN FOR ADA TRANSITION. TOTAL FUNDING EDN		180 C	C
142.		PAIA ELEMENTARY SCHOOL, MAUI DESIGN AND CONSTRUCTION FOR A NEW CLASSROOM BUILDING; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		17,000 C	C
143.		PALISADES ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR COVERED PLAYCOURT WITH STORAGE AND RESTROOMS. TOTAL FUNDING EDN		5,500 C	C
144.		PALOLO ELEMENTARY SCHOOL, OAHU CONSTRUCTION AND EQUIPMENT FOR GYM ROOF NETTING. TOTAL FUNDING EDN		10 C	C
145.		PARKER ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO REPLACE ACM FLOOR TILES IN BUILDING H; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		40 C	C

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ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
146.		PEARL CITY ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR ARCHITECTURAL BARRIER REMOVAL. TOTAL FUNDING	EDN	1,570 C	1,200 C
147.		PEARL CITY HIGH SCHOOL BASEBALL AND SOFTBALL COMPLEX, OAHU CONSTRUCTION FOR A BASEBALL AND SOFTBALL COMPLEX IN PEARL CITY; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	2,500 C	C
148.		PEARL CITY HIGH SCHOOL, OAHU CONSTRUCTION TO RESURFACE PARKING LOT DRIVEWAY; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	400 C	C
151.		POPE ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO REPLACE AND/OR REPAIR BUILDING C RAILINGS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	70 C	C
152.		POPE ELEMENTARY SCHOOL, OAHU CONSTRUCTION TO RESURFACE TO PLAYCOURT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	300 C	C
153.		PRESIDENT GEORGE WASHINGTON MIDDLE SCHOOL, OAHU CONSTRUCTION AND EQUIPMENT FOR RECORDING STUDIO AUDIO INTEGRATION. TOTAL FUNDING	EDN	720 C	C
154.		PUOHALA ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR BUILDING D TO REPLACE FREEZER AND CHILLER BOX; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	110 C	C
155.		QUEEN KAAHUMANU ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR PARKING LOT RENOVATION; REPAIR AND REPAVING OF THE KINAU STREET-SIDE PARKING LOT; GROUND AND SITE IMPROVEMENTS. TOTAL FUNDING	EDN	200 C	C



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ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
156.		QUEEN KAAHUMANU ELEMENTARY SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR A PLAYCOURT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	175 C	C
157.		RADFORD HIGH SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR GIRLS ATHLETIC LOCKER ROOM.			
		TOTAL FUNDING	EDN	250 C	6,000 C
158.		RADFORD HIGH SCHOOL, OAHU			
		EQUIPMENT AND FURNISHINGS FOR KITCHEN/MULTI-PURPOSE ROOM.			
		TOTAL FUNDING	EDN	65 C	C
159.		ROOSEVELT HIGH SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR A NEW GYMNASIUM WITH LOCKER ROOMS, CLASSROOMS, AND OTHER RELATED FACILITIES; PARKING BELOW AND AROUND THE GYMNASIUM; BUS AND VEHICLE ACCESS IMPROVEMENTS TO ACCOMMODATE GROUP DROP-OFF AND PICK-UP; GROUND AND SITE IMPROVEMENTS; AND EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	19,475 C	C
160.		ROOSEVELT HIGH SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR SOFTBALL FIELD IMPROVEMENTS.			
		TOTAL FUNDING	EDN	C	100 C
161.		ROYAL ELEMENTARY SCHOOL, OAHU			
		CONSTRUCTION TO INSTALL A WATER FOUNTAIN IN BUILDING D; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	10 C	C
162.		STEVENSON MIDDLE SCHOOL, OAHU			
		CONSTRUCTION TO REPLACE CAMPUS WATER FOUNTAINS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	80 C	C
163.		WAHIAWA ELEMENTARY SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR ARCHITECTURAL BARRIER REMOVAL.			
		TOTAL FUNDING	EDN	270 C	2,500 C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
164.		WAIAKEA ELEMENTARY SCHOOL, HAWAII			
		CONSTRUCTION TO REPLACE PLAYGROUND EQUIPMENT BEHIND BUILDING B; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	150 C	C
165.		WAIAKEA HIGH SCHOOL, HAWAII			
		DESIGN AND CONSTRUCTION FOR GIRLS ATHLETIC LOCKER ROOM.			
		TOTAL FUNDING	EDN	C	5,000 C
166.		WAIALUA HIGH AND INTERMEDIATE SCHOOL, OAHU			
		PLANS, AND DESIGN, CONSTRUCTION, EQUIPMENT FOR A NEW STEM INNOVATION CENTER; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	500 C	C
167.		WAIANAE ELEMENTARY SCHOOL, OAHU			
		DESIGN FOR DUE DILIGENCE EFFORT TO CONSTRUCT AND INSTALL CAMPUS-WIDE AIR CONDITIONING SYSTEMS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	100 C	C
168.		WAIANAE HIGH SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR GIRLS ATHLETIC LOCKER ROOM.			
		TOTAL FUNDING	EDN	3,920 C	C
169.		WAIANAE INTERMEDIATE SCHOOL, OAHU			
		CONSTRUCTION TO REPLACE BUILDING A SEWER; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	300 C	C
170.		WAIANAE INTERMEDIATE SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR ARCHITECTURAL BARRIER REMOVAL.			
		TOTAL FUNDING	EDN	3,300 C	C
171.		WAI AU ELEMENTARY SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR CAMPUS-WIDE ELECTRICAL UPGRADES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	1,100 C	C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
172.		WAIHEE ELEMENTARY SCHOOL, MAUI DESIGN AND CONSTRUCTION FOR DRAINAGE IMPROVEMENTS TO PREVENT FLOODING; GROUND AND SITE IMPROVEMENTS. TOTAL FUNDING	EDN	80 C	420 C
173.		WAIHEE ELEMENTARY SCHOOL, MAUI PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR COVERED WALKWAYS ACROSS VARIOUS AREAS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	3,000 C	C
174.		WAIKIKI ELEMENTARY SCHOOL, OAHU DESIGN FOR ADA TRANSITION. TOTAL FUNDING	EDN	C	180 C
175.		WAILUKU ELEMENTARY SCHOOL, MAUI DESIGN FOR ADA TRANSITION. TOTAL FUNDING	EDN	C	270 C
176.		WAILUKU ELEMENTARY SCHOOL, MAUI DESIGN AND CONSTRUCTION TO REROOF BUILDING G AND J; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	1,200 C	C
177.		WAILUKU ELEMENTARY SCHOOL, MAUI DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE INSTALLATION OF AIR CONDITIONING SYSTEMS CAMPUS-WIDE TO AIR CONDITION WAILUKU ELEMENTARY SCHOOL; INCLUDING ELECTRICAL SYSTEM UPGRADES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	3,900 C	C
178.		WAIMANALO ELEMENTARY AND INTERMEDIATE SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR ARCHITECTURAL BARRIER REMOVAL. TOTAL FUNDING	EDN	270 C	2,500 C
179.		WAIMEA CANYON MIDDLE SCHOOL, KAUAI DESIGN AND CONSTRUCTION FOR ARCHITECTURAL BARRIER REMOVAL. TOTAL FUNDING	EDN	C	300 C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
180.		WAIMEA ELEMENTARY SCHOOL, HAWAII			
		DESIGN AND CONSTRUCTION FOR BUILDING B TO REPAIR CEILING AND RE-ROOF; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING EDN		376 C	C
181.		WAIANAЕ HIGH SCHOOL, OAHU			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT TO CONVERT A CLASSROOM INTO A MARINE SCIENCE LEARNING CENTER; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING EDN		650 C	C
182.		WAIANAЕ HIGH SCHOOL, OAHU			
		DESIGN, CONSTRUCTION, AND INSTALLATION FOR A RUBBERIZED ALL-WEATHER TRACK AND FIELD; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING EDN		1,750 C	750 C
183.		WAIPAHU ELEMENTARY SCHOOL, OAHU			
		CONSTRUCTION TO REROOF BUILDING C; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING EDN		280 C	C
184.		WAIPAHU HIGH SCHOOL, OAHU			
		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR PHASE ONE OF A NEW CLASSROOM BUILDING; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING EDN		5,500 C	C
185.		WAIPAHU HIGH SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR GIRLS ATHLETIC LOCKER ROOM.			
		TOTAL FUNDING EDN		4,700 C	C
186.		WEBLING ELEMENTARY SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION TO RESURFACE PARKING LOT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING EDN		600 C	C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
187.		WEBLING ELEMENTARY SCHOOL, OAHU DESIGN, CONSTRUCTION, AND EQUIPMENT FOR EXPANSION OF SUPPORT FACILITIES (ADMINISTRATION AND LIBRARY BUILDING); GROUND AND SITE IMPROVEMENTS, EQUIPMENT AND APPURTENANCES.	EDN	1,500 C	C
188.		WILSON ELEMENTARY SCHOOL, OAHU DESIGN FOR DUE DILIGENCE EFFORT TO CONSTRUCT COVER OVER WALKWAY AND OUTDOOR STUDENT MEETING AREA; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	100 C	C
188.1		SHAFTER ELEMENTARY SCHOOL, OAHU DESIGN FOR CAMPUS IMPROVEMENTS INCLUDING REPLACEMENT FACILITIES OR CAMPUS RELOCATION; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. THIS PROJECT IS DEEMED NECESSARY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.	EDN	C	1,200 C
			EDN	P	4,800 P
188.2		AUGUST AHRENS ELEMENTARY SCHOOL, OAHU CONSTRUCTION FOR WHOLE RENOVATION.	EDN	C	1,350 C
188.3		AHUI MANU ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR CAMPUS ADA ACCESSIBLE ROUTE; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	C	1,500 C
188.4		ALA WAI ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR A COVERED PLAYCOURT, PHASE 2; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	C	1,000 C
188.5		ALA WAI ELEMENTARY SCHOOL, OAHU DESIGN, CONSTRUCTION, AND EQUIPMENT FOR SCHOOLWIDE ELECTRICAL UPGRADES AND SERVICE EQUIPMENT UPGRADES.	EDN	C	1,500 C

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
188.6		ALIIOLANI ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR COVERED WALKWAY FROM BUILDING A TO CAFETERIA. TOTAL FUNDING	EDN	C	200C
188.7		BALDWIN HIGH SCHOOL, MAUI DESIGN AND CONSTRUCTION FOR BOYS ATHLETIC LOCKER ROOM, WEIGHT ROOM WITH DANCE FLOOR, AND OTHER RELATED FACILITIES AND IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	7,000C
187.8 <sup>1</sup>		CAREER TECH ED ADA CORRECTIVE ACTION PLANS FOR VARIOUS SCHOOLS, STATEWIDE PLANS AND DESIGNS FOR CAREER TECH ED ADA CORRECTIVE ACTION PLANS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	500C
187.9		CASTLE HIGH SCHOOL, OAHU CONSTRUCTION FOR ADA IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	1,500C
187.10		CENTRAL MAUI NEW MIDDLE SCHOOL, MAUI PLANS AND DESIGNS FOR A NEW MIDDLE SCHOOL IN CENTRAL MAUI. GROUND AND SITE IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	3,000C
187.11		CENTRAL MIDDLE SCHOOL, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR AUDITORIUM COOLING. TOTAL FUNDING	EDN	C	200C
186.12		CENTRAL MIDDLE SCHOOL, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR EXTERIOR LED LIGHTING FIXTURES AROUND BUILDINGS. TOTAL FUNDING	EDN	C	200C
185.13		EAST KAPOLEI HIGH SCHOOL, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR NEW HIGH SCHOOL; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	3,000C

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ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
185.14		EAST KAPOLEI MIDDLE SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR PHASE III; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	26,000C
185.15		EDUCATIONAL SPECIFICATIONS UPDATE FOR VARIOUS SCHOOLS, STATEWIDE			
		PLANS AND DESIGNS FOR EDUCATIONAL SPECIFICATIONS UPDATE FOR VARIOUS SCHOOLS.			
		TOTAL FUNDING	EDN	C	500C
185.16		ELEELE ELEMENTARY SCHOOL, KAUAI			
		PLANS, DESIGN, AND CONSTRUCTION FOR AIR CONDITIONING.			
		TOTAL FUNDING	EDN	C	1,500C
185.17		FARRINGTON HIGH SCHOOL, OAHU			
		CONSTRUCTION FOR ADA IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	2,500C
185.18		FERN ELEMENTARY SCHOOL, OAHU			
		CONSTRUCTION TO REPLACE CAMPUS FIRE ALARM SYSTEM; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	130C
185.19		GENDER EQUALITY AND CIVIL RIGHTS COMPLIANCE BR. ASSESSMENT PROJECTS FOR VARIOUS SCHOOLS, STATEWIDE			
		PLANS, DESIGN, AND CONSTRUCTION FOR GENDER EQUALITY AND CIVIL RIGHTS COMPLIANCE BR. ASSESSMENT PROJECTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES; REPAIR; REFURBISHMENT, REPLACEMENT, RENOVATION, AND/OR NEW CONSTRUCTION.			
		TOTAL FUNDING	EDN	C	5,000C
185.20		HAHAIONE ELEMENTARY SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR CAMPUS WIDE ELECTRICAL.			
		TOTAL FUNDING	EDN	C	600C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
185.21		HICKAM ELEMENTARY SCHOOL, OAHU			
		DESIGN FOR CAMPUS IMPROVEMENTS INCLUDING REPLACEMENT FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	EDN	C	1,200 C
			EDN	P	4,800 P
185.22		HILO HIGH SCHOOL, HAWAII			
		PHASE I CONSTRUCTION AND EQUIPMENT FOR NEW RUBBERIZED TRACK AND SYNTHETIC TURF, BLEACHERS, AND EQUIPMENT.			
		TOTAL FUNDING	EDN	C	6,000 C
185.23		HILO INTERMEDIATE SCHOOL, HAWAII			
		PLANS AND DESIGNS FOR BUILDING A REPLACEMENT/MAJOR RENOVATION PHASE 1; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES; REPAIR; REFURBISHMENT, REPLACEMENT, RENOVATION, AND/OR NEW CONSTRUCTION.			
		TOTAL FUNDING	EDN	C	2,000 C
185.24		HOLUALOA ELEMENTARY SCHOOL, HAWAII			
		DESIGN FOR GYMNASIUM RENOVATION; RENOVATIONS, REPAIR, REFURBISHMENT, AND/OR NEW CONSTRUCTION; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	2,000 C
185.25		HONOKAA HIGH AND INTERMEDIATE SCHOOL, HAWAII			
		DESIGN AND CONSTRUCTION FOR SCIENCE FACILITIES UPGRADES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES; REPAIR; REFURBISHMENT, REPLACEMENT, RENOVATION, AND/OR NEW CONSTRUCTION.			
		TOTAL FUNDING	EDN	C	500 C
185.26		HONOWAI ELEMENTARY SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR ELECTRICAL UPGRADES AND AIR CONDITIONING FOR MULTIPLE PORTABLES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	700 C



## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
185.27		IAO INTERMEDIATE SCHOOL, MAUI CONSTRUCTION FOR PERIMETER FENCING FRONTING SCHOOL; GROUND AND SITE IMPROVEMENTS. TOTAL FUNDING	EDN	C	500 C
185.28		JEFFERSON ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR SEVEN DEDICATED ELECTRICAL OUTLETS FOR THE AQUAPONICS SYSTEMS. TOTAL FUNDING	EDN	C	350 C
185.29		JEFFERSON ELEMENTARY SCHOOL, OAHU PLANS DESIGNS AND CONSTRUCTION FOR ELECTRICAL UPGRADES TO SIX CLASSROOMS IN BUILDING R; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	250 C
185.30		KAAHUMANU ELEMENTARY SCHOOL, OAHU DESIGN FOR CAFETERIA CEILING FANS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	300 C
185.31		KAHUKU HIGH AND INTERMEDIATE SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR ATHLETIC/EDUCATIONAL FACILITIES AND DRAINAGE IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	5,350 C
185.32		KAHULUI ELEMENTARY SCHOOL, MAUI PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR AIR CONDITIONING OF VARIOUS CLASSROOMS AND SCHOOL FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	1,000 C
185.33		KAIMUKI HIGH SCHOOL, OAHU PLANNING AND DESIGN FOR A STUDENT CENTER AND CAFETERIA; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	400 C
185.34		KALANI HIGH SCHOOL, OAHU CONSTRUCTION FOR ADA IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	800 C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
184.35		KALEIOPUU ELEMENTARY SCHOOL, OAHU			
		PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR THE EXPANSION OF THE CAFETERIA; RENOVATION, REFURBISHMENT, REPAIR, AND/OR NEW CONSTRUCTION; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	6,150C
184.36		KALIHI KAI ELEMENTARY SCHOOL, OAHU			
		PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR PLAYGROUND REPLACEMENT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	150C
184.37		KANEOHE ELEMENTARY SCHOOL, OAHU			
		CONSTRUCTION AND EQUIPMENT FOR MODULAR PORTABLE CLASSROOM.			
		TOTAL FUNDING	EDN	C	1,100C
184.38		KANOELANI ELEMENTARY SCHOOL, OAHU			
		PLANS, DESIGN AND CONSTRUCTION TO INCREASE THE CAFETERIA CAPACITY TO ACCOMMODATE THE GROWING STUDENT POPULATION; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	6,000C
184.39		KANOELANI ELEMENTARY SCHOOL, OAHU			
		PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR PORTABLE CLASSROOM; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	2,000C
184.40		KAPOLEI HIGH SCHOOL, OAHU			
		CONSTRUCTION FOR ADA IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	400C
184.41		KAPOLEI HIGH SCHOOL, OAHU			
		CONSTRUCTION FOR RENOVATIONS OF LARGE CLASSROOMS TO INCREASE UTILIZATION; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	6,000C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
184.42		KAU HIGH AND PAHALA ELEMENTARY SCHOOL, HAWAII			
		CONSTRUCTION FOR ADA IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	2,000C
184.43		KAUAI HIGH SCHOOL, GIRLS LOCKER ROOM, KAUAI			
		DESIGN AND CONSTRUCTION FOR GIRLS LOCKER ROOM FACILITIES AND OTHER RELATED FACILITIES AND IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	4,200C
184.44		KAUAI HIGH SCHOOL, GYM, KAUAI			
		DESIGN AND CONSTRUCTION FOR FACILITIES FOR GYM AND OTHER RELATED FACILITIES AND IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT FOR FACILITIES FOR GYM; APPURTENANCES.			
		TOTAL FUNDING	EDN	C	15,000C
184.45		KAULUWELA ELEMENTARY SCHOOL, OAHU			
		PLANS DESIGN, AND CONSTRUCTION FOR COVERED WALKWAYS BETWEEN SCHOOL PARKING LOT, ADMINISTRATIVE OFFICE, BUILDING S, BUILDING E, AND BUILDING D.			
		TOTAL FUNDING	EDN	C	650C
184.46		KAULUWELA ELEMENTARY SCHOOL, OAHU			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR PLAYGROUNDS BEHIND BUILDING D AND S.			
		TOTAL FUNDING	EDN	C	450C
184.47		KAUMUALII ELEMENTARY SCHOOL, KAUAI			
		CONSTRUCTION AND EQUIPMENT FOR A NEW PLAYGROUND.			
		TOTAL FUNDING	EDN	C	150C
184.48		KE KULA O EHUNUIKAIMALINO, HAWAII			
		LAND ACQUISITION; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	2,000C
184.49		KEAAU HIGH SCHOOL, HAWAII			
		CONSTRUCTION FOR ADA IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	800C

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
184.50		KEKAULIKE HIGH SCHOOL, MAUI PLANS, DESIGNS, CONSTRUCTION AND EQUIPMENT FOR A BASEBALL AND SOFTBALL COMPLEX. TURF FIELD, SITE IMPROVEMENTS, LIGHTS, SCOREBOARD, EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		C	10,405 C
184.51		KONAWAENA HIGH SCHOOL, HAWAII DESIGN AND CONSTRUCTION FOR TRACK AND FIELD IMPROVEMENTS FOR SYNTHETIC FIELD AND REPLACEMENT OF SYNTHETIC TRACK; INCLUDING STORAGE FACILITY FOR FIELD MAINTENANCE EQUIPMENT, TRACK STORAGE; GROUND AND SITE IMPROVEMENTS. TOTAL FUNDING EDN		C	6,300 C
184.52		KUHIO ELEMENTARY SCHOOL, OAHU CONSTRUCTION OF A COVERING FROM CAFETERIA TO H AND BUILDINGS. <sup>2</sup> TOTAL FUNDING EDN		C	500 C
184.53		LAHAINALUNA HIGH SCHOOL, MAUI CONSTRUCTION FOR ARCHITECTURAL BARRIER REMOVAL, GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		C	450 C
184.54		LANAKILA ELEMENTARY SCHOOL, OAHU PLANS, CONSTRUCTION, AND EQUIPMENT FOR A REPLACEMENT BELL AND PHONE SYSTEM. TOTAL FUNDING EDN		C	300 C
184.55		LIHIKAI ELEMENTARY SCHOOL, MAUI DESIGN AND CONSTRUCTION FOR REPLACEMENT OF KITCHEN FLOOR. TOTAL FUNDING EDN		C	200 C
184.56		LIHIKAI ELEMENTARY SCHOOL, MAUI DESIGN AND CONSTRUCTION FOR SECURITY FENCING FOR SCHOOL; GROUND AND SITE IMPROVEMENTS. TOTAL FUNDING EDN		C	650 C
184.57		LINAPUNI ELEMENTARY SCHOOL, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR A COVERED WALKWAY CONNECTING THE CAFETERIA TO BUILDING A. CLASSROOMS AND REPAVE FACULTY PARKING LOT. TOTAL FUNDING EDN		C	800 C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
184.58		LINCOLN ELEMENTARY SCHOOL, OAHU DESIGN FOR A COVERED PLAYCOURT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	500 C
184.59		LUNALILO ELEMENTARY SCHOOL, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR RENOVATION OF FIRST FLOOR B BUILDING RESTROOMS. TOTAL FUNDING	EDN	C	277 C
184.60		MAKAHA ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION TO INSTALL A 21ST CENTURY LEARNING CENTER TO INCLUDE A CONCRETE STAGE AREA AND SHADE SAILS. TOTAL FUNDING	EDN	C	3,000 C
184.61		MANOA ELEMENTARY SCHOOL, OAHU CONSTRUCTION AND EQUIPMENT FOR NEW PLAYGROUND STRUCTURE FOR FIRST GRADERS TO REPLACE STRUCTURE REMOVED FROM FIRST GRADE PLAYGROUND SITE. TOTAL FUNDING	EDN	C	150 C
184.62		MAUI HIGH SCHOOL, MAUI CONSTRUCTION FOR ADA IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	1,000 C
183.63		MAUI HIGH SCHOOL, MAUI DESIGN AND CONSTRUCTION FOR RESTROOM FACILITIES AT MAUI HIGH SCHOOL PARK. TOTAL FUNDING	EDN	C	3,000 C
183.64		MAUI HIGH SCHOOL, MAUI EQUIPMENT FOR WEIGHT TRAINING AND WRESTLING FACILITIES, AND OTHER ATHLETIC FACILITIES; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	100 C
183.65		MAUI WAENA INTERMEDIATE SCHOOL, MAUI PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR AIR CONDITIONING OF VARIOUS CLASSROOMS AND SCHOOL FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	C	1,250 C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
183.66		MAUNAWILI ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR PARKING LOT EXPANSION AND SAFETY IMPROVEMENTS.	EDN	C	720 C
183.67		MILILANI UKA ELEMENTARY SCHOOL, OAHU PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR PORTABLE BATHROOMS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	C	1,150 C
183.68		MILILANI WAENA ELEMENTARY, CAMPUS REDESIGN, OAHU PLANS FOR CAMPUS-WIDE REDESIGN FOR RE-IMAGINING THE MILILANI WAENA ELEMENTARY SCHOOL CAMPUS AND PLAN FOR 21ST CENTURY LEARNING SPACES.	UOH	C	200 C
183.69		MOANALUA HIGH SCHOOL, OAHU CONSTRUCTION FOR ADA IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	C	1,500 C
183.70		MOANALUA HIGH SCHOOL, OAHU PLANNING AND DESIGN FOR NEW ATHLETIC FACILITY TO INCLUDE A GIRLS LOCKER ROOM, TRAINING ROOM, MEETING ROOM, AND STORAGE.	EDN	C	750 C
183.71		MOANALUA HIGH SCHOOL, OAHU PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR TITLE IX IMPROVEMENTS ON SOFTBALL FIELD; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES; REPAIR, IMPROVEMENTS, RENOVATION, REFURBISHMENT, AND/OR NEW CONSTRUCTION.	EDN	C	3,175 C
183.72		NANAKULI ELEMENTARY SCHOOL, OAHU PLANS, DESIGN, AND CONSTRUCTION FOR GROUNDS AND SITE IMPROVEMENTS INCLUDING INSTALLATION OF SOLAR PANELS, RESTROOM RENOVATIONS AND OTHER IMPROVEMENTS.	EDN	C	1,117 C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
183.73		NOELANI ELEMENTARY SCHOOL, OAHU			
		PLANS AND DESIGN TO ASSES THE SCHOOL'S ELECTRICAL SYSTEM UPGRADE NEEDS.			
		TOTAL FUNDING	EDN	C	250C
183.74		PAHOA HIGH AND INTERMEDIATE SCHOOL, HAWAII			
		DESIGN AND CONSTRUCTION FOR SCIENCE FACILITIES UPGRADES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES; REPAIR; REFURBISHMENT, REPLACEMENT, RENOVATION, AND/OR NEW CONSTRUCTION.			
		TOTAL FUNDING	EDN	C	300C
182.75		PAUOA ELEMENTARY SCHOOL, OAHU			
		PLANS AND DESIGNS FOR A COVERING OF A PLAYCOURT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	500C
182.76		PEARL CITY ELEMENTARY SCHOOL, OAHU			
		PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR A & D REPLACE ELECTRICAL PANELS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	100C
182.77		PEARL CITY HIGH SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR ELECTRICAL UPGRADES.			
		TOTAL FUNDING	EDN	C	4,000C
182.78		POMAIIKAI ELEMENTARY SCHOOL, MAUI			
		CONSTRUCTION FOR REPLACEMENT OF PLAYGROUND EQUIPMENT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	150C
182.79		RADFORD HIGH SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR CAFETERIA HEAT ABATEMENT INCLUDING WINDOW UPGRADES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	2,000C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
182.80		RED HILL ELEMENTARY SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR COVERED PLAYCOURT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	3,000 C
182.81		SALT LAKE ELEMENTARY SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR CAMPUS WIDE ELECTRICAL UPGRADES.			
		TOTAL FUNDING	EDN	C	1,700 C
182.82		SPECIAL EDUCATION FACILITIES ASSESSMENT FOR VARIOUS SCHOOLS, STATEWIDE			
		PLANS AND DESIGNS FOR SPECIAL EDUCATION FACILITIES ASSESSMENTS FOR VARIOUS SCHOOL.			
		TOTAL FUNDING	EDN	C	500 C
182.83		UNANTICIPATED ADA COMPLIANCE READY-RESPONSE FUNDS FOR VARIOUS SCHOOLS, STATEWIDE			
		PLANS, DESIGN, AND CONSTRUCTION FOR UNANTICIPATED ADA COMPLIANCE READY-RESPONSE FUNDS AND RELATED PROJECTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES; REPAIR; REFURBISHMENT, REPLACEMENT, RENOVATION, AND/OR NEW CONSTRUCTION.			
		TOTAL FUNDING	EDN	C	2,000 C
182.84		WAIAKEA ELEMENTARY SCHOOL, HAWAII			
		CONSTRUCTION TO REPLACE PLAYGROUND EQUIPMENT BEHIND BUILDING B; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	750 C
182.85		WAIANAEOAST SWIMMING POOL PROJECT, OAHU			
		PLANS AND DESIGN FOR FEASIBILITY STUDY AND DUE DILIGENCE EFFORT FOR WAIANAEOAST SWIMMING POOL AND MULTI-PURPOSE BUILDING.			
		TOTAL FUNDING	EDN	C	250 C
182.86		WAIANAEOAST INTERMEDIATE SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION FOR A COVERED PLAYCOURT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	1,000 C



## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
182.87		WAI'AU ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR CAMPUS-WIDE ELECTRICAL UPGRADES; GROUND AND SITE IMPROVEMENTS. TOTAL FUNDING EDN		C	1,100C
182.88		WAIHEE ELEMENTARY SCHOOL, MAUI CONSTRUCTION FOR REPLACEMENT OF PLAYGROUND EQUIPMENT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		C	150C
182.89		WAILUKU ELEMENTARY SCHOOL, MAUI DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO CURRENT PARKING LOT AND THE ADDITION OF NEW PARKING STALLS. TOTAL FUNDING EDN		C	450C
181.90		WAI'MEA MIDDLE PUBLIC CONVERSION CHARTER SCHOOL, HAWAII DESIGN, CONSTRUCTION, AND EQUIPMENT IMPROVEMENTS TO SECURE STEAM LEARNING CENTER ENTRYWAYS FROM WIND AND RAIN EXPOSURE AND FLOODING, AND INSTALLING EXTERIOR LIGHTING TO ENSURE SAFE BUILDING ACCESS; INCLUDING GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES INCLUDING ELECTRICAL AND TELECOMMUNICATION UPGRADES TO REPLACE/UPGRADE SCHOOL PHONE/ PAGING/BELL COMMUNICATIONS SYSTEM. TOTAL FUNDING EDN		1,200C	C
181.91		WAI'PAHU ELEMENTARY SCHOOL, OAHU PLANS, DESIGNS, CONSTRUCTION AND EQUIPMENT FOR CAFETERIA EXPANSION RENOVATION AND IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		C	1,250C
181.92		WAI'PAHU HIGH SCHOOL, OAHU PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR BUILDING A UPGRADE ELECTRICAL PANEL; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		C	50C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
				M O F	M O F
181.93		WAIPAHAU HIGH SCHOOL, OAHU PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR BUILDING I REPLACE SEWER LINE; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	C	498 C
181.94		WAIPAHAU INTERMEDIATE SCHOOL, OAHU PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR BUILDING Y DRAINAGE IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.	EDN	C	650 C
181.95		WASHINGTON MIDDLE SCHOOL, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR A MODERN, COORDINATED PERFORMING ARTS ACADEMY.	EDN	C	250 C
181.96		WILCOX ELEMENTARY SCHOOL, COVERED PICK-UP AND DROP-OFF, KAUAI PLANS, DESIGN, AND CONSTRUCTION FOR COVERED PICK-UP AND DROP-OFF, DRAINAGE SYSTEM, PAVED AREAS, AND RELATED IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT.	EDN	C	2,000 C
181.97		WILSON ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION OF COVER OVER WALKWAY AND OUTDOOR STUDENT MEETING AREA.	EDN	C	1,000 C

**EDN400 - SCHOOL SUPPORT**

182. <sup>3</sup>		HAWAII 3R'S, STATEWIDE PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR THE IMPROVEMENT OF PUBLIC SCHOOLS AND BENEFIT OF STUDENTS; EQUIPMENT AND APPURTENANCES.	EDN	10,000 C	C
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## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>EDN600 - CHARTER SCHOOLS</b>					
183.		KAOHAO SCHOOL, OAHU			
		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR CAFETERIA/MULTIPURPOSE BUILDING AND RENOVATION OF KITCHEN BUILDING FOR ADMINISTRATIVE FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	700 C	6,250 C
183.1		KAOHAO SCHOOL, OAHU			
		CONSTRUCTION FOR CAFETERIA/ MULTIPURPOSE BUILDING AND RENOVATION OF KITCHEN BUILDING FOR ADMINISTRATIVE FACILITIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	5,450 C
184. <sup>4</sup>		VOLCANO SCHOOL OF ARTS, HAWAII			
		CONSTRUCTION FOR THE ENTIRE CAMPUS, TO RELOCATE AND UNITE THE STUDENTS ON ONE CAMPUS AND RENOVATIONS AND UPDATING.			
		TOTAL FUNDING	EDN	12,000 C	C
			EDN	3,000 R	R
185.1		HALAU KU MANA PUBLIC CHARTER SCHOOL, OAHU			
		PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR UPGRADE ELECTRICAL SERVICE; REPAIR, RENOVATION, REFURBISHMENT, AND/ OR NEW CONSTRUCTION; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	EDN	C	80 C
185.2		KAMAILE ACADEMY PUBLIC CHARTER SCHOOL, OAHU			
		DESIGN AND CONSTRUCTION TO INSTALL A CAMPUS PLAYGROUND, ADDITIONAL PARKING, AN IRRIGATION SYSTEM, FENCING AND TO GRADE AND CONDITION THE SOIL.			
		TOTAL FUNDING	EDN	C	1,200 C
185.3		KUALAPUU ELEMENTARY PUBLIC CHARTER SCHOOL, MOLOKAI			
		PLANS, DESIGN, CONSTRUCTION AND INSTALLATION FOR PLAYGROUND EQUIPMENT INCLUDING SHADE STRUCTURE, FLOORING MATT AND FENCING.			
		TOTAL FUNDING	EDN	C	1,000 C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
185.4		KUALAPUU ELEMENTARY PUBLIC CHARTER SCHOOL, MOLOKAI PLANS, DESIGN, EQUIPMENT AND INSTALLATION FOR SHADE STRUCTURE AND COVER FOR BASKETBALL COURT. TOTAL FUNDING EDN		C	150C
185.5		WAIALAE ELEMENTARY PUBLIC CHARTER SCHOOL, OAHU PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR ELECTRICAL UPGRADE; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING EDN		C	465C
<b>EDN407 - PUBLIC LIBRARIES</b>					
186.		HAWAII STATE PUBLIC LIBRARY SYSTEM, HEALTH AND SAFETY, STATEWIDE PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR HEALTH, SAFETY, ACCESSIBILITY, AND OTHER CODE REQUIREMENTS. PROJECTS MAY INCLUDE, BUT NOT LIMITED TO, THE REMOVAL OF HAZARDOUS MATERIALS, RENOVATIONS FOR LIBRARY PATRONS AND EMPLOYEES, ENVIRONMENTAL CONTROLS, FIRE PROTECTION, IMPROVEMENTS TO BUILDINGS AND GROUNDS, AND OTHERS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING AGS		10,000C	5,000C
186.1		PUNA DISTRICT REGIONAL LIBRARY, HAWAII PLANS, DESIGN, AND CONSTRUCTION FOR A NEW REGIONAL LIBRARY LOCATED IN THE PUNA DISTRICT OF HAWAII. TOTAL FUNDING AGS		C	1,000C
187. <sup>5</sup>		HAWAII STATE LIBRARY, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FUNDS FOR THE HAWAII STATE LIBRARY FOR MAJOR WORK TO REPAIR DETERIORATION OF THE BUILDING, UPGRADE ELECTRICAL AND PLUMBING INFRASTRUCTURE AND UPDATE TO ENERGY EFFICIENT LIGHTING. TOTAL FUNDING AGS		3,000C	C
188.		KANEOHE PUBLIC LIBRARY, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR UPGRADES AND RENOVATIONS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING AGS		2,169C	C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
189.		MAKAWAO PUBLIC LIBRARY, MAUI DESIGN FOR DUE DILIGENCE EFFORT FOR LAND ACQUISITION FOR MAKAWAO PUBLIC LIBRARY.			
		TOTAL FUNDING	AGS	200 C	C
189.1		NANAKULI LIBRARY, OAHU PLANS, DESIGN, AND CONSTRUCTION FOR GROUNDS AND SITE IMPROVEMENTS INCLUDING INSTALLATION OF SHADE STRUCTURE TO UTILIZE OUTDOOR SPACE FOR LIBRARY AND FARMER MARKETS PATRONS.			
		TOTAL FUNDING	AGS	C	420 C
<b>UOH100 - UNIVERSITY OF HAWAII, MANOA</b>					
190.		MANOA, MINI MASTER PLAN PHASE 2, OAHU DESIGN, CONSTRUCTION, AND EQUIPMENT FOR RENOVATIONS, REPLACEMENTS, NEW FACILITIES, AND IMPROVEMENTS FOR SNYDER HALL REPLACEMENT; DEMOLITION OF EXISTING FACILITIES AND RELATED INFRASTRUCTURE; GROUND AND SITE IMPROVEMENTS; EQUIPMENT; APPURTENANCES; AND ALL PROJECT RELATED COSTS.			
		TOTAL FUNDING	UOH	C	6,000 C
191.		MANOA, SINCLAIR LIBRARY RENOVATION, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR RENOVATIONS, REPLACEMENTS, NEW FACILITIES, AND IMPROVEMENTS FOR SINCLAIR LIBRARY; GROUND AND SITE IMPROVEMENTS; EQUIPMENT; APPURTENANCES; AND ALL PROJECT RELATED COSTS.			
		TOTAL FUNDING	UOH	41,000 C	C
192.		UHM, PARKING FACILITIES IMPROVEMENTS, OAHU PLANS, DESIGNS, CONSTRUCTION AND EQUIPMENT FOR NEW OR EXISTING PARKING FACILITIES. PROJECT TO INCLUDE REPAIRS AND MAINTENANCE, RENOVATIONS, EQUIPMENT, GROUND AND SITE IMPROVEMENTS, NEW FACILITIES, AND ALL PROJECT RELATED COSTS.			
		TOTAL FUNDING	UOH	38,000 E	E

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
193.		UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES, KULA AGRICULTURAL STATION, MAUI  PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IRRIGATION IMPROVEMENTS; RELATED IMPROVEMENTS, REFURBISHMENT, AND NEW CONSTRUCTION; GROUND AND SITE IMPROVEMENTS; EQUIPMENT; APPURTENANCES; AND ALL PROJECT RELATED COSTS.  TOTAL FUNDING	UOH	500 C	C
<b>UOH210 - UNIVERSITY OF HAWAII, HILO</b>					
194.		HILO, PHARMACY LABORATORY IMPROVEMENTS, HAWAII  CONSTRUCTION FOR IMPROVEMENTS TO THE UNIVERSITY OF HAWAII AT HILO PHARMACY MODULAR BUILDINGS, INCLUDING RENOVATION OF EXISTING MODULAR BUILDINGS FROM OFFICES/ CLASSROOMS INTO RESEARCH LABORATORIES, NEW FACILITIES UP TO 500 GROSS SQUARE FEET, AND RELATED PROJECT COSTS.  TOTAL FUNDING	UOH	3,000 C	C
195. <sup>6</sup>		HILO, RENEW, IMPROVE, AND MODERNIZE, HAWAII  PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS TO THE UNIVERSITY OF HAWAII, HILO. PROJECTS TO INCLUDE RENEWAL, IMPROVEMENTS, AND MODERNIZATION OF INTERIOR AND EXTERIOR STRUCTURES, ROOFS, MECHANICAL AND ELECTRICAL SYSTEMS, PEDESTRIAN PATHWAYS, ROADWAYS, GROUNDS, AND OTHER PROJECT COSTS TO UPGRADE EXISTING TEMPORARY AND NEW FACILITIES.  TOTAL FUNDING	UOH	5,000 C	8,000 C
196.		UNIVERSITY OF HAWAII AT HILO, HAWAII  CONSTRUCTION AND EQUIPMENT FOR NECESSARY REPAIRS AND MAINTENANCE FOR UH HILO AERONAUTICAL SCIENCE, BACHELOR OF SCIENCE IN AERONAUTICAL SCIENCES PROGRAM; INCLUDING BUT NOT LIMITED TO 2 CRX OPEN COCKPIT SIMULATORS, 6 DESKTOP SIMULATORS, MAINTENANCE AND SOFTWARE UPGRADES, UAS EQUIPMENT, UAS MAINTENANCE, AND ALL PROJECT RELATED COSTS.  TOTAL FUNDING	UOH	321 C	C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>UOH800 - UNIVERSITY OF HAWAII, COMMUNITY COLLEGES</b>					
197.		CC'S MINOR CIP FOR THE COMMUNITY COLLEGES, STATEWIDE PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR MINOR CAPITAL IMPROVEMENTS PROGRAM PROJECTS FOR CAMPUS FACILITIES WITHIN THE UNIVERSITY OF HAWAII, COMMUNITY COLLEGES SYSTEM. PROJECT MAY INCLUDE RENOVATIONS FOR THE MODERNIZATION OF FACILITIES, ADDITIONS, DEMOLITION OF EXISTING FACILITIES, AND OTHER IMPROVEMENTS AND PROJECT COSTS TO UPGRADE AND IMPROVE FACILITIES OF THE COMMUNITY COLLEGES SYSTEM.	UOH	14,000 C	23,248 C
		TOTAL FUNDING			
198. <sup>7</sup>		CCS, CAPITAL RENEWAL AND DEFERRED MAINTENANCE, STATEWIDE PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS TO UNIVERSITY OF HAWAII COMMUNITY COLLEGES SYSTEM FACILITIES. PROJECT TO INCLUDE CAPITAL RENEWAL, REDUCTION OF MAINTENANCE BACKLOG, MAJOR AND MINOR RENOVATIONS, MODERNIZATION OF FACILITIES, RE-ROOFING, MECHANICAL AND ELECTRICAL SYSTEMS, RESURFACING, REPAINTING, INFRASTRUCTURE, DEMOLITION OF EXISTING FACILITIES, AND OTHER REPAIRS AND PROJECT COSTS TO UPGRADE FACILITIES AT COMMUNITY COLLEGES SYSTEM CAMPUSES.	UOH	25,000 C	14,500 C
		TOTAL FUNDING			
199.		COMMUNITY COLLEGE SYSTEM, HANGAR 111, OAHU PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE ACQUISITION OF HANGAR 111 AND RELATED REAL PROPERTY; GROUND AND SITE IMPROVEMENTS; EQUIPMENT; APPURTENANCES; AND ALL PROJECT RELATED COSTS.	UOH	11,650 C	C
		TOTAL FUNDING			
200.		COMMUNITY COLLEGE SYSTEM, PPA PV OAHU FUNDS FOR THE BUY OUT OF POWER PURCHASE AGREEMENT PHOTOVOLTAIC SYSTEMS; GROUND AND SITE IMPROVEMENTS; MAY INCLUDE RELATED INFRASTRUCTURE; EQUIPMENT; APPURTENANCES; AND ALL PROJECT RELATED COSTS.	UOH	4,000 D	D
		TOTAL FUNDING			

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>UOH900 - UNIVERSITY OF HAWAII, SYSTEMWIDE SUPPORT</b>					
201.		SYS, LAND ACQUISITION, STATEWIDE PLANS, DESIGNS, AND LAND ACQUISITION OF CAMPUS-ADJACENT REAL PROPERTY FOR UNIVERSITY FUNCTIONS INCLUDING BUT NOT LIMITED TO UNIVERSITY-RELATED HOUSING AND ALL PROJECT RELATED COSTS.	UOH	4,800 E	4,800 E
202.		SYSTEM, RENEW, IMPROVE, AND MODERNIZE, STATEWIDE PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS TO THE UNIVERSITY OF HAWAII SYSTEM FACILITIES. PROJECT TO INCLUDE RENEWAL, IMPROVEMENTS AND MODERNIZATION OF INTERIOR AND EXTERIOR STRUCTURES, ROOFS, MECHANICAL AND ELECTRICAL SYSTEMS, PEDESTRIAN PATHWAYS, ROADWAYS, GROUNDS AND OTHER PROJECT COSTS TO UPGRADE EXISTING TEMPORARY, AND NEW FACILITIES.	UOH	80,000 C	48,248 C
203.		UNIVERSITY OF HAWAII AT MANOA, ATHLETICS DEPARTMENT, OAHU PLANS AND DESIGN FOR MASTER PLAN FOR NEW ATHLETIC AND ACADEMIC FACILITIES FOR LOWER CAMPUS AND ALL PROJECT RELATED COSTS.	UOH	750 C	C
204.		UNIVERSITY OF HAWAII AT MANOA, ATHLETICS DEPARTMENT, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS TO THE CLARENCE T.C. CHING ATHLETICS COMPLEX FIELD; PROJECT TO INCLUDE REPLACEMENT OF THE EXISTING ARTIFICIAL TURF; GROUND AND SITE IMPROVEMENTS; AND ALL PROJECT RELATED COSTS.	UOH	2,000 C	C
205.		UNIVERSITY OF HAWAII CANCER CENTER, OAHU DESIGN, CONSTRUCTION, AND EQUIPMENT FOR THE HAWAII EARLY PHASE CANCER CLINICAL TRIALS FACILITY AT THE UNIVERSITY OF HAWAII CANCER CENTER ANNEX AND ALL PROJECT RELATED COSTS.	UOH	6,500 C	C



## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
205.1		UNIVERSITY OF HAWAII AT MANOA, ATHLETICS DEPARTMENT, OAHU			
		PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR RENOVATIONS, NEW FACILITIES, REFURBISHMENT, REPAIR, EXPANSION, AND/OR NEW CONSTRUCTION FOR THE WATERHOUSE STRENGTH & CONDITIONING CENTER AND SOFTBALL STADIUM; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	UOH	C	4,500C
<b>H. CULTURE AND RECREATION</b>					
<b>UOH881 - AQUARIA</b>					
0.1		WAIKIKI AQUARIUM, OAHU			
		PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR VARIOUS REPAIRS AND IMPROVEMENTS TO THE WAIKIKI AQUARIUM; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	UOH	C	600C
<b>AGS881 - STATE FOUNDATION ON CULTURE AND THE ARTS</b>					
<b>LNR802 - HISTORIC PRESERVATION</b>					
2.		EAST HAWAII HISTORIC PRESERVATION CENTER, HAWAII			
		DESIGN FOR DEVELOPMENT OF FACILITY IN EAST HAWAII FOR THE PROPER STORAGE OF STATE HISTORIC PRESERVATION DOCUMENTS AND ARTIFACTS.			
		TOTAL FUNDING	LNR	250C	C
2.1		EAST HAWAII HISTORIC PRESERVATION CENTER, HAWAII			
		DESIGN FOR DEVELOPMENT OF FACILITY IN EAST HAWAII FOR THE PROPER STORAGE OF STATE HISTORIC PRESERVATION DOCUMENTS AND ARTIFACTS.			
		TOTAL FUNDING	LNR	C	500C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>LNR804 - FOREST AND OUTDOOR RECREATION</b>					
3.		NA ALA HELE PROGRAM PLAN REVISION, STATEWIDE PLANS TO REVISE AND UPDATE THE CURRENT STATEWIDE TRAILS AND ACCESS PROGRAM PLAN.			
		TOTAL FUNDING	LNR	450 C	C
4.		POLOLU TRAILHEAD, HAWAII PLANS AND DESIGN FOR PARKING, RESTROOM, AND TRAILHEAD RESTORATION.			
		TOTAL FUNDING	LNR	C	500 C
4.1		WAIMANALO EQUESTRIAN TRAILS, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS TO MULTI-USE TRAILS TO INCLUDE EQUESTRIAN, HIKING AND BIKING TO BETTER ENCOMPASS THE TRAIL RESTORATION NEED FOR DIVERSE NETWORK IN THE AREA AS PART OF THE NA ALA HELE NETWORK.			
		TOTAL FUNDING	LNR	C	250 C
<b>LNR806 - PARKS ADMINISTRATION AND OPERATION</b>					
5.		DIAMOND HEAD STATE MONUMENT, OAHU CONSTRUCTION OF PARK IMPROVEMENTS INCLUDING THE KAPAHULU TUNNEL, BATTERY HARLOW AND OTHER PARK AREAS.			
		TOTAL FUNDING	LNR	250 C	750 C
6.		MALAEKAHANA STATE RECREATION AREA, KAHUKU SECTION, OAHU CONSTRUCTION OF PARK IMPROVEMENTS INCLUDING NEW UTILITIES, COMFORT STATION, ROADWAY, PATHWAY AND RELATED IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	LNR	1,000 C 500 N	2,200 C 500 N
7.		RUSSIAN FORT ELIZABETH STATE HISTORICAL PARK, KAUAI PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR COMFORT STATION REPAIRS; SERVICE ROAD REPAIR AND REPAVING, PATHWAY REPAIRS, INTERPRETIVE DISPLAY REPAIRS.			
		TOTAL FUNDING	LNR	800 C	C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
8.		STATE PARKS HAZARD MITIGATION IMPROVEMENTS, STATEWIDE			
		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR STATE PARKS HAZARD MITIGATION IMPROVEMENTS, INCLUDING NATURAL, ARBOREAL AND ANTHROPOGENIC HAZARDS.			
		TOTAL FUNDING	LNR	1,000 C	1,000 C
9.		WAHIAWA FRESHWATER STATE RECREATION AREA, OAHU			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR SITE IMPROVEMENTS AND WALKING PATHS.			
		TOTAL FUNDING	LNR	1,500 C	C
9.1		LUMP SUM STATE PARK IMPROVEMENTS, STATEWIDE			
		DESIGN AND CONSTRUCTION OF IMPROVEMENTS IN STATEWIDE PARK AREAS AND FACILITIES.			
		TOTAL FUNDING	LNR	C	2,400 C
9.2		SAND ISLAND STATE PARK, OAHU			
		PLANS, DESIGN, CONSTRUCTION OF IMPROVEMENTS FOR REMEDIATION, RESTORATION AND RENOVATION OF PARK AND SHORELINE AREAS.			
		TOTAL FUNDING	LNR	C	5,000 C
9.3		WAIANAPANAPA STATE PARK, MAUI			
		PLANS, DESIGN, AND CONSTRUCTION FOR A NEW COMFORT STATION, INDIVIDUAL WASTEWATER SYSTEM, PARKING PAVING IMPROVEMENTS, ENTRY ROAD REPAIRS AND DRAINAGE IMPROVEMENTS, CAMPING AND DAY USE AREA IMPROVEMENTS, AND SHELTER AND PLATFORMS.			
		TOTAL FUNDING	LNR	C	4,000 C
<b>LNR801 - OCEAN-BASED RECREATION</b>					
10.		KAILUA-KONA WHARF, HAWAII			
		CONSTRUCTION FOR REPLACEMENT OF EXISTING WOODEN LOADING DOCK ADJACENT TO BOAT LAUNCH RAMP.			
		TOTAL FUNDING	LNR	150 C	C

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CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
11.		MAALAEA SMALL BOAT HARBOR SOUTH MOLE FINGER PIER REPAIR, MAUI			
		CONSTRUCTION FOR THE REPLACEMENT OF WOODEN FINGER PIERS ALONG THE SOUTH MOLE AT MAALAEA SMALL BOAT HARBOR, INCLUDING THE DEMOLITION OF THE EXISTING PIERS AND STEEL PILES, INSTALLATION OF NEW ALUMINUM FRAMED PIERS AND OTHER PROJECT RELATED IMPROVEMENTS.			
		TOTAL FUNDING	LNR	C	3,500C
12.		PUNA BOAT RAMP AND PIER FEASIBILITY STUDY, HAWAII			
		PLANS AND DESIGN FOR FEASIBILITY AND COST STUDY FOR THE CONSTRUCTION OF A NEW BOAT RAMP AND PIER IN PUNA.			
		TOTAL FUNDING	LNR	500C	C
13.		WAILOA SMALL BOAT HARBOR, HAWAII			
		CONSTRUCTION FOR INSTALLATION OF NEW STRUCTURAL PLASTIC LUMBER FENDERS TO REPLACE DAMAGED WOODEN FENDERS.			
		TOTAL FUNDING	LNR	500C	C
13.1		PUNA BOAT RAMP, HAWAII			
		PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR A BOAT RAMP IN PUNA; THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	LNR	C	1,500C
			LNR	N	1N
13.2		LAHAINA BOAT HARBOR FERRY PIER, MAUI (FF)			
		PLANS, DESIGN, AND CONSTRUCTION FOR A FERRY PIER AT THE LAHAINA BOAT HARBOR. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	LNR	C	2,300C
			LNR	N	1,900N

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
<b>I. PUBLIC SAFETY</b>					
<b>PSD900 - GENERAL ADMINISTRATION</b>					
1.		PSD FACILITY-WIDE REPAIRS, DEFERRED MAINTENANCE, RELATED SUPPORT, AND IMPROVEMENTS, STATEWIDE			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT AND RELATED SERVICES IN SUPPORT OF AND TO ADDRESS IMMEDIATE REPAIRS, DEFERRED MAINTENANCE, AND IMPROVEMENTS AFFECTING FACILITY AND BUILDING INFRASTRUCTURE, SECURITY, AND OPERATIONS OR SIMILAR, WHILE ALSO ADDRESSING CODE VIOLATIONS AND/OR INFRACTIONS AFFECTING PSD FACILITIES, STATEWIDE.			
		TOTAL FUNDING PSD		3,000 C	3,000 C
2.		PSD GENERAL ADMINISTRATION, LUMP SUM CIP, STATEWIDE			
		PLANS, DESIGN, CONSTRUCTION AND EQUIPMENT FOR URGENT AND IMMEDIATE REPAIRS, REHABILITATION, RENOVATIONS, REPLACEMENT, UPGRADES, IMPROVEMENTS OF BUILDINGS, SITES, INFRASTRUCTURE AND RELATED EQUIPMENT, MECHANICAL AND ELECTRICAL SYSTEMS AND PROCESSES, SECURITY AND OPERATIONS EQUIPMENT AND INFRASTRUCTURE, AND TO ADDRESS ADA, HEALTH AND SAFETY VIOLATIONS IMPACTING PSD FACILITIES, STATEWIDE.			
		TOTAL FUNDING AGS		15,000 C	C
3.		MAUI COMMUNITY CORRECTIONAL CENTER, MAUI			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS, RENOVATIONS, REFURBISHMENTS, UPGRADES, INFRASTRUCTURE WORK, AND NEW CONSTRUCTION FOR THE MAUI COMMUNITY CORRECTIONAL CENTER; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING AGS		8,000 C	C
3.1		PLANNING FOR MAUI REGIONAL PUBLIC SAFETY COMPLEX, MAUI			
		PLANS, LAND, DESIGN FOR THE NEW MAUI REGIONAL PUBLIC SAFETY COMPLEX AT PULEHUNUI, MAUI.			
		TOTAL FUNDING AGS		C	5,000 C

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
<b>DEF110 - AMELIORATION OF PHYSICAL DISASTERS</b>					
4.		BIRKHIMER EMERGENCY OPERATION CENTER SECURITY AND ACCESS IMPROVEMENTS, OAHU			
		PLANS, DESIGN, AND CONSTRUCTION OF SECURITY AND ACCESS IMPROVEMENTS TO THE BIRKHIMER EMERGENCY OPERATION CENTER (EOC) TO INCLUDE INCREASED SECURITY LIGHTING, PERIMETER SIGNAGE, REALIGNMENT OF EXISTING AND INSTALLATION OF PERIMETER SECURITY FENCING, INSTALLATION OF PEDESTRIAN STAIRS TO DOWN SLOPE OVERFLOW PARKING, AND INSTALLATION OF ALL WEATHER WALK WAY BETWEEN THE EOC AND BUILDING B303, OAHU.			
		TOTAL FUNDING	DEF	313 C	127 C
5.		DISASTER WARNING AND COMMUNICATIONS DEVICES, STATEWIDE			
		PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR INCREMENTAL ADDITION, REPLACEMENT, AND UPGRADE OF STATE CIVIL DEFENSE WARNING AND COMMUNICATIONS EQUIPMENT, STATEWIDE. THIS WILL EXPAND THE COVERAGE AND RELIABILITY OF THE WARNING AND CONTROL SYSTEM, AS WELL AS MODERNIZE AND ALLEVIATE SIREN COVERAGE GAP AREAS.			
		TOTAL FUNDING	AGS	2,500 C	2,500 C
6.		FORT RUGER B306 AND B306A, HURRICANE HARDENING, OAHU			
		DESIGN AND CONSTRUCTION OF IMPROVEMENTS TO RETROFIT BUILDINGS 306 AND 306A TO RESIST HURRICANE FORCE WINDS, AIR CONDITIONING IMPROVEMENTS, NEW EMERGENCY GENERATOR, AND ASSOCIATED IMPROVEMENTS, OAHU.			
		TOTAL FUNDING	AGS	665 C	1,240 C
7.		HAWAII ARMY NATIONAL GUARD PHYSICAL FITNESS CENTER, OAHU			
		DESIGN, CONSTRUCTION, AND EQUIPMENT OF A PHYSICAL FITNESS CENTER FOR NATIONAL GUARD SOLDIERS AND PERSONNEL ON THE ISLAND OF OAHU. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	DEF	100 C	425 C
			DEF	300 P	1,275 P

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
8.		RETROFIT PUBLIC BUILDINGS WITH HURRICANE PROTECTIVE MEASURES, STATEWIDE			
		PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT TO RETROFIT BUILDINGS WITH HURRICANE PROTECTIVE MEASURES TO INCREASE THE NUMBER OF EMERGENCY SHELTERS STATEWIDE.			
		TOTAL FUNDING	AGS	C	3,000C
9.		UPGRADES AND IMPROVEMENTS TO NATIONAL GUARD READINESS CENTERS AND FACILITIES, OAHU			
		DESIGN AND CONSTRUCTION OF IMPROVEMENTS AND UPGRADES TO NATIONAL GUARD READINESS CENTERS (ARMORIES) AND FACILITIES TO CONFORM TO CURRENT NATIONAL GUARD BUREAU AND U.S. DEPARTMENT OF THE ARMY STANDARDS AND CRITERIA, AND TO MEET HEALTH, SAFETY, AND BUILDING CODE REQUIREMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	DEF	C	2,096C
			DEF	P	7,456P

**K. GOVERNMENT-WIDE SUPPORT****BED144 - STATEWIDE PLANNING AND COORDINATION**

0.1		STATEWIDE PLANNING, STATEWIDE			
		PLANS AND DESIGN FOR STATEWIDE PLANNING AND COORDINATION FOR TRANSIT-ORIENTED DEVELOPMENT PROJECTS IDENTIFIED IN THE STATE STRATEGIC PLAN FOR TRANSIT-ORIENTED DEVELOPMENT.			
		TOTAL FUNDING	BED	C	1,500C

**BUF101 - DEPARTMENTAL ADMINISTRATION AND BUDGET DIVISION**

0.2		BISHOP MUSEUM, FIRE SAFETY IMPROVEMENTS, OAHU			
		PLANS, DESIGN, AND CONSTRUCTION FOR FIRE SAFETY IMPROVEMENTS AND RELATED IMPROVEMENTS TO INSTALL FIRE SPRINKLER SYSTEMS AT BISHOP MUSEUM; EQUIPMENT; APPURTENANCES; AND ALL PROJECT RELATED COSTS.			
		TOTAL FUNDING	AGS	C	900C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021

**AGS130 - ENTERPRISE TECHNOLOGY SERVICES - GOVERNANCE AND INNOVATION**

1.		KALANIMOKU DATA CENTER UPS REPLACEMENT AND UPGRADE ELECTRICAL CIRCUIT PANEL, OAHU			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR FULL REPLACEMENT AND UPGRADE OF TWO CURRENT END-OF-SERVICE-LIFE UNINTERRUPTIBLE POWER SUPPLY (UPS) SYSTEMS IN THE KALANIMOKU BUILDING ROOM B-30 AND UPGRADE ELECTRICAL CIRCUIT PANEL.			
		TOTAL FUNDING	AGS	1,800 C	C
1.1		STATE FINANCE SYSTEM (HAWAII MODERNIZATION INITIATIVE), STATEWIDE			
		PLANS, DESIGN, CONSTRUCTION AND EQUIPMENT FOR STATE FINANCE SYSTEM			
		TOTAL FUNDING	AGS	C	17,000 C

**AGS131 - ENTERPRISE TECHNOLOGY SERVICES - OPERATIONS AND INFRASTRUCTURE MAINTENANCE**

2.		LUMP SUM HEALTH AND SAFETY, INFORMATION AND COMMUNICATION SERVICES DIVISION, STATEWIDE			
		PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REPAIRS, MODERNIZATION, AND EXPANSION OF CRITICAL COMMUNICATIONS SYSTEMS, INCLUDING THE STATEWIDE ANUENUE AND HAWAIIAN MICROWAVE SYSTEMS AND LAND MOBILE RADIO, STATEWIDE SHARED BLENDED RADIO SYSTEM, AND NEW RADIO SITES AND TOWERS STATEWIDE.			
		TOTAL FUNDING	AGS	4,650 C	1,000 C
3.		RADIO SYSTEM ENHANCEMENT, STATEWIDE			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR DIGITAL RADIO COMMUNICATION SYSTEM UPGRADES AND ENHANCEMENTS.			
		TOTAL FUNDING	AGS	365 C	C

**AGS111 - ARCHIVES - RECORDS MANAGEMENT**

4.		KEKAULUOHI BACKUP GENERATOR, OAHU			
		DESIGN, CONSTRUCTION, AND EQUIPMENT TO INSTALL A BACKUP GENERATOR FOR ARCHIVAL STORAGE AREA CHILLER SYSTEM.			
		TOTAL FUNDING	AGS	500 C	C



## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
5.		KEKAULUOHI HALON SYSTEM REPLACEMENT, OAHU DESIGN, CONSTRUCTION, AND EQUIPMENT TO REPLACE HALON GAS FIRE SUPPRESSION SYSTEM WITH NON-OZONE DEPLETING GAS (FM-200 OR EQUIVALENT). TOTAL FUNDING	AGS	650	C
<b>LNR101 - PUBLIC LANDS MANAGEMENT</b>					
8.		ROYAL HAWAIIAN GROIN REPLACEMENT, OAHU CONSTRUCTION TO REPLACE THE ROYAL HAWAIIAN GROIN WITH A NEW GROIN STRUCTURE. NEW GROIN TO SERVE SAME PURPOSE AS OLD GROIN TO RETAIN SAND ON WAIKIKI BEACH. TOTAL FUNDING	LNR LNR	1,250 1,250	C R
9.		WAIKIKI MASTER PLAN IMPROVEMENTS, OAHU PLANS, DESIGN, AND CONSTRUCTION TO CONDUCT VARIOUS IMPROVEMENTS ALONG WAIKIKI BEACH IN THE SHERATON-HALEKULANI, ROYAL HAWAIIAN, AND KUHIO BEACH SECTORS. IMPROVEMENTS TO INCLUDE SAND RESTORATION, REFURBISHMENT OF DERELICT GROINS, AND CONSTRUCTION OF NEW GROINS, WITH OFFSHORE SAND DREDGING, WITH BEACH SAND PLACEMENT. TOTAL FUNDING	LNR LNR LNR	C R T	1,850 3,000 4,000
9.1		KAANAPALI BEACH RESTORATION AND BERM ENHANCEMENT, KAANAPALI, MAUI CONSTRUCTION FOR SAND REPLENISHMENT AT KAANAPALI BEACH, MAUI. SAND WOULD BE BORROWED FROM AN OFFSHORE SAND FIELD AND DELIVERED TO THE BEACH. THE BEACH WOULD BE WIDENED BY 35 FEET ALONG 3,500 FEET OF BEACH AREA IN FRONT OF THE MARRIOTT AND HYATT HOTELS. TOTAL FUNDING	LNR LNR LNR	C R T	5,200 4,650 1,150

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
9.2		NA WAI EHA LAND ACQUISITION, MAUI			
		LAND ACQUISITION OF 10,000 ACRES IN WEST MAUI TO PROTECT IMPORTANT FORESTED WATERSHED, NATIVE FOREST AND THE WATER RESOURCES THEY PROVIDE; AND ALL PROJECT RELATED COSTS; PROVIDED THAT THE COUNTY OF MAUI MAKES A GOOD FAITH EFFORT TO SUPPORT THE PROJECT; PROVIDED FURTHER THAT THIS APPROPRIATION DEMONSTRATES THE STATE OF HAWAII'S GOOD FAITH EFFORT THAT MATCHING FUNDS MAY BE PROVIDED UPON THEIR AVAILABILITY.			
		TOTAL FUNDING	LNR	N	5,000N
9.3		WAIKIKI BEACH SAND RENOURISHMENT, OAHU			
		DESIGN AND CONSTRUCTION FOR PLACEMENT OF APPROXIMATELY 15,000 CUBIC YARDS OF SAND AND RELATED WORK AT ROYAL HAWAIIAN BEACH.			
		TOTAL FUNDING	LNR	C	2,000C
<b>AGS221 - PUBLIC WORKS - PLANNING, DESIGN, AND CONSTRUCTION</b>					
10.		LUMP SUM MAINTENANCE OF EXISTING FACILITIES, PUBLIC WORKS DIVISION, STATEWIDE			
		PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS AND MAINTENANCE OF PUBLIC FACILITIES AND SITES, STATEWIDE. PROJECTS MAY INCLUDE REPAIRS AND IMPROVEMENTS.			
		TOTAL FUNDING	AGS	28,609C	C
11.		STATE CAPITOL BUILDING, OAHU			
		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REFURBISHMENT, RENOVATION, INSTALLATION, CONSTRUCTION, INFRASTRUCTURE, REPAIR FOR THE HAWAII STATE CAPITOL; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	AGS	1,480C	C
12.		STATE CAPITOL BUILDING, OAHU			
		DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO PUBLIC RESTROOMS; IMPROVEMENTS TO INCLUDE DIAPER CHANGING STATIONS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	AGS	100C	C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
				M O F	M O F
12.1		KEAKEALANI BUILDING, HAWAII PLANS AND DESIGN FOR THE RENOVATIONS AND IMPROVEMENTS TO THE KEAKEALANI BUILDING.			
		TOTAL FUNDING	AGS	C	750 C
12.2		LANAKILA MULTI-PURPOSE SENIOR CENTER (LMPSC) REPLACEMENT, OAHU PLANS, DESIGN, AND CONSTRUCTION FOR REPLACEMENT OF THE LANAKILA MULTI-PURPOSE SENIOR CENTER (LMPSC) BUILDING; PROJECT SHALL INTEGRATE WITH THE HPHA SCHOOL STREET CAMPUS RENOVATION AND EXPANSION PROJECT (ITEM NO. F-6.2) LOCATED ON ADJACENT PROPERTY FOR SCHOOL STREET CAMPUS SENIOR RESIDENTIAL PROJECT; EQUIPMENT; APPURTENANCES; AND ALL PROJECT RELATED COSTS.			
		TOTAL FUNDING	AGS	C	6,100 C
12.3		KANEOHE CIVIC CENTER, OAHU PLANS, DESIGNS, CONSTRUCTION, AND EQUIPMENT FOR KANEOHE CIVIC CENTER IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING		C	3,000 C
<b>AGS233 - CENTRAL SERVICES - BUILDING REPAIRS AND ALTERATIONS</b>					
13.		LUMP SUM FIRE ALARM SYSTEMS REPLACEMENT AND UPGRADE, STATEWIDE PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT TO REPLACE AND UPGRADE FIRE ALARM SYSTEMS TO MEET CODE REQUIREMENTS, STATEWIDE.			
		TOTAL FUNDING	AGS	300 C	2,000 C
<b>SUB201 - CITY AND COUNTY OF HONOLULU</b>					
14.		WAHIAWA WASTEWATER TREATMENT PLANT, OAHU PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR SITE IMPROVEMENTS AND INFRASTRUCTURE DEVELOPMENT AT THE WAHIAWA WASTEWATER TREATMENT PLANT.			
		TOTAL FUNDING	CCH	9,000 C	C

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**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
14.1		DE CORTE NEIGHBORHOOD PARK, OAHU			
		PLANS, IMPROVEMENT, DESIGN, CONSTRUCTION AND EQUIPMENT FOR SENIOR WELLNESS PROGRAMS FOR OUR AGING POPULATION; PROVIDED THAT PARTIAL MATCHING FUNDS BE PROVIDED BY THE CITY AND COUNTY OF HONOLULU.			
		TOTAL FUNDING	CCH	C	320 C
			CCH	S	80 S
14.2		KALIHI VALLEY DISTRICT PARK, OAHU			
		PLANS, IMPROVEMENT, DESIGN, CONSTRUCTION AND EQUIPMENT; PROVIDED THAT PARTIAL MATCHING FUNDS BE PROVIDED BY THE CITY AND COUNTY OF HONOLULU.			
		TOTAL FUNDING	CCH	C	320 C
			CCH	S	80 S
<b>SUB301 - COUNTY OF HAWAII</b>					
15.		CLEAN WATER FOR REEFS PUAKO, HAWAII			
		PLANS AND DESIGN FOR A SEWER SYSTEM FOR A PRIORITY CESSPOOL REPLACEMENT AREA. PROVIDED THAT THE COUNTY OF HAWAII SHALL PROVIDE MATCHING FUNDS EQUALING TWENTY PERCENT OF THE STATE FUNDS APPROPRIATED FOR THE PURPOSE OF THIS PROJECT.			
		TOTAL FUNDING	COH	200 C	1,300 C
			COH	40 S	260 S
16.		KEALAKEHE WASTEWATER TREATMENT FACILITY, HAWAII			
		DESIGN OF DUAL PIPING SYSTEM TO IRRIGATE WITH R-1 RECYCLED WATER AND PROVIDE SAFE ACCESS TO POTABLE WATER; PROVIDED THAT THE COUNTY OF HAWAII SHALL PROVIDE MATCHING FUNDS EQUALING TWENTY PERCENT OF THE STATE FUNDS APPROPRIATED FOR THE PURPOSE OF THIS PROJECT.			
		TOTAL FUNDING	COH	750 C	C
			COH	150 S	S
17.		LALAMILO 10-MILLION GALLON WATER RESERVOIR PUMP STORAGE, HAWAII			
		CONSTRUCTION FOR 10-MILLION GALLON WATER RESERVOIR FOR LALAMILO WATER SYSTEM; PROVIDED THAT THE COUNTY OF HAWAII SHALL PROVIDE MATCHING FUNDS EQUALING TWENTY PERCENT OF THE STATE FUNDS APPROPRIATED FOR THE PURPOSE OF THIS PROJECT.			
		TOTAL FUNDING	COH	8,750 C	C
			COH	1,750 S	S

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
19.		WASTEWATER MANAGEMENT/TREATMENT PLANT FEASIBILITY STUDY, PAHOA, HAWAII			
		PLANS AND DESIGN FOR FEASIBILITY AND COST STUDY FOR THE CONSTRUCTION OF A WASTEWATER TREATMENT PLANT IN PAHOA, HAWAII; PROVIDED THAT THE COUNTY OF HAWAII SHALL PROVIDE MATCHING FUNDS EQUALING TWENTY PERCENT OF THE STATE FUNDS APPROPRIATED FOR THE PURPOSE OF THIS PROJECT.			
		TOTAL FUNDING	COH	500	C
			COH	100	S
19.1		WAIAKEA UKA PARK, HAWAII			
		DESIGN AND CONSTRUCTION FOR NEW PARKING LOT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES; REPAIR, REFURBISHMENT, RENOVATION, AND/OR NEW CONSTRUCTION; PROVIDED THAT PARTIAL MATCHING FUNDS BE PROVIDED BY THE COUNTY OF HAWAII.			
		TOTAL FUNDING	COH	C	6,000
			COH	S	2,000
19.2		WAIAKEA UKA PARK, HAWAII			
		PLANS AND DESIGNS FOR A NEW COMMUNITY CENTER BUILDING; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES; PROVIDED THAT PARTIAL MATCHING FUNDS BE PROVIDED BY THE COUNTY OF HAWAII.			
		TOTAL FUNDING	COH	C	280
			COH	S	70
19.3		WAIAKEA UKA PARK, HAWAII			
		PLANS AND DESIGNS FOR A NEW PARKING LOT AND BASEBALL FIELD RELOCATION FOR LOWER BALL FIELD; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES; PROVIDED THAT PARTIAL MATCHING FUNDS BE PROVIDED BY THE COUNTY OF HAWAII.			
		TOTAL FUNDING	COH	C	120
			COH	S	30

ACT 6

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F

SUB401 - COUNTY OF MAUI

20.		KANAHA BEACH PARK GREYWATER REUSE DEMONSTRATION PROJECT, MAUI				
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR KANAHA BEACH PARK GREYWATER REUSE DEMONSTRATION PROJECT; PROJECT TO INCLUDE INSTALLATION, UPDATES, AND IMPROVEMENTS; PROVIDED THAT PARTIAL MATCHING FUNDS BE PROVIDED BY THE COUNTY OF MAUI.				
		TOTAL FUNDING	COM	450 C		C
			COM	45 S		S
21.		WAILUKU-KAHULUI TRANSIT CORRIDOR MASTER PLAN, MAUI				
		PLANS FOR DEVELOPMENT OF IMPLEMENTATION STRATEGY FOR PUBLIC FACILITY AND MULTI-MODAL TRANSPORTATION IMPROVEMENTS FOR THE TRANSIT CORRIDOR CONNECTING WAILUKU AND KAHULUI, AND RELATED CIVIC IMPROVEMENT AND AFFORDABLE HOUSING TO INCREASE LIVABILITY OF WAILUKU AND KAHULUI TOWN CENTERS; PROVIDED THAT PARTIAL MATCHING FUNDS BE PROVIDED BY THE COUNTY OF MAUI.				
		TOTAL FUNDING	COM	500 C		C
			COM	100 S		S
22.		IMPORTANT AGRICULTURAL LAND, MAUI				
		PLANS AND DESIGNS FOR THE MAPPING OF IMPORTANT AGRICULTURAL LAND IN MAUI COUNTY; PROJECT TO INCLUDE REPORTS AND RELATED STUDIES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES; PROVIDED THAT PARTIAL MATCHING FUNDS BE PROVIDED BY THE COUNTY OF MAUI.				
		TOTAL FUNDING	COM	125 C		C
			COM	125 S		S

SUB501 - COUNTY OF KAUAI

23.		ANAHOLA SPORTS COMPLEX, KAUAI				
		PLANS AND DESIGN FOR A 50 ACRE SPORTS COMPLEX IN ANAHOLA, KAUAI, TO INCLUDE GYMNASIUM, BASEBALL FIELDS, REGULATION SIZE RODEO ARENA AND STABLES.				
		TOTAL FUNDING	COK	C		500 C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
24.		KALAHEO-LAWAI-OMAO WATER SYSTEM, KAUAI			
		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR WATER SYSTEM IMPROVEMENTS AND OTHER RELATED IMPROVEMENTS; PROVIDED THAT THE COUNTY OF KAUAI SHALL PROVIDE MATCHING FUNDS EQUALING TWENTY PERCENT OF THE STATE FUNDS APPROPRIATED FOR THE PURPOSE OF THIS PROJECT.			
		TOTAL FUNDING	COK COK	2,200 440	8,000 1,600
25.		KILAUEA WATER SYSTEM, KAUAI			
		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR CHLORINATION FACILITIES AND OTHER RELATED IMPROVEMENTS; PROVIDED THAT THE COUNTY OF KAUAI SHALL PROVIDE MATCHING FUNDS EQUALING TWENTY PERCENT OF THE STATE FUNDS APPROPRIATED FOR THE PURPOSE OF THIS PROJECT.			
		TOTAL FUNDING	COK COK	1,300 260	1,300 260
26.		WAIMEA-KEKAHA WATER SYSTEM, KAUAI			
		DESIGN, CONSTRUCTION, AND EQUIPMENT FOR IMPROVEMENTS AND RENOVATIONS FOR PAUA VALLEY TANK AND OTHER RELATED IMPROVEMENTS; PROVIDED THAT THE COUNTY OF KAUAI SHALL PROVIDE MATCHING FUNDS EQUALING TWENTY PERCENT OF THE STATE FUNDS APPROPRIATED FOR THE PURPOSE OF THIS PROJECT.			
		TOTAL FUNDING	COK COK	1,000 200	200 40
26.1		HANAPEPE STADIUM, KAUAI			
		CONSTRUCTION OF A TICKET BOOTH, A FOOD BOOTH, AND COMFORT STATIONS; PROVIDED THAT PARTIAL MATCHING FUNDS BE PROVIDED BY THE COUNTY OF KAUAI.			
		TOTAL FUNDING	COK COK	C S	1,000 500
26.2		KILAUEA GYMNASIUM, KAUAI			
		PLANS, DESIGN, AND CONSTRUCTION TO UPGRADE WIND STRENGTH CAPACITY OF KILAUEA GYM TO BE EITHER EPHA (CAT. 3 HURRICANE) OR EF/COOP (CAT. 4 HURRICANE) SHELTER; PROVIDED THAT PARTIAL MATCHING FUNDS BE PROVIDED BY THE COUNTY OF KAUAI.			
		TOTAL FUNDING	COK COK	C S	1,680 420

**PART II. CAPITAL IMPROVEMENT PROGRAM PROVISIONS**

SECTION 5. Part IV, Act 40, Session Laws of Hawaii 2019 is amended as follows:

1. By amending section 8 to read:

“SECTION 8. Provided that the general obligation bond fund appropriations for Maui Health System, a KFH LLC (HTH214), for fiscal year 2019-2020 and fiscal year 2020-2021 shall be disbursed by the Hawaii health systems corporation to the Maui Health System, a Kaiser Foundation Hospitals LLC, for its capital subsidies in the respective fiscal years[-]; and provided further that the Maui health system has satisfied all of the standards and conditions in section 323F-58, Hawaii Revised Statutes.”

2. By adding a new section to read:

“SECTION 8A. Notwithstanding any law to the contrary, the department of transportation shall expend the \$5,200,000 allocated in Act 40, Session Laws of Hawaii 2019, part III, section 4, item no. C-43, page 45, for the purpose of constructing signalized crosswalks at the locations specified.”

3. By adding a new section to read:

“SECTION 8B. With the approval of the governor, the department of public safety may delegate responsibility and transfer funds to the Hawaii community development authority (BED150) for the implementation of planning for the Maui regional public safety complex at Pulehunui (Item no. I-3.1), when it is determined by the agencies that it is advantageous to do so; provided further that the Hawaii community development authority shall submit to the legislature a summary report of all uses of this authority for the previous twelve month period from December 1 to November 30 no later than thirty days prior to the convening of the regular session of 2021.”

4. By adding a new section to read:

“SECTION 8C. Section 30 of Act 49, Session Laws of Hawaii 2017, as amended and renumbered by section 5 of Act 53, Session Laws of Hawaii 2018, is amended by amending Item G-87.05 to read as follows:

“87.05. AUGUST AHRENS ELEMENTARY SCHOOL, OAHU

DESIGN ~~[AND CONSTRUCTION]~~ FOR A COVERED WALKWAY AND SHELTER FOR THE LOWER DRIVEWAY ON WAIPAHU STREET[-]; NEW PARKING LOT AND RELOCATED PLAYCOURT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.

DESIGN		[245]	1,225
<del>[CONSTRUCTION]</del>			<del>980]</del>
TOTAL FUNDING	EDN	C	1,225 C

5. By adding a new section to read:

“SECTION 11A. Any law to the contrary notwithstanding, the appropriations under Act 49, Session Laws of Hawaii 2017, section 30, as amended and renumbered by Act 53, Session Laws of Hawaii 2018, section 5, in the amounts indicated or balance thereof, unallotted, unencumbered, or encumbered and unrequired are hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
A-1	608,000 C
A-2	1,000.00 C
A-27.02	150,000 C
A-7	200,000 C
A-13	644,800 C



<u>Item No.</u>	<u>Amount (MOF)</u>
<u>A-21.03</u>	<u>1,839,475.93 D</u>
<u>A-23.02</u>	<u>300,000 C</u>
<u>A-27</u>	<u>4,200,000 C</u>
<u>B-0.03</u>	<u>10,500,000 C</u>
<u>C-92</u>	<u>1,000,000 C</u>
<u>D-4.04</u>	<u>490,000 C</u>
<u>D-5</u>	<u>194,844.48 C</u>
<u>D-5.03</u>	<u>100,000 C</u>
<u>G-6</u>	<u>2,139.23 C</u>
<u>G-14</u>	<u>1,163,871 C</u>
<u>G-17</u>	<u>650,000 C</u>
<u>G-22</u>	<u>1,000,000 C</u>
<u>G-24</u>	<u>500,000.00 C</u>
<u>G-27</u>	<u>800,000.00 C</u>
<u>G-29</u>	<u>480,000 C</u>
<u>G-47</u>	<u>200,000 C</u>
<u>G-50</u>	<u>2,200,000 C</u>
<u>G-59</u>	<u>1,000 C</u>
<u>G-62</u>	<u>140,000 C</u>
<u>G-67</u>	<u>19,521,570 C</u>
<u>G-68</u>	<u>250,000 C</u>
<u>G-85</u>	<u>1,000 C</u>
<u>G-87.15</u>	<u>800,000 C</u>
<u>G-87.22</u>	<u>200,000 C</u>
<u>G-87.31</u>	<u>1,983,000 C</u>
<u>G-87.35</u>	<u>760,000 C</u>
<u>G-87.51</u>	<u>200,000 C</u>
<u>G-87.58</u>	<u>396,000 C</u>
<u>G-87.60</u>	<u>325,000 C</u>
<u>G-87.73</u>	<u>410,000 C</u>
<u>G-103</u>	<u>3,000,000 C</u>
<u>G-111.02</u>	<u>400,000 C</u>
<u>G-114</u>	<u>6,000,000 C</u>
<u>H-2</u>	<u>648,000 C</u>
<u>H-16</u>	<u>250,000 C</u>
<u>K-4</u>	<u>500,000 C</u>
<u>K-8</u>	<u>3,500,000 C</u>
<u>K-8</u>	<u>4,650,000 R</u>
<u>K-8</u>	<u>1,150,000 T</u>
<u>K-29</u>	<u>3,000,000 C</u>
<u>K-33</u>	<u>4,311,430 C</u>
<u>K-34</u>	<u>1,500,000 C”</u>

6. By adding a new section to read:

“SECTION 11B. Any law to the contrary notwithstanding, the appropriations under Act 134, Session Laws of Hawaii 2013, section 39, as amended and renumbered by Act 122, Session Laws of Hawaii 2014, section 5, in the amounts indicated or balance thereof, unallotted, unencumbered, or encumbered and unrequired are hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
<u>A-13</u>	<u>1,185,979 C</u>
<u>G-48</u>	<u>4,000 C”</u>

ACT 6

7. By adding a new section to read:

“SECTION 11C. Any law to the contrary notwithstanding, the appropriation under Act 164, Session Laws of Hawaii 2011, section 36, as amended and renumbered by Act 106, Session Laws of Hawaii 2012, section 5, in the amount indicated or balance thereof, unallotted, unencumbered, or encumbered and unrequired is hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
A-5	292,991 C”

8. By adding a new section to read:

“SECTION 11D. Any law to the contrary notwithstanding, the appropriations under Act 162, Session Laws of Hawaii 2009, section 62, as amended and renumbered by Act 180, Session Laws of Hawaii 2010, section 5, in the amounts indicated or balance thereof, unallotted, unencumbered, or encumbered and unrequired are hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
G-100	1,248,724.24 C
G-102	219,253.03 C
G-103	102,761.36 C”

9. By adding a new section to read:

“SECTION 11E. Any law to the contrary notwithstanding, the appropriations under Act 213, Session Laws of Hawaii 2007, section 125, as amended and renumbered by Act 158, Session Laws of Hawaii 2008, section 5, in the amount indicated or balance thereof, unallotted, unencumbered, or encumbered and unrequired are hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
G-124	827,065.65 C
G-127.02	93,558.54 C”

10. By adding a new section to read:

“SECTION 11F. Any law to the contrary notwithstanding, the appropriations under Act 178, Session Laws of Hawaii 2005, section 85, as amended and renumbered by Act 160, Session Laws of Hawaii 2006, section 5, in the amounts indicated or balance thereof, unallotted, unencumbered, or encumbered and unrequired are hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
G-123	225,075.46 C
I-2	323,608.00 C”

11. By adding a new section to read:

“SECTION 11G. Any law to the contrary notwithstanding, the appropriation under Act 259, Session Laws of Hawaii 2001, section 91, as amended and renumbered by Act 3, Third Special Session Laws of Hawaii 2001, section 3, and as further amended and renumbered by Act 177, Session Laws of Hawaii 2002, section 5, in the amount indicated or balance thereof, unallotted, unencumbered, or encumbered and unrequired is hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
G-57	839,672.64 C”

12. By adding a new section to read:

“SECTION 11H. (a) Any law to the contrary notwithstanding, the appropriations under Act 49, Session Laws of Hawaii 2017, section 30, as amend-

ed and renumbered by Act 53, Session Laws of Hawaii 2018, section 5, in the amounts indicated below or balance thereof that are unallotted or unencumbered on the effective date of this Act are hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
<u>A-10.02</u>	<u>\$1,200,000 C</u>
<u>A-10.03</u>	<u>2,510,163 C</u>
<u>A-10.04</u>	<u>512,860 C</u>
<u>A-7</u>	<u>200,484 C</u>
<u>A-9</u>	<u>1,103,364 C</u>
<u>F-8</u>	<u>450,000 C</u>
<u>F-9</u>	<u>1,278,680 C</u>
<u>F-14</u>	<u>1,150,000 C</u>
<u>F-15</u>	<u>950,000 C</u>
<u>F-24</u>	<u>900,000 C</u>
<u>F-25</u>	<u>1,080,053 C</u>
<u>G-4</u>	<u>990,000 C</u>
<u>G-77</u>	<u>239,000 C</u>
<u>G-87.11</u>	<u>460,000 C</u>
<u>G-87.24</u>	<u>260,000 C</u>
<u>G-41</u>	<u>2,450,000 C</u>
<u>G-87.02</u>	<u>1,984,000 C</u>
<u>G-87.34</u>	<u>2,292,279 C</u>
<u>G-87.79</u>	<u>1,584,000 C</u>
<u>G-87.09</u>	<u>560,000 C</u>
<u>G-87.21</u>	<u>378,000 C</u>
<u>G-92.05</u>	<u>1,900,000 C</u>
<u>H-10.03</u>	<u>3,800,000 C</u>
<u>K-36.02</u>	<u>3,500,000 C</u>

(b) The amounts lapsed pursuant to subsection (a) or so much thereof as may be necessary are appropriated for fiscal year 2020-2021 and shall be expended in accordance with the purposes described under Act 49, Session Laws of Hawaii 2017, section 30, as amended and renumbered by Act 53, Session Laws of Hawaii 2018, section 5.”

13. By adding a new section to read:

“SECTION 111. (a) Any law to the contrary notwithstanding, the appropriations under Act 134, Session Laws of Hawaii 2013, section 39, as amended and renumbered by Act 122, Session Laws of Hawaii 2014, section 5, in the amounts indicated below or balance thereof that are unallotted or unencumbered on the effective date of this Act are hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>
<u>A-12</u>	<u>\$814,818 C</u>
<u>A-6</u>	<u>4,751,122 C</u>
<u>F-11.01</u>	<u>23,622,000 C</u>
<u>F-11.01</u>	<u>37,012,412 N</u>

(b) The amounts lapsed pursuant to subsection (a) or so much thereof as may be necessary are appropriated for fiscal year 2020-2021 and shall be expended in accordance with the purposes described under Act 134, Session Laws of Hawaii 2013, section 39, as amended and renumbered by Act 122, Session Laws of Hawaii 2014, section 5.”

## ACT 7

### PART III. MISCELLANEOUS AND EFFECTIVE DATE

SECTION 6. If any portion of this Act or its application to any person, entity, or circumstance is held to be invalid for any reason, the legislature declares that the remainder of the Act and each and every other provision thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be expended to fulfill the objective of the appropriation to the extent possible.

SECTION 7. If manifest clerical, typographical, or other mechanical errors are found in this Act, the governor may correct the errors.

SECTION 8. Nothing in this Act shall affect the validity or continuing effectiveness of any provisions of Act 40, Session Laws of Hawaii 2019, not repealed or amended by this Act.

SECTION 9. Material to be repealed is bracketed and stricken. New statutory material is underscored.<sup>8</sup> In printing this Act, the revisor of statutes need not include the bracketed material or the underscoring.

SECTION 10. This Act shall take effect upon approval.

(Became law on July 7, 2020, without the governor's signature, pursuant to Art. III, §16, State Constitution.)

#### Notes

1. As enacted item nos. 187.8 to 181.97 are not in sequence.
2. So in original.
3. Prior to amendment item nos. 182 and 183 were item nos. 189 and 190.
4. Prior to amendment "191." appeared here.
5. Prior to amendment item nos. 187 to 189 were item nos. 194 to 196.
6. Prior to amendment "202." appeared here.
7. Prior to amendment "205." appeared here.
8. Edited pursuant to HRS §23G-16.5.

## ACT 7

H.B. NO. 2200

A Bill for an Act Relating to the State Budget.

*Be It Enacted by the Legislature of the State of Hawaii:*

### PART I

SECTION 1. This Act shall be known and may be cited as the Supplemental Appropriations Act of 2020.

### PART II

SECTION 2. This part amends Act 5, Session Laws of Hawaii 2019, and other appropriations and authorizations effective during fiscal biennium 2019-2021.

SECTION 3. Part II of Act 5, Session Laws of Hawaii 2019, is amended by amending section 3 to read as follows:

“SECTION 3. APPROPRIATIONS. The following sums, or so much thereof as may be sufficient to accomplish the purposes and programs designated herein, are hereby appropriated or authorized, as the case may be, from the means of financing specified to the expending agencies designated for the fiscal biennium beginning July 1, 2019, and ending June 30, 2021. The total expenditures and the number of positions in each fiscal year of the biennium shall not exceed the sums and the position ceilings indicated for each fiscal year, except as provided elsewhere in this Act or as provided by general law.

**PROGRAM APPROPRIATIONS**

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>A. ECONOMIC DEVELOPMENT</b>					
1.	BED100	STRATEGIC MARKETING AND SUPPORT		10.00 *	10.00 *
				1.00 #	1.00 #
	OPERATING		BED	2,093,866 A	2,570,997 A
			BED	1,821,915 W	1,821,915 W
			BED	700,000 P	700,000 P
2.	BED105	CREATIVE INDUSTRIES DIVISION		10.00 *	10.00 *
				0.00 #	0.00 #
	OPERATING		BED	1,251,476 A	1,508,613 A
			BED	30,000 B	30,000 B
3.	BED107	FOREIGN TRADE ZONE		16.00 *	16.00 *
	OPERATING		BED	2,438,062 B	2,445,180 B
4.	BED142	GENERAL SUPPORT FOR ECONOMIC DEVELOPMENT		24.00 *	24.00 *
				1.00 #	1.00 #
	OPERATING		BED	3,000,273 A	2,218,570 A
5.	BED113	TOURISM		3.00 *	3.00 *
				29.00 #	29.00 #
	OPERATING		BED	141,483,409 B	141,483,409 B
6.	AGR101	FINANCIAL ASSISTANCE FOR AGRICULTURE		7.00 *	7.00 *
	OPERATING		AGR	1,200,986 B	1,200,986 B
			AGR	5,500,000 W	5,500,000 W
7.	AGR122	PLANT PEST AND DISEASE CONTROL		66.00 *	66.00 *
	OPERATING		AGR	4,398,311 A	4,927,870 A
				46.00 *	46.00 *
			AGR	8,784,690 B	8,796,810 B
			AGR	512,962 T	512,962 T
			AGR	212,095 U	212,095 U
			AGR	50,360 W	50,360 W
				2.00 #	2.00 #
			AGR	528,412 P	528,412 P
8.	AGR131	RABIES QUARANTINE		34.32 *	34.32 *
				1.00 #	1.00 #
	OPERATING		AGR	3,933,400 B	3,945,522 B

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
9.	AGR132	- ANIMAL DISEASE CONTROL		18.68 *	18.68 *
	OPERATING		AGR	1,406,403 A	1,407,097 A
				3.00 *	3.00 *
			AGR	145,074 B	145,074 B
				3.00 #	3.00 #
			AGR	438,438 P	438,438 P
10.	LNR172	- FORESTRY - RESOURCE MANAGEMENT AND DEVELOPMENT		22.00 *	22.00 *
				7.00 #	7.00 #
	OPERATING		LNR	3,161,685 A	3,259,342 A
			LNR	2,455,475 B	2,455,475 B
				1.00 *	1.00 *
			LNR	3,577,901 P	877,901 P
11.	AGR151	- QUALITY AND PRICE ASSURANCE		11.00 *	11.00 *
	OPERATING		AGR	1,273,831 A	1,031,129 A
				2.00 *	2.00 *
			AGR	382,593 B	383,593 B
			AGR	300,000 T	300,000 T
				10.00 #	10.00 #
			AGR	599,020 W	601,859 W
			AGR	138,624 P	138,624 P
12.	AGR171	- AGRICULTURAL DEVELOPMENT AND MARKETING		11.00 *	11.00 *
	OPERATING		AGR	1,289,117 A	1,589,965 A
			AGR	420,000 B	420,000 B
			AGR	1,007,003 N	1,007,003 N
			AGR	220,000 P	220,000 P
13.	AGR141	- AGRICULTURAL RESOURCE MANAGEMENT		2.00 *	2.00 *
	OPERATING		AGR	257,328 A	339,916 A
				23.50 *	23.50 *
			AGR	2,780,761 B	2,792,881 B
				7.50 *	7.50 *
			AGR	1,281,904 W	1,284,743 W
14.	AGR161	- AGRIBUSINESS DEVELOPMENT AND RESEARCH		2.00 #	2.00 #
	OPERATING		AGR	712,293 A	144,685 A
			AGR	501,000 B	241,000 B
				12.00 #	12.00 #
			AGR	4,742,879 W	4,545,718 W
15.	AGR192	- GENERAL ADMINISTRATION FOR AGRICULTURE		23.00 *	23.00 *
	OPERATING		AGR	1,895,054 A	2,029,660 A
				5.00 *	5.00 *
			AGR	1,127,044 B	1,127,044 B
16.	LNR153	- FISHERIES MANAGEMENT		7.00 *	7.00 *
	OPERATING		LNR	706,962 A	708,694 A
				2.00 *	2.00 *
			LNR	375,944 B	376,212 B
			LNR	420,000 N	420,000 N
				2.00 *	2.00 *
				1.00 #	1.00 #
			LNR	475,000 P	475,000 P

## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
17.	AGR153 - AQUACULTURE DEVELOPMENT				
	OPERATING		AGR	3.00 * 230,555 A	3.00 * 279,231 A
			AGR	125,000 B	125,000 B
18.	BED120 - HAWAII STATE ENERGY OFFICE				
	OPERATING		BED	5.00 * 19.00 # 2,232,346 A	5.00 * 19.00 # 2,598,265 A
			BED	1,000 B	1,000 B
			BED	241,000 T	241,000 T
19.	BED143 - HAWAII TECHNOLOGY DEVELOPMENT CORPORATION				
	OPERATING		BED	2.00 * 4.00 # 1,433,390 A	1.00 * 4.00 # 1,088,390 A
			BED	1,605,258 B	1,605,258 B
			BED	1,000 R	1,000 R
			BED	2,018,203 W	2,018,203 W
			BED	9.00 #	9.00 #
			BED	995,214 P	995,214 P
20.	BED145 - HAWAII STRATEGIC DEVELOPMENT CORPORATION				
	OPERATING		BED	1,000 B	1,000 B
			BED	1,000 W	1,000 W
21.	BED146 - NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY				
	OPERATING		BED	22.00 # 7,900,628 B	22.00 # 7,908,896 B
22.	BED138 - HAWAII GREEN INFRASTRUCTURE AUTHORITY				
	OPERATING		BED	5.00 # 85,937,211 B	5.00 # 85,937,211 B
23.	LNR141 - WATER AND LAND DEVELOPMENT				
	OPERATING		LNR	21.00 * 2,528,407 A	21.00 * 2,565,142 A
			LNR	4.00 * 795,324 B	4.00 * 796,620 B
			LNR	199,479 T	199,479 T
24.	BED150 - HAWAII COMMUNITY DEVELOPMENT AUTHORITY				
	OPERATING		BED	8.00 * 1.00 # 687,544 A	8.00 * 1.00 # 797,544 A
			BED	550,000 B	550,000 B
			BED	10.00 * 1,825,868 W	10.00 * 1,825,868 W
25.	BED160 - HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION				
	OPERATING		BED	29.00 * 41.00 # 11,753,751 W	29.00 * 41.00 # 11,818,751 W
			BED	3,100,000 N	3,100,000 N
			BED	3,000,000 P	3,000,000 P
26.	BED128 - OFFICE OF AEROSPACE				
	OPERATING		BED	1.00 # 1,071,170 A	1.00 # 1,213,673 A
			BED	500,000 B	500,000 B

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>B. EMPLOYMENT</b>					
1.	LBR111 - WORKFORCE DEVELOPMENT				
	OPERATING		LBR	1.20 * 957,087 A 6.00 #	1.20 * 1,057,087 A 6.00 #
			LBR	5,595,677 B 28.80 * 12.00 #	5,595,677 B 28.80 * 12.00 #
			LBR	9,906,250 N 20.00 *	9,906,250 N 20.00 *
			LBR	2,000,000 S 12.00 * 20.00 #	2,000,000 S 12.00 * 20.00 #
			LBR	2,887,594 U 8.00 *	2,887,594 U 8.00 *
			LBR	4,100,000 P	4,100,000 P
2.	LBR135 - WORKFORCE DEVELOPMENT COUNCIL				
	OPERATING		LBR	0.10 * 418,718 A 6.90 *	0.10 * 463,718 A 6.90 *
			LBR	6,500,000 N	6,500,000 N
3.	LBR171 - UNEMPLOYMENT INSURANCE PROGRAM				
	OPERATING		LBR	2,000,000 A 10.00 #	1,000,000 A 10.00 #
			LBR	3,112,993 B 167.50 *	3,112,993 B 167.50 *
			LBR	15,700,000 N	15,700,000 N
			LBR	358,000,000 T	358,000,000 T
4.	LBR903 - OFFICE OF COMMUNITY SERVICES				
	OPERATING		LBR	4.00 * 5.00 # 1,869,594 A	4.00 * 5.00 # 2,041,594 A
			LBR	5,000 B 1.00 * 4.00 #	5,000 B 1.00 * 4.00 #
			LBR	6,071,243 N	6,071,243 N
			LBR	240,000 P	240,000 P
5.	HMS802 - VOCATIONAL REHABILITATION				
	OPERATING		HMS	29.78 * 4,302,782 A 69.24 *	29.78 * 4,302,782 A 69.24 *
			HMS	4.69 # 14,916,778 N	4.69 # 14,932,508 N
			HMS	1,330,200 W	1,330,200 W
6.	LBR143 - HAWAII OCCUPATIONAL SAFETY AND HEALTH PROGRAM				
	OPERATING		LBR	17.10 * 952,186 A 22.00 *	17.10 * 1,112,186 A 22.00 *
			LBR	0.50 # 3,122,624 W 19.90 *	0.50 # 3,122,624 W 19.90 *
			LBR	2,150,000 P	2,150,000 P



## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
7.	LBR152 - WAGE STANDARDS PROGRAM				
	OPERATING		LBR	16.00 * 1,012,397 A	16.00 * 1,080,397 A
8.	LBR153 - HAWAII CIVIL RIGHTS COMMISSION				
	OPERATING		LBR	20.50 * 1,233,464 A	20.50 * 1,593,464 A
			LBR	0.50 * 5.00 # 460,000 P	0.50 * 5.00 # 460,000 P
9.	LBR183 - DISABILITY COMPENSATION PROGRAM				
	OPERATING		LBR	73.00 * 9,688,735 A	73.00 * 9,883,788 A
			LBR	11.00 * 5.00 # 24,002,622 T	11.00 * 5.00 # 24,002,622 T
10.	LBR161 - HAWAII LABOR RELATIONS BOARD				
	OPERATING		LBR	3.00 * 6.00 # 892,806 A	3.00 * 6.00 # 952,806 A
11.	LBR812 - LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD				
	OPERATING		LBR	10.00 * 820,846 A	10.00 * 980,846 A
12.	LBR871 - EMPLOYMENT SECURITY APPEALS REFEREES' OFFICE				
	OPERATING		LBR	12.00 * 1,165,559 N	12.00 * 1,165,559 N
13.	LBR901 - RESEARCH AND STATISTICS				
	OPERATING		LBR	3.38 * 2.00 # 416,363 A	3.38 * 2.00 # 436,363 A
			LBR	3.67 * 1.00 # 450,000 N	3.67 * 1.00 # 450,000 N
			LBR	13.00 * 910,533 P	13.00 * 910,533 P
14.	LBR902 - GENERAL ADMINISTRATION				
	OPERATING		LBR	13.83 * 1.12 # 1,404,283 A	13.83 * 1.12 # 1,404,283 A
			LBR	437,400 B 32.17 * 2.88 # 3,286,941 P	200,000 B 32.17 * 2.88 # 3,286,941 P
<b>C. TRANSPORTATION FACILITIES</b>					
1.	TRN102 - DANIEL K. INOUE INTERNATIONAL AIRPORT				
	OPERATING		TRN	684.00 * 187,974,787 B	692.00 * 194,762,414 B
			TRN	1,405,500 N	1,405,500 N
2.	TRN104 - GENERAL AVIATION				
	OPERATING		TRN	31.00 * 10,034,990 B	31.00 * 10,142,453 B

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
3.	TRN111 - HILO INTERNATIONAL AIRPORT			86.00 *	86.00 *
	OPERATING		TRN	24,033,752 B	23,999,705 B
4.	TRN114 - ELLISON ONIZUKA KONA INTERNATIONAL AIRPORT AT KEAHOLE			107.00 *	107.00 *
	OPERATING		TRN	30,570,025 B	27,326,389 B
5.	TRN116 - WAIMEA-KOHALA AIRPORT			4.00 *	4.00 *
	OPERATING		TRN	1,718,173 B	1,946,044 B
6.	TRN118 - UPOLU AIRPORT				
	OPERATING		TRN	719,500 B	519,500 B
7.	TRN131 - KAHULUI AIRPORT			175.00 *	175.00 *
	OPERATING		TRN	39,282,581 B	39,674,545 B
8.	TRN133 - HANA AIRPORT			8.00 *	8.00 *
	OPERATING		TRN	1,021,833 B	1,684,702 B
9.	TRN135 - KAPALUA AIRPORT			11.00 *	11.00 *
	OPERATING		TRN	3,174,047 B	2,361,221 B
10.	TRN141 - MOLOKAI AIRPORT			14.00 *	14.00 *
	OPERATING		TRN	4,211,323 B	4,119,532 B
11.	TRN143 - KALAUPAPA AIRPORT			7.00 *	7.00 *
	OPERATING		TRN	1,029,850 B	1,033,919 B
12.	TRN151 - LANAI AIRPORT			12.00 *	12.00 *
	OPERATING		TRN	3,486,561 B	3,915,613 B
13.	TRN161 - LIHUE AIRPORT			116.00 *	116.00 *
	OPERATING		TRN	26,100,190 B	25,981,531 B
14.	TRN163 - PORT ALLEN AIRPORT				
	OPERATING		TRN	46,841 B	21,841 B
15.	TRN195 - AIRPORTS ADMINISTRATION			133.00 *	133.00 *
	OPERATING		TRN	435,766,210 B	462,687,213 B
16.	TRN301 - HONOLULU HARBOR			114.00 *	114.00 *
	OPERATING		TRN	20,372,905 B	20,457,061 B
17.	TRN303 - KALAELOA BARBERS POINT HARBOR			6.00 *	6.00 *
	OPERATING		TRN	1,280,755 B	1,283,209 B

## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
18.	TRN311 - HILO HARBOR				
	OPERATING		TRN	15.00 * 2,286,410 B	15.00 * 2,294,812 B
19.	TRN313 - KAWAIHAE HARBOR				
	OPERATING		TRN	2.00 * 794,376 B	2.00 * 794,376 B
20.	TRN331 - KAHULUI HARBOR				
	OPERATING		TRN	18.00 * 3,242,146 B	18.00 * 3,253,271 B
21.	TRN341 - KAUNAKAKAI HARBOR				
	OPERATING		TRN	1.00 * 207,158 B	1.00 * 207,157 B
22.	TRN361 - NAWILIWILI HARBOR				
	OPERATING		TRN	15.00 * 2,609,331 B	15.00 * 2,620,836 B
23.	TRN363 - PORT ALLEN HARBOR				
	OPERATING		TRN	1.00 * 189,223 B	1.00 * 189,222 B
24.	TRN351 - KAUMALAPAU HARBOR				
	OPERATING		TRN	1.00 * 133,006 B	1.00 * 133,006 B
25.	TRN395 - HARBORS ADMINISTRATION				
	OPERATING		TRN	77.00 * 1.00 # 92,981,358 B	77.00 * 1.00 # 92,981,358 B
26.	TRN333 - HANA HARBOR				
	OPERATING		TRN	13,519 B	13,519 B
27.	TRN501 - OAHU HIGHWAYS				
	OPERATING		TRN	192.00 * 81,609,688 B	192.00 * 82,064,049 B
28.	TRN511 - HAWAII HIGHWAYS				
	OPERATING		TRN	119.00 * 14,727,444 B	119.00 * 14,895,200 B
29.	TRN531 - MAUI HIGHWAYS				
	OPERATING		TRN	89.00 * 1.00 # 17,465,190 B	89.00 * 1.00 # 17,582,396 B
30.	TRN561 - KAUAI HIGHWAYS				
	OPERATING		TRN	54.00 * 9,389,613 B	54.00 * 9,610,883 B
31.	TRN595 - HIGHWAYS ADMINISTRATION				
	OPERATING		TRN	545.00 * 5.00 # 178,225,132 B	545.00 * 5.00 # 182,046,702 B
			TRN	1.00 # 15,557,418 N	1.00 # 15,557,418 N

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
32.	TRN597 - HIGHWAYS SAFETY				
	OPERATING		TRN	31.20* 10,950,851 B 6.00*	31.20* 10,950,851 B 6.00*
			TRN	4,065,433 N 0.80*	4,065,433 N 0.80*
			TRN	754,989 P	754,989 P
33.	TRN995 - GENERAL ADMINISTRATION				
	OPERATING		TRN	110.00* 2.00# 22,323,473 B 1.00*	110.00* 2.00# 22,325,147 B 1.00*
			TRN	18,064,184 N	18,206,911 N
			TRN	743,067 R	743,067 R
34.	TRN695 - ALOHA TOWER DEVELOPMENT CORPORATION				
	OPERATING		TRN	1.00# 1,842,173 B	1.00# 1,842,173 B
<b>D. ENVIRONMENTAL PROTECTION</b>					
1.	HTH840 - ENVIRONMENTAL MANAGEMENT				
	OPERATING		HTH	63.00* 4,923,210 A 64.00* 7.00#	66.00* 5,088,595 A 64.00* 7.00#
			HTH	79,802,051 B 32.10* 2.00#	80,364,007 B 32.10* 2.00#
			HTH	13,444,878 N 2.00*	5,002,918 N 2.00*
			HTH	241,782 U 37.00*	241,782 U 37.00*
			HTH	209,035,151 W 7.25* 4.00#	209,035,151 W 7.25* 4.00#
			HTH	4,899,514 P	1,311,612 P
2.	AGR846 - PESTICIDES				
	OPERATING		AGR	11.00* 690,611 A 11.00* 2.00#	11.00* 690,611 A 11.00* 2.00#
			AGR	1,889,954 W 2.00* 1.00#	1,892,793 W 2.00* 1.00#
			AGR	464,629 P	464,629 P
3.	LNR401 - ECOSYSTEM PROTECTION AND RESTORATION				
	OPERATING		LNR	22.50* 2.50# 2,066,412 A 2.00#	22.50* 2.50# 2,321,234 A 2.00#
			LNR	2,266,073 N 0.50* 4.00#	2,341,073 N 0.50* 4.00#
			LNR	3,755,000 P	3,615,000 P

## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
4.		LNR402 - NATIVE RESOURCES AND FIRE PROTECTION PROGRAM			
	OPERATING		LNR	44.00 * 13,244,896 A 13.00 * 3.00 # 1,747,467 N 1.00 # 191,384 T 7.00 # 1,686,056 U 3.50 * 1.00 # 1,645,390 P	44.00 * 14,642,658 A 13.00 * 3.00 # 1,747,467 N 1.00 # 191,384 T 7.00 # 1,686,056 U 3.50 * 1.00 # 1,645,390 P
5.		LNR404 - WATER RESOURCES			
	OPERATING		LNR	18.00 * 2,767,222 A 6.00 * 1,184,910 B 150,000 N	18.00 * 3,058,917 A 6.00 * 1,186,783 B 150,000 N
6.		LNR405 - CONSERVATION AND RESOURCES ENFORCEMENT			
	OPERATING		LNR	95.25 * 8,391,773 A 1,344,671 B 3.75 * 1,319,046 N 32,671 W 900,833 P	95.25 * 7,706,851 A 1,344,671 B 3.75 * 1,319,046 N 32,671 W 900,833 P
7.		LNR407 - NATURAL AREA RESERVES AND WATERSHED MANAGEMENT			
	OPERATING		LNR	42.50 * 21.00 # 7,538,033 A 500,000 N 0.50 * 1,475,000 P	42.50 * 21.00 # 8,165,664 A 500,000 N 0.50 * 1,475,000 P
8.		HTH850 - OFFICE OF ENVIRONMENTAL QUALITY CONTROL			
	OPERATING		HTH	3.00 * 212,395 A	3.00 * 228,121 A
9.		LNR906 - LNR - NATURAL AND PHYSICAL ENVIRONMENT			
	OPERATING		LNR	39.25 * 14.00 # 3,921,085 A 19.00 * 1.00 # 2,474,946 B 1.75 * 312,183 N 1,277 T	39.25 * 14.00 # 4,047,218 A 19.00 * 1.00 # 2,479,948 B 1.75 * 312,183 N 1,277 T
10.		HTH849 - ENVIRONMENTAL HEALTH ADMINISTRATION			
	OPERATING		HTH	20.50 * 1.25 # 3,164,933 A 0.50 * 79,580 B 2.30 * 0.60 #	20.50 * 1.25 # 3,703,972 A 0.50 * 79,580 B 2.30 * 0.60 #

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
			HTH	183,732N 11.00*	183,732N 11.00*
			HTH	2,622,018W 11.20*	2,622,018W 11.20*
				2.15#	2.15#
			HTH	2,571,855P	2,626,604P
<b>E. HEALTH</b>					
1. HTH100 - COMMUNICABLE DISEASE AND PUBLIC HEALTH NURSING					
				214.87*	214.87*
				1.00#	1.00#
	OPERATING		HTH	25,850,672A	26,867,934A
			HTH	13,343B 21.00#	13,343B 21.00#
			HTH	8,723,375N 3.00*	8,723,375N 3.00*
				1.00#	1.00#
			HTH	759,649U 14.00*	759,649U 14.00*
				25.50#	25.50#
			HTH	8,841,474P	4,841,474P
2. HTH131 - DISEASE OUTBREAK CONTROL					
				18.60*	18.60*
	OPERATING		HTH	1,609,272A 23.40*	1,697,659A 23.40*
				10.00#	10.00#
			HTH	18,887,619N 29.50#	3,778,582N 29.50#
			HTH	15,400,816P	4,954,506P
3. HTH730 - EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM					
				8.00*	8.00*
				1.40#	1.40#
	OPERATING		HTH	62,205,930A 6.00#	68,933,353A 6.00#
			HTH	22,275,925B 3.00#	22,275,925B 2.00#
			HTH	630,000P	340,000P
4. HTH560 - FAMILY HEALTH SERVICES					
				95.00*	95.00*
				1.50#	1.50#
	OPERATING		HTH	28,693,910A 15.00*	30,760,073A 15.00*
				2.00#	2.00#
			HTH	18,439,145B 119.50*	18,439,145B 119.50*
				12.30#	12.30#
			HTH	39,310,996N	38,710,996N
			HTH	203,441U 17.00*	203,441U 17.00*
				6.70#	6.70#
			HTH	12,097,543P	11,397,543P

## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
5.		HTH590 - CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION		37.50 *	37.50 *
				2.00 #	2.00 #
	OPERATING		HTH	5,475,610 A	6,882,284 A
			HTH	48,656,356 B	48,656,356 B
			HTH	1,000,000 U	1,000,000 U
				10.50 *	10.50 *
				22.50 #	22.50 #
			HTH	7,216,912 P	6,994,004 P
6.		HTH595 - HEALTH RESOURCES ADMINISTRATION		2.00 *	2.00 *
				1	1
	OPERATING		HTH	213,553 A	231,061 A
				7.00 *	7.00 *
				3.00 #	3.00 #
			HTH	1,462,165 B	1,462,165 B
7.		HTH210 - HAWAII HEALTH SYSTEMS CORPORATION - CORPORATE OFFICE		54.50 *	54.50 *
	OPERATING		HTH	17,509,280 B	17,509,280 B
8.		HTH211 - KAHUKU HOSPITAL			
	OPERATING		HTH	1,800,000 A	1,800,000 A
9.		HTH212 - HAWAII HEALTH SYSTEMS CORPORATION - REGIONS			
	OPERATING		HTH	125,701,003 A	105,701,003 A
				2,780.75 *	2,780.75 *
			HTH	579,200,129 B	580,483,912 B
10.		HTH213 - ALII COMMUNITY CARE			
	OPERATING		HTH	3,500,000 B	3,500,000 B
11.		SUB601 - PRIVATE HOSPITALS AND MEDICAL SERVICES			
	OPERATING		SUB	942,000 A	942,000 A
12.		HTH420 - ADULT MENTAL HEALTH - OUTPATIENT		182.50 *	182.50 *
				79.50 #	79.50 #
	OPERATING		HTH	55,527,411 A	56,953,017 A
			HTH	11,610,000 B	11,610,000 B
				1.00 #	1.00 #
			HTH	2,333,370 N	2,333,370 N
13.		HTH430 - ADULT MENTAL HEALTH - INPATIENT		584.00 *	711.00 *
				15.00 #	15.00 #
	OPERATING		HTH	73,394,335 A	82,713,278 A
14.		HTH440 - ALCOHOL AND DRUG ABUSE DIVISION		27.00 *	27.00 *
	OPERATING		HTH	18,074,569 A	20,113,424 A
			HTH	750,000 B	750,000 B
			HTH	8,857,980 N	8,857,980 N
				7.50 #	7.50 #
			HTH	5,019,276 P	6,570,543 P
15.		HTH460 - CHILD AND ADOLESCENT MENTAL HEALTH		156.00 *	156.00 *
				10.50 #	10.50 #
	OPERATING		HTH	42,436,950 A	42,666,481 A

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
				17.00 *	17.00 *
				6.00 #	6.00 #
			HTH	15,133,262 B	15,133,262 B
				5.00 #	5.00 #
			HTH	2,329,630 N	2,339,630 N
				2.00 #	2.00 #
			HTH	2,281,992 U	2,281,992 U
				8.50 #	#
			HTH	2,318,223 P	P
16.	HTH501 -	DEVELOPMENTAL DISABILITIES		190.75 *	190.75 *
				2.00 #	2.00 #
	OPERATING		HTH	90,102,552 A	88,548,037 A
				3.00 *	3.00 *
			HTH	1,063,165 B	1,063,165 B
17.	HTH495 -	BEHAVIORAL HEALTH ADMINISTRATION		38.50 *	38.50 *
				39.50 #	39.50 #
	OPERATING		HTH	5,768,238 A	6,076,360 A
				1.00 #	1.00 #
			HTH	137,363 P	137,363 P
18.	HTH610 -	ENVIRONMENTAL HEALTH SERVICES		116.00 *	116.00 *
	OPERATING		HTH	7,659,596 A	7,759,582 A
				30.00 *	30.00 *
			HTH	3,715,505 B	3,715,505 B
				2.00 *	2.00 *
			HTH	158,000 N	158,000 N
				3.00 *	3.00 *
			HTH	245,963 U	249,740 U
				2.00 *	2.00 *
			HTH	364,150 P	364,150 P
19.	HTH710 -	STATE LABORATORY SERVICES		70.00 *	70.00 *
				1.00 #	1.00 #
	OPERATING		HTH	8,006,994 A	8,025,128 A
				9.00 #	9.00 #
			HTH	5,146,110 N	1,029,222 N
				2.00 #	2.00 #
			HTH	176,112 P	176,112 P
20.	HTH720 -	HEALTH CARE ASSURANCE		24.30 *	24.30 *
				2.00 #	2.00 #
	OPERATING		HTH	3,423,855 A	3,427,108 A
			HTH	421,000 B	421,000 B
				16.00 *	16.00 *
			HTH	4,388,679 P	4,388,679 P
21.	HTH906 -	STATE HEALTH PLANNING AND DEVELOPMENT AGENCY		5.00 *	5.00 *
	OPERATING		HTH	470,967 A	475,769 A
			HTH	114,000 B	114,000 B
22.	HTH760 -	HEALTH STATUS MONITORING		28.50 *	28.50 *
	OPERATING		HTH	1,378,057 A	1,392,027 A
				2.00 #	2.00 #



PROGRAM APPROPRIATIONS

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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
			HTH	504,643 B	504,643 B
				4.00 *	4.00 *
			HTH	342,300 P	342,300 P
23.	HTH905 - DEVELOPMENTAL DISABILITIES COUNCIL			2.50 *	2.50 *
	OPERATING		HTH	227,909 A	238,005 A
				5.00 *	5.00 *
			HTH	514,000 N	514,000 N
24.	HTH907 - GENERAL ADMINISTRATION			119.00 *	119.00 *
				5.00 #	5.00 #
	OPERATING		HTH	9,038,530 A	9,770,173 A
				8.00 *	8.00 *
				20.00 #	20.00 #
			HTH	24,054,695 N	4,810,939 N
				5.00 #	5.00 #
			HTH	800,000 P	800,000 P
25.	HTH908 - OFFICE OF LANGUAGE ACCESS			5.00 *	5.00 *
	OPERATING		HTH	445,265 A	469,262 A
<b>F. SOCIAL SERVICES</b>					
1.	HMS301 - CHILD PROTECTIVE SERVICES			184.30 *	184.30 *
	OPERATING		HMS	35,033,397 A	35,033,397 A
			HMS	1,007,587 B	1,007,587 B
				175.20 *	175.20 *
			HMS	44,063,972 N	44,098,588 N
			HMS	106,225 P	106,225 P
2.	HMS302 - GENERAL SUPPORT FOR CHILD CARE			22.19 *	22.19 *
	OPERATING		HMS	1,662,318 A	1,661,318 A
				25.15 *	25.15 *
			HMS	11,921,864 N	11,920,864 N
3.	HMS303 - CHILD PROTECTIVE SERVICES PAYMENTS				
	OPERATING		HMS	46,065,586 A	47,765,586 A
			HMS	26,110,014 N	26,110,014 N
4.	HMS305 - CASH SUPPORT FOR CHILD CARE				
	OPERATING		HMS	20,846,662 A	25,011,811 A
			HMS	38,530,754 N	38,530,754 N
5.	HMS501 - IN-COMMUNITY YOUTH PROGRAMS			13.50 *	13.50 *
	OPERATING		HMS	8,868,337 A	8,493,337 A
				0.50 *	0.50 *
				0.50 #	0.50 #
			HMS	2,456,919 N	2,456,919 N
6.	HMS503 - HAWAII YOUTH CORRECTIONAL FACILITY (HYCF)			88.00 *	88.00 *
	OPERATING		HMS	8,772,185 A	9,190,273 A
7.	DEF112 - SERVICES TO VETERANS			23.00 *	23.00 *
	OPERATING		DEF	1,847,399 A	1,853,707 A

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
8.	HMS601 - ADULT PROTECTIVE AND COMMUNITY SERVICES			61.98 *	61.98 *
	OPERATING		HMS	5,458,149 A	5,542,149 A
				7.02 *	7.02 *
				3.00 #	3.00 #
			HMS	3,986,561 N	3,988,661 N
			HMS	10,000 R	10,000 R
			HMS	387,560 U	387,560 U
			HMS	1,321,390 P	1,321,390 P
9.	HMS202 - AGED, BLIND AND DISABLED PAYMENTS				
	OPERATING		HMS	3,679,480 A	4,029,480 A
10.	HMS204 - GENERAL ASSISTANCE PAYMENTS				
	OPERATING		HMS	23,889,056 A	23,889,056 A
			HMS	3,000,000 B	3,000,000 B
11.	HMS206 - FEDERAL ASSISTANCE PAYMENTS				
	OPERATING		HMS	5,703,592 N	5,703,592 N
12.	HMS211 - CASH SUPPORT FOR FAMILIES - SELF-SUFFICIENCY				
	OPERATING		HMS	22,694,156 A	22,694,156 A
			HMS	44,000,000 N	44,000,000 N
13.	HMS220 - RENTAL HOUSING SERVICES				
	OPERATING		HMS	4,341,066 A	4,342,399 A
				181.00 *	181.00 *
				4.50 #	4.50 #
			HMS	80,540,197 N	80,637,015 N
				15.00 *	15.00 *
			HMS	4,714,828 W	4,716,166 W
14.	HMS229 - HAWAII PUBLIC HOUSING AUTHORITY ADMINISTRATION				
	OPERATING		HMS	76.00 *	76.00 *
				41.00 #	41.00 #
			HMS	40,373,761 N	40,373,761 N
				51.00 *	51.00 *
				19.00 #	19.00 #
			HMS	6,345,633 W	6,345,633 W
15.	HMS222 - RENTAL ASSISTANCE SERVICES				
	OPERATING		HMS	1.00 *	1.00 *
				953,840 A	1,025,840 A
				23.75 *	23.75 *
				1.00 #	1.00 #
			HMS	26,393,471 N	26,397,150 N
16.	HMS224 - HOMELESS SERVICES				
	OPERATING		HMS	8.00 *	8.00 *
			HMS	15,615,635 A	15,615,635 A
			HMS	649,448 N	649,448 N
			HMS	2,366,839 P	2,366,839 P
17.	HMS605 - COMMUNITY-BASED RESIDENTIAL SUPPORT				
	OPERATING		HMS	17,716,454 A	17,810,955 A
18.	HMS401 - HEALTH CARE PAYMENTS				
	OPERATING		HMS	897,597,598 A	982,477,598 A
			HMS	1,376,660 B	1,376,660 B
			HMS	1,803,909,546 N	1,803,909,546 N

## PROGRAM APPROPRIATIONS

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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
			HMS	6,781,921 U	6,781,921 U
			HMS	13,216,034 P	13,216,034 P
19.	HMS236	CASE MANAGEMENT FOR SELF-SUFFICIENCY		255.73 *	255.73 *
	OPERATING		HMS	14,233,835 A	14,233,835 A
				233.67 *	233.67 *
			HMS	26,244,772 N	26,275,954 N
			HMS	30,237 P	30,237 P
20.	HMS238	DISABILITY DETERMINATION		49.00 *	49.00 *
	OPERATING		HMS	8,183,015 N	8,197,582 N
21.	ATG500	CHILD SUPPORT ENFORCEMENT SERVICES		70.72 *	70.72 *
				0.34 #	0.34 #
	OPERATING		ATG	3,945,502 A	4,483,525 A
			ATG	2,231,224 T	2,231,224 T
				137.28 *	137.28 *
				0.66 #	0.66 #
			ATG	15,880,241 P	15,880,241 P
22.	HMS237	EMPLOYMENT AND TRAINING		469,505 A	469,505 A
	OPERATING		HMS	1,245,750 N	1,245,750 N
23.	HHL602	PLANNING AND DEVELOPMENT FOR HAWAIIAN HOMESTEADS			
	OPERATING		HHL	4,824,709 B	4,824,709 B
				4.00 *	4.00 *
				2.00 #	2.00 #
			HHL	23,318,527 N	23,318,527 N
			HHL	3,740,534 T	3,740,534 T
24.	HHL625	ADMINISTRATION AND OPERATING SUPPORT		149.00 *	149.00 *
	OPERATING		HHL	15,525,842 A	15,532,062 A
25.	HTH904	EXECUTIVE OFFICE ON AGING		8.19 *	8.19 *
				2.35 #	2.35 #
	OPERATING		HTH	10,400,977 A	13,490,672 A
				6.46 *	6.46 *
				2.00 #	2.00 #
			HTH	7,680,000 N	7,680,000 N
				8.00 #	8.00 #
			HTH	1,223,791 P	1,223,791 P
26.	HTH520	DISABILITY AND COMMUNICATIONS ACCESS BOARD		10.00 *	10.00 *
	OPERATING		HTH	944,143 A	987,640 A
				8.00 *	8.00 *
			HTH	1,043,264 B	1,043,264 B
				2.00 *	2.00 *
			HTH	292,599 U	292,600 U
27.	HMS902	GENERAL SUPPORT FOR HEALTH CARE PAYMENTS		114.75 *	114.75 *
				3.20 #	3.20 #
	OPERATING		HMS	14,963,651 A	13,692,851 A
				0.56 *	0.56 *

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
			HMS	1,542,576 B 144.69 * 19.30 #	1,542,576 B 144.69 * 19.30 #
			HMS	54,221,657 N	54,237,783 N
			HMS	843,987 P	843,987 P
28.	HMS903	GENERAL SUPPORT FOR SELF-SUFFICIENCY SERVICES		39.55 * 1.59 #	39.55 * 1.59 #
	OPERATING		HMS	41,954,047 A 44.25 * 1.41 #	43,815,573 A 44.25 * 1.41 #
			HMS	68,271,830 N	68,933,152 N
			HMS	3,000 P	3,000 P
29.	HMS904	GENERAL ADMINISTRATION - DHS		124.55 * 9.00 #	124.55 * 9.00 #
	OPERATING		HMS	10,023,148 A 29.35 * 4,373,183 N	10,039,148 A 29.35 * 4,457,183 N
			HMS	1,500 P	1,500 P
30.	HMS901	GENERAL SUPPORT FOR SOCIAL SERVICES		12.95 * 2,124,656 A 9.55 * 2,074,339 N	12.95 * 2,183,656 A 9.55 * 2,074,339 N

G. FORMAL EDUCATION

1.	EDN100	SCHOOL-BASED BUDGETING		12,421.25 * 679.25 #	12,421.25 * 679.25 #
	OPERATING		EDN	995,058,659 A 5,244,829 B EDN 138,670,617 N EDN 13,390,000 T EDN 7,495,605 U EDN 2,402,454 W EDN 9,249,999 P	1,008,217,780 A 5,245,466 B 138,670,617 N 13,390,000 T 7,495,605 U 2,413,937 W 9,249,999 P
2.	EDN150	SPECIAL EDUCATION AND STUDENT SUPPORT SERVICES		5,218.37 * 1,207.25 #	5,218.37 * 1,207.25 #
	OPERATING		EDN	381,044,650 A EDN 250,000 B 2.00 * 33.00 # EDN 52,164,701 N 6.00 * EDN 3,534,956 W	390,993,161 A 250,000 B 2.00 * 33.00 # 52,164,701 N 6.00 * 3,536,708 W
3.	EDN200	INSTRUCTIONAL SUPPORT		402.00 * 82.00 #	402.00 * 82.00 #
	OPERATING		EDN	57,776,166 A 11.00 * EDN 2,369,088 B 2.00 #	57,320,576 A 11.00 * 2,382,128 B 2.00 #

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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
			EDN	500,000 N	500,000 N
				1.00 #	1.00 #
			EDN	273,794 P	273,794 P
4.	EDN300 -	STATE ADMINISTRATION		515.50 *	515.50 *
				4.00 #	4.00 #
	OPERATING		EDN	53,206,134 A	52,043,672 A
			EDN	30,000 P	30,000 P
5.	EDN400 -	SCHOOL SUPPORT		682.50 *	682.50 *
				3.00 #	3.00 #
	OPERATING		EDN	186,169,092 A	143,693,794 A
				11.00 *	11.00 *
			EDN	44,081,817 B	44,081,817 B
				718.50 *	718.50 *
				98.50 #	98.50 #
			EDN	66,097,300 N	66,097,300 N
			EDN	150,000 R	150,000 R
				4.00 *	4.00 *
				2.00 #	2.00 #
			EDN	8,031,681 W	8,031,681 W
6.	EDN500 -	SCHOOL COMMUNITY SERVICES		35.00 *	35.00 *
				5.00 #	5.00 #
	OPERATING		EDN	4,220,651 A	4,147,467 A
				1.00 *	1.00 *
			EDN	1,731,000 B	1,731,000 B
				2.00 #	2.00 #
			EDN	3,266,757 N	3,266,757 N
			EDN	2,260,000 T	2,260,000 T
			EDN	11,700,000 W	11,700,000 W
7.	EDN600 -	CHARTER SCHOOLS			
	OPERATING		EDN	96,210,541 A	101,405,111 A
			EDN	5,042,000 N	5,042,000 N
8.	EDN612 -	CHARTER SCHOOLS COMMISSION AND ADMINISTRATION		15.12 *	15.12 *
	OPERATING		EDN	1,519,535 A	1,555,531 A
				6.88 *	6.88 *
			EDN	1,800,000 N	1,800,000 N
9.	EDN700 -	EARLY LEARNING		58.00 *	58.00 *
	OPERATING		EDN	3,068,311 A	3,926,435 A
				1.00 #	1.00 #
			EDN	125,628 N	125,628 N
10.	BUF745 -	RETIREMENT BENEFITS - DOE			
	OPERATING		BUF	422,894,279 A	471,930,022 A
11.	BUF765 -	HEALTH PREMIUM PAYMENTS - DOE			
	OPERATING		BUF	142,378,724 A	145,226,298 A
12.	BUF725 -	DEBT SERVICE PAYMENTS - DOE			
	OPERATING		BUF	341,091,607 A	338,865,983 A

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
13.	AGS807	SCHOOL R&M, NEIGHBOR ISLAND DISTRICTS			
	OPERATING		AGS	73.00 * 5,255,049 A	73.00 * 5,345,827 A
			AGS	7.00 * 1,790,434 U	7.00 * 1,790,434 U
14.	EDN407	PUBLIC LIBRARIES			
	OPERATING		EDN	493.50 * 1.00 # 35,293,943 A	493.50 * 1.00 # 35,364,445 A
			EDN	4,000,000 B	4,000,000 B
			EDN	1,365,244 N	1,365,244 N
15.	DEF114	HAWAII NATIONAL GUARD YOUTH CHALLENGE ACADEMY			
	OPERATING		DEF	16.50 # 1,226,061 A	16.50 # 1,476,061 A
			DEF	73.50 # 5,594,962 P	73.50 # 5,594,962 P
16.	UOH100	UNIVERSITY OF HAWAII, MANOA			
	OPERATING		UOH	2,907.39 * 39.25 # 230,762,988 A	2,907.39 * 39.25 # 238,158,774 A
			UOH	377.25 * 2.00 # 363,217,455 B	377.25 * 2.00 # 363,706,629 B
			UOH	77.06 * 6,873,565 N	77.06 * 6,873,565 N
			UOH	28.00 * 65,255,168 W	28.00 * 65,293,844 W
17.	UOH110	UNIVERSITY OF HAWAII, JOHN A. BURNS SCHOOL OF MEDICINE			
	OPERATING		UOH	195.81 * 3.50 # 19,640,877 A	195.81 * 3.50 # 20,395,095 A
			UOH	27,958,949 B	27,958,949 B
			UOH	7,783,094 W	7,783,094 W
18.	UOH210	UNIVERSITY OF HAWAII, HILO			
	OPERATING		UOH	485.25 * 7.00 # 36,319,206 A	485.25 * 7.00 # 38,048,748 A
			UOH	64.00 * 46,848,430 B	64.00 * 46,893,444 B
			UOH	443,962 N	443,962 N
			UOH	2.00 * 7,438,008 W	2.00 * 7,439,992 W
19.	UOH220	SMALL BUSINESS DEVELOPMENT			
	OPERATING		UOH	1.00 # 978,941 A	1.00 # 978,941 A
20.	UOH700	UNIVERSITY OF HAWAII, WEST OAHU			
	OPERATING		UOH	226.50 * 1.50 # 17,692,435 A	226.50 * 1.50 # 18,562,223 A
			UOH	20,312,209 B	20,348,581 B
			UOH	802,037 N	802,037 N
			UOH	2,069,957 W	2,070,663 W

## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
21.	UOH800	UNIVERSITY OF HAWAII, COMMUNITY COLLEGES		1,705.00 *	1,705.00 *
				41.00 #	41.00 #
	OPERATING		UOH	147,085,753 A	153,022,004 A
				34.00 *	34.00 *
			UOH	100,508,863 B	100,630,837 B
				0.50 *	0.50 *
			UOH	4,428,296 N	4,428,296 N
			UOH	6,564,293 W	6,566,997 W
22.	UOH900	UNIVERSITY OF HAWAII, SYSTEMWIDE SUPPORT		402.00 *	402.00 *
				1.00 #	1.00 #
	OPERATING		UOH	53,573,643 A	56,533,226 A
				20.00 *	20.00 *
			UOH	17,214,396 B	17,229,806 B
				4.00 *	4.00 *
				4.00 #	4.00 #
			UOH	1,094,875 N	1,094,875 N
				15.00 *	15.00 *
			UOH	17,364,423 W	17,377,422 W
23.	BUF748	RETIREMENT BENEFITS - UH OPERATING	BUF	189,431,048 A	209,187,118 A
24.	BUF768	HEALTH PREMIUM PAYMENTS - UH OPERATING	BUF	53,903,313 A	54,981,380 A
25.	BUF728	DEBT SERVICE PAYMENTS - UH OPERATING	BUF	126,237,547 A	125,413,846 A
<b>H. CULTURE AND RECREATION</b>					
1.	UOH881	AQUARIA		9.00 *	9.00 *
	OPERATING		UOH	783,030 A	788,141 A
				7.00 *	7.00 *
			UOH	3,417,141 B	3,517,141 B
			UOH	996,499 W	996,499 W
2.	AGS881	STATE FOUNDATION ON CULTURE AND THE ARTS		0.50 *	0.50 *
	OPERATING		AGS	860,798 A	956,442 A
				17.00 *	17.00 *
				1.00 #	1.00 #
			AGS	5,573,625 B	5,573,625 B
				4.50 *	4.50 *
			AGS	756,802 N	756,802 N
			AGS	606,936 P	606,936 P
3.	AGS818	KING KAMEHAMEHA CELEBRATION COMMISSION		1.00 *	1.00 *
	OPERATING		AGS	47,832 A	48,912 A
				1.00 #	1.00 #
			AGS	70,070 T	70,070 T
4.	LNR802	HISTORIC PRESERVATION		31.00 *	31.00 *
	OPERATING		LNR	2,171,989 A	2,354,597 A
			LNR	495,450 B	495,902 B
				6.00 *	6.00 *
			LNR	591,360 N	591,360 N

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
5.	LNR804 - FOREST AND OUTDOOR RECREATION			31.50 *	31.50 *
	OPERATING		LNR	1,653,786 A	1,791,478 A
			LNR	3.00 *	3.00 *
			LNR	837,466 B	839,231 B
				6.00 *	6.00 *
			LNR	13.00 #	13.00 #
			LNR	4,400,000 N	4,400,000 N
				3.00 *	3.00 *
			LNR	644,164 W	645,490 W
6.	LNR805 - DISTRICT RESOURCE MANAGEMENT			17.00 *	17.00 *
	OPERATING		LNR	965,524 A	985,554 A
			LNR	0.25 #	0.25 #
			LNR	103,088 B	103,180 B
			LNR	0.75 #	0.75 #
			LNR	1,870,000 N	2,070,000 N
7.	LNR806 - PARKS ADMINISTRATION AND OPERATION			80.00 *	80.00 *
	OPERATING		LNR	6,075,256 A	6,501,502 A
			LNR	48.00 *	48.00 *
			LNR	10,356,938 B	10,367,258 B
			LNR	1,000,000 P	P
8.	LNR801 - OCEAN-BASED RECREATION			7.00 *	7.00 *
	OPERATING		LNR	454,268 A	528,363 A
			LNR	115.00 *	115.00 *
			LNR	20,528,379 B	20,551,330 B
			LNR	1,500,626 N	1,500,626 N
9.	AGS889 - SPECTATOR EVENTS AND SHOWS - ALOHA STADIUM			36.50 *	36.50 *
	OPERATING		AGS	1.00 #	1.00 #
			AGS	9,297,877 B	9,315,701 B
<b>I. PUBLIC SAFETY</b>					
1.	PSD402 - HALAWA CORRECTIONAL FACILITY			359.00 *	359.00 *
	OPERATING		PSD	27,091,311 A	27,191,311 A
2.	PSD403 - KULANI CORRECTIONAL FACILITY			81.00 *	81.00 *
	OPERATING		PSD	6,277,074 A	6,114,555 A
3.	PSD404 - WAIAWA CORRECTIONAL FACILITY			101.00 *	101.00 *
	OPERATING		PSD	7,031,657 A	7,052,667 A
4.	PSD405 - HAWAII COMMUNITY CORRECTIONAL CENTER			161.00 *	161.00 *
	OPERATING		PSD	11,199,114 A	11,095,732 A
5.	PSD406 - MAUI COMMUNITY CORRECTIONAL CENTER			148.00 *	148.00 *
	OPERATING		PSD	10,933,402 A	10,988,934 A
			PSD	3.00 #	3.00 #
			PSD	209,721 S	209,721 S



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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
6.	PSD407	OAHU COMMUNITY CORRECTIONAL CENTER			
	OPERATING		PSD	438.00 * 32,910,971 A	438.00 * 33,199,388 A
7.	PSD408	KAUAI COMMUNITY CORRECTIONAL CENTER			
	OPERATING		PSD	69.00 * 5,378,602 A	69.00 * 5,418,421 A
8.	PSD409	WOMEN'S COMMUNITY CORRECTIONAL CENTER			
	OPERATING		PSD	153.00 * 8,594,794 A	153.00 * 10,724,277 A
9.	PSD410	INTAKE SERVICE CENTERS			
	OPERATING		PSD	57.00 * 3,771,081 A	57.00 * 3,810,531 A
10.	PSD420	CORRECTIONS PROGRAM SERVICES			
	OPERATING		PSD	145.00 * 22,271,718 A	145.00 * 22,366,257 A
			PSD	1,015,989 N	1,015,989 N
11.	PSD421	HEALTH CARE			
	OPERATING		PSD	175.10 * 26,300,579 A	175.10 * 26,516,092 A
12.	PSD422	HAWAII CORRECTIONAL INDUSTRIES			
	OPERATING		PSD	2.00 * 42.00 # 10,350,018 W	2.00 * 42.00 # 10,350,018 W
13.	PSD808	NON-STATE FACILITIES			
	OPERATING		PSD	8.00 * 47,670,585 A	8.00 * 47,675,383 A
14.	PSD502	NARCOTICS ENFORCEMENT			
	OPERATING		PSD	11.00 * 1,211,686 A	13.00 * 1,208,081 A
			PSD	8.00 * 955,477 W	8.00 * 955,477 W
			PSD	200,000 P	200,000 P
15.	PSD503	SHERIFF			
	OPERATING		PSD	287.00 * 20,065,346 A	287.00 * 20,335,777 A
			PSD	600,000 N	600,000 N
			PSD	80.00 * 8,971,865 U	80.00 * 8,852,030 U
16.	PSD611	ADULT PAROLE DETERMINATIONS			
	OPERATING		PSD	6.00 * 505,542 A	6.00 * 522,347 A
17.	PSD612	ADULT PAROLE SUPERVISION AND COUNSELING			
	OPERATING		PSD	53.00 * 4,311,706 A	53.00 * 4,094,845 A
18.	PSD613	CRIME VICTIM COMPENSATION COMMISSION			
	OPERATING		PSD	5.00 * 477,964 A	5.00 * 479,645 A
			PSD	8.00 * 2,137,732 B	8.00 * 2,137,732 B

ACT 7

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
			PSD	1.00# 859,315 P	1.00# 859,315 P
19.	PSD900 -	GENERAL ADMINISTRATION			
	OPERATING		PSD	124.00* 17,262,066 A	124.00* 17,248,203 A
			PSD	978,501 B	978,501 B
			PSD	75,065 T	75,065 T
20.	ATG231 -	STATE CRIMINAL JUSTICE INFORMATION AND IDENTIFICATION			
	OPERATING		ATG	22.50* 1,969,147 A	22.50* 2,273,040 A
			ATG	22.50* 3,455,603 W	22.50* 3,455,603 W
			ATG	1.00# 1,246,182 P	1.00# 1,246,182 P
21.	LNR810 -	PREVENTION OF NATURAL DISASTERS			
	OPERATING		LNR	8.00* 2,373,653 B	8.00* 2,376,401 B
			LNR	510,454 P	540,454 P
22.	DEF110 -	AMELIORATION OF PHYSICAL DISASTERS			
	OPERATING		DEF	119.25* 35.50# 19,826,897 A	119.25* 35.50# 19,721,523 A
			DEF	9.50* 14.00# 11,187,528 N	9.50* 14.00# 10,759,428 N
			DEF	94.50* 43.75# 67,726,768 P	94.50* 43.75# 67,726,768 P
<b>J. INDIVIDUAL RIGHTS</b>					
1.	CCA102 -	CABLE TELEVISION			
	OPERATING		CCA	8.00* 2,648,986 B	8.00* 2,648,986 B
			CCA	1,000 T	1,000 T
2.	CCA103 -	CONSUMER ADVOCATE FOR COMMUNICATION, UTILITIES, AND TRANSPORTATION SERVICES			
	OPERATING		CCA	25.00* 4,494,086 B	25.00* 4,494,086 B
3.	CCA104 -	FINANCIAL SERVICES REGULATION			
	OPERATING		CCA	40.00* 5,175,488 B	40.00* 5,175,488 B
			CCA	301,000 T	301,000 T
4.	CCA105 -	PROFESSIONAL AND VOCATIONAL LICENSING			
	OPERATING		CCA	63.00* 11.00# 7,892,944 B	63.00* 11.00# 7,892,944 B
			CCA	8.00* 5.00# 2,803,844 T	8.00* 5.00# 2,803,844 T
5.	CCA106 -	INSURANCE REGULATORY SERVICES			
				95.00*	95.00*

## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
				1.00#	1.00#
	OPERATING		CCA	21,361,950 B	19,361,950 B
			CCA	201,000 T	201,000 T
				6.00#	6.00#
			CCA	251,000 P	251,000 P
6.	CCA107 - POST-SECONDARY EDUCATION AUTHORIZATION			2.00*	2.00*
	OPERATING		CCA	297,904 B	297,904 B
7.	CCA901 - PUBLIC UTILITIES COMMISSION			67.00*	67.00*
	OPERATING		CCA	17,103,157 B	18,658,757 B
8.	CCA110 - OFFICE OF CONSUMER PROTECTION			18.00*	18.00*
	OPERATING		CCA	2,645,483 B	2,645,483 B
			CCA	100,681 T	100,681 T
9.	AGR812 - MEASUREMENT STANDARDS			6.00*	6.00*
	OPERATING		AGR	392,217 A	396,911 A
			AGR	134,808 B	134,808 B
10.	CCA111 - BUSINESS REGISTRATION AND SECURITIES REGULATION			79.00*	79.00*
	OPERATING		CCA	8,470,957 B	8,470,957 B
11.	CCA112 - REGULATED INDUSTRIES COMPLAINTS OFFICE			66.00*	66.00*
	OPERATING		CCA	7,800,160 B	7,500,160 B
12.	CCA191 - GENERAL SUPPORT			50.00*	50.00*
	OPERATING		CCA	8,525,388 B	8,450,388 B
13.	AGS105 - ENFORCEMENT OF INFORMATION PRACTICES			8.50*	8.50*
	OPERATING		AGS	704,853 A	769,837 A
14.	BUF151 - OFFICE OF THE PUBLIC DEFENDER			132.50*	132.50*
	OPERATING		BUF	11,983,750 A	12,008,896 A
15.	LNR111 - CONVEYANCES AND RECORDINGS			58.00*	58.00*
	OPERATING		LNR	7,555,316 B	8,068,196 B
16.	HMS888 - COMMISSION ON THE STATUS OF WOMEN			1.00*	1.00*
	OPERATING		HMS	174,035 A	174,035 A

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>K. GOVERNMENT-WIDE SUPPORT</b>					
1.	GOV100	- OFFICE OF THE GOVERNOR			
				22.00 *	22.00 *
				23.00 #	23.00 #
	OPERATING		GOV	3,863,903 A	3,713,903 A
2.	LTG100	- OFFICE OF THE LIEUTENANT GOVERNOR			
				3.00 *	3.00 *
				5.00 #	5.00 #
	OPERATING		LTG	918,551 A	927,551 A
3.	BED144	- STATEWIDE PLANNING AND COORDINATION			
				12.00 *	12.00 *
				2.00 #	2.00 #
	OPERATING		BED	1,350,827 A	1,568,327 A
				5.00 *	5.00 *
				5.00 #	5.00 #
			BED	2,364,265 N	2,364,265 N
			BED	2,000,000 W	2,000,000 W
4.	BED103	- STATEWIDE LAND USE MANAGEMENT			
				6.00 *	6.00 *
	OPERATING		BED	609,931 A	662,312 A
5.	BED130	- ECONOMIC PLANNING AND RESEARCH			
				14.00 *	14.00 *
	OPERATING		BED	1,920,160 A	1,316,317 A
6.	BUF101	- DEPARTMENTAL ADMINISTRATION AND BUDGET DIVISION			
				42.00 *	42.00 *
	OPERATING		BUF	11,419,048 A	11,580,376 A
			BUF	363,944,000 B	377,575,000 B
7.	BUF103	- VACATION PAYOUT - STATEWIDE			
	OPERATING		BUF	9,700,000 A	9,700,000 A
8.	AGS871	- CAMPAIGN SPENDING COMMISSION			
				5.00 *	5.00 *
	OPERATING		AGS	560,452 A	553,452 A
			AGS	343,732 T	343,732 T
9.	AGS879	- OFFICE OF ELECTIONS			
				10.50 *	10.50 *
				3.63 #	7.63 #
	OPERATING		AGS	2,593,711 A	3,522,739 A
				0.50 *	0.50 *
				1.00 #	1.00 #
			AGS	99,694 N	99,694 N
10.	TAX100	- COMPLIANCE			
				155.00 *	155.00 *
				1.00 #	1.00 #
	OPERATING		TAX	8,971,586 A	9,606,256 A
11.	TAX105	- TAX SERVICES AND PROCESSING			
				112.00 *	112.00 *
				5.00 #	5.00 #
	OPERATING		TAX	5,506,575 A	5,935,935 A

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
12.	TAX107	- SUPPORTING SERVICES - REVENUE COLLECTION		59.00*	59.00*
				9.00#	9.00#
	OPERATING		TAX	11,924,151 A	14,342,560 A
				13.00#	13.00#
			TAX	3,145,136 B	3,145,136 B
13.	AGS101	- ACCOUNTING SYSTEM DEVELOPMENT AND MAINTENANCE		7.00*	7.00*
				3	3
	OPERATING		AGS	670,497 A	670,497 A
14.	AGS102	- EXPENDITURE EXAMINATION		13.00*	13.00*
				1.00#	1.00#
	OPERATING		AGS	1,133,223 A	1,235,075 A
15.	AGS103	- RECORDING AND REPORTING		12.00*	12.00*
	OPERATING		AGS	893,412 A	949,672 A
16.	AGS104	- INTERNAL POST AUDIT		6.00*	6.00*
				2.00#	2.00#
	OPERATING		AGS	723,199 A	723,199 A
17.	BUF115	- FINANCIAL ADMINISTRATION		12.00*	12.00*
	OPERATING		BUF	1,870,831 A	2,065,433 A
				9.00*	9.00*
			BUF	11,715,179 T	11,715,179 T
18.	BUF721	- DEBT SERVICE PAYMENTS - STATE			
	OPERATING		BUF	395,538,560 A	392,957,669 A
19.	ATG100	- LEGAL SERVICES		244.92*	244.92*
				20.02#	20.02#
	OPERATING		ATG	27,122,125 A	27,770,373 A
				24.60*	24.60*
			ATG	3,993,217 B	3,993,217 B
				5.20*	5.20*
				7.70#	7.70#
			ATG	11,628,390 N	11,628,390 N
			ATG	3,943,508 T	3,943,508 T
				108.56*	106.56*
				27.50#	27.50#
			ATG	17,392,037 U	17,154,637 U
				4.90*	4.90*
				1.00#	1.00#
			ATG	3,317,725 W	3,317,725 W
				18.60*	18.60*
				2.50#	2.50#
			ATG	4,091,332 P	4,091,332 P
20.	AGS130	- ENTERPRISE TECHNOLOGY SERVICES - GOVERNANCE AND INNOVATION		30.00*	30.00*
				13.00#	13.00#
	OPERATING		AGS	20,314,698 A	20,561,956 A

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
				7.00*	7.00*
			AGS	1,469,669 B	1,469,669 B
			AGS	3,000,000 U	3,000,000 U
21.	AGS131	ENTERPRISE TECHNOLOGY SERVICES - OPERATIONS AND INFRASTRUCTURE MAINTENANCE			
	OPERATING		AGS	60.00* 12,700,020 A	60.00* 12,700,020 A
			AGS	1.00# 173,560 B	1.00# 173,560 B
			AGS	33.00* 3,312,584 U	33.00* 3,312,584 U
22.	AGS111	ARCHIVES - RECORDS MANAGEMENT			
	OPERATING		AGS	15.00* 977,817 A	15.00* 1,026,847 A
			AGS	3.00* 736,932 B	3.00* 536,932 B
23.	AGS891	ENHANCED 911 BOARD			
	OPERATING		AGS	2.00# 9,003,028 B	2.00# 9,003,028 B
24.	HRD102	WORK FORCE ATTRACTION, SELECTION, CLASSIFICATION, AND EFFECTIVENESS			
	OPERATING		HRD	76.00* 17,664,578 A	76.00* 17,879,854 A
			HRD	700,000 B 2.00*	700,000 B 2.00*
			HRD	5,161,214 U	5,161,214 U
25.	HRD191	SUPPORTING SERVICES - HUMAN RESOURCES DEVELOPMENT			
	OPERATING		HRD	9.00* 1,430,897 A	9.00* 1,448,570 A
26. <sup>4</sup>	BUF762	HEALTH PREMIUM PAYMENT <sup>5</sup> - ARC OPERATING			
			BUF	814,659,000 A	842,456,000 A
27. <sup>6</sup>	BUF141	EMPLOYEES' RETIREMENT SYSTEM			
	OPERATING		BUF	111.00* 2.00# 20,427,078 X	111.00* 2.00# 18,679,890 X
28.	BUF143	HAWAII EMPLOYER UNION TRUST FUND			
	OPERATING		BUF	60.00* 3.00# 18,531,620 T	60.00* 3.00# 8,823,787 T
29.	BUF741	RETIREMENT BENEFITS - STATE OPERATING			
			BUF	396,996,921 A	434,422,195 A
			BUF	10,865,887 U	10,865,887 U
30.	BUF761	HEALTH PREMIUM PAYMENTS - STATE OPERATING			
			BUF	119,680,888 A	122,074,506 A
31.	LNR101	PUBLIC LANDS MANAGEMENT			
	OPERATING		LNR	1.00# 181,897 A	1.00# 205,000 A
			LNR	56.00* 21,639,761 B	56.00* 21,655,066 B

## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
32.	AGS203 - STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION				
	OPERATING		AGS	9,987,995 A	9,987,995 A
				4.00 *	4.00 *
			AGS	25,383,819 W	25,383,819 W
33.	AGS211 - LAND SURVEY				
	OPERATING		AGS	9.00 *	9.00 *
			AGS	723,478 A	737,980 A
			AGS	285,000 U	285,000 U
34.	AGS223 - OFFICE LEASING				
	OPERATING		AGS	4.00 *	4.00 *
			AGS	8,601,011 A	10,141,167 A
			AGS	5,500,000 U	5,500,000 U
35.	AGS221 - PUBLIC WORKS - PLANNING, DESIGN, AND CONSTRUCTION				
				77.00 *	77.00 *
	OPERATING		AGS	1.00 #	1.00 #
			AGS	9,898,899 A	6,167,665 A
			AGS	4,000,000 W	4,000,000 W
36.	AGS231 - CENTRAL SERVICES - CUSTODIAL SERVICES				
				115.50 *	115.50 *
	OPERATING		AGS	2.00 #	2.00 #
			AGS	18,428,946 A	19,905,615 A
			AGS	58,744 B	58,744 B
			AGS	1,699,084 U	1,699,084 U
37.	AGS232 - CENTRAL SERVICES - GROUNDS MAINTENANCE				
	OPERATING		AGS	24.00 *	24.00 *
				2,051,910 A	1,774,273 A
38.	AGS233 - CENTRAL SERVICES - BUILDING REPAIRS AND ALTERATIONS				
	OPERATING		AGS	31.00 *	31.00 *
				3,028,757 A	3,239,556 A
39.	AGS240 - STATE PROCUREMENT				
	OPERATING		AGS	21.00 *	21.00 *
				1,474,989 A	1,474,989 A
40.	AGS244 - SURPLUS PROPERTY MANAGEMENT				
	OPERATING		AGS	5.00 *	5.00 *
				1,865,795 W	1,867,127 W
41.	AGS251 - AUTOMOTIVE MANAGEMENT - MOTOR POOL				
	OPERATING		AGS	13.00 *	13.00 *
				3,020,155 W	3,031,265 W
42.	AGS252 - AUTOMOTIVE MANAGEMENT - PARKING CONTROL				
	OPERATING		AGS	27.00 *	27.00 *
				3,838,016 W	3,838,856 W
43.	AGS901 - GENERAL ADMINISTRATIVE SERVICES				
				30.00 *	30.00 *
	OPERATING		AGS	1.00 #	1.00 #
			AGS	3,096,065 A	3,195,993 A
			AGS	2.00 *	2.00 *
			AGS	190,466 U	190,466 U

SECTION 4. Part III, Act 5, Session Laws of Hawaii 2019, is amended as follows:

1. By adding eight new sections to be inserted after section 4 and to read:

“SECTION 4.1. Provided that of the general fund appropriation for quality and price assurance (AGR151), the sum of \$89,878 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for a commodities program manager.

SECTION 4.2. Provided that of the general fund appropriation for quality and price assurance (AGR151), the sum of \$84,612 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for an agricultural commodities marketing specialist V.

SECTION 4.3. Provided that of the special fund appropriation for quality and price assurance (AGR151), the sum of \$66,708 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for an agricultural commodities marketing specialist V.

SECTION 4.4. Provided that of the general fund appropriation for quality and price assurance (AGR151), the sum of \$46,932 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for an agricultural commodities marketing specialist III.

SECTION 4.5. Provided that of the general fund appropriation for general administration (AGR192), the sum of \$94,932 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for an administrative services officer.

SECTION 4.6. Provided that of the special fund appropriation for general aviation (TRN104), the sum of \$72,984 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for an airport fire commander.

SECTION 4.7. Provided that of the special fund appropriation for the Ellison Onizuka Kona international airport at Keahole (TRN114), the sum of \$57,168 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for an assistant superintendent IV.

SECTION 4.8. Provided that of the special fund appropriation for the Ellison Onizuka Kona international airport at Keahole (TRN114), the sum of \$33,720 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for a visitor information program assistant I.”

2. By adding five new sections to be inserted after section 6 and to read:

“SECTION 6.1. Provided that of the special fund appropriation for financial services regulation (CCA104):

- (1) The sum of \$40,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended on the maintenance and software licensing costs of the financial services regulation program’s database and records management system; and



- (2) The sum of \$25,074 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for fringe benefit costs for collective bargaining and salary adjustments.

SECTION 6.2. Provided that of the special fund appropriation for the professional and vocational licensing division (CCA105):

- (1) The sum of \$300,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for software licensing costs to replace the professional and vocational licensing division's applicant/licensee integrated automated system; and
- (2) The sum of \$108,806 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for two full-time equivalent (2.0 FTE) permanent positions to perform work pertaining to Act 44, Session Laws of Hawaii 2018.

SECTION 6.3. Provided that of the special fund appropriation for insurance regulatory services (CCA106):

- (1) The sum of \$2,500,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the sum of \$500,000 or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for replacement of the Hawaii insurance data system and corresponding licensing, maintenance, and independent verification and validation costs; and
- (2) The sum of \$417,736 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for fringe benefit costs for collective bargaining and salary adjustments.

SECTION 6.4. Provided that of the special fund appropriation for measurement standards (AGR812), the sum of \$153,936 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for three full-time equivalent (3.0 FTE) measurement standards inspector V positions.

SECTION 6.5. Provided that of the special fund appropriation for measurement standards (AGR812), the sum of \$77,256 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for a measurement standards program manager.”

SECTION 5. Part IV, Act 5, Session Laws of Hawaii 2019, is amended as follows:

1. By amending section 44 to read:

“SECTION 44. Notwithstanding any law to the contrary, provided that position ceilings and funds appropriated in any other Act deemed necessary for the operations of a program may be transferred with the approval of the governor to the General Appropriations Act of 2019 [~~House Bill No. 2, H.D. 1, S.D. 1, C.D. 1;~~] or the Supplemental Appropriations Act of 2020 for program execution and expenditure; provided further that the transferred appropriations shall be subject to the provisions of the General Appropriations Act of 2019[;] and the Supplemental Appropriations Act of 2020; and provided further that the transferred appropriations shall be incorporated into all budgetary details of the General Appropriations Act of 2019[-] and the Supplemental Appropriations Act of 2020, as applicable.”

2. By adding a new section to read:

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“SECTION 44.1 Provided that notwithstanding any provision of law to the contrary, the transfer of appropriations and positions into the General Appropriations Act of 2019 or Supplemental Appropriations Act of 2020 shall not impact any incumbent employee’s:

- (1) Civil service status, whether permanent or temporary; and
- (2) Salary, seniority (except as may be prescribed by an applicable collective bargaining agreement), retention points, prior service credit, any vacation and sick leave credits previously earned, and other rights, benefits, and privileges, in accordance with state personnel laws.”

### PART III

SECTION 6. Act 6, Session Laws of Hawaii 2019, is amended by amending sections 1 and 2 to read as follows:

“SECTION 1. Repealed.  
SECTION 2. Repealed.”

SECTION 7. Act 6, Session Laws of Hawaii 2019, is amended by amending sections 4, 5, and 6 to read as follows:

“SECTION 4. Repealed.  
SECTION 5. Repealed.  
SECTION 6. Repealed.”

SECTION 8. Act 28, Session Laws of Hawaii 2019, is amended by amending parts I and II to read as follows:

#### “PART I. GENERAL PROVISIONS

Repealed.

#### PART II. PROGRAM APPROPRIATIONS

Repealed.”

SECTION 9. Act 29, Session Laws of Hawaii 2019, is amended by amending parts I, II, and III to read as follows:

#### “PART I. GENERAL PROVISIONS

Repealed.

#### PART II. PROGRAM APPROPRIATIONS

Repealed.

#### PART III. PROGRAM APPROPRIATION PROVISIONS

Repealed.”

SECTION 10. Act 30, Session Laws of Hawaii 2019, is repealed.

SECTION 11. Act 56, Session Laws of Hawaii 2019, is amended by amending part VI to read as follows:

#### “PART VI

Repealed.”

SECTION 12. Act 113, Session Laws of Hawaii 2019, is repealed.

SECTION 13. Act 122, Session Laws of Hawaii 2019, is amended by amending part III to read as follows:

“PART III

Repealed.”

SECTION 14. Act 123, Session Laws of Hawaii 2019, is repealed.

PART IV

SECTION 15. MISCELLANEOUS. If any portion of this Act or its application to any person, entity, or circumstance is held to be invalid for any reason, then the legislature declares that the remainder of the Act and each and every other provision thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be expended to fulfill the objective of the appropriation to the extent possible.

SECTION 16. If manifest clerical, typographical, or other mechanical errors are found in this Act, the governor may correct those errors.

SECTION 17. Nothing in this Act shall affect the validity or continuing effectiveness of any provision of Act 5, Session Laws of Hawaii 2019, not repealed or modified by this Act.

SECTION 18. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.<sup>7</sup> In printing this Act, the revisor of statutes need not include the bracketed material or the underscoring.

SECTION 19. This Act shall take effect upon its approval.

(Became law on July 7, 2020, without the governor’s signature, pursuant to Art. III, §16, State Constitution.)

Notes

1. Prior to amendment “2.00#” appeared here.
2. Prior to amendment “2.00\*” appeared here.
3. Prior to amendment “3.00#” appeared here.
4. Prior to amendment “30.” appeared here.
5. Prior to amendment “for annual required contribution (ARC).” appeared here.
6. Prior to amendment item nos. 27 to 30 were item nos. 26 to 29.
7. Edited pursuant to HRS §23G-16.5.

**ACT 8**

S.B. NO. 75

A Bill for an Act Relating to Appropriations.

*Be It Enacted by the Legislature of the State of Hawaii:*

PART I

SECTION 1. The legislature finds that the virus known as “SARS-CoV-2” causes a disease named “coronavirus disease 2019” (COVID-19), which was first detected in Wuhan City, Hubei Province, China, in December 2019.

## ACT 8

This respiratory disease has since spread globally to more than two hundred countries, including the United States. On March 11, 2020, the World Health Organization declared the outbreak of COVID-19 to be a pandemic.

In February 2020, the department of health was notified of a Japanese national who developed severe symptoms, sought medical care, and was tested and diagnosed with COVID-19 upon returning home after a trip to Hawaii that involved travel to both Maui and Oahu. The first positive case of COVID-19 in Hawaii was confirmed on March 6, 2020. Since then, over six hundred COVID-19 cases have been confirmed in the State.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, was enacted on March 27, 2020, to address the extensive economic fallout of the COVID-19 pandemic. Among its provisions, Division A, Title V of the CARES Act provided \$1,250,000,000 to Hawaii for expenditures that are:

- (1) Necessary and incurred due to the public health emergency with respect to COVID-19;
- (2) Not accounted for in the budget most recently approved as of March 27, 2020, for state government; and
- (3) Incurred between March 1, 2020, and December 30, 2020.

Accordingly, the purpose of this part is to appropriate funds received by the State from the CARES Act for the purpose of COVID-19 response activities and provide transparency and accountability for the use of those funds.

**SECTION 2.** There is appropriated out of the funds received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of \$40,000,000 or so much thereof as may be necessary for fiscal year 2019-2020 to be used for coronavirus disease 2019, or COVID-19, response conducted pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that any COVID-19 related law enforcement activities are conducted in consultation with the attorney general; provided further that beginning June 1, 2020, a monthly report shall be submitted to the governor and the legislature that details all allocations and expenditures.

The sum appropriated shall be expended by the department of defense for the purposes of this section.

**SECTION 3.** There is appropriated out of the funds received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of \$1,360,000 or so much thereof as may be necessary for fiscal year 2019-2020 to be used for the pandemic unemployment assistance program pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that beginning June 1, 2020, a monthly report shall be submitted to the governor and the legislature that details all allocations and expenditures.

The sum appropriated shall be expended by the department of labor and industrial relations for the purposes of this section.

**SECTION 4.** There is appropriated out of the funds received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of \$8,154,000 or so much thereof as may be necessary for fiscal year 2019-2020 to be used for information technology, systems, and staffing pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that beginning June 1, 2020, a monthly

report shall be submitted to the governor and the legislature that details all allocations and expenditures.

The sum appropriated shall be expended by the department of labor and industrial relations for the purposes of this section.

SECTION 5. The following positions are authorized to be funded by federal funds received pursuant to Public Law 116-136 by the department of labor and industrial relations:

- (1) Three full-time equivalent (3.0 FTE) hearings officers;
- (2) Thirty full-time equivalent (30.0 FTE) claims assistants; and
- (3) Nine full-time equivalent (9.0 FTE) auditors;

provided that beginning June 1, 2020, a monthly report shall be submitted to the governor and the legislature on the status of these positions.

SECTION 6. There is appropriated out of the funds received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of \$2,000,000 or so much thereof as may be necessary for fiscal year 2019-2020 to be used for information technology and other systems pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that beginning June 1, 2020, a monthly report shall be submitted to the governor and the legislature that details all allocations and expenditures.

The sum appropriated shall be expended by the department of human services for the purposes of this section.

## PART II

SECTION 7. The legislature finds that the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, provided \$1,250,000,000 to Hawaii. Of this amount, only the city and county of Honolulu received a direct allocation of \$387,176,021.

The CARES Act also provided an expansion of the Federal Reserve's Municipal Liquidity Facility program, which can provide up to \$500,000,000,000 in direct financing to states, counties, and cities to help ensure they have the funds necessary to provide essential services and respond to the coronavirus pandemic. Specifically, the Municipal Liquidity Facility program is designed to help offset any short-term losses in tax revenues resulting from reduced business and consumer activity due to the coronavirus pandemic. The city and county of Honolulu has been granted access to \$550,500,000 in loan capacity through this program. The counties of Hawaii, Maui, and Kauai can only access this program via state authorization and application.

In order to assist all counties and ensure that all counties have access to these fiscal options, the purpose of this part is to:

- (1) Distribute a portion of the State's share of CARES Act funding to the counties of Hawaii, Maui, and Kauai; and
- (2) Provide a means by which the counties can utilize the Municipal Liquidity Facility program.

SECTION 8. There is appropriated out of the funds received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of \$80,009,671 or so much thereof as may be necessary for fiscal year 2019-2020 to be used for coronavirus disease 2019, or COVID-19, response conducted pursuant to Public Law 116-136 and associated guidance issued by appropriate agencies; provided that:

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- (1) The county of Hawaii shall coordinate with the department of health and appropriate medical and nursing professionals when implementing contact tracing and testing programs;
- (2) The mayor of the county of Hawaii shall consult with the Hawaii county council before expending any of the funds appropriated by this section; and
- (3) Beginning June 1, 2020, the county of Hawaii shall submit a monthly report to the governor and the legislature that details all allocations and expenditures.

The sum appropriated shall be expended by the county of Hawaii for the purposes of this section.

SECTION 9. There is appropriated out of the funds received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of \$66,598,757 or so much thereof as may be necessary for fiscal year 2019-2020 to be used for coronavirus disease 2019, or COVID-19, response conducted pursuant to Public Law 116-136 and associated guidance issued by appropriate agencies; provided that:

- (1) The county of Maui shall coordinate with the department of health and appropriate medical and nursing professionals when implementing contact tracing and testing programs;
- (2) The mayor of the county of Maui shall consult with the Maui county council before expending any of the funds appropriated by this section; and
- (3) Beginning June 1, 2020, the county of Maui shall submit a monthly report to the governor and the legislature that details all allocations and expenditures.

The sum appropriated shall be expended by the county of Maui for the purposes of this section.

SECTION 10. There is appropriated out of the funds received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of \$28,715,551 or so much thereof as may be necessary for fiscal year 2019-2020 to be used for coronavirus disease 2019, or COVID-19, response conducted pursuant to Public Law 116-136 and associated guidance issued by appropriate agencies; provided that:

- (1) The county of Kauai shall coordinate with the department of health and appropriate medical and nursing professionals when implementing contact tracing and testing programs;
- (2) The mayor of the county of Kauai shall consult with the Kauai county council before expending any of the funds appropriated by this section; and
- (3) Beginning June 1, 2020, the county of Kauai shall submit a monthly report to the governor and the legislature that details all allocations and expenditures.

The sum appropriated shall be expended by the county of Kauai for the purposes of this section.

SECTION 11. The director of finance is authorized to issue instruments of indebtedness in the sum of \$2,100,000,000 or so much thereof as may be necessary for fiscal year 2020-2021 and the same sum or so much thereof as may be necessary is appropriated for fiscal year 2020-2021 for the purpose of municipal liquidity facility under section 13(3) of the Federal Reserve Act, codified at 12 United States Code section 343(3).



## PART III

SECTION 12. The Paycheck Protection Program and Health Care Enhancement Act (PPHCEA), Public Law 116-139, was enacted on April 24, 2020, to further address the extensive fallout of the COVID-19 pandemic. This Act provided \$11,000,000,000 to states and other entities for necessary expenses to:

- (1) Develop, purchase, administer, process, and analyze COVID-19 tests, including support for workforce, epidemiology, and use by employers or in other settings;
- (2) Scale up of testing by public health, academic, commercial, and hospital laboratories, and community-based testing sites, health care facilities, and other entities engaged in COVID-19 testing, and
- (3) Conduct surveillance, trace contacts, and other activities related to COVID-19 testing.

The State will receive \$50,283,598 for these activities pursuant to Public Law 116-139.

The purpose of this part is to make appropriations for testing, contact tracing, thermal screening, and other efforts.

SECTION 13. There is appropriated out of the funds received by the State of Hawaii from the Paycheck Protection Program and Health Care Enhancement Act, Public Law 116-139, the sum of \$36,000,000 or so much thereof as may be necessary for fiscal year 2019-2020 to be used for thermal screening programs pursuant to Public Law 116-139 and associated guidance issued by appropriate federal agencies; provided that beginning June 1, 2020, a monthly report shall be submitted to the governor and the legislature that details all allocations and expenditures.

The sum appropriated shall be expended by the department of transportation for the purposes of this section.

SECTION 14. There is appropriated out of the funds received by the State of Hawaii from the Paycheck Protection Program and Health Care Enhancement Act, Public Law 116-139, the sum of \$14,000,000 or so much thereof as may be necessary for fiscal year 2019-2020 to be used for outbreak control, contact tracing programs, and personal protective equipment, pursuant to Public Law 116-139 and associated guidance issued by appropriate federal agencies; provided that beginning June 1, 2020, a monthly report shall be submitted to the governor and the legislature that details all allocations and expenditures.

The sum appropriated shall be expended by the department of health for the purposes of this section.

## PART IV

SECTION 15. There is appropriated out of the funds received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of \$635,986,000 to be deposited into the emergency and budget reserve fund; provided that all moneys deposited into the emergency and budget reserve fund pursuant to this section shall be kept in a separate and distinct account within the emergency and budget reserve fund.

## PART V

SECTION 16. This Act, upon its approval, shall take effect on May 1, 2020; provided that section 11 shall take effect on July 1, 2020.

(Became law on July 7, 2020, without the governor's signature, pursuant to Art. III, §16, State Constitution.)

A Bill for an Act Relating to the State Budget.

*Be It Enacted by the Legislature of the State of Hawaii:*

PART I. STATE EXECUTIVE BUDGET

SECTION 1. Act 5, Session Laws of Hawaii 2019, as amended by House Bill No. 2200, H.D. 1, S.D. 1,<sup>1</sup> passed by the legislature during the regular session of 2020, is amended by amending section 3 to read as follows:

“SECTION 3. APPROPRIATIONS. The following sums, or so much thereof as may be sufficient to accomplish the purposes and programs designated herein, are hereby appropriated or authorized, as the case may be, from the means of financing specified to the expending agencies designated for the fiscal biennium beginning July 1, 2019, and ending June 30, 2021. The total expenditures and the number of positions in each fiscal year of the biennium shall not exceed the sums and the position ceilings indicated for each fiscal year, except as provided elsewhere in this Act or as provided by general law.

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021

A. ECONOMIC DEVELOPMENT

1.	BED100 - STRATEGIC MARKETING AND SUPPORT			10.00 *	10.00 *
				1.00 #	1.00 #
	OPERATING		BED	[2,585,988 A]	[2,570,997 A]
				2,093,866 A	17,570,997 A
			BED	1,821,915 W	1,821,915 W
			BED	700,000 P	700,000 P
2.	BED105 - CREATIVE INDUSTRIES DIVISION			[—14.00*]	14.00 *
				10.00 *	
				[—1.00#]	1.00 #
				0.00 #	
	OPERATING		BED	[1,815,093 A]	[1,815,093 A]
				1,251,476 A	1,508,613 A
			BED	30,000 B	30,000 B
3.	BED107 - FOREIGN TRADE ZONE			16.00 *	16.00 *
	OPERATING		BED	2,438,062 B	2,445,180 B
4.	BED142 - GENERAL SUPPORT FOR ECONOMIC DEVELOPMENT			[—26.00*]	26.00 *
				24.00 *	
				1.00 #	1.00 #
	OPERATING		BED	[2,326,258 A]	[2,326,258 A]
				3,000,273 A	2,218,570 A
5.	BED113 - TOURISM			3.00 *	3.00 *
				29.00 #	29.00 #
	OPERATING		BED	141,483,409 B	141,483,409 B



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
6.	AGR101	FINANCIAL ASSISTANCE FOR AGRICULTURE		[—8.00*] 9.00*	[—8.00*] 9.00*
	OPERATING		AGR	[+1,280,984B] 1,360,982B	[+1,280,984B] 1,360,982B
			AGR	5,500,000W	5,500,000W
7.	AGR122	PLANT PEST AND DISEASE CONTROL		[—78.00*] 66.00*	78.00*
	OPERATING		AGR	[+5,721,147A] 4,398,311A 46.00*	[+5,726,907A] 4,927,870A 46.00*
			AGR	8,784,690B	8,796,810B
			AGR	512,962T	512,962T
			AGR	212,095U	212,095U
			AGR	50,360W	50,360W
			AGR	2.00#	2.00#
			AGR	528,412P	528,412P
8.	AGR131	RABIES QUARANTINE		34.32* 1.00#	34.32* 1.00#
	OPERATING		AGR	3,933,400B	3,945,522B
9.	AGR132	ANIMAL DISEASE CONTROL		[—22.68*] 18.68*	22.68*
	OPERATING		AGR	[+1,613,389A] 1,406,403A 3.00*	[+1,614,083A] 1,407,097A 3.00*
			AGR	145,074B	145,074B
			AGR	3.00#	3.00#
			AGR	438,438P	438,438P
10.	LNR172	FORESTRY - RESOURCE MANAGEMENT AND DEVELOPMENT		[—27.00*] 22.00* [—8.00#] 7.00#	27.00* 8.00#
	OPERATING		LNR	[+3,566,192A] 3,161,685A	[+3,570,330A] 3,259,342A
			LNR	2,455,475B	2,455,475B
			LNR	1.00*	1.00*
			LNR	3,577,901P	877,901P
11.	AGR151	QUALITY AND PRICE ASSURANCE		[—17.00*] 14.00* [+1,463,935A] 1,495,253A [—2.00*] 3.00*	[—17.00*] 20.00* [+1,463,935A] 1,252,551A [—2.00*] 3.00*
	OPERATING		AGR	[+1,463,935A] 1,495,253A [—2.00*] 3.00*	[+1,463,935A] 1,252,551A [—2.00*] 3.00*
			AGR	[+382,593B] 449,301B	[+383,593B] 450,301B
			AGR	300,000T	300,000T
			AGR	10.00#	10.00#
			AGR	599,020W	601,859W
			AGR	138,624P	138,624P

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
12.	AGR171	AGRICULTURAL DEVELOPMENT AND MARKETING		[—13.00*] 11.00*	13.00*
	OPERATING	AGR		[—1,708,117A] 1,289,117A	[—1,708,117A] 1,589,965A
		AGR		420,000B	420,000B
		AGR		1,007,003N	1,007,003N
		AGR		220,000P	220,000P
13.	AGR141	AGRICULTURAL RESOURCE MANAGEMENT		[—6.00*] 2.00*	6.00*
	OPERATING	AGR		[—602,944A] 257,328A	[—602,944A] 339,916A
		AGR		23.50*	23.50*
		AGR		2,780,761B	2,792,881B
		AGR		7.50*	7.50*
		AGR		1,281,904W	1,284,743W
14.	AGR161	AGRIBUSINESS DEVELOPMENT AND RESEARCH		* [—0.00#] 2.00#	10.00* [—0.00#] 2.00#
	OPERATING	AGR		[—1,000A] 712,293A	[—1,000A] 144,685A
		AGR		[—1,000B] 501,000B	[—1,000B] 501,000B
		AGR		[—0.00#] 12.00#	[—0.00#] 12.00#
		AGR		[—1,000W] 4,742,879W	[—1,000W] 4,545,718W
15.	AGR192	GENERAL ADMINISTRATION FOR AGRICULTURE		[—26.00*] 24.00*	[—26.00*] 28.00*
	OPERATING	AGR		[—2,165,054A] 1,989,986A	[—2,165,054A] 4,124,592A
		AGR		5.00* 1,127,044B	5.00* 1,127,044B
16.	LNR153	FISHERIES MANAGEMENT		[—9.00*] 7.00*	9.00*
	OPERATING	LNR		[—845,514A] 706,962A	[—847,246A] 708,694A
		LNR		2.00* 375,944B	2.00* 376,212B
		LNR		420,000N	420,000N
		LNR		2.00* 1.00#	2.00* 1.00#
		LNR		475,000P	475,000P
17.	AGR153	AQUACULTURE DEVELOPMENT		[—4.00*] 3.00*	4.00*
	OPERATING	AGR		[—336,555A] 230,555A	[—336,555A] 279,231A
		AGR		125,000B	125,000B

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
18.	BED120 - HAWAII STATE ENERGY OFFICE			[—0.00*] 5.00*	[—0.00*] 5.00*
				[—0.00#] 19.00#	[—0.00#] 22.00#
	OPERATING		BED	[—1,000A] 2,232,346A	[—1,000A] 2,598,265A
			BED	1,000B	[—1,000B] 81,000B
			BED	[—1,000T] 241,000T	[—1,000T] 241,000T
19.	BED143 - HAWAII TECHNOLOGY DEVELOPMENT CORPORATION			[—0.00*] 2.00*	[—0.00*] 3.00*
				[—0.00#] 4.00#	[—0.00#] 5.00#
	OPERATING		BED	[—1,000A] 1,433,390A	[—1,000A] 1,088,390A
			BED	[—1,000B] 1,605,258B	[—1,000B] 1,605,258B
			BED	1,000R	1,000R
			BED	[—1,000W] 2,018,203W	[—1,000W] 2,018,203W
				[—0.00#] 9.00#	[—0.00#] 9.00#
			BED	[—1,000P] 995,214P	[—1,000P] 995,214P
20.	BED145 - HAWAII STRATEGIC DEVELOPMENT CORPORATION				
	OPERATING		BED	1,000B	1,000B
			BED	1,000W	1,000W
21.	BED146 - NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY			22.00#	22.00#
	OPERATING		BED	7,900,628B	7,908,896B
22.	BED138 - HAWAII GREEN INFRASTRUCTURE AUTHORITY			5.00#	5.00#
	OPERATING		BED	85,937,211B	85,937,211B
23.	LNR141 - WATER AND LAND DEVELOPMENT			[—24.00*] 21.00*	24.00*
	OPERATING		LNR	[—2,281,113A] 2,528,407A	[—2,287,154A] 2,565,142A
			LNR	4.00* 795,324B	4.00* 796,620B
			LNR	199,479T	199,479T
24.	BED150 - HAWAII COMMUNITY DEVELOPMENT AUTHORITY			[—11.00*] 8.00*	11.00*
				[—2.00#] 1.00#	2.00#
	OPERATING		BED	[—1,164,984A] 687,544A	[—1,164,984A] 797,544A
			BED	550,000B	550,000B
			BED	10.00* [—1,645,574W] 1,825,868W	10.00* [—1,645,574W] 1,825,868W

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
25.	BED160 - HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION				
	OPERATING		BED	3,100,000 N 29.00 * 41.00 #	3,100,000 N 29.00 * 41.00 #
			BED	11,753,751 W	11,818,751 W
			BED	3,000,000 P	3,000,000 P
26.	BED128 - OFFICE OF AEROSPACE				
	OPERATING		BED	1.00 # [-1,213,673 A]	1.00 # 1,213,673 A
			BED	<u>1,071,170 A</u> 500,000 B	500,000 B
<b>B. EMPLOYMENT</b>					
1.	LBR111 - WORKFORCE DEVELOPMENT				
	OPERATING		LBR	1.20 * [-1,057,087 A]	1.20 * 1,057,087 A
			LBR	<u>957,087 A</u> 6.00 #	6.00 #
			LBR	5,595,677 B 28.80 * 12.00 #	5,595,677 B 28.80 * 12.00 #
			LBR	9,906,250 N 20.00 *	9,906,250 N 20.00 *
			LBR	2,000,000 S 12.00 * 20.00 #	2,000,000 S 12.00 * 20.00 #
			LBR	2,887,594 U 8.00 *	2,887,594 U 8.00 *
			LBR	4,100,000 P	4,100,000 P
2.	LBR135 - WORKFORCE DEVELOPMENT COUNCIL				
	OPERATING		LBR	0.10 * [-463,718 A]	0.10 * 463,718 A
			LBR	<u>418,718 A</u> 6.90 *	6.90 *
			LBR	6,500,000 N	6,500,000 N
3.	LBR171 - UNEMPLOYMENT INSURANCE PROGRAM				
	OPERATING		LBR	2,000,000 A 10.00 #	1,000,000 A 10.00 #
			LBR	3,112,993 B 167.50 *	3,112,993 B 167.50 *
			LBR	15,700,000 N	15,700,000 N
			LBR	358,000,000 T	358,000,000 T
4.	LBR903 - OFFICE OF COMMUNITY SERVICES				
	OPERATING		LBR	4.00 * 5.00 # [-2,041,594 A]	4.00 * 5.00 # 2,041,594 A
			LBR	<u>1,869,594 A</u> 5,000 B	5,000 B
			LBR	1.00 * 4.00 #	1.00 * 4.00 #
			LBR	6,071,243 N	6,071,243 N
			LBR	240,000 P	240,000 P

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
5.		HMS802 - VOCATIONAL REHABILITATION		[—37.76*] 29.78* [—2.31#] 0.00#	37.76*  2.31#
	OPERATING		HMS	[4,762,420A] 4,302,782A 69.24* 4.69#	[4,762,420A] 4,302,782A 69.24* 4.69#
			HMS	14,916,778N	14,932,508N
			HMS	1,330,200W	1,330,200W
6.		LBR143 - HAWAII OCCUPATIONAL SAFETY AND HEALTH PROGRAM		17.10* [1,112,186A] 952,186A 22.00* 0.50#	17.10* 1,112,186A  22.00* 0.50#
	OPERATING		LBR	3,122,624W	3,122,624W
			LBR	19.90*	19.90*
			LBR	2,150,000P	2,150,000P
7.		LBR152 - WAGE STANDARDS PROGRAM		[—19.00*] 16.00*	19.00*
	OPERATING		LBR	[1,302,021A] 1,012,397A	[1,300,021A] 1,080,397A
8.		LBR153 - HAWAII CIVIL RIGHTS COMMISSION		[—23.50*] 20.50*	23.50*
	OPERATING		LBR	[1,741,080A] 1,233,464A 0.50* 5.00#	[1,741,080A] 1,593,464A 0.50* 5.00#
			LBR	460,000P	460,000P
9.		LBR183 - DISABILITY COMPENSATION PROGRAM		[—91.00*] 73.00*	91.00*
	OPERATING		LBR	[11,597,734A] 9,688,735A 11.00* 5.00#	[10,800,513A] 9,883,788A 11.00* 5.00#
			LBR	24,002,622T	24,002,622T
10.		LBR161 - HAWAII LABOR RELATIONS BOARD		3.00* 6.00# [—952,806A] 892,806A	3.00* 6.00# 952,806A
11.		LBR812 - LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD		[—11.00*] 10.00*	11.00*
	OPERATING		LBR	[1,065,846A] 820,846A	[1,065,846A] 980,846A
12.		LBR871 - EMPLOYMENT SECURITY APPEALS REFEREES' OFFICE		12.00*	12.00*
	OPERATING		LBR	1,165,559N	1,165,559N

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
13.	LBR901	RESEARCH AND STATISTICS		[—4.38*] 3.38* 2.00#	4.38* 2.00#
	OPERATING		LBR	[—489,319A] 416,363A 3.67* 1.00#	[—489,319A] 436,363A 3.67* 1.00#
			LBR	450,000N 13.00*	450,000N 13.00*
			LBR	910,533P	910,533P
14.	LBR902	GENERAL ADMINISTRATION		[—16.83*] 13.83* 1.12#	16.83* 1.12#
	OPERATING		LBR	[—1,569,343A] 1,404,283A 437,400B 32.17* 2.88#	[—1,569,343A] 1,404,283A 200,000B 32.17* 2.88#
			LBR	3,286,941P	3,286,941P
<b>C. TRANSPORTATION FACILITIES</b>					
1.	TRN102	DANIEL K. INOUE INTERNATIONAL AIRPORT		684.00* 187,974,787 B	692.00* [—194,762,414B] 235,020,904 B
	OPERATING		TRN	1,405,500N	1,405,500N
2.	TRN104	GENERAL AVIATION		[—30.00*] 31.00* [—9,962,006B] 10,034,990 B	[—30.00*] 31.00* [—10,069,469B] 10,142,453 B
	OPERATING		TRN		
3.	TRN111	HILO INTERNATIONAL AIRPORT		86.00* 24,033,752 B	86.00* 23,999,705 B
	OPERATING		TRN		
4.	TRN114	ELLISON ONIZUKA KONA INTERNATIONAL AIRPORT AT KEAHOLE		[—105.00*] 107.00* [—30,479,137B] 30,570,025 B	[—105.00*] 107.00* [—27,235,501B] 27,830,389 B
	OPERATING		TRN		
5.	TRN116	WAIMEA-KOHALA AIRPORT		4.00* 1,718,173 B	4.00* 1,946,044 B
	OPERATING		TRN		
6.	TRN118	UPOLU AIRPORT		719,500 B	519,500 B
	OPERATING		TRN		
7.	TRN131	KAHULUI AIRPORT		175.00* 39,282,581 B	175.00* 39,674,545 B
	OPERATING		TRN		

## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
8.	TRN133 - HANA AIRPORT				
	OPERATING		TRN	8.00 * 1,021,833 B	8.00 * 1,684,702 B
9.	TRN135 - KAPALUA AIRPORT				
	OPERATING		TRN	11.00 * 3,174,047 B	11.00 * 2,361,221 B
10.	TRN141 - MOLOKAI AIRPORT				
	OPERATING		TRN	14.00 * 4,211,323 B	14.00 * 4,119,532 B
11.	TRN143 - KALAUPAPA AIRPORT				
	OPERATING		TRN	7.00 * 1,029,850 B	7.00 * 1,033,919 B
12.	TRN151 - LANAI AIRPORT				
	OPERATING		TRN	12.00 * 3,486,561 B	12.00 * 3,915,613 B
13.	TRN161 - LIHUE AIRPORT				
	OPERATING		TRN	116.00 * 26,100,190 B	116.00 * [ <del>25,981,531 B</del> ] <u>26,966,531 B</u>
14.	TRN163 - PORT ALLEN AIRPORT				
	OPERATING		TRN	46,841 B	21,841 B
15.	TRN195 - AIRPORTS ADMINISTRATION				
	OPERATING		TRN	133.00 * 1.00 # 435,766,210 B	133.00 * 1.00 # [ <del>462,687,213 B</del> ] <u>466,656,316 B</u>
16.	TRN301 - HONOLULU HARBOR				
	OPERATING		TRN	[ <del>0.00 *</del> ] 114.00 * [ <del>0.00 #</del> ] 1.00 # [ <del>1,000 B</del> ] <u>20,372,905 B</u>	[ <del>0.00 *</del> ] 114.00 * [ <del>0.00 #</del> ] 1.00 # [ <del>1,000 B</del> ] <u>20,457,061 B</u>
17.	TRN303 - KALAELOA BARBERS POINT HARBOR				
	OPERATING		TRN	[ <del>0.00 *</del> ] 6.00 * [ <del>1,000 B</del> ] <u>1,280,755 B</u>	[ <del>0.00 *</del> ] 6.00 * [ <del>1,000 B</del> ] <u>1,283,209 B</u>
18.	TRN311 - HILO HARBOR				
	OPERATING		TRN	[ <del>0.00 *</del> ] 15.00 * [ <del>1,000 B</del> ] <u>2,286,410 B</u>	[ <del>0.00 *</del> ] 15.00 * [ <del>1,000 B</del> ] <u>2,294,812 B</u>
19.	TRN313 - KAWAIHAE HARBOR				
	OPERATING		TRN	[ <del>0.00 *</del> ] 2.00 * [ <del>1,000 B</del> ] <u>794,376 B</u>	[ <del>0.00 *</del> ] 2.00 * [ <del>1,000 B</del> ] <u>794,376 B</u>

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
20.	TRN331 - KAHULUI HARBOR			[—0.00*] 18.00*	[—0.00*] 18.00*
	OPERATING		TRN	[—1,000B] <u>3,242,146B</u>	[—1,000B] <u>3,253,271B</u>
21.	TRN341 - KAUNAKAKAI HARBOR			[—0.00*] 1.00*	[—0.00*] 1.00*
	OPERATING		TRN	[—1,000B] <u>207,158B</u>	[—1,000B] <u>207,157B</u>
22.	TRN361 - NAWILIWILI HARBOR			[—0.00*] 15.00*	[—0.00*] 15.00*
	OPERATING		TRN	[—1,000B] <u>2,609,331B</u>	[—1,000B] <u>2,620,836B</u>
23.	TRN363 - PORT ALLEN HARBOR			[—0.00*] 1.00*	[—0.00*] 1.00*
	OPERATING		TRN	[—1,000B] <u>189,223B</u>	[—1,000B] <u>189,222B</u>
24.	TRN351 - KAUMALAPAU HARBOR			[—0.00*] 1.00*	[—0.00*] 1.00*
	OPERATING		TRN	[—1,000B] <u>133,006B</u>	[—1,000B] <u>133,006B</u>
25.	TRN395 - HARBORS ADMINISTRATION			[—0.00*] 77.00*	[—0.00*] 77.00*
	OPERATING		TRN	[—0.00#] 1.00# [—1,000B] <u>92,981,358B</u>	[—0.00#] 1.00# [—1,000B] <u>93,969,358B</u>
26.	TRN333 - HANA HARBOR			[—1,000B] <u>13,519B</u>	[—1,000B] <u>13,519B</u>
27.	TRN501 - OAHU HIGHWAYS			192.00*	192.00*
	OPERATING		TRN	81,609,688B	82,064,049B
28.	TRN511 - HAWAII HIGHWAYS			119.00*	119.00*
	OPERATING		TRN	14,727,444B	[—14,895,200B] <u>16,010,200B</u>
29.	TRN531 - MAUI HIGHWAYS			89.00*	89.00*
	OPERATING		TRN	17,465,190B	1.00# [—17,582,396B] <u>20,582,396B</u>
30.	TRN561 - KAUAI HIGHWAYS			54.00*	54.00*
	OPERATING		TRN	9,389,613B	[—9,463,562B] <u>9,610,883B</u>



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
31.	TRN595	- HIGHWAYS ADMINISTRATION		545.00*	545.00*
				5.00#	5.00#
	OPERATING		TRN	178,225,132 B	[-182,046,702 B]
				1.00#	1.00#
			TRN	15,557,418 N	15,557,418 N
					<u>197,253,802 B</u>
32.	TRN597	- HIGHWAYS SAFETY		31.20*	31.20*
	OPERATING		TRN	10,950,851 B	10,950,851 B
				6.00*	6.00*
			TRN	4,065,433 N	4,065,433 N
				0.80*	0.80*
			TRN	754,989 P	754,989 P
33.	TRN995	- GENERAL ADMINISTRATION		110.00*	110.00*
				2.00#	2.00#
	OPERATING		TRN	22,323,473 B	22,325,147 B
				1.00*	1.00*
			TRN	18,064,184 N	18,206,911 N
			TRN	743,067 R	743,067 R
34.	TRN695	- ALOHA TOWER DEVELOPMENT CORPORATION		1.00#	1.00#
	OPERATING		TRN	1,842,173 B	1,842,173 B
<b>D. ENVIRONMENTAL PROTECTION</b>					
1.	HTH840	- ENVIRONMENTAL MANAGEMENT			
				[-73.00*]	[-76.00*]
				63.00*	75.00*
	OPERATING		HTH	[-5,654,144 A]	[-5,764,090 A]
				<u>4,923,210 A</u>	<u>5,088,595 A</u>
				64.00*	64.00*
				7.00#	7.00#
			HTH	79,802,051 B	80,364,007 B
				32.10*	32.10*
				2.00#	2.00#
			HTH	13,444,878 N	5,002,918 N
				2.00*	2.00*
			HTH	241,782 U	241,782 U
				37.00*	37.00*
			HTH	209,035,151 W	209,035,151 W
				7.25*	7.25*
				4.00#	4.00#
			HTH	4,899,514 P	1,311,612 P
2.	AGR846	- PESTICIDES			
				[-14.00*]	14.00*
				11.00*	
	OPERATING		AGR	[-864,022 A]	[-864,022 A]
				<u>690,611 A</u>	<u>690,611 A</u>
				11.00*	11.00*
				2.00#	2.00#
			AGR	1,889,954 W	1,892,793 W
				2.00*	2.00*
				1.00#	1.00#
			AGR	464,629 P	464,629 P

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
3.					
				[—26.50*] 22.50*	26.50*
				[—4.00#] 2.50#	4.00#
	OPERATING		LNR	[2,492,890A] 2,066,412A	[2,580,806A] 2,321,234A
			LNR	2,266,073N	2,341,073N
				0.50*	0.50*
			LNR	4.00#	4.00#
			LNR	3,755,000P	3,615,000P
4.					
				[—51.50*] 44.00*	51.50*
	OPERATING		LNR	[15,029,456A] 13,244,896A	[15,039,001A] 14,642,658A
				13.00*	13.00*
				3.00#	3.00#
			LNR	1,747,467N	1,747,467N
				1.00#	1.00#
			LNR	191,384T	191,384T
				7.00#	7.00#
			LNR	1,686,056U	1,686,056U
				3.50*	3.50*
				1.00#	1.00#
			LNR	1,645,390P	1,645,390P
5.					
				[—22.00*] 18.00*	22.00*
	OPERATING		LNR	[3,323,222A] 2,767,222A	[3,327,917A] 3,058,917A
				6.00*	6.00*
			LNR	1,184,910B	1,186,783B
			LNR	150,000N	150,000N
6.					
				[—137.25*] 95.25*	137.25*
	OPERATING		LNR	[10,957,051A] 8,391,773A	[10,272,129A] 7,706,851A
			LNR	1,344,671B	1,344,671B
				3.75*	3.75*
			LNR	1,319,046N	1,319,046N
			LNR	32,671W	32,671W
			LNR	900,833P	900,833P
7.					
				[—47.50*] 42.50*	47.50*
				[—23.00#] 21.00#	23.00#
	OPERATING		LNR	[8,501,978A] 7,538,033A	[8,511,432A] 8,165,664A
			LNR	500,000N	500,000N
				0.50*	0.50*
			LNR	1,475,000P	1,475,000P

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
8.	HTH850	OFFICE OF ENVIRONMENTAL QUALITY CONTROL		[—5.00*] 3.00*	5.00*
	OPERATING		HTH	[—410,149A] 212,395A	[—410,149A] 228,121A
9.	LNR906	LNR - NATURAL AND PHYSICAL ENVIRONMENT		[—40.25*] 39.25* [—15.00#] 14.00#	[—40.25*] 41.25* [—15.00#] 16.00#
	OPERATING		LNR	[—4,105,352A] 3,921,085A 19.00* 1.00#	[—4,115,292A] 4,047,218A 19.00* 1.00#
			LNR	2,474,946B 1.75*	2,479,948B 1.75*
			LNR	312,183N	312,183N
			LNR	1,277T	1,277T
10.	HTH849	ENVIRONMENTAL HEALTH ADMINISTRATION		[—22.00*] 20.50*	22.00*
	OPERATING		HTH	1.25# [—3,766,858A] 3,164,933A 0.50* 79,580B 2.30* 0.60#	1.25# [—3,766,858A] 3,703,972A 0.50* 79,580B 2.30* 0.60#
			HTH	[—144,440N] 183,732N 11.00*	[—144,440N] 183,732N 11.00*
			HTH	[—2,600,465W] 2,622,018W 11.20* 2.15#	[—2,600,465W] 2,622,018W 11.20* 2.15#
			HTH	2,571,855P	2,626,604P
<b>E. HEALTH</b>					
1.	HTH100	COMMUNICABLE DISEASE AND PUBLIC HEALTH NURSING		[—239.87*] 214.87* [—3.00#] 1.00#	[—239.87*] 219.87* [—3.00#] 1.00#
	OPERATING		HTH	[—28,858,933A] 25,850,672A 13,343B 21.00#	[—28,957,152A] 26,867,934A 13,343B 21.00#
			HTH	8,723,375N 3.00* 1.00#	8,723,375N 3.00* 1.00#
			HTH	759,649U 14.00* 25.50#	759,649U 14.00* 25.50#
			HTH	8,841,474P	4,841,474P

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
2.	HTH131 - DISEASE OUTBREAK CONTROL			[—22.60*] 18.60*	22.60*
	OPERATING		HTH	[—1,947,434A] 1,609,272A	[—1,947,434A] 1,697,659A
				23.40*	23.40*
				10.00#	10.00#
			HTH	18,887,619N	3,778,582N
				29.50#	29.50#
			HTH	15,400,816P	4,954,506P
3.	HTH730 - EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM			[—12.00*] 8.00*	[—12.00*] 10.00*
	OPERATING		HTH	[—69,143,593A] 62,205,930A	[—69,143,593A] 68,933,353A
				6.00#	6.00#
			HTH	22,275,925B	22,275,925B
				3.00#	2.00#
			HTH	630,000P	340,000P
4.	HTH560 - FAMILY HEALTH SERVICES			[—108.00*] 95.00*	[—108.00*] 98.00*
	OPERATING		HTH	[—31,499,929A] 28,693,910A	[—31,499,929A] 30,760,073A
				15.00*	15.00*
				2.00#	2.00#
			HTH	18,439,145B	18,439,145B
				119.50*	119.50*
				12.30#	12.30#
			HTH	39,310,996N	38,710,996N
			HTH	203,441U	203,441U
				17.00*	17.00*
				6.70#	6.70#
			HTH	12,097,543P	11,397,543P
5.	HTH590 - CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION			[—40.50*] 37.50*	[—40.50*] 39.50*
	OPERATING		HTH	[—7,202,672A] 5,475,610A	[—7,210,148A] 6,882,284A
				2.00#	2.00#
			HTH	48,656,356B	48,656,356B
			HTH	1,000,000U	1,000,000U
				10.50*	10.50*
				22.50#	22.50#
			HTH	7,216,912P	6,994,004P
6.	HTH595 - HEALTH RESOURCES ADMINISTRATION			[—6.00*] 2.00*	6.00*
				[—2.00#]	2.00#
				0.00#	

## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
		OPERATING	HTH	[-586,121A] <u>213,553A</u> 7.00* 3.00#	[-586,121A] <u>231,061A</u> 7.00* 3.00#
			HTH	1,462,165 B	1,462,165 B
7.		HTH210 - HAWAII HEALTH SYSTEMS CORPORATION – CORPORATE OFFICE		54.50*	54.50*
		OPERATING	HTH	17,509,280 B	17,509,280 B
8.		HTH211 - KAHUKU HOSPITAL			
		OPERATING	HTH	1,800,000 A	1,800,000 A
9.		HTH212 - HAWAII HEALTH SYSTEMS CORPORATION – REGIONS			
		OPERATING	HTH	125,701,003 A	[-105,701,003A] <u>127,301,003 A</u> 2,780.75*
			HTH	579,200,129 B	580,483,912 B
10.		HTH213 - ALII COMMUNITY CARE			
		OPERATING	HTH	3,500,000 B	3,500,000 B
11.		SUB601 - PRIVATE HOSPITALS AND MEDICAL SERVICES			
		OPERATING	SUB	942,000 A	942,000 A
11A.		<u>HTH214 - MAUI HEALTH SYSTEM, A KFH LLC</u>			
		<u>OPERATING</u>	<u>HTH</u>	<u>A</u>	<u>19,000,000 A</u>
12.		HTH420 - ADULT MENTAL HEALTH - OUTPATIENT		[-215.00*] <u>182.50*</u> [-130.50#] <u>79.50#</u>	[-215.00*] <u>185.50*</u> [-130.50#] <u>79.50#</u>
		OPERATING	HTH	[-62,483,432A] <u>55,527,411 A</u>	[-62,490,458A] <u>56,953,017 A</u>
			HTH	11,610,000 B	[-11,610,000B] <u>23,000,000B</u>
			HTH	1.00#	1.00#
			HTH	2,333,370 N	2,333,370 N
13.		HTH430 - ADULT MENTAL HEALTH - INPATIENT		[-650.50*] 584.00* [-27.00#] <u>15.00#</u>	[-777.50*] 739.00* [-27.00#] <u>21.00#</u>
		OPERATING	HTH	[-77,946,272A] <u>73,394,335A</u>	[-87,140,174A] <u>82,713,278 A</u>
14.		HTH440 - ALCOHOL AND DRUG ABUSE DIVISION		[-29.00*] <u>27.00*</u>	29.00*
		OPERATING	HTH	[-20,246,936A] <u>18,074,569 A</u>	[-20,246,936A] <u>20,113,424 A</u>
			HTH	750,000 B	750,000 B
			HTH	8,857,980 N	8,857,980 N
			HTH	7.50#	7.50#
			HTH	5,019,276 P	6,570,543 P

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PROGRAM APPROPRIATIONS

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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
15.		HTH460 - CHILD AND ADOLESCENT MENTAL HEALTH		[—170.00*] 156.00*	[—170.00*] 162.00*
				[—13.00#] 10.50#	[—13.00#] 10.50#
	OPERATING		HTH	[44,020,134A] 42,436,950A	[44,020,134A] 42,666,481A
				17.00* 6.00#	17.00* 6.00#
			HTH	15,133,262B	15,133,262B
				5.00#	5.00#
			HTH	2,329,630N	2,339,630N
				2.00#	2.00#
			HTH	2,281,992U	2,281,992U
				8.50#	#
			HTH	2,318,223P	P
16.		HTH501 - DEVELOPMENTAL DISABILITIES		[—215.75*] 190.75*	[—215.75*] 194.75*
				[—3.00#] 2.00#	3.00#
	OPERATING		HTH	[91,875,295A] 90,102,552A	[89,989,491A] 88,548,037A
				3.00*	3.00*
			HTH	1,063,165B	[—1,063,165B] 4,263,165B
17.		HTH495 - BEHAVIORAL HEALTH ADMINISTRATION		[—45.50*] 38.50*	[—45.50*] 39.50*
				[—50.50#] 39.50#	[—50.50#] 39.50#
	OPERATING		HTH	[6,997,306A] 5,768,238A	[6,997,306A] 6,076,360A
				1.00#	1.00#
			HTH	137,363P	137,363P
18.		HTH610 - ENVIRONMENTAL HEALTH SERVICES		[—129.00*] 116.00*	[—129.00*] 124.00*
	OPERATING		HTH	[8,428,221A] 7,659,596A	[8,440,534A] 7,759,582A
				30.00*	30.00*
			HTH	3,715,505B	3,715,505B
				2.00*	2.00*
			HTH	158,000N	158,000N
				3.00*	3.00*
			HTH	245,963U	249,740U
				2.00*	2.00*
			HTH	364,150P	364,150P
19.		HTH710 - STATE LABORATORY SERVICES		[—75.00*] 70.00*	[—75.00*] 73.00*
				1.00#	1.00#
	OPERATING		HTH	[9,151,752A] 8,006,994A	[8,292,944A] 8,025,128A
				9.00#	9.00#
			HTH	5,146,110N	1,029,222N
				2.00#	2.00#
			HTH	176,112P	176,112P

PROGRAM APPROPRIATIONS

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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
20.	HTH720	HEALTH CARE ASSURANCE		[—28.00*] 24.30* 2.00#	[—28.00*] 26.80* 2.00#
	OPERATING		HTH	[—3,767,847A] 3,423,855A	[—3,767,847A] 3,427,108A
			HTH	421,000B	421,000B
			HTH	16.00*	16.00*
			HTH	4,388,679P	4,388,679P
21.	HTH906	STATE HEALTH PLANNING AND DEVELOPMENT AGENCY		[—6.00*] 5.00*	6.00*
	OPERATING		HTH	[—590,549A] 470,967A	[—590,549A] 475,769A
			HTH	114,000B	114,000B
22.	HTH760	HEALTH STATUS MONITORING		[—33.50*] 28.50*	33.50*
	OPERATING		HTH	[—1,965,390A] 1,378,057A	[—1,715,390A] 1,392,027A
			HTH	2.00#	2.00#
			HTH	504,643B	504,643B
			HTH	4.00*	4.00*
			HTH	342,300P	342,300P
23.	HTH905	DEVELOPMENTAL DISABILITIES COUNCIL		2.50* [—238,005A] 227,909A	2.50* 238,005A
	OPERATING		HTH	5.00*	5.00*
			HTH	514,000N	514,000N
24.	HTH907	GENERAL ADMINISTRATION		[—126.00*] 119.00* 5.00#	126.00* 5.00#
	OPERATING		HTH	[—10,123,239A] 9,038,530A	[—10,123,239A] 9,770,173A
			HTH	8.00*	8.00*
			HTH	20.00#	20.00#
			HTH	24,054,695N	4,810,939N
			HTH	5.00#	5.00#
			HTH	800,000P	800,000P
25.	HTH908	OFFICE OF LANGUAGE ACCESS		5.00* [—469,261A] 445,265A	5.00* 469,262A
	OPERATING		HTH		
<b>F. SOCIAL SERVICES</b>					
1.	HMS301	CHILD PROTECTIVE SERVICES		[—223.30*] 184.30*	223.30*
	OPERATING		HMS	[—36,903,174A] 35,033,397A	[—36,903,174A] 35,033,397A
			HMS	1,007,587B	1,007,587B
			HMS	175.20*	175.20*
			HMS	44,063,972N	44,098,588N
			HMS	106,225P	106,225P

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PROGRAM APPROPRIATIONS

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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
2.		HMS302 - GENERAL SUPPORT FOR CHILD CARE		[—25.85*] 22.19*	25.85*
	OPERATING		HMS	[—1,847,899 A] 1,662,318 A	[—1,846,899 A] 1,661,318 A
			HMS	25.15* 11,921,864 N	25.15* 11,920,864 N
3.		HMS303 - CHILD PROTECTIVE SERVICES PAYMENTS			
	OPERATING		HMS	[—47,765,586 A] 46,065,586 A	47,765,586 A
			HMS	26,110,014 N	26,110,014 N
4.		HMS305 - CASH SUPPORT FOR CHILD CARE			
	OPERATING		HMS	[—25,011,811 A] 20,846,662 A	25,011,811 A
			HMS	38,530,754 N	38,530,754 N
5.		HMS501 - IN-COMMUNITY YOUTH PROGRAMS			
	OPERATING		HMS	[—14.50*] 13.50* [—8,556,157 A] 8,868,337 A	[—14.50*] 15.50* [—8,556,157 A] 8,493,337 A
			HMS	0.50* 0.50# 2,456,919 N	0.50* 0.50# 2,456,919 N
6.		HMS503 - HAWAII YOUTH CORRECTIONAL FACILITY (HYCF)			
	OPERATING		HMS	[—105.00*] 88.00* [—9,964,073 A] 8,772,185 A	105.00* [—10,082,161 A] 9,190,273 A
7.		DEF112 - SERVICES TO VETERANS			
	OPERATING		DEF	[—28.00*] 23.00* [—2,072,678 A] 1,847,399 A	28.00* [—2,078,986 A] 1,853,707 A
8.		HMS601 - ADULT PROTECTIVE AND COMMUNITY SERVICES			
	OPERATING		HMS	[—72.48*] 61.98* [—6,144,028 A] 5,458,149 A	72.48* [—6,144,028 A] 5,542,149 A
			HMS	7.02* 3.00# 3,986,561 N	7.02* 3.00# 3,988,661 N
			HMS	10,000 R	10,000 R
			HMS	387,560 U	387,560 U
			HMS	1,321,390 P	1,321,390 P
9.		HMS202 - AGED, BLIND AND DISABLED PAYMENTS			
	OPERATING		HMS	[—4,029,480 A] 3,679,480 A	4,029,480 A
10.		HMS204 - GENERAL ASSISTANCE PAYMENTS			
	OPERATING		HMS	23,889,056 A	23,889,056 A
			HMS	3,000,000 B	3,000,000 B
11.		HMS206 - FEDERAL ASSISTANCE PAYMENTS			
	OPERATING		HMS	5,703,592 N	5,703,592 N



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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
12.	HMS211	CASH SUPPORT FOR FAMILIES - SELF-SUFFICIENCY			
		OPERATING	HMS	22,694,156 A	22,694,156 A
			HMS	44,000,000 N	44,000,000 N
13.	HMS220	RENTAL HOUSING SERVICES			
				[— 2.00*]	2.00 *
				0.00 *	
		OPERATING	HMS	[ <del>4,486,122 A</del> ]	[ <del>4,487,455 A</del> ]
				4,341,066 A	4,342,399 A
				181.00 *	181.00 *
				4.50 #	4.50 #
			HMS	80,540,197 N	80,637,015 N
				15.00 *	15.00 *
			HMS	4,714,828 W	4,716,166 W
14.	HMS229	HAWAII PUBLIC HOUSING AUTHORITY ADMINISTRATION			
				76.00 *	76.00 *
				41.00 #	41.00 #
		OPERATING	HMS	40,373,761 N	40,373,761 N
				51.00 *	51.00 *
				19.00 #	19.00 #
			HMS	6,345,633 W	6,345,633 W
15.	HMS222	RENTAL ASSISTANCE SERVICES			
				[— 2.25*]	2.25 *
				1.00 *	
		OPERATING	HMS	[ <del>1,089,869 A</del> ]	[ <del>1,089,869 A</del> ]
				953,840 A	1,775,840 A
				23.75 *	23.75 *
				1.00 #	1.00 #
			HMS	26,393,471 N	26,397,150 N
16.	HMS224	HOMELESS SERVICES			
				[— 11.00*]	11.00 *
				8.00 *	
		OPERATING	HMS	[ <del>15,773,111 A</del> ]	[ <del>15,773,111 A</del> ]
				15,615,635 A	22,615,635 A
			HMS	649,448 N	649,448 N
			HMS	2,366,839 P	2,366,839 P
17.	HMS605	COMMUNITY-BASED RESIDENTIAL SUPPORT			
		OPERATING	HMS	[ <del>17,810,955 A</del> ]	17,810,955 A
				17,716,454 A	
18.	HMS401	HEALTH CARE PAYMENTS			
		OPERATING	HMS	[ <del>927,597,598 A</del> ]	982,477,598 A
				897,597,598 A	
			HMS	1,376,660 B	1,376,660 B
			HMS	1,803,909,546 N	1,803,909,546 N
			HMS	6,781,921 U	6,781,921 U
			HMS	13,216,034 P	13,216,034 P
19.	HMS236	CASE MANAGEMENT FOR SELF-SUFFICIENCY			
				[— 296.33*]	296.33 *
				255.73 *	
		OPERATING	HMS	[ <del>16,131,531 A</del> ]	[ <del>16,131,531 A</del> ]
				14,233,835 A	14,233,835 A
				233.67 *	233.67 *
			HMS	26,244,772 N	26,275,954 N
			HMS	30,237 P	30,237 P

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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
20.	HMS238 - DISABILITY DETERMINATION				
	OPERATING		HMS	49.00 * 8,183,015 N	49.00 * 8,197,582 N
21.	ATG500 - CHILD SUPPORT ENFORCEMENT SERVICES				
	OPERATING		ATG	70.72 * 0.34 # [4,483,525 A] 3,945,502 A	70.72 * 0.34 # 4,483,525 A
			ATG	2,231,224 T 137.28 * 0.66 #	2,231,224 T 137.28 * 0.66 #
			ATG	15,880,241 P	15,880,241 P
22.	HMS237 - EMPLOYMENT AND TRAINING				
	OPERATING		HMS	469,505 A	469,505 A
			HMS	1,245,750 N	1,245,750 N
23.	HHL602 - PLANNING AND DEVELOPMENT FOR HAWAIIAN HOMESTEADS				
	OPERATING		HHL	4,824,709 B 4.00 * 2.00 #	4,824,709 B 4.00 * 2.00 #
			HHL	23,318,527 N	23,318,527 N
			HHL	3,740,534 T	3,740,534 T
24.	HHL625 - ADMINISTRATION AND OPERATING SUPPORT				
	OPERATING		HHL	[200.00*] 149.00* [18,638,060 A] 15,525,842 A	200.00 * [18,644,280 A] 15,532,062 A
25.	HTH904 - EXECUTIVE OFFICE ON AGING				
	OPERATING		HTH	[8.54*] 8.19* 2.35 # [9,366,678 A] 10,400,977 A 6.46* 2.00 #	8.54 * 2.35 # [9,366,678 A] 13,490,672 A 6.46* 2.00 #
			HTH	7,680,000 N	7,680,000 N
			HTH	8.00 # 1,223,791 P	8.00 # 1,223,791 P
26.	HTH520 - DISABILITY AND COMMUNICATIONS ACCESS BOARD				
	OPERATING		HTH	[11.00*] 10.00* [1,048,420 A] 944,143 A 8.00* 1,043,264 B 2.00* 292,599 U	11.00 * [1,048,420 A] 987,640 A 8.00* 1,043,264 B 2.00* 292,600 U
27.	HMS902 - GENERAL SUPPORT FOR HEALTH CARE PAYMENTS				
	OPERATING		HMS	[136.50*] 114.75* [5.70#] 3.20# [16,223,893 A] 14,963,651 A 0.56*	136.50 * 5.70 # [14,953,093 A] 13,692,851 A 0.56*

PROGRAM APPROPRIATIONS

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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
			HMS	1,542,576 B 144.69 *	1,542,576 B 144.69 *
			HMS	19.30 #	19.30 #
			HMS	54,221,657 N	54,237,783 N
			HMS	843,987 P	843,987 P
28.	HMS903 - GENERAL SUPPORT FOR SELF-SUFFICIENCY SERVICES			[ <del>-48.75*</del> ] 39.55 * 1.59 #	48.75 *  1.59 #
	OPERATING		HMS	[ <del>42,498,088 A</del> ] <u>41,954,047 A</u> 44.25 * 1.41 #	[ <del>44,359,614 A</del> ] <u>43,815,573 A</u> 44.25 * 1.41 #
			HMS	68,271,830 N	68,933,152 N
			HMS	3,000 P	3,000 P
29.	HMS904 - GENERAL ADMINISTRATION - DHS			[ <del>-141.65*</del> ] 124.55 * [ <del>-10.00#</del> ] 9.00 #	[ <del>-141.65*</del> ] 143.65 * 10.00 #
	OPERATING		HMS	[ <del>11,071,603 A</del> ] <u>10,023,148 A</u> 29.35 *	[ <del>11,107,603 A</del> ] <u>10,039,148 A</u> 29.35 *
			HMS	4,373,183 N	4,457,183 N
			HMS	1,500 P	1,500 P
30.	HMS901 - GENERAL SUPPORT FOR SOCIAL SERVICES			[ <del>-19.45*</del> ] 12.95 * [ <del>-2,527,248 A</del> ] <u>2,124,656 A</u> 9.55 *	19.45 *  [ <del>-2,527,248 A</del> ] <u>2,183,656 A</u> 9.55 *
	OPERATING		HMS	[ <del>-141.65*</del> ] 124.55 * [ <del>-10.00#</del> ] 9.00 #	[ <del>-141.65*</del> ] 143.65 * 10.00 #
			HMS	2,074,339 N	2,074,339 N
<b>G. FORMAL EDUCATION</b>					
1.	EDN100 - SCHOOL-BASED BUDGETING			12,421.25 * [ <del>-680.25#</del> ] 679.25 #	12,421.25 * 680.25 #
	OPERATING		EDN	[ <del>1,020,200,131 A</del> ] <u>995,058,659 A</u> 5,244,829 B	[ <del>1,041,075,903 A</del> ] <u>1,008,217,780 A</u> 5,245,466 B
			EDN	138,670,617 N	138,670,617 N
			EDN	13,390,000 T	13,390,000 T
			EDN	7,495,605 U	7,495,605 U
			EDN	2,402,454 W	2,413,937 W
			EDN	9,249,999 P	9,249,999 P
2.	EDN150 - SPECIAL EDUCATION AND STUDENT SUPPORT SERVICES			[ <del>-5,240.50*</del> ] 5,218.37 * [ <del>-1,228.25#</del> ] 1,207.25 #	5,240.50 *  1,228.25 #
	OPERATING		EDN	[ <del>378,885,127 A</del> ] <u>381,044,650 A</u> 250,000 B	[ <del>387,816,237 A</del> ] <u>390,993,161 A</u> 250,000 B
			EDN	2.00 *	2.00 *

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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
				33.00#	33.00#
			EDN	52,164,701 N	52,164,701 N
				6.00*	6.00*
			EDN	3,534,956 W	3,536,708 W
3.		EDN200 - INSTRUCTIONAL SUPPORT			
				[ <del>403.00*</del> ]	403.00*
				402.00*	
				[ <del>83.00#</del> ]	83.00#
				82.00#	
	OPERATING		EDN	[ <del>57,965,758 A</del> ]	[ <del>58,743,659 A</del> ]
				57,776.166 A	57,320.576 A
				11.00*	11.00*
			EDN	2,369,088 B	2,382,128 B
				2.00#	2.00#
			EDN	500,000 N	500,000 N
				1.00#	1.00#
			EDN	273,794 P	273,794 P
4.		EDN300 - STATE ADMINISTRATION			
				[ <del>516.50*</del> ]	516.50*
				515.50*	
				[ <del>6.00#</del> ]	6.00#
				4.00#	
	OPERATING		EDN	[ <del>53,287,938 A</del> ]	[ <del>53,958,887 A</del> ]
				53,206.134 A	52,043.672 A
			EDN	30,000 P	30,000 P
5.		EDN400 - SCHOOL SUPPORT			
				[ <del>696.50*</del> ]	696.50*
				682.50*	
				3.00#	3.00#
	OPERATING		EDN	[ <del>201,462,708 A</del> ]	[ <del>199,344,495 A</del> ]
				186,169.092 A	143,693.794 A
				11.00*	11.00*
			EDN	44,081,817 B	44,081,817 B
				718.50*	718.50*
				98.50#	98.50#
			EDN	66,097,300 N	66,097,300 N
			EDN	150,000 R	150,000 R
				4.00*	4.00*
				2.00#	2.00#
			EDN	8,031,681 W	8,031,681 W
6.		EDN500 - SCHOOL COMMUNITY SERVICES			
				35.00*	35.00*
				5.00#	5.00#
	OPERATING		EDN	[ <del>4,259,262 A</del> ]	[ <del>4,262,841 A</del> ]
				4,220.651 A	4,147.467 A
				1.00*	1.00*
			EDN	1,731,000 B	1,731,000 B
				2.00#	2.00#
			EDN	3,266,757 N	3,266,757 N
			EDN	2,260,000 T	2,260,000 T
			EDN	11,700,000 W	11,700,000 W
7.		EDN600 - CHARTER SCHOOLS			
	OPERATING		EDN	96,210,541 A	101,405,111 A
			EDN	5,042,000 N	5,042,000 N

PROGRAM APPROPRIATIONS

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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
8.	EDN612	- CHARTER SCHOOLS COMMISSION AND ADMINISTRATION		[—17.12*] 15.12*	17.12*
	OPERATING		EDN	[—1,651,065A] <u>1,519,535A</u> 6.88*	[—1,687,061A] <u>1,555,531A</u> 6.88*
			EDN	1,800,000N	1,800,000N
9.	EDN700	- EARLY LEARNING		[—66.00*] 58.00*	66.00*
	OPERATING		EDN	[—4,095,184A] <u>3,068,311A</u> 1.00#	[—4,234,308A] <u>3,926,435A</u> 1.00#
			EDN	125,628N	125,628N
10.	BUF745	- RETIREMENT BENEFITS - DOE			
	OPERATING		BUF	422,894,279A	[—471,930,022A] <u>470,630,252A</u>
11.	BUF765	- HEALTH PREMIUM PAYMENTS - DOE			
	OPERATING		BUF	142,378,724A	[—145,226,298A] <u>140,054,769A</u>
12.	BUF725	- DEBT SERVICE PAYMENTS - DOE			
	OPERATING		BUF	341,091,607A	[—338,865,983A] <u>333,993,281A</u>
13.	AGS807	- SCHOOL R&M, NEIGHBOR ISLAND DISTRICTS		[—80.00*] 73.00*	80.00*
	OPERATING		AGS	[—5,715,743A] <u>5,255,049A</u> 7.00*	[—5,783,347A] <u>5,345,827A</u> 7.00*
			AGS	1,790,434U	1,790,434U
14.	EDN407	- PUBLIC LIBRARIES		[—561.50*] 493.50*	561.50*
	OPERATING		EDN	1.00# [—38,512,179A] <u>35,293,943A</u>	1.00# [—38,582,681A] <u>35,364,445A</u>
			EDN	4,000,000B	4,000,000B
			EDN	1,365,244N	1,365,244N
15.	DEF114	- HAWAII NATIONAL GUARD YOUTH CHALLENGE ACADEMY		[—24.50#] 16.50#	24.50#
	OPERATING		DEF	[—1,783,507A] <u>1,226,061A</u> 73.50#	[—1,783,507A] <u>1,476,061A</u> 73.50#
			DEF	5,594,962P	5,594,962P
16.	UOH100	- UNIVERSITY OF HAWAII, MANOA		[—3,253.88*] 2,907.39* [—47.25#] 39.25#	[—3,253.88*] 2,948.14* [—47.25#] 42.25#
	OPERATING		UOH	[234,782,615A] <u>230,762,988A</u> 377.25*	238,158,774A <u>230,762,988A</u> 377.25*

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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
				2.00#	2.00#
			UOH	363,217,455 B	363,706,629 B
				77.06*	77.06*
			UOH	6,873,565 N	6,873,565 N
				28.00*	28.00*
			UOH	65,255,168 W	65,293,844 W
17.	UOH110	UNIVERSITY OF HAWAII, JOHN A. BURNS SCHOOL OF MEDICINE		[ -218.60*]	[ -218.60*]
				195.81*	199.03*
				3.50#	3.50#
	OPERATING		UOH	[ -20,000,817 A]	20,395,095 A
				19,640,877 A	
			UOH	27,958,949 B	27,958,949 B
			UOH	7,783,094 W	7,783,094 W
18.	UOH210	UNIVERSITY OF HAWAII, HILO		[ -548.25*]	[ -548.25*]
				485.25*	499.25*
				7.00#	7.00#
	OPERATING		UOH	[ -37,489,390 A]	38,048,748 A
				36,319,206 A	
				64.00*	64.00*
			UOH	46,848,430 B	46,893,444 B
			UOH	443,962 N	443,962 N
				2.00*	2.00*
			UOH	7,438,008 W	7,439,992 W
19.	UOH220	SMALL BUSINESS DEVELOPMENT		1.00#	1.00#
	OPERATING		UOH	978,941 A	978,941 A
20.	UOH700	UNIVERSITY OF HAWAII, WEST OAHU		[ -247.70*]	[ -247.70*]
				226.50*	232.50*
				1.50#	1.50#
	OPERATING		UOH	[ -48,291,413 A]	18,562,223 A
				17,692,435 A	
			UOH	20,312,209 B	20,348,581 B
			UOH	802,037 N	802,037 N
			UOH	2,069,957 W	2,070,663 W
21.	UOH800	UNIVERSITY OF HAWAII, COMMUNITY COLLEGES		[ -1,924.00*]	[ -1,924.00*]
				1,705.00*	1,751.50*
				[ -54.50#]	[ -54.50#]
				41.00#	46.00#
	OPERATING		UOH	[ -150,761,199 A]	153,022,004 A
				147,085,753 A	
				34.00*	34.00*
			UOH	100,508,863 B	100,630,837 B
				0.50*	0.50*
			UOH	4,428,296 N	4,428,296 N
			UOH	6,564,293 W	6,566,997 W
22.	UOH900	UNIVERSITY OF HAWAII, SYSTEMWIDE SUPPORT		[ -462.00*]	[ -462.00*]
				402.00*	409.00*
				1.00#	1.00#

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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
		OPERATING	UOH	[ <del>54,394,172 A</del> 53,573,643 A	56,533,226 A
				20.00 *	20.00 *
			UOH	17,214,396 B	17,229,806 B
				4.00 *	4.00 *
				4.00 #	4.00 #
			UOH	1,094,875 N	1,094,875 N
				15.00 *	15.00 *
			UOH	17,364,423 W	17,377,422 W
23.	BUF748 - RETIREMENT BENEFITS - UH	OPERATING	BUF	189,431,048 A	[ <del>209,187,118 A</del> 205,341,161 A
24.	BUF768 - HEALTH PREMIUM PAYMENTS - UH	OPERATING	BUF	53,903,313 A	[ <del>54,981,380 A</del> 52,475,677 A
25.	BUF728 - DEBT SERVICE PAYMENTS - UH	OPERATING	BUF	126,237,547 A	[ <del>125,413,846 A</del> 123,610,466 A

H. CULTURE AND RECREATION

1.	UOH881 - AQUARIA			[ <del>13.00 *</del> 9.00 *	[ <del>13.00 *</del> 9.00 *
	OPERATING	UOH		783,030 A	788,141 A
				7.00 *	7.00 *
		UOH		3,417,141 B	3,517,141 B
		UOH		996,499 W	996,499 W
2.	AGS881 - STATE FOUNDATION ON CULTURE AND THE ARTS			0.50 *	0.50 *
	OPERATING	AGS		[ <del>956,442 A</del> 860,798 A	956,442 A
				17.00 *	17.00 *
				1.00 #	1.00 #
		AGS		5,573,625 B	5,573,625 B
				4.50 *	4.50 *
		AGS		756,802 N	756,802 N
		AGS		606,936 P	606,936 P
3.	AGS818 - KING KAMEHAMEHA CELEBRATION COMMISSION			1.00 *	1.00 *
	OPERATING	AGS		[ <del>48,912 A</del> 47,832 A	48,912 A
				1.00 #	1.00 #
		AGS		70,070 T	70,070 T
4.	LNR802 - HISTORIC PRESERVATION			[ <del>34.00 *</del> 31.00 *	34.00 *
	OPERATING	LNR		[ <del>2,564,800 A</del> 2,171,989 A	[ <del>2,519,933 A</del> 2,354,597 A
		LNR		495,450 B	495,902 B
				6.00 *	6.00 *
		LNR		591,360 N	591,360 N

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
5.	LNR804 - FOREST AND OUTDOOR RECREATION				
	OPERATING		LNR	[ <u>-33.00*</u> ] 31.50*	33.00*
			LNR	[ <u>-1,867,235 A</u> ] <u>1,653,786 A</u> 3.00*	[ <u>-1,871,488 A</u> ] <u>1,791,478 A</u> 3.00*
			LNR	837,466 B 6.00*	839,231 B 6.00*
			LNR	13.00#	13.00#
			LNR	4,400,000 N 3.00*	4,400,000 N 3.00*
			LNR	644,164 W	645,490 W
6.	LNR805 - DISTRICT RESOURCE MANAGEMENT				
	OPERATING		LNR	[ <u>-19.00*</u> ] 17.00*	19.00*
			LNR	[ <u>-1,095,524 A</u> ] <u>965,524 A</u> 0.25#	[ <u>-1,097,814 A</u> ] <u>985,554 A</u> 0.25#
			LNR	103,088 B 0.75#	103,180 B 0.75#
			LNR	1,870,000 N	2,070,000 N
7.	LNR806 - PARKS ADMINISTRATION AND OPERATION				
	OPERATING		LNR	[ <u>-86.00*</u> ] 80.00*	[ <u>-86.00*</u> ] 134.00*
			LNR	[ <u>-6,284,914 A</u> ] <u>6,075,256 A</u> 48.00*	[ <u>-6,296,554 A</u> ] <u>12,065,934 A</u> [ <u>-48.00*</u> ] 0.00*
			LNR	10,356,938 B	[ <u>-10,367,258 B</u> ] <u>3,094,536 B</u>
			LNR	1,000,000 P	P
8.	LNR801 - OCEAN-BASED RECREATION				
	OPERATING		LNR	[ <u>-10.00*</u> ] 7.00*	10.00*
			LNR	[ <u>-641,944 A</u> ] <u>454,268 A</u> 115.00*	[ <u>-643,023 A</u> ] <u>528,363 A</u> 115.00*
			LNR	20,528,379 B	20,551,330 B
			LNR	1,500,626 N	1,500,626 N
9.	AGS889 - SPECTATOR EVENTS AND SHOWS - ALOHA STADIUM				
	OPERATING		AGS	36.50* 1.00#	36.50* 1.00#
			AGS	9,297,877 B	9,315,701 B
<b>I. PUBLIC SAFETY</b>					
1.	PSD402 - HALAWA CORRECTIONAL FACILITY				
	OPERATING		PSD	[ <u>-411.00*</u> ] 359.00*	411.00*
			PSD	[ <u>-30,172,479 A</u> ] <u>27,091,311 A</u>	[ <u>-30,272,479 A</u> ] <u>27,191,311 A</u>
2.	PSD403 - KULANI CORRECTIONAL FACILITY				
	OPERATING		PSD	[ <u>-82.00*</u> ] 81.00*	[ <u>-82.00*</u> ] 83.00*
			PSD	[ <u>-6,322,596 A</u> ] <u>6,277,074 A</u>	[ <u>-6,160,077 A</u> ] <u>6,114,555 A</u>



## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
3.	PSD404	WAIAWA CORRECTIONAL FACILITY		[—113.00*] 101.00*	113.00*
	OPERATING		PSD	[—7,723,265A] 7,031,657A	[—7,744,275A] 7,052,667A
4.	PSD405	HAWAII COMMUNITY CORRECTIONAL CENTER		[—171.00*] 161.00*	171.00*
	OPERATING		PSD	[—11,761,134A] 11,199,114A	[—11,657,752A] 11,095,732A
5.	PSD406	MAUI COMMUNITY CORRECTIONAL CENTER		[—187.00*] 148.00*	187.00*
	OPERATING		PSD	[—13,166,254A] 10,933,402A	[—13,221,786A] 10,988,934A
			PSD	3.00# 209,721S	3.00# 209,721S
6.	PSD407	OAHU COMMUNITY CORRECTIONAL CENTER		[—501.00*] 438.00*	501.00*
	OPERATING		PSD	[—36,611,027A] 32,910,971A	[—36,899,444A] 33,199,388A
7.	PSD408	KAUAI COMMUNITY CORRECTIONAL CENTER		[—74.00*] 69.00*	74.00*
	OPERATING		PSD	[—5,667,010A] 5,378,602A	[—5,706,829A] 5,418,421A
8.	PSD409	WOMEN'S COMMUNITY CORRECTIONAL CENTER		[—136.00*] 153.00*	[—136.00*] 159.00*
	OPERATING		PSD	[—8,942,178A] 8,594,794A	[—9,173,834A] 10,724,277A
9.	PSD410	INTAKE SERVICE CENTERS		[—61.00*] 57.00*	61.00*
	OPERATING		PSD	[—4,011,759A] 3,771,081A	[—4,051,209A] 3,810,531A
10.	PSD420	CORRECTIONS PROGRAM SERVICES		[—167.00*] 145.00*	167.00*
	OPERATING		PSD	[—23,436,146A] 22,271,718A	[—23,530,685A] 22,366,257A
			PSD	1,015,989N	1,015,989N
11.	PSD421	HEALTH CARE		[—208.60*] 175.10*	208.60*
	OPERATING		PSD	[—26,252,680A] 26,300,579A	[—26,468,193A] 26,516,092A
12.	PSD422	HAWAII CORRECTIONAL INDUSTRIES		2.00* 42.00#	2.00* 42.00#
	OPERATING		PSD	10,350,018W	10,350,018W

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
13.	PSD808	- NON-STATE FACILITIES		[—9.00*] 8.00*	9.00*
	OPERATING		PSD	[—47,717,061 A] 47,670,585 A	[—47,721,859 A] 47,675,383 A
14.	PSD502	- NARCOTICS ENFORCEMENT		[—13.00*] 11.00*	[—13.00*] 16.00*
	OPERATING		PSD	[—1,351,162 A] 1,211,686 A 8.00*	[—1,261,757 A] 1,208,081 A 8.00*
			PSD	955,477 W	955,477 W
			PSD	200,000 P	200,000 P
15.	PSD503	- SHERIFF		[—312.00*] 290.00*	312.00*
	OPERATING		PSD	[—21,526,549 A] 20,163,626 A	[—21,796,980 A] 20,434,057 A
			PSD	600,000 N	600,000 N
			PSD	80.00*	80.00*
			PSD	8,971,865 U	[—8,852,030 U] 9,947,030 U
16.	PSD611	- ADULT PAROLE DETERMINATIONS		[—7.00*] 6.00*	7.00*
	OPERATING		PSD	[—532,674 A] 505,542 A	[—549,479 A] 522,347 A
17.	PSD612	- ADULT PAROLE SUPERVISION AND COUNSELING		[—61.00*] 53.00*	61.00*
	OPERATING		PSD	[—4,746,369 A] 4,311,706 A	[—4,529,508 A] 4,094,845 A
18.	PSD613	- CRIME VICTIM COMPENSATION COMMISSION		5.00*	5.00*
	OPERATING		PSD	477,964 A	479,645 A
			PSD	8.00*	8.00*
			PSD	2,137,732 B	2,137,732 B
			PSD	1.00#	1.00#
			PSD	859,315 P	859,315 P
19.	PSD900	- GENERAL ADMINISTRATION		[—139.00*] 124.00*	139.00*
	OPERATING		PSD	[—18,082,100 A] 17,262,066 A	[—18,068,237 A] 17,248,203 A
			PSD	978,501 B	978,501 B
			PSD	75,065 T	75,065 T
20.	ATG231	- STATE CRIMINAL JUSTICE INFORMATION AND IDENTIFICATION		[—25.50*] 22.50*	25.50*
	OPERATING		ATG	[—2,382,060 A] 1,969,147 A	[—2,382,060 A] 2,273,040 A
			ATG	22.50*	22.50*
			ATG	3,455,603 W	3,455,603 W
			ATG	1.00#	1.00#
			ATG	1,246,182 P	1,246,182 P

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
21.	LNR810 - PREVENTION OF NATURAL DISASTERS				
	OPERATING		LNR	8.00* 2,373,653 B	8.00* 2,376,401 B
			LNR	510,454 P	540,454 P
22.	DEF110 - AMELIORATION OF PHYSICAL DISASTERS				
				[—134.00*] 119.25*	[—134.00*] 135.00*
				[—55.25#] 35.50#	55.25#
	OPERATING		DEF	[—21,702,368 A] 19,826,897 A	[—21,596,994 A] 19,721,523 A
				9.50* 14.00#	9.50* 14.00#
			DEF	11,187,528 N 94.50*	10,759,428 N 94.50*
				43.75#	43.75#
			DEF	67,726,768 P	67,726,768 P
<b>J. INDIVIDUAL RIGHTS</b>					
1.	CCA102 - CABLE TELEVISION				
	OPERATING		CCA	[—0.00*] 8.00* [—1,000 B] 2,648,986 B	[—0.00*] 8.00* [—1,000 B] 2,648,986 B
			CCA	1,000 T	1,000 T
2.	CCA103 - CONSUMER ADVOCATE FOR COMMUNICATION, UTILITIES, AND TRANSPORTATION SERVICES				
	OPERATING		CCA	[—20.00*] 25.00* [—3,910,086 B] 4,494,086 B	[—20.00*] 25.00* [—3,910,086 B] 4,494,086 B
3.	CCA104 - FINANCIAL SERVICES REGULATION				
	OPERATING		CCA	[—0.00*] 40.00* [—1,000 B] 5,175,488 B	[—0.00*] 40.00* [—1,000 B] 5,175,488 B
			CCA	[—1,000 F] 301,000 T	[—1,000 F] 301,000 T
4.	CCA105 - PROFESSIONAL AND VOCATIONAL LICENSING				
	OPERATING		CCA	[—0.00*] 63.00* [—0.00#] 11.00# [—1,000 B] 7,892,944 B	[—0.00*] 63.00* [—0.00#] 11.00# [—1,000 B] 7,892,944 B
				[—0.00*] 8.00* [—0.00#] 5.00#	[—0.00*] 8.00* [—0.00#] 5.00#
			CCA	[—1,000 F] 2,803,844 T	[—1,000 F] 2,803,844 T

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
5.	CCA106	INSURANCE REGULATORY SERVICES		[—0.00*] 95.00*	[—0.00*] 95.00*
	OPERATING		CCA	[—0.00#] 1.00# [—1,000B]	[—0.00#] 1.00# [—1,000B]
			CCA	21,361,950 B [—1,000F] 201,000 T [—0.00#] 6.00#	19,361,950 B [—1,000F] 201,000 T [—0.00#] 6.00#
			CCA	[—1,000P] 251,000 P	[—1,000P] 251,000 P
6.	CCA107	POST-SECONDARY EDUCATION AUTHORIZATION		2.00*	2.00*
	OPERATING		CCA	297,904 B	297,904 B
7.	CCA901	PUBLIC UTILITIES COMMISSION		[—65.00*] 67.00*	[—65.00*] 67.00*
	OPERATING		CCA	[+6,902,917B] 17,103,157 B	[+18,462,917B] 18,658,757 B
8.	CCA110	OFFICE OF CONSUMER PROTECTION		18.00* 1.00#	18.00* 1.00#
	OPERATING		CCA	2,645,483 B	[—2,645,483B] 2,695,483 B
			CCA	100,681 T	100,681 T
9.	AGR812	MEASUREMENT STANDARDS		6.00* [—396,217A] 392,217 A [—0.00*] 4.00*	6.00* 396,911 A [—0.00*] 4.00*
	OPERATING		AGR	[—134,808B] 366,000 B	[—134,808B] 366,000 B
10.	CCA111	BUSINESS REGISTRATION AND SECURITIES REGULATION		79.00* [—8,387,589B] 8,470,957 B	79.00* [—8,387,589B] 8,470,957 B
11.	CCA112	REGULATED INDUSTRIES COMPLAINTS OFFICE		66.00* 1.00#	66.00* 1.00#
	OPERATING		CCA	7,800,160 B	7,500,160 B
12.	CCA191	GENERAL SUPPORT		50.00* 1.00#	50.00* 1.00#
	OPERATING		CCA	8,525,388 B	8,450,388 B
13.	AGS105	ENFORCEMENT OF INFORMATION PRACTICES		8.50* [—769,837A] 704,853 A	8.50* 769,837 A

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
14.	BUF151	- OFFICE OF THE PUBLIC DEFENDER			
				[ <del>-139.50*</del> 132.50*	139.50 *
	OPERATING		BUF	[ <del>-12,609,534 A</del> 11,983,750 A	[ <del>-12,473,680 A</del> 12,008,896 A
15.	LNR111	- CONVEYANCES AND RECORDINGS			
				58.00 * 3.00 #	58.00 * 3.00 #
	OPERATING		LNR	7,555,316 B	8,068,196 B
16.	HMS888	- COMMISSION ON THE STATUS OF WOMEN			
				1.00 * 1.00 #	1.00 * 1.00 #
	OPERATING		HMS	174,035 A	174,035 A
<b>K. GOVERNMENT-WIDE SUPPORT</b>					
1.	GOV100	- OFFICE OF THE GOVERNOR			
				22.00 * [ <del>-22.00 #</del> 23.00 #	[ <del>-22.00*</del> 23.00 *
	OPERATING		GOV	[ <del>-3,613,903 A</del> 3,863,903 A	[ <del>-3,613,903 A</del> 3,913,903 A
2.	LTG100	- OFFICE OF THE LIEUTENANT GOVERNOR			
				3.00 * [ <del>-10.00 #</del> 5.00 #	3.00 * 10.00 #
	OPERATING		LTG	[ <del>-977,555 A</del> 918,551 A	[ <del>-977,555 A</del> 927,551 A
3.	BED144	- STATEWIDE PLANNING AND COORDINATION			
				[ <del>-15.00*</del> 12.00 * [ <del>-3.00 #</del> 2.00 #	15.00 * 3.00 #
	OPERATING		BED	[ <del>-2,007,999 A</del> 1,350,827 A 5.00 * 5.00 #	[ <del>-1,900,499 A</del> 1,568,327 A 5.00 * 5.00 #
			BED	2,364,265 N	2,364,265 N
			BED	2,000,000 W	2,000,000 W
4.	BED103	- STATEWIDE LAND USE MANAGEMENT			
				[ <del>-7.00*</del> 6.00 *	7.00 *
	OPERATING		BED	[ <del>-698,711 A</del> 609,931 A	[ <del>-698,711 A</del> 662,312 A
5.	BED130	- ECONOMIC PLANNING AND RESEARCH			
				14.00 * [ <del>-1,316,317 A</del> 1,920,160 A	14.00 * 1,316,317 A
6.	BUF101	- DEPARTMENTAL ADMINISTRATION AND BUDGET DIVISION			
				[ <del>-47.00*</del> 42.00 *	47.00 *
	OPERATING		BUF	[ <del>-11,880,515 A</del> 11,419,048 A	[ <del>-11,880,515 A</del> 11,580,376 A
			BUF	363,944,000 B	377,575,000 B

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PROGRAM APPROPRIATIONS

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				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
7.	BUF103 - VACATION PAYOUT - STATEWIDE OPERATING		BUF	9,700,000 A	9,700,000 A
8.	AGS871 - CAMPAIGN SPENDING COMMISSION OPERATING		AGS	5.00 * 560,452 A	5.00 * 553,452 A
			AGS	343,732 T	343,732 T
9.	AGS879 - OFFICE OF ELECTIONS OPERATING		AGS	[—17.50*] 10.50 * [—8.44#] 3.63# [—3,153,919 A] 2,593,711 A	17.50 * 12.44# [—4,082,947 A] 3,522,739 A
			AGS	0.50 * 1.00#	0.50 * 1.00#
			AGS	99,694 N	99,694 N
10.	TAX100 - COMPLIANCE OPERATING		TAX	[—192.00*] 155.00 * [—5.00#] 1.00# [—11,840,056 A] 8,971,586 A	192.00 * 5.00# [—11,840,056 A] 9,606,256 A
11.	TAX105 - TAX SERVICES AND PROCESSING OPERATING		TAX	[—128.00*] 112.00 * [—100.00#] 5.00# [—7,153,767 A] 5,506,575 A	128.00 * 100.00# [—7,153,767 A] 5,935,935 A
12.	TAX107 - SUPPORTING SERVICES - REVENUE COLLECTION OPERATING		TAX	[—81.00*] 59.00 * [—12.00#] 9.00# [—14,548,532 A] 11,924,151 A	81.00 * 12.00# [—15,708,532 A] 14,342,560 A
			TAX	13.00# 3,145,136 B	13.00# [—3,145,136 B] 3,545,136 B
13.	AGS101 - ACCOUNTING SYSTEM DEVELOPMENT AND MAINTENANCE OPERATING		AGS	[—9.00*] 7.00 * [—3.00#] 0.00# [—1,074,813 A] 670,497 A	9.00 * 3.00# [—1,074,813 A] 670,497 A
14.	AGS102 - EXPENDITURE EXAMINATION OPERATING		AGS	[—17.00*] 13.00 * 1.00# [—1,410,803 A] 1,133,223 A	17.00 * 1.00# [—1,410,803 A] 1,235,075 A

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
15.	AGS103 - RECORDING AND REPORTING			[—13.00*] 12.00*	13.00*
	OPERATING		AGS	[—992,680A] 893,412A	[—992,680A] 949,672A
16.	AGS104 - INTERNAL POST AUDIT			[—7.00*] 6.00*	7.00*
	OPERATING		AGS	[—3.00#] 2.00#	3.00#
			AGS	[—928,635A] 723,199A	[—928,635A] 723,199A
17.	BUF115 - FINANCIAL ADMINISTRATION			[—15.00*] 12.00*	15.00*
	OPERATING		BUF	[—2,184,653A] 1,870,831A	[—2,184,653A] 2,065,433A
			BUF	9.00*	9.00*
			BUF	11,715,179T	11,715,179T
18.	BUF721 - DEBT SERVICE PAYMENTS - STATE OPERATING		BUF	395,538,560A	[—392,957,669A] 387,307,158A
19.	ATG100 - LEGAL SERVICES			[—258.92*] 244.92*	258.92*
	OPERATING		ATG	[—23.02#] 20.02#	23.02#
			ATG	[—28,955,373A] 27,122,125A	[—28,620,373A] 27,770,373A
			ATG	24.60*	24.60*
			ATG	3,993,217B	3,993,217B
			ATG	5.20*	5.20*
			ATG	7.70#	7.70#
			ATG	11,628,390N	11,628,390N
			ATG	3,943,508T	3,943,508T
			ATG	108.56*	106.56*
			ATG	27.50#	27.50#
			ATG	17,392,037U	17,154,637U
			ATG	4.90*	4.90*
			ATG	1.00#	1.00#
			ATG	3,317,725W	3,317,725W
			ATG	18.60*	18.60*
			ATG	2.50#	2.50#
			ATG	4,091,332P	4,091,332P
20.	AGS130 - ENTERPRISE TECHNOLOGY SERVICES - GOVERNANCE AND INNOVATION			[—35.00*] 30.00*	35.00*
	OPERATING		AGS	13.00#	13.00#
			AGS	[—19,576,458A] 20,314,698A	[—19,576,458A] 20,561,956A
			AGS	7.00*	7.00*
			AGS	1,469,669B	1,469,669B
			AGS	3,000,000U	3,000,000U

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
21.	AGS131	ENTERPRISE TECHNOLOGY SERVICES - OPERATIONS AND INFRASTRUCTURE MAINTENANCE			
				[ -92.00* ]	92.00*
				60.00*	
	OPERATING		AGS	[ -15,050,939 A ]	[ -15,050,939 A ]
				<u>12,700,020 A</u>	<u>12,700,020 A</u>
				1.00#	1.00#
			AGS	173,560 B	173,560 B
				33.00*	33.00*
			AGS	3,312,584 U	3,312,584 U
22.	AGS111	ARCHIVES - RECORDS MANAGEMENT			
				[ -16.00* ]	16.00*
				15.00*	
	OPERATING		AGS	[ -1,086,463 A ]	[ -1,086,463 A ]
				<u>977,817 A</u>	<u>1,026,847 A</u>
				3.00*	3.00*
			AGS	736,932 B	536,932 B
23.	AGS891	ENHANCED 911 BOARD			
				2.00#	2.00#
	OPERATING		AGS	9,003,028 B	9,003,028 B
24.	HRD102	WORKFORCE ATTRACTION, SELECTION, CLASSIFICATION, AND EFFECTIVENESS			
				[ -90.00* ]	90.00*
				76.00*	
	OPERATING		HRD	[ -18,896,841 A ]	[ -18,893,841 A ]
				<u>17,664,578 A</u>	<u>17,879,854 A</u>
			HRD	700,000 B	700,000 B
				2.00*	2.00*
			HRD	5,161,214 U	5,161,214 U
25.	HRD191	SUPPORTING SERVICES - HUMAN RESOURCES DEVELOPMENT			
				9.00*	9.00*
	OPERATING		HRD	[ -1,448,570 A ]	1,448,570 A
				<u>1,430,897 A</u>	
26.	BUF141	EMPLOYEES' RETIREMENT SYSTEM			
				111.00*	111.00*
				2.00#	2.00#
	OPERATING		BUF	20,427,078 X	18,679,890 X
27.	BUF143	HAWAII EMPLOYER UNION TRUST FUND			
				60.00*	60.00*
				3.00#	3.00#
	OPERATING		BUF	18,531,620 T	[ -8,823,787 F ]
					<u>9,223,787 T</u>
28.	BUF741	RETIREMENT BENEFITS - STATE			
	OPERATING		BUF	396,996,921 A	[ -434,422,195 A ]
					<u>435,091,440 A</u>
			BUF	10,865,887 U	[ -10,865,887 U ]
					<u>4,000,000 U</u>
29.	BUF761	HEALTH PREMIUM PAYMENTS - STATE			
	OPERATING		BUF	119,680,888 A	[ -122,074,506 A ]
					<u>116,598,672 A</u>



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
30.	BUF762	HEALTH PREMIUM PAYMENT FOR ANNUAL CONTRIBUTION (ARC).	BUF	814,659,000 A	842,456,000 A
31.	LNR101	PUBLIC LANDS MANAGEMENT			
	OPERATING		LNR	1.00 # [-205,000 A] <u>181,897 A</u> 56.00 *	1.00 # 205,000 A  56.00 *
			LNR	21,639,761 B	21,655,066 B
32.	AGS203	STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION			
	OPERATING		AGS	9,987,995 A	9,987,995 A
			AGS	4.00 * 25,383,819 W	4.00 * 25,383,819 W
33.	AGS211	LAND SURVEY			
	OPERATING		AGS	[-10.00 *] <u>9.00 *</u> [-769,420 A] <u>723,478 A</u> 285,000 U	10.00 *  [-769,420 A] <u>737,980 A</u> 285,000 U
			AGS	285,000 U	285,000 U
34.	AGS223	OFFICE LEASING			
	OPERATING		AGS	4.00 * [-10,141,167 A] <u>8,601,011 A</u> 5,500,000 U	4.00 * 10,141,167 A  5,500,000 U
			AGS	5,500,000 U	5,500,000 U
35.	AGS221	PUBLIC WORKS - PLANNING, DESIGN, AND CONSTRUCTION			
	OPERATING		AGS	[-91.00 *] <u>77.00 *</u> 1.00 # [-11,332,109 A] <u>9,898,899 A</u> 4,000,000 W	91.00 *  1.00 # [-7,082,109 A] <u>6,167,665 A</u> 4,000,000 W
			AGS	4,000,000 W	4,000,000 W
36.	AGS231	CENTRAL SERVICES - CUSTODIAL SERVICES			
	OPERATING		AGS	[-123.00 *] <u>115.50 *</u> 2.00 # [-20,141,268 A] <u>18,428,946 A</u> 58,744 B 1,699,084 U	123.00 *  2.00 # [-20,232,627 A] <u>19,905,615 A</u> 58,744 B 1,699,084 U
			AGS	58,744 B	58,744 B
			AGS	1,699,084 U	1,699,084 U
37.	AGS232	CENTRAL SERVICES - GROUNDS MAINTENANCE			
	OPERATING		AGS	[-30.00 *] <u>24.00 *</u> [-2,360,586 A] <u>2,051,910 A</u>	30.00 *  [-2,082,949 A] <u>1,774,273 A</u>
38.	AGS233	CENTRAL SERVICES - BUILDING REPAIRS AND ALTERATIONS			
	OPERATING		AGS	[-33.00 *] <u>31.00 *</u> [-3,365,285 A] <u>3,028,757 A</u>	33.00 *  [-3,390,498 A] <u>3,239,556 A</u>
			AGS	3,028,757 A	3,239,556 A

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
39.	AGS240 - STATE PROCUREMENT			[—24.00*] 21.00*	24.00*
	OPERATING		AGS	[-1,699,101A] 1,474,989A	[-1,699,101A] 1,474,989A
40.	AGS244 - SURPLUS PROPERTY MANAGEMENT			5.00*	5.00*
	OPERATING		AGS	1,865,795 W	1,867,127 W
41.	AGS251 - AUTOMOTIVE MANAGEMENT - MOTOR POOL			13.00*	13.00*
	OPERATING		AGS	3,020,155 W	3,031,265 W
42.	AGS252 - AUTOMOTIVE MANAGEMENT - PARKING CONTROL			27.00*	27.00*
	OPERATING		AGS	3,838,016 W	3,838,856 W
43.	AGS901 - GENERAL ADMINISTRATIVE SERVICES			[—36.00*] 30.00*	36.00*
	OPERATING		AGS	1.00# [-3,492,885A] 3,096,065 A	1.00# [-3,492,885 A] 3,195,993 A
			AGS	2.00* 190,466 U	2.00* 190,466 U

PART II. STATE EXECUTIVE BUDGET OPERATING PROVISOS

SECTION 2. Act 5, Session Laws of Hawaii 2019, as amended by House Bill No. 2200 H.D. 1, S.D. 1,<sup>1</sup> passed by the legislature during the regular session of 2020, is amended by adding three sections to read as follows:

“SECTION 44.2. Any law or provision of this Act to the contrary notwithstanding, the Governor is authorized to transfer operating funds between general fund appropriations of departments to address critical program requirements; provided that the governor shall submit a report to the legislature within ten days of each use of this provision.

SECTION 44.3. Provided that the general fund appropriations for Maui health system, a KFH LLC (HTH214), for fiscal year 2020-2021, shall be disbursed by the Hawaii health systems corporation to the Maui health system, a Kaiser Foundation Hospitals LLC, for its operating subsidies in the respective fiscal years; provided further that the Maui health system has satisfied all of the standards and conditions in section 323F-58, Hawaii Revised Statutes.

SECTION 44.4. If unanticipated state funding cutbacks diminish or curtail essential, generally funded positions, the governor may utilize savings as determined to be available from federal funds for the purpose of maintaining those positions until the next legislative session; provided that each department shall submit a report to the legislature and the department of budget and finance within five days of each use of this authority.”

SECTION 3. Act 5, Session Laws of Hawaii 2019, as amended by House Bill No. 2200 H.D. 1, S.D. 1,<sup>1</sup> passed by the legislature during the regular session of 2020, is amended by amending section 9 to read as follows:

“SECTION 9. Provided that of the general fund appropriations for debt service payments (BUF721-BUF728), the following sums specified in fiscal biennium 2019-2021 shall be expended for principal and interest payments on general obligation bonds only as follows:

<u>Program I.D.</u>	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
BUF721	\$395,538,560	[ <del>\$392,957,669</del> \$387,307,158]
BUF725	\$341,091,607	[ <del>\$338,865,983</del> \$333,993,281]
BUF728	\$126,237,547	[ <del>\$125,413,846</del> ; \$123,610,466;

provided further that unrequired balances may be used to pay for expenses related to section 39-14, Hawaii Revised Statutes, and for costs of issuance, or may be transferred only to retirement benefits payments (BUF741-BUF748) and health premium payments (BUF761-BUF768); provided further that the funds shall not be expended for any other purpose; and<sup>2</sup> provided further that any unexpended funds shall lapse into the general fund at the end of the respective fiscal year for which the appropriation was made.”

### PART III. MISCELLANEOUS CHANGES

SECTION 4. Part VII of Act 276, Session Laws of Hawaii 2019, is amended by amending sections 23 through 30 to read as follows:

#### “PART VII TURNOVER SAVINGS AND TRANSFERS

SECTION 23. [~~There is appropriated out of the general revenues of the State of Hawaii the sum of \$153,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for teacher certification incentives; provided that the sum appropriated shall be considered a recurring adjustment to the base budget.~~

~~The sum appropriated shall be expended by the department of education for the purposes of this Act.] Repealed.~~

SECTION 24. [~~There is appropriated out of the general revenues of the State of Hawaii the sum of \$155,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for school climate and student safety initiatives; provided that the sum appropriated shall be considered a recurring adjustment to the base budget.~~

~~The sum appropriated shall be expended by the department of education for the purposes of this Act.] Repealed.~~

SECTION 25. [~~There is appropriated out of the general revenues of the State of Hawaii the sum of \$774,110 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for school-based budgeting; provided that the sum appropriated shall be considered a recurring adjustment to the base budget.~~

## ACT 9

~~The sum appropriated shall be expended by the department of education for the purposes of this Act.] Repealed.~~

~~SECTION 26. [There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,500,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for early college programs in high schools.~~

~~The sum appropriated shall be expended by the department of education for the purposes of this Act.] Repealed.~~

~~SECTION 27. [There is appropriated out of the general revenues of the State of Hawaii the sum of \$575,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for teacher license fees; provided that the sum appropriated shall be considered a recurring adjustment to the base budget.~~

~~The sum appropriated shall be expended by the department of education for the purposes of this Act.] Repealed.~~

~~SECTION 28. [There is appropriated out of the general revenues of the State of Hawaii the sum of \$226,640 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for school support; provided that the sum appropriated shall be considered a recurring adjustment to the base budget.~~

~~The sum appropriated shall be expended by the department of education for the purposes of this Act.] Repealed.~~

~~SECTION 29. [There is appropriated out of the general revenues of the State of Hawaii the sum of \$7,608,587 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for skilled nursing services; provided that the sum appropriated shall be considered a recurring adjustment to the base budget.~~

~~The sum appropriated shall be expended by the department of education for the purposes of this Act.] Repealed.~~

~~SECTION 30. [There is appropriated out of the general revenues of the State of Hawaii the sum of \$422,091 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for state administration; provided that the sum appropriated shall be considered a recurring adjustment to the base budget.~~

~~The sum appropriated shall be expended by the department of education for the purposes of this Act.] Repealed.”~~

SECTION 5. Section 247-7, Hawaii Revised Statutes, is amended to read as follows:

“**§247-7 Disposition of taxes.** All taxes collected under this chapter shall be paid into the state treasury to the credit of the general fund of the State, to be used and expended for the purposes for which the general fund was created and exists by law; provided that of the taxes collected each fiscal year:

- (1) Ten per cent or [~~\$6,800,000.~~] \$5,100,000, whichever is less, shall be paid into the land conservation fund established pursuant to section 173A-5; and
- (2) Fifty per cent or \$38,000,000, whichever is less, shall be paid into the rental housing revolving fund established by section 201H-202.”

PART IV. STATE JUDICIARY BUDGET

SECTION 6. Act 38, Session Laws of Hawaii 2019, as amended by Senate Bill No. 3080 S.D. 3, H.D. 1,<sup>3</sup> passed by the legislature during the regular session of 2020, is amended by amending part II to read as follows:

“PART II. PROGRAM APPROPRIATIONS

SECTION 3. The following sums, or so much thereof as may be sufficient to accomplish the purposes and programs designated herein, are appropriated or authorized from the sources of funding specified to the judiciary for the fiscal biennium beginning July 1, 2019, and ending June 30, 2021. The total expenditures and the number of permanent and temporary positions established in each fiscal year of the fiscal biennium shall not exceed the sums and the position ceilings indicated for each year, except as provided in this Act.

PROGRAM APPROPRIATIONS<sup>4</sup>

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>The Judicial System</b>					
1.	JUD101 -	COURTS OF APPEAL		73.00 * 1.00 #	73.00 * 1.00 #
	OPERATING		JUD	<del>[-7,216,185 A]</del> <u>7,085,769 A</u>	<del>[-7,216,185 A]</del> <u>7,085,769 A</u>
2.	JUD310 -	FIRST JUDICIAL CIRCUIT		1,103.50 * 58.58 #	1,103.50 * 58.58 #
	OPERATING		JUD	<del>[-88,278,054 A]</del> <u>81,521,805 A</u>	<del>[-88,425,760 A]</del> <u>81,669,511 A</u>
			JUD	41.00 * 4,429,112 B	41.00 * 4,429,112 B
3.	JUD320 -	SECOND JUDICIAL CIRCUIT		210.50 * 1.68 #	210.50 * 1.68 #
	OPERATING		JUD	<del>[-17,949,998 A]</del> <u>16,931,765 A</u>	<del>[-17,955,448 A]</del> <u>16,937,215 A</u>
4.	JUD330 -	THIRD JUDICIAL CIRCUIT		240.00 * 5.68 #	240.00 * 5.68 #
	OPERATING		JUD	<del>[-21,729,887 A]</del> <u>20,438,738 A</u>	<del>[-21,761,042 A]</del> <u>20,469,893 A</u>
5.	JUD350 -	FIFTH JUDICIAL CIRCUIT		103.00 * 2.60 #	103.00 * 2.60 #
	OPERATING		JUD	<del>[-8,455,480 A]</del> <u>7,901,044 A</u>	<del>[-8,447,902 A]</del> <u>7,893,466 A</u>
6.	JUD501 -	JUDICIAL SELECTION COMMISSION		1.00 * 103,414 A	1.00 * 103,414 A
	OPERATING		JUD		
7.	JUD601 -	ADMINISTRATION		226.00 * 9.48 #	226.00 * 9.48 #

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
		OPERATING	JUD	[28,086,186A] <u>28,824,640A</u>	[27,587,239A] <u>22,625,693A</u>
				1.00 * 9.00#	1.00 * 9.00 #
			JUD	8,034,802 B	8,034,802 B
			JUD	343,261 W	343,261 W
		INVESTMENT CAPITAL	JUD	9,355,000 C	[0C] <u>76,000,000 C</u>

PART V. STATE CAPITAL IMPROVEMENT PROGRAM

SECTION 7. Act 40, Session Laws of Hawaii 2019, as amended by House Bill No. 2725 H.D. 1, S.D. 1,<sup>5</sup> passed by the legislature during the regular session of 2020, is amended by amending part III as follows:

1. By amending section 4, item G-179 to read:
 

“179. WAIMEA [~~CANYON~~] MIDDLE SCHOOL, [~~KAUAI~~] HAWAII  
 DESIGN AND CONSTRUCTION FOR ARCHITECTURAL BARRIER REMOVAL.  
 TOTAL FUNDING EDN C 300C”
2. By amending section 4, item G-183.73 to read:
 

“183.73 NOELANI ELEMENTARY SCHOOL, OAHU  
 PLANS AND DESIGN TO [~~ASSES~~] ASSESS THE SCHOOL’S ELECTRICAL SYSTEM UPGRADE NEEDS.  
 TOTAL FUNDING EDN C 250C”
3. By amending section 4, item G-184.43 to read:
 

“184.43 KAUAI HIGH SCHOOL, [~~GIRLS LOCKER ROOM,~~] KAUAI  
~~[DESIGN AND CONSTRUCTION FOR GIRLS LOCKER ROOM FACILITIES AND OTHER RELATED FACILITIES AND]~~ DESIGN AND CONSTRUCTION FOR ATHLETIC COURTS, INCLUDING TENNIS COURTS, AND NEW PARKING, TRAFFIC, AND DRAINAGE IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.  
 TOTAL FUNDING EDN C 4,200C”
4. By amending section 4, item G-184.38 to read:
 

“184.38 KANOELANI ELEMENTARY SCHOOL, OAHU  
 PLANS, DESIGN AND CONSTRUCTION TO INCREASE THE CAFETERIA CAPACITY TO ACCOMMODATE THE GROWING STUDENT POPULATION; INCLUDING ALTERNATIVE OR REMOTE FOOD SERVICE AND/OR DINING FACILITY; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.  
 TOTAL FUNDING EDN C 6,000C”

5. By amending section 4, item G-185.17 to read:  
 “185.17 [FARRINGTON HIGH SCHOOL, OAHU] KEKAULIKE HIGH SCHOOL, MAUI  
 CONSTRUCTION FOR ADA IMPROVEMENTS;  
 GROUND AND SITE IMPROVEMENTS;  
 EQUIPMENT AND APPURTENANCES.  
 TOTAL FUNDING EDN C 2,500C”
6. By amending section 4, item G-185.28 to read:  
 “185.28 JEFFERSON ELEMENTARY SCHOOL, OAHU  
 DESIGN AND CONSTRUCTION FOR ~~[SEVEN]~~  
 DEDICATED ELECTRICAL OUTLETS FOR  
 THE AQUAPONICS SYSTEMS.  
 TOTAL FUNDING EDN C 350C”
7. By amending section 4, item G-185.24 to read:  
 “185.24 HOLUALOA ELEMENTARY SCHOOL, HAWAII  
 DESIGN ~~[FOR GYMNASIUM RENOVATION<sup>6</sup>~~  
AND CONSTRUCTION FOR THE REMOVAL  
AND RELOCATION OF FACILITIES AND  
BUILDING OF NEW FACILITIES FOR  
CLASSROOMS, LIBRARY, ROADWAYS,  
AND PARKING IMPROVEMENTS; FUNDS  
MAY BE USED FOR OTHER FACILITIES  
OR STRUCTURES ASSOCIATED WITH THE  
SCHOOL OR CAMPUS; RENOVATIONS,  
 REPAIR, REFURBISHMENT, AND/OR  
 NEW CONSTRUCTION; GROUND AND  
 SITE IMPROVEMENTS; EQUIPMENT AND  
 APPURTENANCES.  
 TOTAL FUNDING EDN C 2,000C”
8. By amending section 4, item G-185.29 to read:  
 “185.29 JEFFERSON ELEMENTARY SCHOOL, OAHU  
 PLANS DESIGNS AND CONSTRUCTION  
 FOR ELECTRICAL UPGRADES TO ~~[SIX]~~  
 CLASSROOMS IN BUILDING R; GROUND  
 AND SITE IMPROVEMENTS; EQUIPMENT  
 AND APPURTENANCES.  
 TOTAL FUNDING EDN C 250C”
9. By amending section 4, item G-188.4 to read:  
 “188.4 ALA WAI ELEMENTARY SCHOOL, OAHU  
 DESIGN AND CONSTRUCTION FOR A  
 COVERED PLAYCOURT~~[-PHASE 2]~~; GROUND  
 AND SITE IMPROVEMENTS; EQUIPMENT  
 AND APPURTENANCES.  
 TOTAL FUNDING EDN C 1,000C”
10. By amending section 4, item K-12.3 to read:  
 “12.3 KANEOHE CIVIC CENTER, OAHU  
 PLANS, DESIGNS, CONSTRUCTION, AND  
 EQUIPMENT FOR KANEOHE CIVIC  
 CENTER IMPROVEMENTS; GROUND AND  
 SITE IMPROVEMENTS; EQUIPMENT AND  
 APPURTENANCES.  
 TOTAL FUNDING AGS C 3,000C”
11. By amending section 4, item G-156 to read:  
 “156. QUEEN KAAHUMANU ELEMENTARY SCHOOL, OAHU  
 DESIGN AND CONSTRUCTION FOR  
 A PLAYCOURT~~[;]~~ AND PLAYGROUND;  
INCLUDING PLAYGROUND EQUIPMENT;  
 GROUND AND SITE IMPROVEMENTS;  
 EQUIPMENT AND APPURTENANCES.  
 TOTAL FUNDING EDN 175C C”

PART VI. STATE CAPITAL IMPROVEMENT PROGRAM PROVISOS

SECTION 8. Act 40, Session Laws of Hawaii 2019, as amended by House Bill No. 2725, H.D. 1, S.D. 1,<sup>5</sup> passed by the legislature during the regular session of 2020, is amended as follows:

1. By amending section 11H, to read:

“SECTION 11H. [(a)] Any law to the contrary notwithstanding, the appropriations under Act 49, Session Laws of Hawaii 2017, section 30, as amended and renumbered by Act 53, Session Laws of Hawaii 2018, section 5, in the amounts indicated below or balance thereof that are unallotted or unencumbered on the effective date of this Act are hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>	
A-10.02	\$1,200,000	C
A-10.03	2,510,163	C
A-10.04	512,860	C
A-7	200,484	C
A-9	1,103,364	C
F-8	450,000	C
F-9	1,278,680	C
F-14	1,150,000	C
F-15	950,000	C
F-24	900,000	C
F-25	1,080,053	C
G-4	990,000	C
G-77	239,000	C
G-87.11	460,000	C
G-87.24	260,000	C
G-41	2,450,000	C
G-87.02	1,984,000	C
G-87.34	2,292,279	C
G-87.79	1,584,000	C
G-87.09	560,000	C
G-87.21	378,000	C
G-92.05	1,900,000	C
H-10.03	3,800,000	C
K-36.02	3,500,000	C

~~[(b) The amounts lapsed pursuant to subsection (a) or so much thereof as may be necessary are appropriated for fiscal year 2020-2021 and shall be expended in accordance with the purposes described under Act 49, Session Laws of Hawaii 2017, section 30, as amended and renumbered by Act 53, Session Laws of Hawaii 2018, section 5.]”~~

2. By amending section 11I, to read:

“SECTION 11I. [(a)] Any law to the contrary notwithstanding, the appropriations under Act 134, Session Laws of Hawaii 2013, section 39, as amended and renumbered by Act 122, Session Laws of Hawaii 2014, section 5, in the amounts indicated below or balance thereof that are unallotted or unencumbered on the effective date of this Act are hereby lapsed:

<u>Item No.</u>	<u>Amount (MOF)</u>	
A-12	\$814,818	C
A-6	4,751,122	C
F-11.01	23,622,000	C
F-11.01	37,012,412	N



~~[(b) The amounts lapsed pursuant to subsection (a) or so much thereof as may be necessary are appropriated for fiscal year 2020-2021 and shall be expended in accordance with the purposes described under Act 134, Session Laws of Hawaii 2013, section 39, as amended and renumbered by Act 122, Session Laws of Hawaii 2014, section 5.]”~~

## PART VII. LAPSES AND REAUTHORIZATIONS

SECTION 9. DEFINITIONS. Unless otherwise clear from the context, as used in this part:

“Expending agency” means the executive department, independent commission, bureau, office, board, or other establishment of the state government (other than the legislature, office of Hawaiian affairs, and judiciary), the political subdivisions of the State, or any quasi-public institution supported in whole or in part by state funds that is authorized to expend specified appropriations made by this part.

Abbreviations, where used to denote the expending agency, shall mean the following:

AGR	Department of agriculture
AGS	Department of accounting and general services
ATG	Department of the attorney general
BED	Department of business, economic development, and tourism
BUF	Department of budget and finance
CCA	Department of commerce and consumer affairs
DEF	Department of defense
EDN	Department of education
GOV	Office of the governor
HHL	Department of Hawaiian home lands
HMS	Department of human services
HRD	Department of human resources development
HTH	Department of health
LBR	Department of labor and industrial relations
LNR	Department of land and natural resources
LTG	Office of the lieutenant governor
PSD	Department of public safety
SUB	Subsidies
TAX	Department of taxation
TRN	Department of transportation
UOH	University of Hawaii
CCH	City and county of Honolulu
COH	County of Hawaii
COK	County of Kauai
COM	County of Maui

“Means of financing” or “MOF” means the source from which funds are appropriated or authorized to be expended for the programs and projects specified in this part. All appropriations are followed by letter symbols. The letter symbols, where used, shall have the following meanings:

A	General funds
B	Special funds
C	General obligation bond fund
D	General obligation bond fund with debt service cost to be paid from special funds

**ACT 9**

- E Revenue bond funds
- J Federal aid interstate funds
- K Federal aid primary funds
- L Federal aid secondary funds
- M Federal aid urban funds
- N Federal funds
- P Other federal funds
- R Private contributions
- S County funds
- T Trust funds
- U Interdepartmental transfers
- W Revolving funds
- X Other funds

“Program ID” means the unique identifier for the specific program and consists of the abbreviation for the organization responsible for carrying out the program followed by the organization number for the program.

**SECTION 10. APPROPRIATIONS.** The following sums, or so much thereof as may be sufficient to accomplish the purposes and programs designated herein, are hereby appropriated or authorized, as the case may be, from the means of financing specified to the expending agencies designated for the fiscal biennium beginning July 1, 2019, and ending June 30, 2021.

**PROGRAM APPROPRIATIONS**

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>A. ECONOMIC DEVELOPMENT</b>					
1.	AGR141 - AGRICULTURAL RESOURCE MANAGEMENT				
	INVESTMENT CAPITAL		AGR	11,090,000 C	C
<b>B. EMPLOYMENT</b>					
<b>C. TRANSPORTATION FACILITIES</b>					
<b>D. ENVIRONMENTAL PROTECTION</b>					
<b>E. HEALTH</b>					
<b>F. SOCIAL SERVICES</b>					
1.	HHL602 - PLANNING AND DEVELOPMENT FOR HAWAIIAN HOMESTEADS				
	INVESTMENT CAPITAL		HHL	5,808,000 C	C
2.	HMS904 - GENERAL ADMINISTRATION				
	INVESTMENT CAPITAL		HMS	22,622,000 C	C
			HMS	37,012,000 N	N
<b>G. FORMAL EDUCATION</b>					
1.	EDN100 - SCHOOL-BASED BUDGETING				
	INVESTMENT CAPITAL		EDN	11,197,000 C	C
2.	EDN407 - PUBLIC LIBRARIES				
	INVESTMENT CAPITAL		EDN	1,900,000 C	C

## PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021

## H. CULTURE AND RECREATION

1.	LNR806 - PARKS ADMINISTRATION AND OPERATION				
	INVESTMENT CAPITAL	LNR	3,800,000	C	

## I. PUBLIC SAFETY

## J. INDIVIDUAL RIGHTS

## K. GOVERNMENT-WIDE SUPPORT

9.	SUB401 - COUNTY OF MAUI				
	INVESTMENT CAPITAL	COM	3,500,000	C	

SECTION 11. CAPITAL IMPROVEMENT PROJECTS AUTHORIZED. The sums appropriated or authorized in section 10 of this part for capital improvements shall be expended for the projects listed below. Accounting of the appropriations by the department of accounting and general services shall be based on the projects as the projects are listed in this section. Several related or similar projects may be combined into a single project if the combination is advantageous or convenient for implementation; provided that the total cost of the projects thus combined shall not exceed the total of the sum specified for the projects separately. The amount after total funding for each project listed in this part are in thousands of dollars.

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021

## A. ECONOMIC DEVELOPMENT

## AGR141 - AGRICULTURAL RESOURCE MANAGEMENT

1.	PUU PULEHU RESERVOIR, HAWAII				
	PLANS, DESIGN, AND CONSTRUCTION OF A THROW AWAY DITCH AND DRAINAGE AREA IMPROVEMENTS, PLANNING, ENGINEERING, AND ENVIRONMENTAL PERMITTING.				
	TOTAL FUNDING	AGR	200	C	
2.	WAIMANALO IRRIGATION SYSTEM IMPROVEMENTS, OAHU				
	DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO THE WAIMANALO IRRIGATION SYSTEM.				
	TOTAL FUNDING	AGR	1,103	C	

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
				M O F	M O F
3.		EAST MAUI WATER SYSTEMS, MAUI PLANS, DESIGN, AND CONSTRUCTION FOR IRRIGATION AND WATER DELIVERY SYSTEMS FOR AGRICULTURAL ENTERPRISES AND/OR AGRICULTURAL PURPOSES IN EAST MAUI. THE LEGISLATURE FINDS AND DECLARES THAT THE APPROPRIATION IS IN THE PUBLIC INTEREST AND FOR THE PUBLIC'S HEALTH, SAFETY AND GENERAL WELFARE OF THE STATE.			
		TOTAL FUNDING	AGR	1,200	C
4.		EAST MAUI WATER SYSTEMS, MAUI PLANS, DESIGN, AND CONSTRUCTION FOR WATER SYSTEMS IN EAST MAUI. THE LEGISLATURE FINDS AND DECLARES THAT THE APPROPRIATION IS IN THE PUBLIC INTEREST AND FOR THE PUBLIC'S HEALTH, SAFETY AND GENERAL WELFARE OF THE STATE.			
		TOTAL FUNDING	AGR	2,510	C
5.		KAMUELA VACUUM COOLING PLANT, HAWAII PLANS, DESIGN AND CONSTRUCTION FOR INFRASTRUCTURE AND BUILDING OF A POST-HARVEST FACILITY AND VACUUM COOLING PLANT.			
		TOTAL FUNDING	AGR	512	C
6.	SW0602	STATE IRRIGATION SYSTEM RESERVOIR SAFETY IMPROVEMENTS, STATEWIDE LAND ACQUISITION, DESIGN AND CONSTRUCTION FOR STATEWIDE RESERVOIR SAFETY IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	AGR	4,751	C
7.	980002	LOWER HAMAKUA DITCH WATERSHED PROJECT, HAWAII PLANS, LAND ACQUISITION, DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO THE LOWER HAMAKUA DITCH SYSTEM AND APPURTENANT WORKS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.			
		TOTAL FUNDING	AGR	814	C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021
<b>B. EMPLOYMENT</b>					
<b>C. TRANSPORTATION FACILITIES</b>					
<b>D. ENVIRONMENTAL PROTECTION</b>					
<b>E. HEALTH</b>					
<b>F. SOCIAL SERVICES</b>					
<b>HHL602 - PLANNING AND DEVELOPMENT FOR HAWAIIAN HOMESTEADS</b>					
1.		HAWAIIAN HOME LANDS LOT DEVELOPMENT, HAWAII PLANS, DESIGN, AND CONSTRUCTION FOR DEVELOPMENT OF KAUMANA SUBDIVISION LOT REHABILITATION, KAUMANA, HAWAII.	TOTAL FUNDING HHL	450	C
2.		HAWAIIAN HOME LANDS LOT DEVELOPMENT, HAWAII PLANS, DESIGN, AND CONSTRUCTION FOR DEVELOPMENT OF KAU WATER SYSTEM, KAU, HAWAII.	TOTAL FUNDING HHL	1,278	C
3.		HAWAIIAN HOME LANDS LOT DEVELOPMENT, MOLOKAI DESIGN AND CONSTRUCTION FOR THE DEVELOPMENT OF SCATTERED LOTS SITE IMPROVEMENTS, HOOLEHUA, MOLOKAI.	TOTAL FUNDING HHL	1,150	C
4.		HAWAIIAN HOME LANDS LOT DEVELOPMENT, MOLOKAI DESIGN AND CONSTRUCTION FOR THE DEVELOPMENT OF NAIWA SUBDIVISION SITE IMPROVEMENTS, HOOLEHUA, MOLOKAI.	TOTAL FUNDING HHL	950	C
5.		R & M - HAWAIIAN HOME LANDS EXISTING INFRASTRUCTURE, MAUI DESIGN AND CONSTRUCTION FOR THE REPAIR AND MAINTENANCE OF ARCHAEOLOGICAL PRESERVATION IMPROVEMENTS, KEOKEA-WAIOHULI, MAUI.	TOTAL FUNDING HHL	900	C
6.		R & M - HAWAIIAN HOME LANDS EXISTING INFRASTRUCTURE, STATEWIDE DESIGN AND CONSTRUCTION FOR THE REPAIR AND MAINTENANCE OF UTILITIES IN EXISTING HOMESTEAD SUBDIVISION, WATER, SEWER, DRAINAGE, AND STREETLIGHTS, STATEWIDE.	TOTAL FUNDING HHL	1,080	C

**ACT 9**

**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021

**HMS904 - GENERAL ADMINISTRATION**

11.01.		MODERNIZATION OF PUBLIC ASSISTANCE ELIGIBILITY SYSTEM PLANS, DESIGN, CONSTRUCTION AND EQUIPMENT FOR A REPLACEMENT ELIGIBILITY SYSTEM FOR THE PUBLIC ASSISTANCE PROGRAMS. THESE SYSTEMS WILL INTEGRATE WITH THE NEW MEDICAID ELIGIBILITY SYSTEM TO REPLACE THE EXISTING LEGACY PUBLIC ASSISTANCE ELIGIBILITY SYSTEM AND THE CHILD/ADULT WELFARE SYSTEMS THAT HAS OUTLIVED ITS CURRENT UTILITY OF 25 YEARS.				
		TOTAL FUNDING	HMS	22,622 C		C
			HMS	37,012 N		N

**G. FORMAL EDUCATION**

**EDN100 - SCHOOL-BASED BUDGETING**

7.		ALA WAI ELEMENTARY SCHOOL, OAHU CONSTRUCTION FOR COVERED PLAY COURT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.				
		TOTAL FUNDING	EDN	990 C		C
8.		KULA ELEMENTARY SCHOOL, MAUI DESIGN AND CONSTRUCTION OF A PORTABLE TRAILER OFFICE AND/OR CLASSROOM INCLUDING A COVERED AREA WITH STORAGE UNITS AT THE OLD KEOKEA ELEMENTARY SCHOOL; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.				
		TOTAL FUNDING	EDN	2,450 C		C
9.		SUNSET BEACH ELEMENTARY SCHOOL, OAHU DESIGN OF TWO SETS OF STAIRS AND A RAMP LEADING FROM THE CAMPUS TO THE PARK; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.				
		TOTAL FUNDING	EDN	239 C		C
10.		ALA WAI ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR A COVERED PLAYCOURT; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.				
		TOTAL FUNDING	EDN	1,984 C		C

## CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
11.		CASTLE HIGH SCHOOL, OAHU DESIGN AND CONSTRUCTION TO WIDEN THE FRONT ENTRANCE DRIVEWAY AND SECURITY UPGRADES; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	560	C
12.		CHIEFESS KAMAKAHELEI MIDDLE SCHOOL CONSTRUCTION AND EQUIPMENT FOR RENOVATION OF CKMS LIBRARY TO TRANSFORM IT INTO A 21ST CENTURY MEDIA CENTER BY CREATING STUDENT COLLABORATIVE SPACES. TOTAL FUNDING	EDN	460	C
13.		HENRY J. KAISER HIGH SCHOOL, GATHERING PLACE, OAHU DESIGN FOR A MULTIPURPOSE GATHERING PLACE; GROUND AND SITE IMPROVEMENTS. TOTAL FUNDING	EDN	378	C
14.		KAHALA ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR CAMPUS DRAINAGE IMPROVEMENTS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	260	C
15.		KALIHI UKA ELEMENTARY SCHOOL, OAHU DESIGN AND CONSTRUCTION FOR CAMPUS IMPROVEMENTS INCLUDING ADA; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	2,292	C
16.		WAIMEA ELEMENTARY SCHOOL, HAWAII LAND ACQUISITION OF PARKING LOT ADJACENT TO WAIMEA ELEMENTARY. TOTAL FUNDING	EDN	1,584	C

**EDN407 - PUBLIC LIBRARIES**

1.		WAIKOLOA LIBRARY, HAWAII LAND ACQUISITION FOR A PUBLIC LIBRARY IN WAIKOLOA; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES. TOTAL FUNDING	EDN	1,900	C
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**ACT 9**

**CAPITAL IMPROVEMENT PROJECTS**

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL YEAR 2019-2020	FISCAL YEAR 2020-2021

**H. CULTURE AND RECREATION**

**LNR806 - PARKS ADMINISTRATION AND OPERATION**

1.		NEW PUBLIC PARK TMK: 42003029, 42001055			
		DESIGN AND CONSTRUCTION FOR AN OFF-LEASH DOG PARK, PLAYGROUND, OUTDOOR PUBLIC GYM, RESTROOMS; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES.			
		TOTAL FUNDING	LNR	3,800	C

**I. PUBLIC SAFETY**

**J. INDIVIDUAL RIGHTS**

**K. GOVERNMENT-WIDE SUPPORT**

**SUB401 - COUNTY OF MAUI**

1.		UPCOUNTRY MAUI AGRICULTURAL PARK, MAUI			
		PLANS, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR A WATER PUMP FOR THE AGRICULTURAL PARK IN UPCOUNTRY MAUI; GROUND AND SITE IMPROVEMENTS; EQUIPMENT AND APPURTENANCES; THE LEGISLATURE FINDS AND DECLARES THAT THE APPROPRIATION IS IN THE PUBLIC INTEREST AND FOR THE PUBLIC'S HEALTH, SAFETY AND GENERAL WELFARE OF THE STATE.			
		TOTAL FUNDING	COM	3,500	C"

SECTION 12. The director of finance is authorized to issue general obligation bonds in the sum of \$60,917,000 or so much thereof as may be necessary for fiscal year 2019-2020 for the capital improvement projects authorized in this part.

SECTION 13. The governor may approve the expenditure of all federal funds that are in excess of levels authorized by the legislature; provided that the governor may allow for an increase in the appropriate federal fund authorization ceiling for the program to accommodate the expenditure of the funds.

SECTION 14. The appropriations made for the capital improvement projects authorized by section 10, and described by section 11 of this part shall not lapse at the end of the fiscal biennium for which the appropriation is made; provided that all moneys from the appropriation unencumbered as of June 30, 2022, shall lapse as of that date; provided further that this lapsing date shall not apply to non-general fund appropriations for projects authorized in section 10, and described by section 11 of this part where the appropriations have been deemed necessary to qualify for federal aid financing and reimbursement; provided further that appropriations that are unencumbered as of June 30, 2026, shall lapse as of that date.



PART VIII. SUBSTITUTION OF GENERAL OBLIGATION  
BONDS FOR OTHER FUNDS

SECTION 15. Part VI of Act 276, Session Laws of Hawaii 2019, is amended by adding a new section to read as follows:

“SECTION 15A. Any provision of this Act to the contrary notwithstanding, the appropriations made for capital improvement projects authorized under this Act shall not lapse at the end of the fiscal biennium for which the appropriation is made; provided that all appropriations made to be expended in fiscal biennium 2019-2021 that are unencumbered as of June 30, 2022, shall lapse as of that date.”

SECTION 16. Act 12, Session Laws of Hawaii 2018, as amended by Act 35, Session Laws of Hawaii 2019, is amended by amending section 5, subsection (a), to read as follows:

“SECTION 5. (a) There is appropriated out of the general revenues of the State of Hawaii the sum of [~~\$100,000,000~~] \$61,000,000 or so much thereof as may be necessary for fiscal year 2017-2018 and there is appropriated out of the general obligation bond fund the sum of \$39,000,000 or so much thereof as may be necessary for fiscal year 2019-2020 to protect the health, safety, and welfare of the people, and provide relief from disaster damages, losses, and suffering caused by the extraordinary weather event that produced torrential rains and resultant flooding in the county of Kauai in April 2018 or to implement mitigation measures to prevent and minimize the impacts of current or future flooding in areas affected by the April 2018 flooding on Kauai.

The [~~sum~~] sums appropriated shall be allotted to the department of defense and expended by the adjutant general solely for the express stated purposes of this part; provided that the moneys appropriated pursuant to this section shall not lapse at the end of the fiscal year for which the moneys have been appropriated; provided further that [~~any moneys~~] general revenues appropriated pursuant to this section that are unencumbered as of June 30, 2020, shall lapse on that date; provided further that general obligation bond funds appropriated pursuant to this section that are unencumbered as of June 30, 2021 shall lapse on that date; provided further that the moneys appropriated pursuant to this section shall be exempt from section 37-74(d), Hawaii Revised Statutes.

The director of finance is authorized to issue general obligation bonds in the sum of \$39,000,000 or so much thereof as may be necessary for fiscal year 2019-2020 for the purposes of this section.”

SECTION 17. There is appropriated the sum of \$40,000,000 or so much thereof as may be necessary in general obligation bond funds for fiscal year 2020-2021 as a loan to the county of Hawaii as may be necessary to obtain non-state funds, including federal funds, available to the county of Hawaii to provide relief, recovery, mitigation, and remediation assistance for disaster damage, losses, and suffering caused by the Kilauea eruption in the county of Hawaii. The loan terms shall be negotiated by the director of finance; provided that the director of finance may waive any interest accrued on said loan.

The sum appropriated shall be expended by the department of budget and finance.

The director of finance is authorized to issue general obligation bonds in the sum of \$40,000,000 or so much thereof as may be necessary for fiscal year 2020-2021 for the purposes of this section.

PART IX. MODIFICATIONS TO PRIOR MEASURES PASSED BY THE HAWAII STATE LEGISLATURE DURING THE REGULAR SESSION OF 2020

SECTION 18. This purpose of this part is to amend:

- (1) Senate Bill No. 75 S.D. 2, H.D. 1;<sup>7</sup> and
- (2) Senate Bill No. 3139 S.D. 1, H.D. 1,<sup>8</sup>

passed by the legislature on May 21, 2020, to conform to this part if either or both measures are enacted before or after the effective date of this Act.

SECTION 19. Senate Bill No. 75, S.D. 2, H.D. 1,<sup>7</sup> passed by the legislature during the regular session of 2020, is amended by amending section 13 to read as follows:

~~“SECTION 13. [There is appropriated out of the funds received by the State of Hawaii from the Paycheck Protection Program and Health Care Enhancement Act, Public Law 116-139, the sum of \$36,000,000 or so much thereof as may be necessary for fiscal year 2019-2020 to be used for thermal screening programs pursuant to Public Law 116-139 and associated guidance issued by appropriate federal agencies; provided that beginning June 1, 2020, a monthly report shall be submitted to the governor and the legislature that details all allocations and expenditures.~~

~~The sum appropriated shall be expended by the department of transportation for the purposes of this section.] REPEALED.”~~

SECTION 20. Senate Bill No. 75, S.D. 2, H.D. 1,<sup>7</sup> passed by the legislature during the regular session of 2020, is amended by amending section 16 to read as follows:

~~“SECTION 16. This Act, upon its approval, shall take effect [on May 1, 2020;] retroactively on June 29, 2020; provided that funds appropriated or authorized by this Act that are not expended or encumbered as of December 28, 2020, shall lapse as of that date; provided further that section 11 shall take effect on July 1, 2020.”~~

SECTION 21. Senate Bill No. 3139 S.D. 1, H.D. 1,<sup>8</sup> passed by the legislature during the regular session of 2020, is amended by amending section 12 to read as follows:

~~“SECTION 12. This Act, upon its approval, shall take effect [on May 27, 2020;] retroactively on June 29, 2020; provided that section 2 shall take effect on July 1, 2020.”~~

PART X. STATE CORONAVIRUS RELIEF FUNDS

SECTION 22. The Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, was enacted on March 27, 2020, to address the extensive economic fallout of the coronavirus disease 2019 (COVID-19) pandemic. Among its provisions, Division A, Title V of the CARES Act provided \$1,250,000,000 to Hawaii for expenditures that are:

- (1) Necessary and incurred due to the public health emergency with respect to COVID-19;
- (2) Not accounted for in the budget most recently approved as of March 27, 2020, for state government; and
- (3) Incurred between March 1, 2020, and December 30, 2020.

In May 2020, the legislature passed S.B. No. 75, S.D. 2, H.D. 1,<sup>7</sup> which appropriated out of the funds received by the State of Hawaii from the CARES Act

the sum of \$635,986,000 to be deposited into the emergency and budget reserve fund.

Accordingly, the purpose of this part is to appropriate funds received by the State from the CARES Act for the purpose of COVID-19 response activities and provide transparency and accountability for the use of those funds.

Certain COVID-19 relief programs are scheduled to end by July 31, 2020, including the federal paycheck protection program loans; the \$600 per week federal unemployment insurance “plus-up” (UI plus-up); temporary increases to public assistance such as the supplemental nutrition assistance program (SNAP); and both the state and federal moratoriums on evictions. While federal relief may be extended, Hawaii’s recovery will likely take longer than for the rest of the nation and may outlast federal aid.

The legislature finds that the pandemic has provided the State with an opportunity to evolve. The immediate, critical concern is for the health and welfare of the people of Hawaii, which is in turn inextricably linked to the economic health of the State. Solving short-term and long-term challenges requires comprehensive, coordinated action. To that end, the legislature has engaged the community to determine the best possible strategy to deploy limited resources in a multi-pronged effort to support individuals and families to recover from the COVID-19 pandemic, while simultaneously supporting economic diversification.

An economic analysis conducted by the university of Hawaii economic research organization, in consultation with the department of business, economic development, and tourism, of the package of CARES Act initiatives developed by the legislature found that:

- (1) \$618 million in spending to support Hawaii’s households and businesses and accelerate training programs for putting people back to work will generate more than \$1 billion in gross domestic product over the coming year; and
- (2) The spending will support up to six thousand five hundred jobs.

The analysis further determined that “because much of the spending is for safety net programs, there is little risk that the money will be saved instead of spent in the Hawaii economy. Yet, it is also true that many of the high-contact service jobs that dominate Hawaii’s employment opportunities will be impacted until consumers and visitors feel it is safe to return. As a result, it is imperative that we continue to focus on efforts to retrain workers for jobs in Hawaii’s New Economy”.

## PART XI. HOUSING RELIEF AND RESILIENCY PROGRAM

SECTION 23. The legislature finds that economic stress in Hawaii will be deep and prolonged due to the State’s heavy dependence on the travel industry. The next “curve” to flatten may be a sharp rise in housing instability and homelessness in the wake of the coronavirus disease 2019 (COVID-19) pandemic; this curve would impact many people who have never relied on public assistance before and who do not qualify for existing government housing programs. At present, experts predict a rise in evictions, housing instability, and homelessness in August, with potential ripple effects through banking and other parts of the economy.

The legislature further finds that renters are especially vulnerable. The University of Hawaii economic research organization and Hawaii Budget and Policy Center estimate that by July 31, 2020, forty thousand to forty-five thousand renter households will lose their federal unemployment insurance plus-up, will be unemployed, and will not be receiving other rental assistance. Approximately 21,500 of these renter households will be at risk of losing their housing because the portion of their income going to housing will jump by ten per cent

or more, and approximately seven thousand five hundred of these renter households will be at extreme risk of losing their housing because the portion of their income going to housing will jump by thirty per cent or more. When eviction moratoriums expire, Hawaii could be faced with a wave of evictions.

The legislature additionally finds that homeowners having a federally backed mortgage qualify for up to a year of forbearance, but there is no similar protection for mortgages that are not federally backed. The Hawaii Budget and Policy Center estimates that by July 31, 2020, approximately thirteen thousand homeowners will lose their federal unemployment insurance plus-up, will be unemployed, and will not be receiving other assistance, including mortgage forbearance. Assisting these homeowners in working with their lenders on mortgage loan modifications will provide needed housing relief to mitigate mortgage foreclosures.

The purpose of this part is to:

- (1) Establish a community-based housing relief and resilience program to help up to thirty-four thousand renter households that are at risk of eviction with rental assistance payments and provide homeowner households that may be facing mortgage foreclosure with counseling and loan modification assistance due to the COVID-19 pandemic; and
- (2) Appropriate CARES Act funds that have been deposited into the emergency and budget reserve fund for the program.

SECTION 24. (a) There is established the housing relief and resiliency program in the Hawaii housing finance and development corporation. The housing relief and resiliency program is intended to be a flexible program that meets the needs of households that have been economically impacted by COVID-19 and are facing housing hardships.

(b) The Hawaii housing finance and development corporation shall select and contract with a nonprofit intermediary who shall establish a centralized database and work with community nonprofit agencies, such as community development financial institutions and housing counseling agencies, to distribute funds and provide other assistance to qualified households.

(c) The program shall target renters and homeowners who have experienced a reduction in income because of unemployment or reduction in work hours due to COVID-19. The program shall provide help with rental payments for impacted renter households and counseling and loan modification assistance for impacted homeowner households.

(d) In order to qualify for assistance through the housing relief and resiliency program, applicants shall have a household income that does not exceed one hundred per cent of the area median income as determined by the United States Department of Housing and Urban Development. Receipt or non-receipt of unemployment insurance benefits shall not be a condition of eligibility for assistance through the housing relief and resiliency program.

(e) Rental housing relief shall be for one primary residence, and the amount of assistance shall not exceed fifty per cent of the monthly rent or \$500 per month, whichever is less. A lump sum rental payment for up to five months of rent, for a total amount not to exceed \$2,500, may be made to the participating landlord; provided that the landlord honors the rental agreement for the duration of the rental assistance period. Participating landlords may include private owners of rental properties financed with low-income housing tax credits or rental housing revolving fund loans administered by the Hawaii housing finance and development corporation.

(f) Housing assistance shall be provided on a first-come, first-served basis until funds are depleted.

(g) The housing relief assistance payment period shall be from August 1, 2020, to December 28, 2020.

(h) The Hawaii housing finance and development corporation shall submit a report to the legislature describing the outcomes of the housing relief and resiliency program no later than January 20, 2021.

SECTION 25. Notwithstanding any other law to the contrary, there is appropriated out of the emergency and budget reserve fund established under section 328L-3, Hawaii Revised Statutes, from the amounts received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of \$100,000,000<sup>9</sup> or so much thereof as may be necessary for fiscal year 2020-2021 to be used for housing and rental assistance and the administrative costs related to the housing relief and resiliency program, pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that:

- (1) The funds shall be allocated as follows:
  - (A) The sum of \$85,000,000 or so much thereof as may be necessary shall be geographically allocated for housing relief payments as follows:
    - (i) \$54,400,000 to the city and county of Honolulu;
    - (ii) \$12,000,000 to the county of Hawaii;
    - (iii) \$9,600,000 to the county of Maui;
    - (iv) \$4,000,000 to the county of Kauai; and
    - (v) \$5,000,000 for use statewide; and
  - (B) The sum of \$15,000,000 or so much thereof as may be necessary may be allocated for the cost of administering the program, including administrative and monitoring expenses incurred by the Hawaii housing finance and development corporation and the nonprofit intermediary recipient;
- (2) All procurements executed pursuant to this part shall be exempt from the requirements of chapters 103D and 103F, Hawaii Revised Statutes;
- (3) Beginning July 15, 2020, a monthly report that details all allocations and expenditures shall be submitted to the governor and the legislature; and
- (4) On December 28, 2020, any unexpended funds shall be transferred to the unemployment compensation trust fund established under section 383-121, Hawaii Revised Statutes.

The sum appropriated shall be expended by the Hawaii housing finance and development corporation for the purposes of this part.

SECTION 26. The Hawaii housing finance and development corporation may modify the allocation of funds, eligibility requirements, monthly assistance levels, and other features as the program is implemented.

## PART XII. STATE CORONAVIRUS RELIEF FUNDS - CHILDCARE FACILITY SUBSIDY

SECTION 27. The purpose of this part is to establish a grant program within the department of human services to support child care providers during the COVID-19 pandemic.

SECTION 28. (a) There is established the child care grant program through which the department or its designee may award grants to any registered or licensed child care facility or an eligible exempt child care facility that requires funds as a result of the response to the coronavirus 2019 disease, or COVID-19, pandemic for any of the following:

- (1) To maintain or resume operations if it lacks funds to do so due to a revenue shortfall caused by decreased enrollment or closure that occurred after March 15, 2020;
- (2) To conduct cleaning, sanitation, and similar activities necessary to maintain or resume operations, including the purchase of disinfecting and personal protective equipment and supplies;
- (3) Employee salaries or training; or
- (4) Other purposes as authorized by the department and consistent with any applicable federal funding source and state law.

(b) All moneys necessary to carry out the purposes of this section shall be appropriated by the legislature.

(c) For the purpose of implementing the child care grant program, the department shall:

- (1) Adopt interim rules without regard to chapters 91 or 201M, Hawaii Revised Statutes; provided that the interim rules shall expire no later than January 1, 2021; or

- (2) Adopt rules pursuant to chapter 91, Hawaii Revised Statutes.

(d) Rules adopted pursuant to subsection (c) shall include, at minimum:

- (1) The minimum duration that a registered or licensed child care facility or eligible exempt child care facility shall maintain operations after the receipt of grant funds from the child care grant program;
- (2) Conditions under which an exempt child care facility may be eligible to be awarded a grant from the child care grant program; and
- (3) Conditions under which an awarded grant shall be repaid to the State in the event of inappropriate or unauthorized expenditures.

(e) Grants shall be disbursed pursuant to a contract between the department or its designee and the grant recipient in accordance with the rules adopted pursuant to subsections (c) and (d). Payment of funds shall be made within thirty days after a contract is executed.

(f) For the purposes of this part:

“Exempt child care facility” means a child care facility:

- (1) Exempt from any license or registration required by this part; and
- (2) That satisfies the conditions to be eligible for participation in the child care grant program pursuant to rules adopted in accordance with subsections (c) and (d).

“Grant” means an award of state funds to a specified recipient to support the activities of the recipient and permit the community to benefit from those activities.

“Registered or licensed child care facility” means any child care facility licensed or registered pursuant to this part.

SECTION 29. Notwithstanding any other law to the contrary, there is appropriated out of the emergency and budget reserve fund established under section 328L-3, Hawaii Revised Statutes, from the amounts received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of \$15,000,000 or so much thereof as may be necessary for fiscal year 2020-2021 to be used to support child care providers, pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that:



- (1) All procurements executed pursuant to this part shall be exempt from the requirements of chapters 103D and 103F, Hawaii Revised Statutes;
- (2) Beginning July 15, 2020, a monthly report that details all allocations and expenditures shall be submitted to the governor and the legislature; provided that each report shall include the following information by county:
  - (A) The total number and dollar amount of grants awarded;
  - (B) The total number and dollar amount of grants awarded to:
    - (i) Licensed child care facilities;
    - (ii) Family child care homes;
    - (iii) Group child care centers;
    - (iv) Group child care homes; and
    - (v) Eligible exempt child care facilities; and
  - (C) The total child care maximum capacity at child care facilities receiving the grant awarded funds; and
- (3) On December 28, 2020, any unexpended funds shall be transferred to the unemployment compensation trust fund established under section 383-121, Hawaii Revised Statutes.

The sum appropriated shall be expended by the department of human services for the purposes of this part.

### PART XIII. PURCHASE AND DISTRIBUTION OF PERSONAL PROTECTIVE EQUIPMENT

SECTION 30. Notwithstanding any other law to the contrary, there is appropriated out of the emergency and budget reserve fund established under section 328L-3, Hawaii Revised Statutes, from the amounts received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of ~~\$100,000,000~~ \$61,000,000<sup>10</sup> or so much thereof as may be necessary for fiscal year 2020-2021 to be used for the purchase and distribution of personal protective equipment to hospitals, childcare facilities, elderly care facilities, businesses, non-profits, and schools, pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that:

- (1) All procurements executed pursuant to this part shall be exempt from the requirements of chapters 103D and 103F, Hawaii Revised Statutes;
- (2) Beginning July 15, 2020, a monthly report that details all allocations and expenditures shall be submitted to the governor and the legislature; and
- (3) On December 28, 2020, any unexpended funds shall be transferred to the unemployment compensation trust fund established under section 383-121, Hawaii Revised Statutes.

The sum appropriated shall be expended by the department of defense for the purposes of this part.

### PART XIV. AIRPORT SCREENING AND HEALTH ASSURANCE SECURITY INITIATIVES

SECTION 31. Notwithstanding any other law to the contrary, there is appropriated out of the emergency and budget reserve fund established under section 328L-3, Hawaii Revised Statutes, from the amounts received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public

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Law 116-136, the sum of ~~\$90,000,000~~ \$70,000,000<sup>11</sup> or so much thereof as may be necessary for fiscal year 2020-2021 to be used for airport screening and health assurance security initiatives, pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that:

- (1) All procurements executed pursuant to this part shall be exempt from the requirements of chapters 103D and 103F, Hawaii Revised Statutes;
- (2) Beginning July 15, 2020, a monthly report that details all allocations and expenditures shall be submitted to the governor and the legislature; and
- (3) On December 28, 2020, any unexpended funds shall be transferred to the unemployment compensation trust fund established under section 383-121, Hawaii Revised Statutes.

The sum appropriated shall be expended by the department of transportation for the purposes of this part.

### PART XV. RETRAINING AND WORKFORCE DEVELOPMENT PROGRAMS

SECTION 32. Notwithstanding any other law to the contrary, there is appropriated out of the emergency and budget reserve fund established under section 328L-3, Hawaii Revised Statutes, from the amounts received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of ~~\$36,000,000~~ \$10,000,000<sup>12</sup> or so much thereof as may be necessary for fiscal year 2020-2021 to be used for retraining and workforce development programs, pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that:

- (1) All procurements executed pursuant to this part shall be exempt from the requirements of chapters 103D and 103F, Hawaii Revised Statutes;
- (2) Beginning July 15, 2020, a monthly report that details all allocations and expenditures shall be submitted to the governor and the legislature; and
- (3) On December 28, 2020, any unexpended funds shall be transferred to the unemployment compensation trust fund established under section 383-121, Hawaii Revised Statutes.

The sum appropriated shall be expended by the business development and support division (BED100) of the department of business, economic development, and tourism for the purposes of this part.

### PART XVI. INNOVATION GRANTS TO CREATE A SUPPLY CHAIN OF CLEANING SUPPLIES AND PERSONAL PROTECTIVE EQUIPMENT

SECTION 33. Notwithstanding any other law to the contrary, there is appropriated out of the emergency and budget reserve fund established under section 328L-3, Hawaii Revised Statutes, from the amounts received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of ~~\$15,000,000~~ \$10,000,000<sup>13</sup> or so much thereof as may be necessary for fiscal year 2020-2021 to be used as innovation grants to support emerging industries to create a supply chain for cleaning supplies and personal protective equipment, pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that:



- (1) Grant awards shall be limited to no more than \$500,000 per recipient, unless additional funding need is determined by the Hawaii technology development corporation;
- (2) Grant awards shall be made to recipients with less than fifty employees;
- (3) All procurements executed pursuant to this part shall be exempt from the requirements of chapters 103D and 103F, Hawaii Revised Statutes;
- (4) Beginning July 15, 2020, a monthly report that details all allocations and expenditures shall be submitted to the governor and the legislature; and
- (5) On December 28, 2020, any unexpended funds shall be transferred to the unemployment compensation trust fund established under section 383-121, Hawaii Revised Statutes.

The sum appropriated shall be expended by the Hawaii technology development corporation (BED143) of the department of business, economic development, and tourism for the purposes of this part.

## PART XVII. FOOD DISTRIBUTION

SECTION 34. Notwithstanding any other law to the contrary, there is appropriated out of the emergency and budget reserve fund established under section 328L-3, Hawaii Revised Statutes, from the amounts received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of \$5,000,000 or so much thereof as may be necessary for fiscal year 2020-2021 to be used for a public-private partnership to provide food assistance to families in need, pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that:

- (1) All procurements executed pursuant to this part shall be exempt from the requirements of chapters 103D and 103F, Hawaii Revised Statutes;
- (2) Beginning July 15, 2020, a monthly report that details all allocations and expenditures shall be submitted to the governor and the legislature; and
- (3) On December 28, 2020, any unexpended funds shall be transferred to the unemployment compensation trust fund established under section 383-121, Hawaii Revised Statutes.

The sum appropriated shall be expended by the office of community services (LBR903) of the department of labor and industrial relations for the purposes of this part.

## PART XVIII. FISHING INDUSTRY SUPPORT

SECTION 35. Notwithstanding any other law to the contrary, there is appropriated out of the emergency and budget reserve fund established under section 328L-3, Hawaii Revised Statutes, from the amounts received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of \$3,000,000 or so much thereof as may be necessary for fiscal year 2020-2021 to be used to support the commercial fishing industry, pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that:

- (1) All procurements executed pursuant to this part shall be exempt from the requirements of chapters 103D and 103F, Hawaii Revised Statutes;

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- (2) Beginning July 15, 2020, a monthly report that details all allocations and expenditures shall be submitted to the governor and the legislature; and
- (3) On December 28, 2020, any unexpended funds shall be transferred to the unemployment compensation trust fund established under section 383-121, Hawaii Revised Statutes.

The sum appropriated shall be expended by the business development and support division (BED100) of the department of business, economic development, and tourism for the purposes of this part.

### PART XIX. SUPPORT FOR 2020 GRADUATES OF PUBLIC HIGH SCHOOLS

SECTION 36. Notwithstanding any other law to the contrary, there is appropriated out of the emergency and budget reserve fund established under section 328L-3, Hawaii Revised Statutes, from the amounts received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of ~~\$2,000,000~~ \$1,000,000<sup>14</sup> or so much thereof as may be necessary for fiscal year 2020-2021 to be used for a public-private partnership to provide support to public high school seniors who were adversely affected by school closures in their final semester of school, pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that:

- (1) All procurements executed pursuant to this part shall be exempt from the requirements of chapters 103D and 103F, Hawaii Revised Statutes;
- (2) Beginning July 15, 2020, a monthly report that details all allocations and expenditures shall be submitted to the governor and the legislature; and
- (3) On December 28, 2020, any unexpended funds shall be transferred to the unemployment compensation trust fund established under section 383-121, Hawaii Revised Statutes.

The sum appropriated shall be expended by the office of community services (LBR903) of the department of labor and industrial relations for the purposes of this part.

### PART XX. GOVERNOR DISCRETIONARY FUND

SECTION 37. Notwithstanding any other law to the contrary, there is appropriated out of the emergency and budget reserve fund established under section 328L-3, Hawaii Revised Statutes, from the amounts received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of \$39,986,000 or so much thereof as may be necessary for fiscal year 2020-2021 to be used for eligible programs pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies; provided that:

- (1) All procurements executed pursuant to this part shall be exempt from the requirements of chapters 103D and 103F, Hawaii Revised Statutes;
- (2) Beginning July 15, 2020, a monthly report that details all allocations and expenditures shall be submitted to the governor and the legislature; and
- (3) On December 28, 2020, any unexpended funds shall be transferred to the unemployment compensation trust fund established under section 383-121, Hawaii Revised Statutes.

The sum appropriated shall be expended by the office of the governor for the purposes of this part.

#### PART XXI. UNEMPLOYMENT INSURANCE ASSISTANCE

SECTION 38. Notwithstanding any other law to the contrary, there is appropriated out of the emergency and budget reserve fund established under section 328L-3, Hawaii Revised Statutes, from the amounts received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the sum of ~~\$230,000,000~~ \$0<sup>15</sup> or so much thereof as may be necessary for fiscal year 2020-2021 to be used between August 1, 2020, and December 30, 2020, to provide an additional weekly unemployment benefit of \$100 per week to state eligible recipients; provided that:

- (1) No additional \$100 weekly unemployment benefit shall be issued if there exists an additional federal unemployment benefit of more than \$300 per week;
- (2) The department of labor and industrial relations shall have flexibility in the implementation of this part;
- (3) All procurements executed pursuant to this part shall be exempt from the requirements of chapters 103D and 103F, Hawaii Revised Statutes; and
- (4) Beginning July 15, 2020, a monthly report that details all allocations and expenditures shall be submitted to the governor and the legislature.

The sum appropriated shall be expended by the department of labor and industrial relations for the purposes of this part.

#### PART XXII. DEPLOYMENT OF RESERVE FUNDS

SECTION 39. Notwithstanding any other law to the contrary, there is appropriated out of the emergency and budget reserve fund established under section 328L-3, Hawaii Revised Statutes, the sum of ~~\$1,080,000,605~~ \$648,000,000<sup>16</sup> or so much thereof as may be necessary for fiscal year 2019-2020 to be deposited to the general fund.

The sum appropriated shall be expended by the department of budget and finance for the purposes of this section.

SECTION 40. This section provides the governor the option of using funds available in the Hawaii hurricane relief fund.

There is appropriated out of the Hawaii hurricane relief fund established under chapter 431P, Hawaii Revised Statutes, the sum of \$183,000,000 or so much thereof as may be necessary for fiscal year 2020-2021 to be expended for pandemic related shortfalls.

The sum appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this section.

#### PART XXIII. MISCELLANEOUS

Section 41. The revisor of statutes shall substitute the appropriate Act number for:

- (1) House Bill No. 2200, H.D. 1, S.D. 1,<sup>1</sup> in sections 1, 2, and 3 of this Act;
- (2) Senate Bill No. 3080, S.D. 3, H.D. 1,<sup>3</sup> in section 6 of this Act;
- (3) House Bill No. 2725, H.D. 1, S.D. 1,<sup>5</sup> in section 7 of this Act;

## ACT 10

- (4) Senate Bill No. 75, S.D. 2, H.D. 1,<sup>7</sup> in sections 18, 19, 20, and 22 of this Act; and
- (5) Senate Bill No. 3139, S.D. 1, H.D. 1,<sup>8</sup> in sections 18 and 21 of this Act.

SECTION 42. If any provision of this Act conflicts with the provisions of any other Act enacted by the legislature during the 2020 regular session, including House Bill No. 2200, H.D. 1, S.D. 1,<sup>1</sup> the provisions of this Act shall supersede those Acts.

SECTION 43. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of the Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 44. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 45. This Act shall take effect upon approval; provided that:

- (1) Parts VI, VIII, and IX shall take effect retroactively on June 29, 2020;
- (2) Parts IV, VII, and XXII shall take effect retroactively on June 30, 2020;
- (3) Parts I, II, III, V, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, and XXI shall take effect retroactively on July 1, 2020.

(Approved July 31, 2020.)

### Notes

1. Act 7.
2. "And" should be underscored.
3. Act 5.
4. Program Appropriations table is printed as enacted.
5. Act 6.
6. Prior to amendment ";" appeared here.
7. Act 8.
8. Act 4.
9. Although Gov. Msg. No. 1112 noted that "\$100,000,000" was to be line item vetoed and replaced with "\$50,000,000", no such line item veto appeared in the returned bill.
10. Item vetoed, replaced with "\$61,000,000", and initialed "DYI".
11. Item vetoed, replaced with "\$70,000,000", and initialed "DYI".
12. Item vetoed, replaced with "\$10,000,000", and initialed "DYI".
13. Item vetoed, replaced with "\$10,000,000", and initialed "DYI".
14. Item vetoed, replaced with "\$1,000,000", and initialed "DYI".
15. Item vetoed, replaced with "\$0", and initialed "DYI".
16. Item vetoed, replaced with "\$648,000,000", and initialed "DYI".

## ACT 10

H.B. NO. 1637

A Bill for an Act Relating to Health.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that federal civil monetary penalties may be assessed on medicare certified skilled nursing facilities by the Department of Health and Human Services Centers for Medicare and Medicaid Services and shared with states. Monetary penalties are assessed when facilities are cited for non-compliance with federal certification requirements as found during federal recertification surveys conducted in Hawaii on behalf of the Centers for

Medicare and Medicaid Services by the department of health office of health care assurance. Further, the legislature finds that the Centers for Medicare and Medicaid Services have implemented the civil money penalty reinvestment program, a three-year effort to reduce adverse events, improve staffing quality, and improve dementia care in nursing homes. The Centers for Medicare and Medicaid Services must approve any initiatives that are aimed to improve the health and well-being of residents such as music and memory and education programs. Facilities are not allowed to use funds to pay staff salaries or for construction purposes.

Further, the Centers for Medicare and Medicaid Services asks that states not have statutes limiting the dollar amount of federal civil monetary penalty funds awarded to projects that benefit nursing home residents. The Centers for Medicare and Medicaid Services considers it a reasonable goal for states to award at least fifty per cent of the fund balance to these projects, beyond funds that are held in an emergency reserve fund. Further, the legislature finds that a civil monetary penalty special fund, into which monetary penalties shared with Hawaii are deposited and expended, was created in the department of health. The civil monetary penalty special fund currently has a spending ceiling of \$30,000 per year. The ceiling was determined during a time of infrequent and lower amounts of assessed monetary penalties. However, during recent years, the special fund balance has increased significantly and, after the deposit of \$371,324 during fiscal year 2018-2019, the balance as of June 30, 2019, was \$1,051,157.

The purpose of this Act is to amend the civil monetary penalty special fund statute to eliminate the spending ceiling to align with the federal civil monetary penalty reinvestment program, thus allowing the department of health to establish an appropriate spending ceiling through the state budget process.

SECTION 2. Section 321-30.2, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) There is established the civil monetary penalty special fund, to be administered by the department of health. The fund shall consist of moneys collected by the United States Department of Health and Human Services Centers for Medicare and Medicaid Services as federally imposed civil monetary penalty funds when health care facilities or agencies do not meet medicare certification requirements as determined by the department of health when it conducts medicare certification surveys and complaint investigations on health care facilities or agencies in Hawaii in accordance with section 1864 of the Social Security Act. Moneys in the fund shall be expended by the department of health as approved by the Centers for Medicare and Medicaid Services. [~~Not more than \$30,000 of the moneys~~] Moneys in the fund may be used during any fiscal year for the activities carried out by the department of health as approved by the Centers for Medicare and Medicaid Services.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved August 6, 2020.)

A Bill for an Act Making Appropriations for Claims Against the State, Its Officers, or Its Employees.

*Be It Enacted by the Legislature of the State of Hawaii:*

PART I

SECTION 1. The following sums or so much thereof as may be necessary for fiscal year 2019-2020 are appropriated out of the general revenues of the State of Hawaii to the department of the attorney general for the purpose of satisfying claims for legislative relief as to the following named persons, firms, corporations, and entities, for claims against the State or its officers or employees for the overpayment of taxes, or for refunds, reimbursements, payments of judgments or settlements, or other liabilities, in the amounts set forth opposite their names:

JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:	AMOUNT
1. MISCELLANEOUS CLAIMS:	
Loretta Beralas	\$ 2.01
Grace Blevins	\$ 400.28
BVT-CAM Private Equity Global Fund II Beteiligungs GmbH	\$ 16,000.00
CAM Private Equity Verwaltungs GmbH	\$ 51,300.00
CAM Select I Beteiligungs GmbH	\$ 42,500.00
Kathleen A. Kehler Harper	\$ 809.11
Amanda Jamieson	\$ 23,125.00
Margaret Jamieson	\$ 23,125.00
John and Deborah Mar	\$ 866.75
Nanci J. Merck	\$ 93.93
Betty Y. Ohigashi	\$ 1,023.99
The Estate of Calvin C. Ontai	\$ 578.40
Judith Ross	\$ 578.40
Elaine S. Tanigawa	\$ 1,000.00
Barbara H. Ursal	\$ 289.20
Christine Woods	\$ 388.19
SUBTOTAL:	\$ 162,080.26
TOTAL (SECTION 1):	\$ 162,080.26

The sums appropriated shall be expended by the department of the attorney general for the purposes of this Act.

PART II

SECTION 2. The following sums or so much thereof as may be necessary for fiscal year 2019-2020 are appropriated out of the state highway fund for the purpose of satisfying claims for legislative relief as to the following named persons, for claims against the State or its officers or employees for payments of judgments or settlements, or other liabilities, in the amounts set forth opposite their names:

**JUDGMENTS AGAINST THE STATE  
AND SETTLEMENTS OF CLAIMS:**

**AMOUNT**

1. DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:

Hayselden, et al. v. State of Hawaii, et al. Civil No. 17-1-0204, Third Circuit	\$ 300,000.00 Settlement
Vares, et al. v. State of Hawaii, et al. Civil No. 16-1-0512-03, First Circuit	\$ 650,000.00 Settlement
SUBTOTAL:	\$ 950,000.00
TOTAL (SECTION 2)	\$ 950,000.00

The sums appropriated shall be expended by the department of transportation, highways division, for the purposes of this Act.

**PART III**

SECTION 3. The legislature finds and declares that the following claim for legislative relief recommended for approval as to the following named person for claims against the State or the department of education or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

**JUDGMENTS AGAINST THE STATE  
AND SETTLEMENTS OF CLAIMS:**

**AMOUNT**

1. DEPARTMENT OF EDUCATION:

Zhang v. State of Hawaii, et al. Civil No. 19-1-0824-05, First Circuit	\$ 130,000.00 Settlement
SUBTOTAL	\$ 130,000.00
TOTAL (SECTION 3)	\$ 130,000.00

Provided that of legislative appropriation item G-2 for the department of education for fiscal year 2019-2020 in section 3 of Act 5, Session Laws of Hawaii 2019, the general fund sum of \$130,000 shall be expended from the fiscal year 2019-2020 budget (EDN 150, general funds) by the department of education for the purposes of this Act.

**PART IV**

SECTION 4. The legislature finds and declares that the following claim for legislative relief recommended for approval as to the following named person for claims against the State or the department of education or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

**JUDGMENTS AGAINST THE STATE  
AND SETTLEMENTS OF CLAIMS:**

**AMOUNT**

1. DEPARTMENT OF EDUCATION:

Lau, et al. v. Kenui, et al. Civil No. 17-1-0209, Third Circuit	\$ 40,000.00 Settlement
SUBTOTAL	\$ 40,000.00
TOTAL (SECTION 4)	\$ 40,000.00



## ACT 11

Provided that of legislative appropriation item G-1 for the department of education for fiscal year 2019-2020 in section 3 of Act 5, Session Laws of Hawaii 2019, the general fund sum of \$40,000 shall be expended from the fiscal year 2019-2020 budget (EDN 100, general funds) by the department of education for the purposes of this Act.

### PART V

**SECTION 5.** The legislature finds and declares that the following claims for legislative relief recommended for approval as to the following named persons for claims against the State or the department of land and natural resources or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

<b>JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:</b>	<b>AMOUNT</b>
<b>1. DEPARTMENT OF LAND AND NATURAL RESOURCES:</b>	
Ching, et al. v. Case, et al. Civil No. 14-1-1085-04, First Circuit	\$ 9,514.99 Judgment
Gold Coast Neighborhood Association v. State of Hawaii, et al. Civil No. 07-1-1122-06, First Circuit	\$ 13,160.94 Judgment
Keauhou Canoe Club v. Department of Land and Natural Resources, et al. Civil No. 13-1-678K, Third Circuit	\$ 9,918.58 Judgment
<b>SUBTOTAL</b>	<b>\$ 32,594.51</b>
<b>TOTAL (SECTION 5)</b>	<b>\$ 32,594.51</b>

Provided that of legislative appropriation item D-9 for the department of land and natural resources for fiscal year 2019-2020 in section 3 of Act 5, Session Laws of Hawaii 2019, the general fund sum of \$32,594.51 shall be expended from the fiscal year 2019-2020 budget (LNR 906, general funds) by the department of land and natural resources for the purposes of this Act.

### PART VI

**SECTION 6.** The legislature finds and declares that the following claim for legislative relief recommended for approval as to the following named person for claims against the State or the department of public safety or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

<b>JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:</b>	<b>AMOUNT</b>
<b>1. DEPARTMENT OF PUBLIC SAFETY:</b>	
Shiira v. State of Hawaii, et al. Civil No. 13-1-0331, Fifth Circuit	\$ 44,946.75 Judgment
<b>SUBTOTAL</b>	<b>\$ 44,946.75</b>
<b>TOTAL (SECTION 6)</b>	<b>\$ 44,946.75</b>

Provided that of legislative appropriation item I-7 for the department of public safety for fiscal year 2019-2020 in section 3 of Act 5, Session Laws of Hawaii 2019, the general fund sum of \$44,946.75 shall be expended from the fiscal year 2019-2020 budget (PSD 408, general funds) by the department of public safety for the purposes of this Act.



PART VII

SECTION 7. The legislature finds and declares that the following claim for legislative relief recommended for approval as to the following named person for claims against the State or the department of public safety or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

<b>JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:</b>	<b>AMOUNT</b>
1. DEPARTMENT OF PUBLIC SAFETY:	
Lana v. State of Hawaii, et al.	\$ 40,000.00
Civil No. 13-1-2365-08, First Circuit	Settlement
SUBTOTAL	\$ 40,000.00
TOTAL (SECTION 7)	\$ 40,000.00

Provided that of legislative appropriation item I-6 for the department of public safety for fiscal year 2019-2020 in section 3 of Act 5, Session Laws of Hawaii 2019, the general fund sum of \$40,000.00 shall be expended from the fiscal year 2019-2020 budget (PSD 407, general funds) by the department of public safety for the purposes of this Act.

PART VIII

SECTION 8. The legislature finds and declares that the following claim for legislative relief recommended for approval as to the following named person for claims against the State or the department of public safety or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

<b>JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:</b>	<b>AMOUNT</b>
1. DEPARTMENT OF PUBLIC SAFETY:	
Firth, et al. v. County of Maui, et al.	\$ 350,000.00
Civil No. 18-1-0234(4), Second Circuit	Settlement
SUBTOTAL	\$ 350,000.00
TOTAL (SECTION 8)	\$ 350,000.00

Provided that of legislative appropriation item I-15 for the department of public safety for fiscal year 2019-2020 in section 3 of Act 5, Session Laws of Hawaii 2019, the general fund sum of \$350,000 shall be expended from the fiscal year 2019-2020 budget (PSD 503, general funds) by the department of public safety for the purposes of this Act.

PART IX

SECTION 9. The legislature finds and declares that the following claim for legislative relief recommended for approval as to the following named person for claims against the State or the Hawaii community development authority or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

# ACT 11

## JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:

AMOUNT

### 1. HAWAII COMMUNITY DEVELOPMENT AUTHORITY:

Carolyn Ward Aki v. City and County of Honolulu, et al. Civil No. 17-1-1861-11 GWBC, First Circuit	\$ 55,000.00
	<u>Settlement</u>
SUBTOTAL	\$ 55,000.00
TOTAL (SECTION 9)	\$ 55,000.00

Provided that of legislative appropriation item A-24 for the Hawaii community development authority for fiscal year 2019-2020 in section 3 of Act 5, Session Laws of Hawaii 2019, the general fund sum of \$55,000 shall be expended from the fiscal year 2019-2020 budget (BED 150, general funds) by the Hawaii community development authority for the purposes of this Act.

## PART X

SECTION 10. The legislature finds and declares that the following claim for legislative relief recommended for approval as to the following named person for claims against the State or the Hawaii state public library system or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

## JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:

AMOUNT

### 1. HAWAII STATE PUBLIC LIBRARY SYSTEM:

United States Environmental Protection Agency, Region 9 - Hawaii State Public Library System	\$ 143,990.00
	<u>Settlement</u>
SUBTOTAL	\$ 143,990.00
TOTAL (SECTION 10)	\$ 143,990.00

Provided that of legislative appropriation item G-14 for the Hawaii state public library system for fiscal year 2019-2020 in section 3 of Act 5, Session Laws of Hawaii 2019, the general fund sum of \$143,990 shall be expended from the fiscal year 2019-2020 budget (EDN 407, general funds) by the Hawaii state public library system for the purposes of this Act.

## PART XI

SECTION 11. The legislature finds and declares that the following claim for legislative relief recommended for approval as to the following named person for claims against the State or the state public charter school commission or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

## JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:

AMOUNT

### 1. STATE PUBLIC CHARTER SCHOOL COMMISSION:

HGEA/AFSCME on Behalf of Ardith Renteria, and Charter Volcano School of Arts and Sciences	\$ 71,594.18
	<u>Judgment</u>
Miller-Potter v. State of Hawaii, et al. Civil No 16-1-0385K, Third Circuit	\$ 75,000.00
	<u>Settlement</u>
SUBTOTAL	\$ 146,594.18
TOTAL (SECTION 11)	\$ 146,594.18

Provided that of legislative appropriation item G-7 for the state public charter school commission for fiscal year 2019-2020 in section 3 of Act 5, Session Laws of Hawaii 2019, the general fund sum of \$146,594.18 shall be expended from the fiscal year 2019-2020 budget (EDN 600, general funds) by the state public charter school commission for the purposes of this Act.

## PART XII

SECTION 12. The sums hereinabove may be paid to the respective persons, or for the satisfaction or settlement of the respectively identified cases, and in several amounts hereinabove set forth or in lesser amounts deemed appropriate, upon checks issued by the comptroller; provided that departments shall obtain the approval of the attorney general before payment of any claim can be made.

SECTION 13. Notwithstanding the sums hereinabove stated as interest upon judgments against the State, payment of interest shall be limited to the period from the date of judgment, if applicable, to thirty days after the effective date of this Act, as provided in section 662-8, Hawaii Revised Statutes, for those cases to which the statute applies.

SECTION 14. All unexpended and unencumbered balances of the appropriations made in this Act as of the close of business on June 30, 2021, shall lapse; provided that any funds appropriated for fiscal year 2019-2020 by Act 5, Session Laws of Hawaii 2019, to the programs referenced in this Act that are not expended or encumbered for the specific purposes described in this Act as of the close of business on June 30, 2021, shall also lapse.

SECTION 15. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act, which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 16. This Act, upon its approval, shall take effect retroactive to June 30, 2020.

(Approved August 7, 2020.)

## ACT 12

S.B. NO. 2871

A Bill for an Act Relating to Professional and Vocational Licensing Trust Funds.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 444-26, Hawaii Revised Statutes, is amended to read as follows:

**“§444-26 Contractors recovery fund; use of fund; person injured; fees.** (a) The board is authorized to establish and maintain a contractors recovery fund from which any person injured by an act, representation, transaction, or conduct of a duly licensed contractor, which is in violation of this chapter or the rules adopted pursuant thereto, may recover by order of the circuit court or district court of the judicial circuit where the violation occurred, an amount of not more than \$12,500 per contract, regardless of the number of persons injured under

the contract, for damages sustained by the act, representation, transaction, or conduct. Recovery from the fund shall be limited to the actual damages suffered by the claimant, including court costs and fees as set by law, and reasonable attorney fees as determined by the court; provided that recovery from the fund shall not be awarded to persons injured by an act, representation, transaction, or conduct of a contractor whose license was suspended, revoked, forfeited, terminated, or in an inactive status at the time the claimant entered into the contract with the contractor.

(b) For purposes of this chapter, “person injured” or “injured person” means and is limited to owners or lessees of private residences, including condominium or cooperative units, who have contracted with a duly licensed contractor for the construction of improvements or alterations to the owners’ or lessees’ own private residences and owners or lessees of real property who have contracted with a duly licensed contractor for the construction of the owners’ or lessees’ own private residences on the owners’ or lessees’ real property.

(c) When any person applies for a contractors license, the person shall pay, in addition to the person’s original license fee, a fee of \$150 for deposit in the contractors recovery fund, and a fee for deposit in the contractors education fund as provided in rules adopted by the director pursuant to chapter 91. In the event that the board does not issue the license, these fees shall be returned to the applicant.

~~[(d) When the contractors recovery fund attains a funding level of \$420,893 in any fiscal year, the board shall either:~~

- ~~(1) Cease accepting payments made by renewing licensees; or~~
- ~~(2) Develop a process to refund monies in excess of the \$420,893 fund balance to licensees who paid into the fund, and refund such monies.~~

~~If acceptance of payments is ceased, it shall remain ceased until the funding level falls below \$420,893.]”~~

SECTION 2. Section 444-29, Hawaii Revised Statutes, is amended to read as follows:

**“§444-29 Management of fund.** (a) The sums received by the contractors license board for deposit in the contractors recovery fund shall be held by the contractors license board in trust for carrying out the purposes of the contractors recovery fund. The contractors license board, as trustee of the recovery fund, shall be authorized to retain private legal counsel to represent the board in any action which may result in collection from the contractors recovery fund. These funds may be invested and reinvested in the same manner as funds of the state employees’ retirement system, and the interest from these investments shall be deposited to the credit of the contractors education fund.

(b) The contractors education fund, which is hereby created, shall be available to the contractors license board for educational purposes~~]; provided that when the contractors education fund attains a funding level of \$15,315 in any fiscal year, the board shall either:~~

- ~~(1) Cease accepting payments made by renewing licensees; or~~
- ~~(2) Develop a process to refund monies in excess of the \$15,315 fund balance to licensees who paid into the fund, and refund such monies.~~

~~If acceptance of payments is ceased, it shall remain ceased until the funding level falls below \$15,315].~~

(c) Any law to the contrary notwithstanding, to maintain a reasonable relation between the fees generated and the cost of services rendered by the contractors recovery fund and the contractors education fund, the board may make a finding that a fee adjustment is appropriate and adjust the fees generated by renewals accordingly. For the purposes of finding that a fee adjustment is ap-

propriate in order to maintain a reasonable relation between the fees generated and the cost of services rendered by the funds, the board's review shall include the following:

- (1) Frequency and timing of anticipated revenue to the fund;
- (2) Identification of a reserve amount based on unanticipated revenue reductions and historical expenditures;
- (3) Anticipated expenses paid, including recovery payouts during a biennial budget cycle;
- (4) Unanticipated natural disasters or catastrophic weather events that may increase fund payments; and
- (5) Any statutory adjustments to fund payout amounts.

The balance in each fund shall not exceed sums determined by the board. The sums shall be determined by the board biennially."

SECTION 3. Section 467-11, Hawaii Revised Statutes, is amended to read as follows:

**"§467-11 Fees; original license and biennial renewals.** (a) All fees for applications, registrations, certificates, and any license prescribed by this chapter shall be deposited to the credit of the compliance resolution fund established pursuant to section 26-9(o), and all fees allocated to the real estate education fund shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91.

(b) The biennial renewal fee and completed renewal application shall be submitted to the department of commerce and consumer affairs on or before the commission-prescribed deadline and prior to the expiration date of the license. All real estate licenses expire on December 31 of an even-numbered year. Failure, neglect, or refusal of any duly licensed real estate broker or real estate salesperson to pay the biennial renewal fee and to submit a completed renewal application shall constitute a forfeiture of the license as of January 1 of the subsequent odd-numbered year.

(c) The forfeited license of an individual real estate broker or real estate salesperson may be restored upon compliance with the licensing renewal requirements provided by law; submission of a complete written application; payment of all applicable renewal fees, penalty fees, compliance resolution fund fees, and, if applicable, recovery fund assessments; satisfaction of the applicable requirements in sections 467-8 and 467-9; submission of written documentation demonstrating compliance with section 467-11.5; and, for individual licensees, satisfaction of one of the following as applicable:

- (1) For a license forfeited for more than one year but less than four years, the successful completion of the commission-approved course or courses or passage of the commission-approved examination; or
- (2) For a license forfeited for more than four years but less than five years, the successful passage of the commission-approved examination.

(d) The license of any individual licensed as a real estate broker or a real estate salesperson who fails to apply for restoration of a forfeited license within five years from the date of forfeiture shall be automatically terminated. Once a license has been terminated pursuant to this section, the individual may apply for a new salesperson license pursuant to and subject to all applicable laws and rules in effect at the time of application.

(e) The license of any real estate broker other than a natural person that fails to apply for restoration of a forfeited license within one year from the date of forfeiture, shall be automatically terminated. Once a license has been terminated pursuant to this section, the entity may apply for a new license pursuant to and subject to all applicable laws and rules in effect at the time of application.

(f) A real estate broker or real estate salesperson may place that person's license on an inactive status by filing an application and setting forth information prescribed or required by the commission; the license shall be renewed on or before the commission-prescribed deadline prior to the expiration date of the license by payment of the biennial renewal fee and submission of a completed renewal application. A real estate broker or real estate salesperson may reactivate that person's inactive license by satisfying section 467-11.5, filing an application setting forth any information as may be prescribed or required by the commission, and paying the proper fee.

(g) The commission may refund any fee erroneously paid to it under this section when the commission deems it just and equitable.

~~[(h) If the education fund balance attains a funding level of \$1,713,510 in any fiscal year, the commission shall either:~~

- ~~(1) Cease accepting payments made by renewing licensees; or~~
- ~~(2) Develop a process to refund monies in excess of the \$1,713,510 fund balance to licensees who paid into the fund, and refund such monies.~~

~~If acceptance of payments is ceased, it shall remain ceased until the funding level falls below \$1,713,510.]”~~

SECTION 4. Section 467-16, Hawaii Revised Statutes, is amended to read as follows:

**“§467-16 Real estate recovery fund; use of fund; fees.** (a) The commission shall establish and maintain a trust fund which shall be known as the real estate recovery fund from which any person aggrieved by an act, representation, transaction, or conduct of a duly licensed real estate broker, or real estate salesperson, upon the grounds of fraud, misrepresentation, or deceit, may recover upon the commission's settlement of a claim or by order of the circuit court or district court of the county where the violation occurred, an amount of not more than \$25,000 per transaction for damages sustained by the fraud, misrepresentation, or deceit, including court costs and fees as set by law, and reasonable attorney fees as determined by the court.

(b) When any person makes application for an original license to practice as a real estate broker or salesperson the person shall pay, in addition to the person's original license fee, a real estate recovery fund fee as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91 for deposit in the real estate recovery fund. If the commission does not issue the license, this fee shall be returned to the applicant.

(c) The commission, as the trustee of the real estate recovery fund, shall be authorized to expend the funds to:

- (1) Retain private legal counsel to represent the commission in any action involving or which may result in payment from the real estate recovery fund;
- (2) Retain a certified public accountant for accounting and auditing of the real estate recovery fund;
- (3) Employ necessary personnel, not subject to chapter 76, to assist the commission in exercising its powers and duties with respect to the real estate recovery fund; and
- (4) Retain a consultant to recover and collect any payments from the real estate recovery fund plus interest from the judgment debtor.

~~[(d) When the real estate recovery fund attains a funding level of \$481,799 in any fiscal year, the commission shall either:~~

- ~~(1) Cease accepting payments made by renewing licensees; or~~



- (2) ~~Develop a process to refund monies in excess of the \$481,799 fund balance to licensees who paid into the fund, and refund such monies.~~

~~If acceptance of payments is ceased, it shall remain ceased until the funding level falls below \$481,799.]”~~

SECTION 5. Section 467-19, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The sums received by the real estate commission for deposit in the real estate recovery fund shall be held by the commission in trust for carrying out the purpose of the real estate recovery fund. The real estate commission, as the trustee of the recovery fund, shall be authorized to expend the funds to retain private legal counsel to represent the commission in any action involving the real estate recovery fund. These funds may be invested and reinvested in the same manner as funds of the state employees’ retirement system, and the interest from these investments shall be deposited to the credit of the real estate education fund, and which shall be available to the commission for educational purposes, which is hereby created. The real estate commission, as trustee of the real estate education fund, may invest and reinvest the real estate education fund in the same manner as funds of the state employees’ retirement system. Any law to the contrary notwithstanding, the commission may make a finding that a fee adjustment is appropriate and may adjust the fees generated to regulate the fund balances of the real estate recovery fund and the real estate education fund to appropriate levels to maintain a reasonable relation between the fees generated and the cost of services rendered by the real estate recovery fund and real estate education fund. The commission for investment purposes, may combine the real estate education and recovery funds and invest and reinvest the combined funds in the same manner as funds of the state employees’ retirement system. The commission shall keep separate accounting records for the two funds. For the purposes of finding that a fee adjustment is appropriate in order to maintain a reasonable relation between the fees generated and the cost of services rendered by the funds, the commission’s review shall include the following:

- (1) Frequency and timing of anticipated revenue to the fund;
- (2) Identification of a reserve amount based on unanticipated revenue reductions and historical expenditures;
- (3) Anticipated expenses paid, including recovery payouts during a biennial budget cycle;
- (4) Unanticipated natural disasters or catastrophic weather events that may increase fund payments; and
- (5) Any statutory adjustments to fund payout amounts.

The balance in each fund shall not exceed sums determined by the commission. The sums shall be determined by the commission biennially.”

SECTION 6. Section 514B-71, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The commission shall use all moneys in the condominium education trust fund for purposes consistent with subsection (a). Any law to the contrary notwithstanding, the commission may make a finding that a fee adjustment is appropriate and adjust the fees paid by associations to regulate the fund balance to an appropriate level to maintain a reasonable relation between the fees generated and the cost of services rendered by the condominium education trust fund. For the purposes of finding that a fee adjustment is appropriate in order to maintain a reasonable relation between the fees generated and the cost of services rendered by the fund, the commission’s review shall include the following:

- (1) Frequency and timing of anticipated revenue to the fund;

- (2) Identification of a reserve amount based on unanticipated revenue reductions and historical expenditures;
- (3) Anticipated expenses paid, including recovery payouts during a biennial budget cycle;
- (4) Unanticipated natural disasters or catastrophic weather events that may increase fund payments; and
- (5) Any statutory adjustments to fund payout amounts.

The balance of the fund shall not exceed a sum determined by the commission. The sum shall be determined by the commission biennially.”

SECTION 7. Section 514B-72, Hawaii Revised Statutes, is amended to read as follows:

**“§514B-72 Condominium education trust fund; payments by associations and developers.** (a) Each project or association with more than five units shall pay to the department of commerce and consumer affairs:

- (1) A condominium education trust fund fee within one year after the recordation of the purchase of the first unit or within thirty days of the association’s first meeting, and thereafter, on or before June 30 of every odd-numbered year, as prescribed by rules adopted pursuant to chapter 91; and
- (2) Beginning with the July 1, 2015, biennium registration, an additional annual condominium education trust fund fee in an amount equal to the product of \$1.50 times the number of condominium units included in the registered project or association to be dedicated to supporting mediation or voluntary binding arbitration of condominium related disputes. The additional condominium education trust fund fee shall total \$3 per unit until the commission adopts rules pursuant to chapter 91. On June 30 of every odd-numbered year, any unexpended additional amounts paid into the condominium education trust fund and initially dedicated to supporting mediation or voluntary binding arbitration of condominium related disputes, as required by this paragraph, shall be used for educational purposes as provided in section 514B-71(a)(1), (2), and (3).

(b) Each developer shall pay to the department of commerce and consumer affairs the condominium education trust fund fee for each unit in the project, as prescribed by rules adopted by the director of commerce and consumer affairs pursuant to chapter 91. The project shall not be registered and no effective date for a developer’s public report shall be issued until the payment has been made.

(c) Payments of any fees required under this section shall be due on or before the registration due date and shall be nonrefundable ~~[except as specified in subsection (e). Unless acceptance of payments is ceased pursuant to subsection (e), failure].~~ Failure to pay the required fee by the due date shall result in a penalty assessment of ten per cent of the amount due and the association shall not have standing to bring any action to collect or to foreclose any lien for common expenses or other assessments in any court of this State until the amount due, including any penalty, is paid. Failure of an association to pay a fee required under this section shall not impair the validity of any claim of the association for common expenses or other assessments, or prevent the association from defending any action in any court of this State.

(d) The department of commerce and consumer affairs shall allocate the fees collected under this section to the condominium education trust fund established pursuant to section 514B-71. The fees collected pursuant to this sec-



tion shall be administratively and fiscally managed together as one condominium education trust fund established by section 514B-71.

~~[(e) When the condominium education trust fund attains a funding level of \$1,819,971 in any fiscal year, the commission shall either:~~

- ~~(1) Cease accepting payments made by projects and associations at each biennial registration; or~~
- ~~(2) Develop a process to refund monies in excess of the \$1,819,971 fund balance to projects and associations that paid into the fund at applicable biennial registrations, and refund such monies.~~

~~If acceptance of payments is ceased, it shall remain ceased until the funding level falls below \$1,819,971.]”~~

SECTION 8. Act 29, Session Laws of Hawaii 2019, is amended by amending section 18 to read as follows:

“SECTION 18. This Act shall take effect on July 1, 2019; provided that:

- (1) Section 3 shall take effect on June 28, 2019; and
- (2) Sections 7, 8, 10, 11, and 12 of this Act shall take effect on July 1, 2020~~], and shall be repealed on June 30, 2022; provided further that sections 444-26, 444-29, 467-11, 467-16, and 514B-72, Hawaii Revised Statutes, shall be reenacted in the form in which it read prior to the effective date of this Act].”~~

SECTION 9. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 10. This Act, upon its approval, shall take effect retroactive to July 1, 2020, and shall supersede any contrary amendments made by Act 29, Session Laws of Hawaii 2019.

(Approved August 12, 2020.)

## ACT 13

S.B. NO. 2920

A Bill for an Act Relating to Conformity to the Internal Revenue Code.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The purpose of this Act is to conform Hawaii income and estate and generation-skipping transfer tax laws to the Internal Revenue Code.

SECTION 2. Section 235-2.3, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) For all taxable years beginning after December 31, ~~[2018;]~~ 2019, as used in this chapter, except as provided in this section and section 235-2.35, “Internal Revenue Code” means subtitle A, chapter 1, of the federal Internal Revenue Code of 1986, as amended as of ~~[December 31, 2018;]~~ March 27, 2020, as it applies to the determination of gross income, adjusted gross income, ordinary income and loss, and taxable income, except those provisions of the Internal Revenue Code ~~[and federal public laws]~~ which, pursuant to this chapter, do not apply or are otherwise limited in application ~~[and except for the provisions of Public Law 109-001 which apply to section 170 of the Internal Revenue Code. The provisions of Public Law 109-001 to accelerate the deduction for charitable cash contributions for the relief of victims of the 2004 Indian Ocean tsunami are~~

applicable for the calendar year that ended December 31, 2004, and the calendar year ending December 31, 2005].

Sections 1106(i)(relating to exclusion of loan forgiveness from gross income), 2202(b)(relating to loans from retirement plans), and 2205 (relating to charitable contributions) of Public Law 116-136 shall be operative for purposes of this chapter. No amount received under section 2201 (relating to recovery rebates) of Public Law 116-136 shall be included in gross income for purposes of this chapter.

Prior law shall continue to be used to determine:

- (1) The basis of property, if a taxpayer first determined the basis of property in a taxable year to which prior law applies; and
- (2) Gross income, adjusted gross income, ordinary income and loss, and taxable income for a taxable year to which prior law applies.”

SECTION 3. Section 235-2.4, Hawaii Revised Statutes, is amended to read as follows:

**“§235-2.4 Operation of certain Internal Revenue Code provisions; sections 63 to 530.** (a) Section 63 (with respect to taxable income defined) of the Internal Revenue Code shall be operative for the purposes of this chapter, subject to the following:

- (1) Section 63(c)(1)(B) (relating to the additional standard deduction), 63(c)(1)(C) (relating to the real property tax deduction), 63(c)(1)(D) (relating to the disaster loss deduction), 63(c)(1)(E) (relating to the motor vehicle sales tax deduction), 63(c)(4) (relating to inflation adjustments), 63(c)(7) (defining the real property tax deduction), 63(c)(8) (defining the disaster loss deduction), 63(c)(9) (defining the motor vehicle sales tax deduction), and 63(f) (relating to additional amounts for the aged or blind) of the Internal Revenue Code shall not be operative for purposes of this chapter;
- (2) Section 63(c)(2) (relating to the basic standard deduction) of the Internal Revenue Code shall be operative, except that the standard deduction amounts provided therein shall instead mean:
  - (A) \$4,400 in the case of:
    - (i) A joint return as provided by section 235-93; or
    - (ii) A surviving spouse (as defined in section 2(a) of the Internal Revenue Code);
  - (B) \$3,212 in the case of a head of household (as defined in section 2(b) of the Internal Revenue Code);
  - (C) \$2,200 in the case of an individual who is not married and who is not a surviving spouse or head of household; or
  - (D) \$2,200 in the case of a married individual filing a separate return;
- (3) Section 63(c)(5) (limiting the basic standard deduction in the case of certain dependents) of the Internal Revenue Code shall be operative, except that the limitation shall be the greater of \$500 or the individual’s earned income; and
- (4) The standard deduction amount for nonresidents shall be calculated pursuant to section 235-5.

(b) Section 67 (with respect to the 2-percent floor on miscellaneous itemized deductions) of the Internal Revenue Code shall be operative for purposes of this chapter, except that the suspension in section 67(g) shall not be operative for purposes of this chapter.

(c) Section 68 (with respect to the overall limitation on itemized deductions) of the Internal Revenue Code shall be operative; provided that the:

- (1) Thresholds shall be those that were operative for federal tax year 2009; and
- (2) Suspension in section 68(f) shall not be operative for purposes of this chapter.
- (d) Section 72 (with respect to annuities; certain proceeds of endowment and life insurance contracts) of the Internal Revenue Code shall be operative for purposes of this chapter and be interpreted with due regard to section 235-7(a), except that the ten per cent additional tax on early distributions from retirement plans in section 72(t) shall not be operative for purposes of this chapter.
- (e) Section 85 (with respect to unemployment compensation) of the Internal Revenue Code shall be operative for purposes of this chapter, except that section 85(c) shall not be operative for purposes of this chapter.
- (f) Section 108 (with respect to income from discharge of indebtedness) of the Internal Revenue Code shall be operative for purposes of this chapter, except that section 108(i) (relating to deferral and ratable inclusion of income arising from business indebtedness discharged by the reacquisition of a debt instrument) shall not be operative for purposes of this chapter.
- (g) Section 121 (with respect to exclusion of gain from sale of principal residence) of the Internal Revenue Code shall be operative for purposes of this chapter, except that for the election under section 121(f), a reference to section 1034 treatment means a reference to section 235-2.4(n) in effect for taxable year 1997.
- (h) Section 132 (with respect to certain fringe benefits) of the Internal Revenue Code shall be operative for purposes of this chapter, except that:
  - (1) The suspensions in section 132(f)(8) and 132(g)(2) shall not be operative for purposes of this chapter; and
  - (2) Section 132(n) shall not apply to United States Department of Defense Homeowners Assistance Program payments authorized by the American Recovery and Reinvestment Act of 2009.
- (i) Section 162 (with respect to trade or business expenses) of the Internal Revenue Code shall be operative for the purposes of this chapter, except that sections 162(f)(2), (3), and (4) (all of which relate to exceptions to the general rule, established in section 162(f)(1), that no deduction is allowed for the payment of fines or penalties) shall not be operative for purposes of this chapter.
- (j) Section 163 (with respect to interest) of the Internal Revenue Code shall be operative for the purposes of this chapter, except that the following provisions shall not be operative for the purposes of this chapter:
  - (1) Section 163(d)(4)(B) (defining net investment income to exclude dividends);
  - (2) Section 163(e)(5)(F) (suspension of applicable high-yield discount obligation (AHYDO) rules);
  - (3) Section 163(h)(3)(F) (limiting mortgage interest); and
  - (4) Section 163(i)(1) as it applies to debt instruments issued after January 1, 2010[;] (defining AHYDO).
- (k) Section 164 (with respect to taxes) of the Internal Revenue Code shall be operative for the purposes of this chapter, except that:
  - (1) Section 164(b)(6)(B) (limiting the deduction for state and local taxes) shall not be operative for the purposes of this chapter;
  - (2) The deductions under section 164(a)(3) and (b)(5) shall not be operative for corporate taxpayers and shall be operative only for the following individual taxpayers:
    - (A) A taxpayer filing a single return or a married person filing separately with a federal adjusted gross income of less than \$100,000;

- (B) A taxpayer filing as a head of household with a federal adjusted gross income of less than \$150,000; and
- (C) A taxpayer filing a joint return or as a surviving spouse with a federal adjusted gross income of less than \$200,000; and
- (3) Section 164(a)(3) shall not be operative for any amounts for which the credit under section 235-55 has been claimed.
- (l) Section 165 (with respect to losses) of the Internal Revenue Code shall be operative for purposes of this chapter, except that:
  - (1) The amount prescribed by ~~sections~~ section 165(h)(1) (relating to the limitation per casualty) of the Internal Revenue Code shall be a \$100 limitation per casualty;
  - (2) Section 165(h)(3)(A) and (B) (both of which relate to special rules for personal casualty gains and losses in federally declared disasters) of the Internal Revenue Code shall not be operative for the purposes of this chapter;
  - (3) Section 165(h)(5) (relating to the limitation on the deductibility of personal casualty losses that are not attributable to federally declared disasters) shall not be operative for purposes of this chapter; and
  - (4) Section 165 as operative for this chapter shall also apply to losses sustained from the sale of stocks or other interests issued through the exercise of the stock options or warrants granted by a qualified high technology business as defined in section 235-7.3.
- (m) Section 168 (with respect to the accelerated cost recovery system) of the Internal Revenue Code shall be operative for purposes of this chapter, except that sections 168(j) (relating to property on Indian reservations), 168(k) (relating to the special allowance for certain property acquired during the period specified therein), 168(m) (relating to the special allowance for certain reuse and recycling property), and 168(n) (relating to the special allowance for qualified disaster assistance property) of the Internal Revenue Code shall not be operative for purposes of this chapter.
- (n) Section 172 (with respect to net operating loss deductions) of the Internal Revenue Code shall be operative for purposes of this chapter~~;~~ in the form that it existed as of December 31, 2019, and as further provided in section 235-7(d)~~;~~ except that section 172(b)(1)(J) and (j) (both of which related<sup>1</sup> to qualified disaster losses) of the Internal Revenue Code shall not be operative for purposes of this chapter.
- (o) Section 179 (with respect to the election to expense certain depreciable business assets) of the Internal Revenue Code shall be operative for purposes of this chapter, except as provided in this subsection:
  - (1) The aggregate cost provided in section 179(b)(1), which may be taken into account under section 179(a) for any taxable year, shall not exceed \$25,000;
  - (2) The amount at which the reduction in limitation provided in section 179(b)(2) begins shall exceed \$200,000 for any taxable year; and
  - (3) The following shall not be operative for purposes of this chapter:
    - (A) Defining section 179 property to include computer software in section 179(d)(1);
    - (B) Inflation adjustments in section 179(b)(5);
    - (C) Irrevocable election in section 179(c)(2); and
    - (D) Special rules for qualified disaster assistance property in section 179(e).

(p) Section 198A (with respect to the expensing of qualified disaster assistances expenses) of the Internal Revenue Code shall not be operative for purposes of this chapter.

(q) Section 217 (with respect to moving expenses) of the Internal Revenue Code shall be operative for purposes of this chapter, except that the suspension in section 217(k) shall not be operative for purposes of this chapter.

(r) Section 219 (with respect to retirement savings) of the Internal Revenue Code shall be operative for the purpose of this chapter. For the purpose of computing the limitation on the deduction for active participants in certain pension plans for state income tax purposes, adjusted gross income as used in section 219 as operative for this chapter means federal adjusted gross income.

(s) Section 220 (with respect to medical savings accounts) of the Internal Revenue Code shall be operative for the purpose of this chapter, but only with respect to medical services accounts that have been approved by the Secretary of the Treasury of the United States.

(t) Section 265 (with respect to expenses and interest relating to tax-exempt income) of the Internal Revenue Code shall be operative for purposes of this chapter; except that section 265(b)(3)(G) and (7) shall not be operative and section 265 shall not apply to expenses for royalties and other income derived from any patents, copyrights, and trade secrets by an individual or a qualified high technology business as defined in section 235-7.3. These expenses shall be deductible.

(u) Section 274 (with respect to the disallowance of certain entertainment, etc., expenses) of the Internal Revenue Code shall be operative for this chapter in the form that it existed as of December 21, 2017.

(v) Section 280E (with respect to expenditures in connection with the illegal sale of drugs) of the Internal Revenue Code shall be operative for the purposes of this chapter, except that section 280E shall not be operative with respect to the production and sale of medical cannabis and manufactured cannabis products by dispensaries licensed under chapter 329D and their subcontractors, as defined in section 329D-1.

(w) Section 382 (with respect to limitation on net operating loss carry-forwards and certain built-in losses following ownership change) of the Internal Revenue Code shall be operative for the purposes of this chapter, except that section 382(n) shall not be operative for purposes of this chapter.

(x) Section 408A (with respect to Roth Individual Retirement Accounts) of the Internal Revenue Code shall be operative for the purposes of this chapter, except that section 408A(d)(3)(A)(iii) shall not be operative for purposes of this chapter. For the purposes of determining the aggregate amount of contributions to a Roth Individual Retirement Account or qualified rollover contribution to a Roth Individual Retirement Account from an individual retirement plan other than a Roth Individual Retirement Account, adjusted gross income as used in section 408A as operative for this chapter means federal adjusted gross income.

(y) In administering the provisions of sections 410 to 417 (with respect to special rules relating to pensions, profit sharing, stock bonus plans, etc.), sections 418 to 418E (with respect to special rules for multiemployer plans), and sections 419 and 419A (with respect to treatment of welfare benefit funds) of the Internal Revenue Code, the department of taxation shall adopt rules under chapter 91 relating to the specific requirements under those sections and to other administrative requirements under those sections as may be necessary for the efficient administration of sections 410 to 419A.

In administering sections 401 to 419A (with respect to deferred compensation) of the Internal Revenue Code, Public Law 93-406, section 1017(i), shall be operative for the purposes of this chapter.

In administering section 402 (with respect to the taxability of beneficiary of employees' trust) of the Internal Revenue Code, the tax imposed on lump sum distributions by section 402(e) of the Internal Revenue Code shall be operative for the purposes of this chapter and the tax imposed therein is hereby imposed by this chapter at the rate determined under this chapter.

(z) In administering section 403 (with respect to taxation of employee annuities) of the Internal Revenue Code, any funds that represent pre-tax employee deferrals or contributions that are distributed from the annuity and used solely to obtain retirement credits under the state employees' retirement system shall not be treated as a rollover for purposes of section 403(b)(8)(A) of the Internal Revenue Code, and those funds shall be subject to income tax under this chapter.

(aa) Section 451 (which provides general rules for taxable year of inclusion) of the Internal Revenue Code shall be operative, except that section 451(k)(3) and (6), as it relates to a qualified electric utility, shall not be operative for purposes of this chapter.

(bb) In administering section 457 (with respect to compensation plans of state and local governments and tax-exempt organizations) of the Internal Revenue Code, any funds that represent pre-tax employee deferrals or contributions that are distributed from the deferred compensation plan and used solely to obtain retirement credits under the state employees' retirement system shall not be treated as a rollover for purposes of section 457(e)(16)(A) of the Internal Revenue Code and those funds shall be subject to income tax under this chapter.

(cc) Section 461 (with respect to the general rule for taxable year of deduction) of the Internal Revenue Code, shall be operative for purposes of this chapter in the form that it existed as of December 31, 2019.

~~[(ee)]~~ (dd) Section 468B (with respect to special rules for designated settlement funds) of the Internal Revenue Code shall be operative for the purposes of this chapter and the tax imposed therein is hereby imposed by this chapter at a rate equal to the maximum rate in effect for the taxable year imposed on estates and trusts under section 235-51.

~~[(dd)]~~ (ee) Section 469 (with respect to passive activities and credits limited) of the Internal Revenue Code shall be operative for the purposes of this chapter. For the purpose of computing the offset for rental real estate activities for state income tax purposes, adjusted gross income as used in section 469 as operative for this chapter means federal adjusted gross income.

~~[(ee)]~~ (ff) Sections 512 to 514 (with respect to taxation of business income of certain exempt organizations) of the Internal Revenue Code shall be operative for the purposes of this chapter as provided in this subsection.

“Unrelated business taxable income” means the same as in the Internal Revenue Code, except that:

- (1) In the computation of unrelated business taxable income[:  
(A) ~~Sections~~, sections 235-3 to 235-5, and 235-7 (except subsection (c)), shall apply; ~~and~~  
(B) ~~Section 512(a)(7) shall not apply;~~
- (2) In the determination of the net operating loss deduction there shall not be taken into account any amount of income or deduction that is excluded in computing the unrelated business taxable income; and
- (3) Unrelated business taxable income shall not include any income from a legal service plan.

For a person described in section 401 or 501 of the Internal Revenue Code, as modified by section 235-2.3, the tax imposed by section 235-51 or 235-71 shall be imposed upon the person's unrelated business taxable income.



~~[(ff)]~~ (gg) Section 521 (with respect to cooperatives) and subchapter T (sections 1381 to 1388, with respect to cooperatives and their patrons) of the Internal Revenue Code shall be operative for the purposes of this chapter as to any cooperative fully meeting the requirements of section 421-23, except that Internal Revenue Code section 521 cooperatives need not be organized in Hawaii.

~~[(gg)]~~ (hh) Sections 527 (with respect to political organizations) and 528 (with respect to certain homeowners associations) of the Internal Revenue Code shall be operative for the purposes of this chapter and the taxes imposed in each section are hereby imposed by this chapter at the rates determined under section 235-71.

~~[(hh)]~~ (ii) Section 529 (with respect to qualified tuition programs) shall be operative for the purposes of this chapter, except that sections 529(c)(6), 529(c)(7), and 529(e)(3)(A)(iii) shall not be operative.

~~[(ii)]~~ (jj) Section 529A (with respect to qualified ABLE programs) shall be operative for the purposes of this chapter, except that section 529A(c)(3) (with respect to additional tax for distributions not used for disability expenses) shall not be operative.

~~[(jj)]~~ (kk) Section 530 (with respect to Coverdell education savings accounts) of the Internal Revenue Code shall be operative for the purposes of this chapter. For the purpose of determining the maximum amount that a contributor could make to an education individual retirement account for state income tax purposes, modified adjusted gross income as used in section 530 as operative for this chapter means federal modified adjusted gross income as defined in section 530.”

SECTION 4. Section 236E-3, Hawaii Revised Statutes, is amended to read as follows:

**“§236E-3 Conformance to the Internal Revenue Code; general application.** For all decedents dying, or transfers occurring, after December 31, ~~[2018;]~~ 2019, as used in this chapter, “Internal Revenue Code” means subtitle B of the federal Internal Revenue Code of 1986, as amended as of December 31, ~~[2018;]~~ 2019, as it applies to the determination of gross estate, adjusted gross estate, federal taxable estate, and generation-skipping transfers, except those provisions of the Internal Revenue Code and federal public laws that, pursuant to this chapter, do not apply or are otherwise limited in application.”

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval; provided that:

- (1) Sections 2 and 3 shall apply to taxable years beginning after December 31, 2019; and
- (2) Section 4 shall apply to decedents dying or taxable transfers occurring after December 31, 2019.

(Approved August 12, 2020.)

#### Note

1. Prior to amendment “relate” appeared here.

A Bill for an Act Relating to Hemp.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature recognizes that the Agriculture Improvement Act of 2018, informally known as the 2018 “Farm Bill”, legalized hemp by removing hemp from the definition of “marihuana” contained in the federal Controlled Substances Act. Further, in October 2019, the United States Department of Agriculture established new regulations through which states may monitor and regulate hemp production. The Farm Bill superseded prior federal authority under which the State created the existing industrial hemp pilot program. The legislature believes that, in light of these federal reforms, state laws regarding hemp should also be reformed to allow the growth of hemp in the State through the United States Department of Agriculture (USDA) hemp production program.

Accordingly, the purpose of this Act is to:

- (1) Allow the growth of hemp in the State through the USDA hemp production program;
- (2) Allow the processing and sale of certain hemp products in the State; and
- (3) Expedite the substitution of the USDA hemp production program for the existing industrial hemp pilot program as required by federal law.

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

### **“CHAPTER HEMP PROCESSORS**

**§ -A Definitions.** As used in this chapter:

“Applicant” means the person applying to register as a hemp processor under this chapter.

“Cannabinoids” means any of the various naturally occurring, biologically active, chemical constituents of cannabis that bind to or interact with receptors of the endogenous cannabinoid system.

“Cannabis” means the genus of the flowering plant in the family Cannabaceae. For the purpose of this chapter, cannabis refers to any form of the plant where the delta-9 tetrahydrocannabinol concentration on a dry weight basis has not yet been determined.

“Certificate of Registration” means the certificate issued by the department attesting that the applicant is registered to process hemp.

“Decarboxylated” means the completion of the chemical reaction that converts delta-9 tetrahydrocannabinol’s acids (THCA) into delta-9-tetrahydrocannabinol. The decarboxylated value may be calculated using a conversion formula that sums delta-9-tetrahydrocannabinol and eighty-seven and seven tenths (87.7) percent of THCA.

“Delta-9 tetrahydrocannabinol” or “THC” means the primary psychoactive component of cannabis.

“Department” means the department of health.

“Director” means the director of health.

“Dry weight basis” refers to a method of determining the percentage of a chemical in a substance after removing the moisture from the substance.



“Enclosed indoor facility” means a permanent, stationary structure with a solid floor, rigid exterior walls that encircle the entire structure on all sides, and a roof that protects the entire interior area from the elements of weather. Nothing in this definition shall be construed to relieve the registered applicant from the applicant’s duty to comply with all applicable building codes and regulations.

“FDA” means the United States Food and Drug Administration.

“Hemp” means *Cannabis sativa* L. and any part of that plant, whether growing or not, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, with a delta-9-tetrahydrocannabinol concentration of not more than 0.3 per cent on a dry weight basis, as measured post-decarboxylation or by other similarly reliable methods.

“Hemp processor” means a person processing hemp to manufacture a hemp product.

“Hemp product” means a product that:

- (1) Contains naturally occurring cannabinoids, compounds, concentrates, extracts, isolates, resins or derivatives from processed hemp;
- (2) Does not include any living hemp plants, viable seeds, leaf materials, or floral materials;
- (3) Has a delta-9-tetrahydrocannabinol concentration of not more than 0.3 per cent, as measured post-decarboxylation, or other similarly reliable methods;
- (4) Is intended to be consumed orally to supplement the human or animal diet; and
- (5) Is in the form of a tablet, capsule, powder, softgel, gelcap, or liquid form (e.g. hemp oil) to be used by the consumer to infuse edible items at home for personal use or for topical application to the skin or hair.

For purposes of this chapter, a hemp product shall be considered as intended for oral ingestion in liquid form only if it is formulated in a fluid carrier and it is intended for ingestion in daily quantities measured in drops or similar small units of measure per labeled directions for use.

“Manufacture” means to compound, blend, extract, infuse, or otherwise make or prepare a hemp product, but does not include planting, growing, harvesting, drying, curing, grading, or trimming a hemp plant or part of a hemp plant.

“Person” means an individual, firm, corporation, partnership, association, or any form of business or legal entity.

“Processing” means making a transformative change to the hemp plant following harvest by converting an agricultural commodity into a hemp product.

“Synthetic cannabinoid” means a cannabinoid that is:

- (1) Produced artificially, whether from chemicals or from recombinant biological agents including but not limited to yeast and algae; and
- (2) Not derived from the genus *cannabis*, including biosynthetic cannabinoids.

**§ -B Hemp processor registry; application; removal from registry.** (a) No person shall process hemp without first obtaining a license to produce hemp, issued by the Secretary of the United States Department of Agriculture pursuant to title 7 United States Code section 1639q.

(b) No person shall process hemp without being registered by the department as a hemp processor pursuant to this part and any rules adopted pursuant to this chapter.

(c) A person who intends to process hemp shall apply to the department for registration on an application form created by the department.

(d) The applicant shall provide, at a minimum, the following information:

- (1) The applicant's name, mailing address, and phone number in Hawaii;
- (2) The legal description of the land on which the hemp is to be processed or stored;
- (3) A description of the enclosed indoor facility where hemp processing will occur;
- (4) Documentation that the indoor facility and planned hemp processing operation complies with all zoning ordinances, building codes, and fire codes;
- (5) Documentation showing that the applicant has obtained a license to produce hemp, issued by the Secretary of the United States Department of Agriculture pursuant to title 7 United States Code section 1639q; and
- (6) Any other information required by the department.

(e) In addition to the application form, each applicant shall submit a non-refundable application fee established by the department. If the fee does not accompany the application, the application for registration shall be deemed incomplete.

(f) Any incomplete application shall be denied.

(g) Upon the department's receipt of a complete and accurate application and remittal of the application fee, the applicant shall be registered and shall be issued a certificate of registration to process hemp.

(h) The certificate of registration shall be renewed annually by payment of the annual renewal fee to be determined by the department.

(i) Hemp processors shall allow any member of the department, or any agent or third party authorized by the department, to enter at reasonable times upon any private property in order to inspect, sample, and test the hemp processing area, hemp products, equipment, facilities incident to the processing or storage of hemp, and review all pertinent records.

(j) The department may remove any person from the registry for failure to comply with any law or regulation under this chapter. It is the responsibility of the hemp processor to make sure it is registered and legally allowed to process hemp and in compliance with any and all laws and regulations. The removal of a hemp processor from the registry shall be in accordance with the procedures set forth in section 328H-F.

**§ -C Hemp processing; hemp product sale and prohibitions; labeling.**

(a) No hemp shall be processed into hemp products, nor shall any hemp processor hold for processing or sale any hemp, unless lawfully obtained from a person approved or otherwise authorized by applicable federal, state or local law to cultivate hemp plants.

(b) Hemp and hemp products shall be processed within an enclosed indoor facility secured to prevent unauthorized entry. Hemp, hemp products, and any toxic or otherwise hazardous by-products of hemp processing, or by-products, including but not limited to delta-9 tetrahydrocannabinol, shall be stored within an enclosed indoor facility, secured to prevent unauthorized entry in a manner that prevents cross-contamination and unintended exposures.

(c) Hemp shall not be processed within 500 feet of a pre-existing playground, school, state park, state recreation area, residential neighborhood, hospital, or daycare facility.

(d) Hemp shall not be processed using butane in an open system where fumes are not contained or by use of any other method of processing the department determines poses a risk to health and safety.

(e) No person shall sell, hold, offer, or distribute for sale any food, as that term is defined in section 328-1, into which a cannabinoid, synthetic cannabinoid, hemp extract, hemp derivatives or other hemp product that has been added as an ingredient or component. This section shall not apply to hemp that is generally recognized as safe (GRAS) by FDA for use in foods, as intended, in a public GRAS notification.

(f) No person shall sell, hold, offer, or distribute for sale any hemp product into which a synthetic cannabinoid has been added.

(g) No person shall sell, hold, offer, or distribute for sale any cannabinoid products used to aerosolize for respiratory routes of delivery, such as an inhaler, nebulizer or other device designed for such purpose.

(h) No person shall sell, hold, offer, or distribute for sale, any hemp leaf or hemp floral material that is intended to be smoked or inhaled, including but not limited to hemp cigars or hemp cigarettes.

(i) Except for hemp products intended for external topical application to the skin or hair, no person shall sell, hold, offer, or distribute for sale any products containing hemp or hemp derivatives that are intended to be introduced via non-oral routes of entry to the body, including but not limited to, use in eyes, ears, and nasal cavities.

(j) No person shall sell, hold, offer or distribute for sale, hemp products without a label, in a form prescribed by the department, affixed to the packaging that identifies the hemp product as having been tested pursuant to department rules.

**§ -D Rulemaking.** (a) The department shall adopt rules pursuant to chapter 91 that include but are not limited to:

- (1) Inspection and sampling requirements of hemp products;
- (2) Testing protocols, including certification by state laboratories or independent third-party laboratories, to determine delta-9-tetrahydrocannabinol concentration and screening for contaminants of hemp products;
- (3) Reporting and record-keeping requirements;
- (4) Assessment of fees for application, inspecting, sampling, and other fees as deemed necessary;
- (5) Penalties for any violation; and
- (6) Any other rules and procedures necessary to carry out this chapter.

(b) The department may adopt and amend interim rules, which shall be exempt from chapter 91 and chapter 201M, to effectuate the purposes of this chapter; provided that any interim rules shall only remain in effect until July 1, 2025, or until rules are adopted pursuant to subsection (a), whichever occurs sooner.

**§ -E Laboratory standards and testing; certification.** (a) The department shall establish and enforce standards for laboratory-based testing of the hemp products for content, contamination, and consistency.

(b) The department may certify laboratories and recognize certifications from other jurisdictions of laboratories that are qualified to test hemp products for quality control prior to sale.

**§ -F Enforcement; penalty.** (a) Any person who violates this chapter or any rule adopted by the department pursuant to this chapter shall be fined

not more than \$10,000 for each separate offense. Any action taken to collect the penalty provided for in this subsection shall be considered a civil action. In addition to any other administrative or judicial remedy provided by this chapter, or by rules adopted pursuant to this chapter, the director may impose by order the administrative penalty specified in this section.

(b) Any order issued under this chapter shall become final, unless not later than twenty days after the notice of order is served, the person or persons named therein request in writing a hearing before the director. Any penalty imposed, including removal from the registry, shall become final, and any monetary penalty shall become due and payable twenty days after the order is served unless the person or persons named therein request in writing a hearing before the director. Whenever a hearing is requested, the penalty imposed, including removal from the registry, shall become final, and any monetary penalty shall become due and payable only upon completion of all review proceedings and the issuance of a final order confirming the penalty in whole or in part. Any hearing shall be in accordance with chapter 91.

(c) For any judicial proceeding to recover an administrative penalty imposed by order or to enforce a cease and desist order against a hemp processor removed from the registry, the director may petition any court of appropriate jurisdiction and need only show that:

- (1) Notice was given;
- (2) A hearing was held or the time granted for requesting a hearing has expired without such a request;
- (3) The administrative penalty was imposed or the hemp processor was removed from the registry; and
- (4) The penalty remains unpaid or the hemp processor continues to process hemp.

(d) The director, in the event there is deemed a potential health hazard, may take precautionary measures to protect the public through imposition of an embargo, the detention and removal of hemp products from the market, and the sequestration of hemp products suspected to be contaminated or otherwise harmful to human health. In the event of any embargo or detention of hemp products, the person or persons so named in the order imposing the embargo or detention shall be afforded an opportunity to contest the findings of the department in a hearing pursuant to chapter 91.

(e) Nothing in this chapter shall limit any other legal remedy, or limit any civil or criminal action, available under any other statute, rule, or ordinance.

**§ -G Hawaii hemp processing special fund established.** (a) There is established within the state treasury the Hawaii hemp processing special fund into which shall be deposited:

- (1) Appropriations made by the legislature to the special fund;
- (2) Any income and capital gains earned by the fund; and
- (3) Any fees or fines collected by the department pursuant to this part.

(b) Moneys in the Hawaii hemp processing special fund shall be used by the department for the following purposes:

- (1) To establish and regulate a system of registering hemp processors;
- (2) To fund positions and operating costs authorized by the legislature; and
- (3) For any other expenditure necessary, consistent with this chapter, to implement the Hawaii hemp processing program.”

SECTION 3. Chapter 141, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

**“PART . COMMERCIAL HEMP PRODUCTION**

**§141-A Commercial hemp production.** (a) It shall be legal for an individual or entity to produce hemp, as defined in title 7 United States Code section 1639o, if that individual or entity has a license to produce hemp, issued by the Secretary of the United States Department of Agriculture pursuant to title 7 United States Code section 1639q; provided that:

- (1) Any person convicted of a felony related to a controlled substance under state or federal law is prohibited from producing hemp, or being a key participant in an entity producing hemp, for a period of ten years following the date of conviction;
  - (2) Hemp shall not be grown outside of a state agricultural district;
  - (3) Hemp shall not be grown within 500 feet of pre-existing real property comprising a playground, childcare facility, or school; provided that this restriction shall not apply to an individual or entity licensed to grow hemp in those areas under the State industrial hemp pilot program prior to the effective date of this Act;
  - (4) Hemp shall not be grown within 500 feet of any pre-existing house, dwelling unit, residential apartment, or other residential structure that is not owned or controlled by the license holder; provided that this restriction shall not apply to an individual or entity licensed to grow hemp in those areas under the State industrial hemp pilot program prior to the effective date of this Act; and
  - (5) Hemp shall not be grown in any house, dwelling unit, residential apartment, or other residential structure.
- (b) An individual or entity licensed to produce hemp pursuant to paragraph (a) may transport hemp within the state to a facility authorized by law to process hemp or to another licensed producer’s grow area, provided that:
- (1) The hemp to be transported has passed all compliance testing required by the United States Department of Agriculture; and
  - (2) The transportation has been authorized by the department. The department may require movement reports, inspections, sampling, and testing of the hemp to be transported and may deny authorization if the hemp is found to not comply with any law or regulation.
- (c) An individual or entity licensed to produce hemp pursuant to paragraph (a) may export hemp; provided that:
- (1) The hemp to be exported has passed all compliance testing required by the United States Department of Agriculture; and
  - (2) The licensed producer complies with all laws relating to the exportation of hemp, including state and federal laws and the laws of the state or country of import.
- (d) Any individual or entity who violates this section or any rule adopted pursuant to this section shall be fined not more than \$10,000 for each separate offense. Any notice of violation of this section may be accompanied by a cease and desist order, the violation of which constitutes a further violation of this section. Any action taken to collect the penalty provided for in this subsection shall be considered a civil action.
- (e) For any judicial proceeding to recover an administrative penalty imposed by order or to enforce a cease and desist order against a hemp producer, the department may petition any court of appropriate jurisdiction and need only show that:
- (1) Notice was given;
  - (2) A hearing was held or the time granted for requesting a hearing has expired without such a request;

- (3) The administrative penalty was imposed on the individual or entity producing hemp; and
- (4) The penalty remains unpaid or the individual or entity continues to produce hemp.

**§141-B Rulemaking authority.** (a) The department of agriculture shall adopt rules pursuant to chapter 91 to effectuate the purpose of this part, including any rules necessary to address any nuisance issues, including smell, noise, and excessive lighting arising out of the activities of hemp growers licensed under the State’s industrial hemp pilot program who grow hemp within areas prohibited under section 141-A(a)(3) and (4).

(b) No later than September 30, 2020, the department of agriculture shall adopt interim rules, which shall be exempt from chapters 91 and 201M to effectuate the purposes of this part; provided that the interim rules shall remain in effect through June 30, 2022, or until rules are adopted pursuant to subsection (a), whichever occurs sooner.

SECTION 4. Section 329-1, Hawaii Revised Statutes, is amended as follows:

1. By adding a new definition to be appropriately inserted and to read: ““Hemp” means all parts of the plant cannabis sativa L., whether growing or not, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, with a delta-9-tetrahydrocannabinol concentration of not more than 0.3 per cent on a dry weight basis, as measured post-decarboxylation or other similarly reliable methods.”

2. By amending the definition of “marijuana” to read: ““Marijuana” means all parts of the plant (genus) Cannabis whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. [H]

Marijuana [does] shall not include [the]:

- (1) The mature stalks of the plant[;] (genus) Cannabis, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant [which] that is incapable of germination[;]
- (2) Hemp that is in the possession, custody, or control of an individual or entity that holds a license to produce hemp, issued by the Secretary of the United States Department of Agriculture pursuant to title 7 United States Code section 1639q;
- (3) Hemp that is in the possession, custody, or control of a person or entity that is authorized under state law to process hemp; and
- (4) A product containing or derived from hemp that:
  - (A) Does not include any living hemp plants, viable seeds, leaf materials, or floral materials; and
  - (B) Has a delta-9-tetrahydrocannabinol concentration of not more than 0.3 per cent on a dry weight basis, as measured post-decarboxylation or other similarly reliable methods.”

SECTION 5. Section 712-1240, Hawaii Revised Statutes, is amended as follows:

- 1. By adding a new definition to be appropriately inserted and to read:



““Hemp” means all parts of the plant (genus) cannabis, whether growing or not, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, with a delta-9-tetrahydrocannabinol concentration of not more than 0.3 per cent on a dry weight basis, as measured post-decarboxylation or other similarly reliable methods.”

2. By amending the definition of “marijuana” to read:

““Marijuana” means any part of the plant (genus) cannabis, whether growing or not, including the seeds and the resin, and every alkaloid, salt, derivative, preparation, compound, or mixture of the plant, its seeds or resin, except that, as used herein, “marijuana” [døes] shall not include:

- (1) [~~hashish,]~~ Hashish, tetrahydrocannabinol, and any alkaloid, salt, derivative, preparation, compound, or mixture, whether natural or synthesized, of tetrahydrocannabinol[-];
- (2) Hemp that is in the possession, custody, or control of an individual or entity that holds a license to produce hemp issued by the United States Department of Agriculture pursuant to title 7 United States Code section 1639q;
- (3) Hemp that is in the possession, custody, or control of a person or entity that is authorized under state law to process hemp; or
- (4) A product containing or derived from hemp that:
  - (A) Does not include any living hemp plants, viable seeds, leaf materials, or floral materials; and
  - (B) Has a delta-9-tetrahydrocannabinol concentration of not more than 0.3 per cent, as measured post-decarboxylation or other similarly reliable methods.”

3. By amending the definition of “marijuana concentrate” to read:

““Marijuana concentrate” means hashish, tetrahydrocannabinol, or any alkaloid, salt, derivative, preparation, compound, or mixture, whether natural or synthesized, of tetrahydrocannabinol[-], except that, as used herein, “marijuana concentrate” shall not include:

- (1) Hemp that is in the possession, custody, or control of an individual or entity that holds a license to produce hemp, issued by the Secretary of the United States Department of Agriculture pursuant to title 7 United States Code section 1639q; or
- (2) A product containing or derived from hemp, including any product containing one or more hemp-derived cannabinoids such as cannabidiol, that:
  - (A) Does not include any living hemp plants, viable seeds, leaf materials, or floral materials; and
  - (B) Has a delta-9-tetrahydrocannabinol concentration of not more than 0.3 per cent, as measured post-decarboxylation or other similarly reliable methods.”

SECTION 6. Act 228, Session Laws of Hawaii 2016, is amended by amending section 8 to read as follows:

“SECTION 8. This Act shall take effect on July 1, 2016, and shall be repealed on [~~June 30, 2021.] October 31, 2020.”~~

SECTION 7. In codifying the new sections added by sections 2 and 3 of this Act, the revisor of statutes shall substitute appropriate section numbers for the letters used in designating the new sections in the Act.

## ACT 15

SECTION 8. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 9. This Act shall take effect upon its approval, and shall be repealed on June 30, 2022; provided that the definition of “marijuana” in section 329-1, Hawaii Revised Statutes, and the definitions of “marijuana” and “marijuana Concentrate” in section 712-1240, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day prior to the effective date of this Act.

(Approved August 27, 2020.)

## ACT 15

H.B. NO. 1678

A Bill for an Act Relating to Musical Performances.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that over thirty states have passed Truth in Music Advertising laws, and other states utilize general “deceptive acts” or consumer protection laws to prevent cover bands and imposter performers from misappropriating the intellectual property of other artists. These laws are also useful in enabling authorities, and in some cases individuals, to take action against performers who engage in deceptive advertising.

The purpose of this Act is to adopt provisions of the model Truth in Music Advertising law to provide protections for Hawaii’s performing artists and to protect the public from deceptive acts by:

- (1) Prohibiting a person from advertising or conducting a live musical performance through the use of false, deceptive, or misleading affiliation, connection, or association with a performing group; and
- (2) Allowing a court to grant restitution to aggrieved parties.

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

### **“CHAPTER RELATING TO THE ADVERTISING OF LIVE MUSICAL PERFORMANCES**

§ -1 **Short title.** This chapter may be cited as the Hawaii Truth in Music Advertising Act.

§ -2 **Definitions.** As used in this chapter, unless the context clearly requires otherwise:

“Performing group” means a vocal or instrumental group of one or more members that intends to advertise or perform under the name of a recording group or a name substantially similar to a recording group.

“Recording group” means a vocal or instrumental group of one or more members, at least one of whose members has previously released a commercial sound recording under that group’s name and in which the member or members have a legal right by virtue of use or operation under the group name without having abandoned the name or affiliation with the group.

“Sound recording” means a work that results from the fixation of a series of musical, spoken, or other sounds, regardless of the nature of the material object, such as a phonograph, disc, take, wire, digital storage, or other medium, in which the sounds are embodied.



**§ -3 Prohibited acts.** A person may not advertise or conduct a live musical performance or production in this State through the use of a false, deceptive or misleading affiliation, connection, or association between a performing group and a recording group. This section does not apply if:

- (1) The performing group is the authorized registrant and owner of a federal service mark for the recording group that is registered in the United States;
- (2) At least one member of the performing group was a member of the recording group and that member has a legal right to use or operate under the name of the recording group without having abandoned the name or affiliation with the recording group;
- (3) The live musical performance or production is identified in all advertising and promotion as a salute or tribute and the name of the performing group is not so closely related or similar to the name used by the recording group that it would tend to confuse or mislead the public;
- (4) The advertising does not relate to a live musical performance or production taking place in, or streamed or broadcast into, this State; or
- (5) The performance or production is expressly authorized by the recording group.

**§ -4 Enforcement.** (a) Each performance or production in violation of section -3 constitutes a separate violation and shall be treated as an unfair or deceptive act or practice under section 480-2.

(b) If the attorney general has reason to believe that a person is advertising or conducting, or intends to advertise or conduct, a live musical performance or production in violation of section -3, the attorney general may bring an action in the name of the State against the person to restrain the violation by temporary or permanent injunction.

(c) When a court issues a permanent injunction to restrain and prevent a violation of section -3, the court may make additional orders or judgments as necessary to restore money or other property that may have been acquired because of a violation of section -3.

**§ -5 Private right of action.** Any party, or assignee, authorized agent, or licensee of that party, who is injured as a result of the person's violation of section -3 may bring a civil action for appropriate legal and equitable relief, including injunctive relief, and for treble damages, reasonable attorney's fees, filing fees, and costs for the injured party."

SECTION 3. This Act shall take effect upon its approval.

(Approved September 10, 2020.)

## ACT 16

S.B. NO. 2060

A Bill for an Act Relating to Coastal Zone Management.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that the coastal zone management program was established pursuant to Act 188, Session Laws of Hawaii 1977. The Act declared that it is state policy to:

- (1) Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources;
- (2) Protect valuable coastal ecosystems from disruption and minimize adverse impacts on all coastal ecosystems;
- (3) Reduce hazards to life and property from tsunamis, storm waves, stream flooding, erosion, and subsidence; and
- (4) Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

The legislature also finds that a 2012 collaborative study by the United States Geological Survey and the University of Hawaii indicates that seventy per cent of beaches in Hawaii are undergoing a trend of chronic sand loss and shoreline retreat. Further, more than thirteen miles of beach in the State have been completely lost to erosion fronting seawalls and revetments. The Hawaii sea level rise vulnerability and adaptation report, accepted in 2017 by the Hawaii climate change mitigation and adaptation commission, finds that with just 1.1 feet of sea level rise, many more miles of beach could be lost to erosion if widespread shoreline armoring is allowed. This could mean a loss of five miles of beach on Kauai, seven miles of beach on Oahu, and eight miles of beach on Maui. Based on its findings, the report recommends enabling beaches to persist with sea level rise and suggests integrating sea level rise considerations into Hawaii's laws regarding coastal zone management.

The legislature further finds that the convergence of dense development along shorelines, increasing landward migration of shoreline due to sea level rise and other human and natural impacts, and extensive beach loss fronting shoreline armoring necessitates revision of existing policies and regulations. Revision of these existing policies and regulations would both protect beaches and other coastal environments from further degradation and reduce the exposure of shorefront communities to increasing erosion and flooding hazards caused by sea level rise.

The legislature also finds that a recent study by the University of Hawaii coastal geology group identified several primary causes for the State's failure to meet coastal zone management policy objectives. Specifically, the study found that current policies, ordinances, and practices allow for:

- (1) The hardening of shorelines through a hardship variance that is granted based upon demonstrated hardship brought on by coastal erosion. When granted, these hardship variances set into motion a cycle of shoreline armoring that causes "flanking", or amplified erosion, on properties adjacent to armored shorelines. This continuous cycle of hardening and flanking can extend along an entire beach and, in a section of northeast Oahu, approximately forty-five per cent of observed shoreline hardening was implemented in response to adjacent hardening. This cycle, caused by a combination of beach erosion and coastal policy, has resulted in the narrowing and even elimination of beaches to the extent that they can no longer be used for public recreation or cultural practice; and
- (2) Renovation and expansion of single-family homes in erosion and flood-prone coastal areas, thereby extending building lifetimes indefinitely and allowing for virtually complete coverage of coastal parcels by these structures. The average building surface area increased by twenty per cent following the establishment of the State's coastal zone management program and, combined with sea level rise, this development increases the likelihood of mass structural failure and deposit of debris on public beaches.

The purpose of this Act is to strengthen coastal zone management policy by amending chapter 205A, Hawaii Revised Statutes, to protect state beaches and to reduce residential exposure to coastal hazards.

SECTION 2. Section 205A-1, Hawaii Revised Statutes, is amended by adding three new definitions to be appropriately inserted and to read as follows:

““Authority” means the county planning commission, except in counties where the county planning commission is advisory only, in which case “authority” means the county council or such body as the council may by ordinance designate. The authority may, as appropriate, delegate the responsibility for administering this chapter.

“Beach” means a coastal landform primarily composed of sand from eroded rock, coral, or shell material, or any combination thereof, that is established and shaped by wave action and tidal processes. “Beach” includes sand deposits in nearshore submerged areas, or sand dunes or upland beach deposits landward of the shoreline, that provide benefits for public use and recreation, for coastal ecosystems, and as a natural buffer against coastal hazards.

“Coastal hazards” means any tsunami, hurricane, wind, wave, storm surges, high tide, flooding, erosion, sea level rise, subsidence, or point and non-point source pollution.”

SECTION 3. Section 205A-2, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) to read as follows:

“(b) Objectives.

- (1) Recreational resources;
  - (A) Provide coastal recreational opportunities accessible to the public.
- (2) Historic resources;
  - (A) Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.
- (3) Scenic and open space resources;
  - (A) Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.
- (4) Coastal ecosystems;
  - (A) Protect valuable coastal ecosystems, including reefs, beaches, and coastal dunes, from disruption and minimize adverse impacts on all coastal ecosystems.
- (5) Economic uses;
  - (A) Provide public or private facilities and improvements important to the State’s economy in suitable locations.
- (6) Coastal hazards;
  - (A) Reduce hazard to life and property from [~~tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.~~] coastal hazards.
- (7) Managing development;
  - (A) Improve the development review process, communication, and public participation in the management of coastal resources and hazards.
- (8) Public participation;
  - (A) Stimulate public awareness, education, and participation in coastal management.
- (9) Beach and coastal dune protection;

- (A) Protect beaches and coastal dunes for [~~public~~]:
    - (i) Public use and recreation[.];
    - (ii) The benefit of coastal ecosystems; and
    - (iii) Use as natural buffers against coastal hazards; and
  - (B) Coordinate and fund beach management and protection.
- (10) Marine and coastal resources;
- (A) Promote the protection, use, and development of marine and coastal resources to assure their sustainability.
- (c) Policies.
- (1) Recreational resources;
    - (A) Improve coordination and funding of coastal recreational planning and management; and
    - (B) Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:
      - (i) Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;
      - (ii) Requiring [~~replacement~~] restoration of coastal resources [~~having~~] that have significant recreational and ecosystem value, including[.] but not limited to coral reefs, surfing sites, fishponds, [~~and~~] sand beaches, and coastal dunes, when [~~such~~] these resources will be unavoidably damaged by development; or requiring [~~reasonable~~] monetary compensation to the State for recreation when [~~replacement~~] restoration is not feasible or desirable;
      - (iii) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;
      - (iv) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;
      - (v) Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;
      - (vi) Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;
      - (vii) Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and
      - (viii) Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting [~~such~~] that dedication against the requirements of section 46-6;
  - (2) Historic resources;
    - (A) Identify and analyze significant archaeological resources;
    - (B) Maximize information retention through preservation of remains and artifacts or salvage operations; and
    - (C) Support state goals for protection, restoration, interpretation, and display of historic resources;
  - (3) Scenic and open space resources;
    - (A) Identify valued scenic resources in the coastal zone management area;

- (B) Ensure that new developments are compatible with their visual environment by designing and locating ~~[such]~~ those developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;
  - (C) Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and
  - (D) Encourage those developments that are not coastal dependent to locate in inland areas;
- (4) Coastal ecosystems;
- (A) Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;
  - (B) Improve the technical basis for natural resource management;
  - (C) Preserve valuable coastal ecosystems~~[-including reefs,]~~ of significant biological or economic importance~~[-];~~ including reefs, beaches, and dunes;
  - (D) Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and
  - (E) Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures;
- (5) Economic uses;
- (A) Concentrate coastal dependent development in appropriate areas;
  - (B) Ensure that coastal dependent development ~~[such as harbors and ports,]~~ and coastal related development ~~[such as visitor industry facilities and energy generating facilities,]~~ are located, designed, and constructed to minimize exposure to coastal hazards and adverse social, visual, and environmental impacts in the coastal zone management area; and
  - (C) Direct the location and expansion of coastal ~~[dependent developments]~~ development to areas ~~[presently]~~ designated and used for ~~[such developments]~~ that development and permit reasonable long-term growth at ~~[such]~~ those areas, and permit coastal ~~[dependent]~~ development outside of ~~[presently]~~ designated areas when:
    - (i) Use of ~~[presently]~~ designated locations is not feasible;
    - (ii) Adverse environmental effects and risks from coastal hazards are minimized; and
    - (iii) The development is important to the State's economy;
- (6) Coastal hazards;
- (A) Develop and communicate adequate information about ~~[storm wave, tsunami, flood, erosion, subsidence, and point and non-point source pollution]~~ the risks of coastal hazards;
  - (B) Control development, including planning and zoning control, in areas subject to ~~[storm wave, tsunami, flood, erosion, hurricane, wind, subsidence, and point and nonpoint source pollution]~~ coastal hazards;
  - (C) Ensure that developments comply with requirements of the ~~[Federal]~~ National Flood Insurance Program; and

- (D) Prevent coastal flooding from inland projects;
- (7) Managing development;
  - (A) Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;
  - (B) Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and
  - (C) Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life cycle and in terms understandable to the public to facilitate public participation in the planning and review process;
- (8) Public participation;
  - (A) Promote public involvement in coastal zone management processes;
  - (B) Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and
  - (C) Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts;
- (9) Beach protection;
  - (A) Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;
  - (B) Prohibit construction of private ~~[erosion protection]~~ shoreline hardening structures ~~[seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the sites and do not]~~, including seawalls and revetments, at sites having sand beaches and at sites where shoreline hardening structures interfere with existing recreational and waterline activities;
  - (C) Minimize the construction of public ~~[erosion protection]~~ shoreline hardening structures ~~[seaward of the shoreline;], including seawalls and revetments, at sites having sand beaches and at sites where shoreline hardening structures interfere with existing recreational and waterline activities;~~
  - (D) Minimize grading of and damage to coastal dunes;
  - ~~[(D)]~~ (E) Prohibit private property owners from creating a public nuisance by inducing or cultivating the private property owner's vegetation in a beach transit corridor; and
  - ~~[(E)]~~ (F) Prohibit private property owners from creating a public nuisance by allowing the private property owner's unmaintained vegetation to interfere or encroach upon a beach transit corridor; and
- (10) Marine and coastal resources;
  - (A) Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;
  - (B) Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;

- (C) Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;
- (D) Promote research, study, and understanding of ocean and coastal processes, impacts of climate change and sea level rise, marine life, and other ocean resources to acquire and inventory information necessary to understand how ~~ocean~~ coastal development activities relate to and impact ~~upon~~ ocean and coastal resources; and
- (E) Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.”

SECTION 4. Section 205A-22, Hawaii Revised Statutes, is amended as follows:

1. By amending the definition of “department” to read:

““Department” means the planning department ~~in~~ of the counties of Kauai, Maui, and Hawaii and the department of planning and permitting ~~in~~ of the city and county of Honolulu, or other appropriate agency as designated by the county councils.”

2. By amending the definition of “development” to read:

““Development” means any of the uses, activities, or operations on land or in or under water within a special management area that are included below:

- (1) Placement or erection of any solid material or any gaseous, liquid, solid, or thermal waste;
- (2) Grading, removing, dredging, mining, or extraction of any materials;
- (3) Change in the density or intensity of use of land, including but not limited to the division or subdivision of land;
- (4) Change in the intensity of use of water, ecology related thereto, or of access thereto; and
- (5) Construction, reconstruction, ~~demolition,~~ or alteration of the size of any structure.

“Development” does not include the following:

- (1) Construction or reconstruction of a single-family residence that is less than seven thousand five hundred square feet of floor area, is not situated on a shoreline parcel or a parcel that is impacted by waves, storm surges, high tide, or shoreline erosion, and is not part of a larger development;
- (2) Repair or maintenance of roads and highways within existing rights-of-way;
- (3) Routine maintenance dredging of existing streams, channels, and drainage ways;
- (4) Repair and maintenance of underground utility lines, including but not limited to water, sewer, power, and telephone and minor appurtenant structures such as pad mounted transformers and sewer pump stations;
- (5) Zoning variances, except for height, density, parking, and shoreline setback;
- (6) Repair, maintenance, or interior alterations to existing structures;
- (7) Demolition or removal of structures, except those structures located on any historic site as designated in national or state registers;
- (8) Use of any land for the purpose of cultivating, planting, growing, and harvesting plants, crops, trees, and other agricultural, horticul-



- tural, or forestry products or animal husbandry, or aquaculture or mariculture of plants or animals, or other agricultural purposes;
- (9) Transfer of title to land;
- (10) Creation or termination of easements, covenants, or other rights in structures or land;
- ~~[(11) Final subdivision approval; provided that in counties that may automatically approve tentative subdivision applications as a ministerial act within a fixed time of the submission of a preliminary plat map, unless the director takes specific action, a special management area use permit if required, shall be processed concurrently with an application for tentative subdivision approval or after tentative subdivision approval and before final subdivision approval;~~
- (12) (11) Subdivision of land into lots greater than twenty acres in size;
- (13) (12) Subdivision of a parcel of land into four or fewer parcels when no associated construction activities are proposed; provided that any land that is so subdivided shall not thereafter qualify for this exception with respect to any subsequent subdivision of any of the resulting parcels;
- (14) (13) Installation of underground utility lines and appurtenant aboveground fixtures less than four feet in height along existing corridors;
- (15) (14) Structural and nonstructural improvements to existing single-family residences, where otherwise permissible;
- (16) (15) Nonstructural improvements to existing commercial or non-commercial structures; and
- (17) (16) Construction, installation, maintenance, repair, and replacement of emergency management warning or signal devices and sirens;

provided that whenever the authority finds that any excluded use, activity, or operation may have a cumulative impact, or a significant environmental or ecological effect on a special management area, that use, activity, or operation shall be defined as “development” for the purpose of this part.”

3. By amending the definition of “special management area emergency permit” to read:

““Special management area emergency permit” means an action by the authority authorizing development in cases of emergency requiring immediate action to prevent substantial physical harm to persons or property or to allow the reconstruction of structures damaged by natural hazards to their original form; provided that ~~[such]~~ those structures were previously found to be in compliance with requirements of the ~~[Federal]~~ National Flood Insurance Program.”

4. By repealing the definition of “authority”.

~~[[“Authority” means the county planning commission, except in counties where the county planning commission is advisory only, in which case “authority” means the county council or such body as the council may by ordinance designate. The authority may, as appropriate, delegate the responsibility for administering this part.”]]~~

SECTION 5. Section 205A-26, Hawaii Revised Statutes, is amended to read as follows:

**“§205A-26 Special management area guidelines.** In implementing this part, the authority shall adopt the following guidelines for the review of developments proposed in the special management area:



- (1) All development in the special management area shall be subject to reasonable terms and conditions set by the authority in order to ensure:
  - (A) Adequate access, by dedication or other means, to publicly owned or used beaches, recreation areas, and natural reserves is provided to the extent consistent with sound conservation principles;
  - (B) Adequate and properly located public recreation areas and wildlife preserves are reserved;
  - (C) Provisions are made for solid and liquid waste treatment, disposition, and management ~~[which]~~ that will minimize adverse effects upon special management area resources; and
  - (D) Alterations to existing land forms and vegetation, except crops, and construction of structures shall cause minimum adverse effect to water resources, beaches, coastal dunes, and scenic and recreational amenities and ~~[minimum danger of]~~ minimize impacts from floods, wind damage, storm surge, landslides, erosion, sea level rise, siltation, or failure in the event of earthquake.
- (2) No development shall be approved unless the authority has first found:
  - (A) That the development will not have any ~~[substantial]~~ significant adverse environmental or ecological effect, except as ~~[such]~~ any adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interests. ~~[Such]~~ Those adverse effects shall include~~[-]~~ but not be limited to~~[-]~~ the potential cumulative impact of individual developments, each ~~[one]~~ of which taken ~~[in]~~ by itself might not have a ~~[substantial]~~ significant adverse effect, and the elimination of planning options;
  - (B) That the development is consistent with the objectives, policies, and special management area guidelines of this chapter and any guidelines enacted by the legislature; and
  - (C) That the development is consistent with the county general plan, community plan, and zoning~~[-Such]~~; provided that a finding of consistency [does] shall not preclude concurrent processing where a general plan, community plan, or zoning amendment may also be required.
- (3) The authority shall seek to minimize, where reasonable:
  - (A) Dredging, filling or otherwise altering any bay, estuary, salt marsh, river mouth, slough or lagoon;
  - (B) Any development ~~[which]~~ that would reduce the size of any beach or other area usable for public recreation;
  - (C) Any development ~~[which]~~ that would reduce or impose restrictions upon public access to tidal and submerged lands, beaches, portions of rivers and streams within the special management areas and the mean high tide line where there is no beach;
  - (D) Any development ~~[which]~~ that would substantially interfere with or detract from the line of sight toward the sea from the state highway nearest the coast; and
  - (E) Any development ~~[which]~~ that would adversely affect water quality, existing areas of open water free of visible structures, existing and potential fisheries and fishing grounds, wildlife habitats, or potential or existing agricultural uses of land.”

SECTION 6. Section 205A-29, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The authority in each county, upon consultation with the central coordinating agency, shall adopt rules under chapter 91 setting the special management area use permit application procedures, conditions under which hearings must be held, and the time periods within which the hearing and action for special management area use permits shall occur. The authority shall provide for adequate notice to individuals whose property rights may be adversely affected and to persons who have requested in writing to be notified of special management area use permit hearings or applications. The authority shall also provide public notice [statewide] that is, at a minimum, circulated throughout the county at least twenty days in advance of the hearing. The authority may require a reasonable filing fee which shall be used for the purposes set forth herein.

Any rule adopted by the authority shall be consistent with the objectives, policies, and special management area guidelines provided in this chapter. Action on the special management permit shall be final unless otherwise mandated by court order.”

SECTION 7. Section 205A-41, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

““Department” means the planning department of the counties of Kauai, Maui, and Hawaii and the department of planning and permitting of the city and county of Honolulu, or other appropriate agency as designated by the county councils.”

SECTION 8. Section 205A-43, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Setbacks along shorelines are established of not less than ~~[twenty feet and not more than]~~ forty feet inland from the shoreline. The department shall adopt rules pursuant to chapter 91, and shall enforce the shoreline setbacks and rules pertaining thereto.”

SECTION 9. Section 205A-43.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Prior to action on a variance application, the authority shall hold a public hearing under chapter 91. By adoption of rules under chapter 91, the authority may delegate responsibility to the department. Public and private notice, including reasonable notice to abutting property owners and persons who have requested this notice, shall be provided, but a public hearing may be waived prior to action on a variance application for:

- (1) Stabilization of shoreline erosion by the moving of sand entirely on public lands;
- (2) Protection of a legal structure [eosting more than \$20,000;] or public facility, including any facility owned by a public utility that is regulated pursuant to chapter 269, that does not fix the shoreline, under an emergency authorization issued by the authority; provided that the structure or public facility is at risk of immediate damage from shoreline erosion[;] and the authorization does not exceed three years;
- (3) Other structures or activities; provided that no person or agency has requested a public hearing within twenty-five calendar days after public notice of the application; or
- (4) Maintenance, repair, reconstruction, and minor additions or alterations of legal boating, maritime, or watersports recreational

facilities, ~~which~~ that result in little or no interference with natural shoreline processes.”

SECTION 10. Section 205A-44, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Except as provided in this section, structures are prohibited in the shoreline area without a variance pursuant to this part. Structures in the shoreline area shall not need a variance if:

- (1) They were completed prior to June 22, 1970;
- (2) They received either a building permit, board approval, or shoreline setback variance prior to June 16, 1989;
- (3) They are outside the shoreline area when they receive either a building permit or board approval;
- (4) They are necessary for or ancillary to continuation of existing agriculture or aquaculture in the shoreline area on June 16, 1989;
- (5) They are minor structures permitted under rules adopted by the department which do not affect beach processes or artificially fix the shoreline and do not interfere with public access or public views to and along the shoreline; or
- (6) Work being done consists of maintenance, repair, ~~reconstruction,~~ and minor additions or alterations of legal boating, maritime, or watersports recreational facilities, which are publicly owned, and which result in little or no interference with natural shoreline processes;

provided that permitted structures may be repaired, but shall not be enlarged, rebuilt, or replaced within the shoreline area without a variance.”

SECTION 11. Section 205A-46, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

“(a) A variance may be granted for a structure or activity otherwise prohibited in this part if the authority finds in writing, based on the record presented, that the proposed structure or activity is necessary for or ancillary to:

- (1) Cultivation of crops;
- (2) Aquaculture;
- (3) Landscaping; provided that the authority finds that the proposed structure or activity will not adversely affect beach processes and will not artificially fix the shoreline;
- (4) Drainage;
- (5) Boating, maritime, or watersports recreational facilities;
- (6) Facilities or improvements by public agencies or public utilities regulated under chapter 269;
- (7) Private facilities or improvements that are clearly in the public interest;
- (8) Private facilities or improvements ~~which~~ that will ~~neither~~ not adversely affect beach processes ~~nor~~, result in flanking shoreline erosion, or artificially fix the shoreline; provided that the authority ~~also finds that~~ may consider any hardship that will result to the applicant if the facilities or improvements are not allowed within the shoreline area;
- (9) Private facilities or improvements that may artificially fix the shoreline; provided that the authority ~~also finds that shoreline erosion is likely to cause~~ may consider hardship to the applicant if the facilities or improvements are not allowed within the shoreline area~~;~~and

~~the authority imposes conditions to prohibit any structure seaward of the existing shoreline unless it is clearly in the public interest; or]; provided further that a variance to artificially fix the shoreline shall not be granted in areas with sand beaches or where artificially fixing the shoreline may interfere with existing recreational and waterline activities unless the granting of the variance is clearly demonstrated to be in the interest of the general public; or~~

- (10) Moving of sand from one location seaward of the shoreline to another location seaward of the shoreline; provided that the authority also finds that moving of sand will not adversely affect beach processes, will not diminish the size of a public beach, and will be necessary to stabilize an eroding shoreline.”

2. By amending subsection (c) to read:

imposed: “(c) No variance shall be granted unless appropriate conditions are

- (1) To maintain safe lateral access to and along the shoreline or adequately compensate for its loss;
- (2) To minimize risk of adverse impacts on beach processes;
- (3) To minimize risk of structures failing and becoming loose rocks, sharp or otherwise dangerous debris, or rubble on public property; and
- (4) To minimize adverse impacts on public views to, from, and along the shoreline.”

SECTION 12. Section 205A-62, Hawaii Revised Statutes, is amended to read as follows:

“**§205A-62 Duties and responsibilities of the lead agency.** The lead agency shall have the following duties and responsibilities:

- (1) Coordinate overall implementation of the plan, giving special consideration to the plan’s priority recommendations;
- (2) Review and periodically update the plan;
- (3) Coordinate the development of state agency work plans to implement the ocean resources management plan. The work plans shall be revised on a biennial basis and coordinated with the budget process. State agencies with responsibilities relating to marine and coastal zone management include but are not limited to:
  - (A) The department of agriculture;
  - (B) The department of business, economic development, and tourism;
  - (C) The department of defense;
  - (D) The department of education;
  - ~~(D)~~ (E) The department of health;
  - ~~(E)~~ (F) The department of land and natural resources;
  - ~~(F)~~ (G) The department of public safety;
  - ~~(G)~~ (H) The department of transportation; and
  - ~~(H)~~ (I) The University of Hawaii;
- (4) Ensure that state agency work plans are closely coordinated with the work plans of relevant federal and county agencies;
- (5) Analyze, resolve conflicts between, and prioritize, in cooperation with relevant agencies and as part of the work plan development process, the sector-specific recommendations included in the plan;
- (6) Coordinate exclusive economic zone and other marine-related issues with state and county agencies;

- (7) Provide technical assistance to the agencies on policy and issue-related matters regarding marine and coastal resources management;
- (8) Coordinate marine and coastal education activities; and
- (9) Adopt rules pursuant to chapter 91 to carry out the purposes of this part.”

SECTION 13. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 14. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 15. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 17

H.B. NO. 2054

A Bill for an Act Relating to Employment Practices.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 378, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

**“§378- Sexual harassment or sexual assault; nondisclosure agreements; prohibited.** (a) No employer shall require an employee to enter into, as a condition of employment, a nondisclosure agreement that prevents the employee from disclosing or discussing sexual harassment or sexual assault occurring in the workplace, at work-related events, between employees, or between an employer and an employee.

(b) No employer shall retaliate against an employee for disclosing or discussing sexual harassment or sexual assault.

(c) This section shall not apply to:

- (1) Human resources employees who are expected to maintain the confidentiality of an investigation as part of their official duties;
- (2) Employees who are requested to maintain the confidentiality of an ongoing human resources investigation; and
- (3) Proceedings pursuant to section 624-25.5.”

SECTION 2. New statutory material is underscored.<sup>1</sup>

SECTION 3. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

### Note

1. Edited pursuant to HRS §23G-16.5.

A Bill for an Act Relating to Domestic Abuse.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that victims of domestic abuse who seek protection through the courts may face retaliatory acts from their abusers. Victims who petition the courts for temporary restraining orders may be subjected by their abusers to counter-petitions for the same relief.

The legislature finds that, even though these counter-petitions are purely retaliatory and have no basis in fact, the public record of the petitions can negatively impact the domestic abuse victims' employment and housing prospects. This can hinder the victims' efforts to gain physical and financial independence from their abusers.

The purpose of this Act is to permit family court judges to withhold from public inspection any record of a denied temporary restraining order or denied protective order; provided that these records shall remain accessible to law enforcement officers without a court order.

SECTION 2. Section 586-4, Hawaii Revised Statutes, is amended to read as follows:

**“§586-4 Temporary restraining order.** (a) Upon petition to a family court judge, an ex parte temporary restraining order may be granted without notice to restrain either or both parties from contacting, threatening, or physically abusing each other, notwithstanding that a complaint for annulment, divorce, or separation has not been filed. The order may be granted to any person who, at the time the order is granted, is a family or household member as defined in section 586-1 or who filed a petition on behalf of a family or household member. The order shall enjoin the respondent or person to be restrained from performing any combination of the following acts:

- (1) Contacting, threatening, or physically abusing the protected party;
- (2) Contacting, threatening, or physically abusing any person residing at the protected party's residence; or
- (3) Entering or visiting the protected party's residence.

The ex parte temporary restraining order may also enjoin or restrain both of the parties from taking, concealing, removing, threatening, physically abusing, or otherwise disposing of any animal identified to the court as belonging to a household, until further order of the court.

(b) For any person who is alleged to be a family or household member by virtue of a dating relationship, the court may consider the following factors in determining whether a dating relationship exists:

- (1) The length of the relationship;
- (2) The nature of the relationship; and
- (3) The frequency of the interaction between the parties.

(c) The family court judge may issue the ex parte temporary restraining order orally, if the person being restrained is present in court. The order shall state that there is probable cause to believe that a past act or acts of abuse have occurred, or that threats of abuse make it probable that acts of abuse may be imminent. The order further shall state that the temporary restraining order is necessary for the purposes of: preventing acts of abuse or preventing a recurrence of actual domestic abuse and ensuring a period of separation of the parties involved. The order shall also describe in reasonable detail the act or acts sought

to be restrained. Where necessary, the order may require either or both of the parties involved to leave the premises during the period of the order; may also restrain the party or parties to whom it is directed from contacting, threatening, or physically abusing the applicant's family or household members; and may enjoin or restrain both parties from taking, concealing, removing, threatening, physically abusing, or otherwise disposing of any animal identified to the court as belonging to a household, until further order of the court. The order shall not only be binding upon the parties to the action, but also upon their officers, agents, servants, employees, attorneys, or any other persons in active concert or participation with them. The order shall enjoin the respondent or person to be restrained from performing any combination of the following acts:

- (1) Contacting, threatening, or physically abusing the protected party;
- (2) Contacting, threatening, or physically abusing any person residing at the protected party's residence;
- (3) Entering or visiting the protected party's residence; or
- (4) Taking, concealing, removing, threatening, physically abusing, or otherwise disposing of any animal identified to the court as belonging to a household, until further order of the court.

(d) If a divorce or a child custody proceeding is pending, a petition for a temporary restraining order may be filed in that same proceeding to the extent practicable. Any decree or order issued in a divorce or child custody proceeding subsequent to the petition being filed or an order being issued pursuant to this section, in the discretion of the court hearing the divorce or child custody proceeding, may supersede in whole or part the orders issued pursuant to this section. The factual findings and rulings made in connection with the granting or denying of a temporary restraining order may not have binding effect in any other family court proceeding, including child custody determinations under section 571-46, and the court in such proceedings may give de novo consideration to the facts and circumstances alleged in making later determinations affecting the parties, including determination of custody and visitation.

(e) When a temporary restraining order is granted and the respondent or person to be restrained knows of the order, a knowing or intentional violation of the restraining order is a misdemeanor. A person convicted under this section shall undergo domestic violence intervention at any available domestic violence program as ordered by the court. The court additionally shall sentence a person convicted under this section as follows:

- (1) Except as provided in paragraph (2), for a first conviction for a violation of the temporary restraining order, the person shall serve a mandatory minimum jail sentence of forty-eight hours and be fined not less than \$150 nor more than \$500; provided that the court shall not sentence a defendant to pay a fine unless the defendant is or will be able to pay the fine;
- (2) For a first conviction for a violation of the temporary restraining order, if the person has a prior conviction for any of the following felonies:
  - (A) Section 707-701 relating to murder in the first degree;
  - (B) Section 707-701.5 relating to murder in the second degree;
  - (C) Section 707-710 relating to assault in the first degree;
  - (D) Section 707-711 relating to assault in the second degree;
  - (E) Section 707-720 relating to kidnapping;
  - (F) Section 707-721 relating to unlawful imprisonment in the first degree;
  - (G) Section 707-730 relating to sexual assault in the first degree;
  - (H) Section 707-731 relating to sexual assault in the second degree;



- (I) Section 707-732 relating to sexual assault in the third degree;
- (J) Section 707-733.6 relating to continuous sexual assault of a minor under the age of fourteen years;
- (K) Section 707-750 relating to promoting child abuse in the first degree;
- (L) Section 708-810 relating to burglary in the first degree;
- (M) Section 708-811 relating to burglary in the second degree;
- (N) Section 709-906 relating to abuse of family or household members; or
- (O) Section 711-1106.4 relating to aggravated harassment by stalking;

and if any of these offenses has been committed against a family or household member as defined in section 586-1, the person shall serve a mandatory minimum term of imprisonment of fifteen days and be fined not less than \$150 nor more than \$600; provided that the court shall not sentence a defendant to pay a fine unless the defendant is or will be able to pay the fine; and

- (3) For the second and any subsequent conviction for a violation of the temporary restraining order, the person shall serve a mandatory minimum jail sentence of thirty days and be fined not less than \$250 nor more than \$1,000; provided that the court shall not sentence a defendant to pay a fine unless the defendant is or will be able to pay the fine.

Upon conviction and sentencing of the defendant, the court shall order that the defendant immediately be incarcerated to serve the mandatory minimum sentence imposed; provided that the defendant may be admitted to bail pending appeal pursuant to chapter 804. The court may stay the imposition of the sentence if special circumstances exist.

The court may suspend any jail sentence, except for the mandatory sentences under paragraphs (1), (2), and (3) upon condition that the defendant remain alcohol and drug-free, conviction-free, or complete court-ordered assessments or intervention. Nothing in this section shall be construed as limiting the discretion of the judge to impose additional sanctions authorized in sentencing for a misdemeanor.

(f) Any fines collected pursuant to subsection (e) shall be deposited into the spouse and child abuse special account established under section 601-3.6.

(g) If the court denies a temporary restraining order, the court may order upon the oral request of the respondent or the person to be restrained that the petition record be withheld from public inspection; provided that the record shall remain accessible to law enforcement officers without a court order.”

SECTION 3. Section 586-5.5, Hawaii Revised Statutes, is amended to read as follows:

**“§586-5.5 Protective order; additional orders.** (a) If, after hearing all relevant evidence, the court finds that the respondent has failed to show cause why the order should not be continued and that a protective order is necessary to prevent domestic abuse or a recurrence of abuse, the court may order that a protective order be issued for a further fixed reasonable period as the court deems appropriate.

The protective order may include all orders stated in the temporary restraining order and may provide for further relief as the court deems necessary to prevent domestic abuse or a recurrence of abuse, including orders establishing temporary visitation and custody with regard to minor children of the parties



and orders to either or both parties to participate in domestic violence intervention services. If the court finds that the party meets the requirements under section 334-59(a)(2), the court further may order that the party be taken to the nearest facility for emergency examination and treatment.

(b) A protective order may be extended for such further fixed reasonable period as the court deems appropriate. Upon application by a person or agency capable of petitioning under section 586-3, the court shall hold a hearing to determine whether the protective order should be extended. In making a determination, the court shall consider evidence of abuse and threats of abuse that occurred ~~[prior to]~~ before the initial restraining order and whether good cause exists to extend the protective order.

The extended protective order may include all orders stated in the preceding restraining order and may provide such further relief as the court deems necessary to prevent domestic abuse or a recurrence of abuse, including orders establishing temporary visitation and custody with regard to minor children of the parties and orders to either or both parties to participate in domestic violence intervention services. The court may terminate the extended protective order at any time with the mutual consent of the parties.

(c) If the court denies a protective order or extended protective order, the court may order upon the oral request of the respondent that the protective order or extended protective order petition record be withheld from public inspection; provided that the record shall remain accessible to law enforcement officers without a court order.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 19

S.B. NO. 2638

A Bill for an Act Relating to Domestic Violence.

*Be It Enacted by the Legislature of the State of Hawaii:*

### PART I

SECTION 1. The purpose of this part is to establish a five-year pilot project to strengthen state and county responses to domestic violence and increase offender accountability by:

- (1) Establishing a petty misdemeanor offense of abuse of family or household members and penalties;
- (2) Reducing congestion in the court system caused by a backlog of jury trial cases by permitting persons charged with a petty misdemeanor or misdemeanor offense of abuse of a family or household member to enter a deferred acceptance of guilty plea under certain conditions, and specifying that the deferred acceptance shall be set aside if the defendant fails to complete any court-ordered domestic violence intervention programs or parenting classes within the time frame specified by the court; and
- (3) Requiring data collection and reporting to determine the effectiveness of the pilot project by the judiciary on the number of cases filed

with the judiciary and the outcome of each case relating to domestic violence.

SECTION 2. Section 706-623, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

“(1) When the court has sentenced a defendant to be placed on probation, the period of probation shall be as follows, unless the court enters the reason therefor on the record and sentences the defendant to a shorter period of probation:

- (a) Ten years upon conviction of a class A felony;
- (b) Five years upon conviction of a class B or class C felony under part II, V, or VI of chapter 707, chapter 709, and part I of chapter 712 and four years upon conviction of any other class B or C felony;
- (c) One year upon conviction of a misdemeanor; except that upon a conviction under section 586-4, 586-11, or 709-906, the court may sentence the defendant to a period of probation not exceeding two years; or
- (d) Six months upon conviction of a petty misdemeanor; provided that up to one year may be imposed upon a finding of good cause[-]; except upon a conviction under section 709-906, the court may sentence the defendant to a period of probation not exceeding one year.

The court, on application of a probation officer, on application of the defendant, or on its own motion, may discharge the defendant at any time. Prior to the court granting early discharge, the defendant’s probation officer shall be required to report to the court concerning the defendant’s compliance or non-compliance with the conditions of the defendant’s probation and the court shall afford the prosecuting attorney an opportunity to be heard. The terms of probation provided in this part, other than in this section, shall not apply to sentences of probation imposed under section 706-606.3.”

SECTION 3. Section 709-906, Hawaii Revised Statutes, is amended to read as follows:

**“§709-906 Abuse of family or household members; penalty.** (1) It shall be unlawful for any person, singly or in concert, to physically abuse a family or household member or to refuse compliance with the lawful order of a police officer under subsection (4). The police, in investigating any complaint of abuse of a family or household member, upon request, may transport the abused person to a hospital or safe shelter.

[For the purposes of this section:

“Business day” means any calendar day, except Saturday, Sunday, or any state holiday.

“Family or household member”:

- (a) Means spouses or reciprocal beneficiaries, former spouses or reciprocal beneficiaries, persons in a dating relationship as defined under section 586-1, persons who have a child in common, parents, children, persons related by consanguinity, and persons jointly residing or formerly residing in the same dwelling unit; and
- (b) Does not include those who are, or were, adult roommates or co-habitants only by virtue of an economic or contractual affiliation.]

(2) Any police officer, with or without a warrant, may arrest a person if the officer has reasonable grounds to believe that the person is physically abus-

ing, or has physically abused, a family or household member and that the person arrested is guilty thereof.

(3) A police officer who has reasonable grounds to believe that the person is physically abusing, or has physically abused, a family or household member shall prepare a written report.

(4) Any police officer, with or without a warrant, shall take the following course of action, regardless of whether the physical abuse or harm occurred in the officer's presence:

- (a) The police officer shall make reasonable inquiry of the family or household member upon whom the officer believes physical abuse or harm has been inflicted and other witnesses as there may be;
- (b) If the person who the police officer reasonably believes to have inflicted the abuse is eighteen years of age or older, the police officer lawfully shall order the person to leave the premises for a period of separation, during which time the person shall not initiate any contact, either by telephone or in person, with the family or household member; provided that the person is allowed to enter the premises with police escort to collect any necessary personal effects. The period of separation shall commence when the order is issued and shall expire at 6:00 p.m. on the second business day following the day the order was issued; provided that the day the order is issued shall not be included in the computation of the two business days;
- (c) If the person who the police officer reasonably believes to have inflicted the abuse is under the age of eighteen, the police officer may order the person to leave the premises for a period of separation, during which time the person shall not initiate any contact with the family or household member by telephone or in person; provided that the person is allowed to enter the premises with police escort to collect any necessary personal effects. The period of separation shall commence when the order is issued and shall expire at 6:00 p.m. on the second business day following the day the order was issued; provided that the day the order is issued shall not be included in the computation of the two business days. The order of separation may be amended at any time by a judge of the family court. In determining whether to order a person under the age of eighteen to leave the premises, the police officer may consider the following factors:
  - (i) Age of the person;
  - (ii) Relationship between the person and the family or household member upon whom the police officer reasonably believes the abuse has been inflicted; and
  - (iii) Ability and willingness of the parent, guardian, or other authorized adult to maintain custody and control over the person;
- (d) All persons who are ordered to leave as stated above shall be given a written warning citation stating the date, time, and location of the warning and stating the penalties for violating the warning. A copy of the warning citation shall be retained by the police officer and attached to a written report which shall be submitted in all cases. A third copy of the warning citation shall be given to the abused person;
- (e) If the person so ordered refuses to comply with the order to leave

the premises or returns to the premises before the expiration of the period of separation, or if the person so ordered initiates any contact with the abused person, the person shall be placed under arrest for the purpose of preventing further physical abuse or harm to the family or household member; and

(f) The police officer shall seize all firearms and ammunition that the police officer has reasonable grounds to believe were used or threatened to be used in the commission of an offense under this section.

(5) Abuse of a family or household member and refusal to comply with the lawful order of a police officer under subsection (4) are misdemeanors and the person shall be sentenced as follows:

(a) For the first offense the person shall serve a minimum jail sentence of forty-eight hours; and

(b) For a second offense that occurs within one year of the first conviction, the person shall be termed a “repeat offender” and serve a minimum jail sentence of thirty days.

(6) It shall be a petty misdemeanor for a person to intentionally or knowingly strike, shove, kick, or otherwise touch a family or household member in an offensive manner or subject the family member or household member to offensive physical contact and the person shall be sentenced as provided in sections 706-640 and 706-663.

Upon conviction and sentencing of the defendant, the court ~~shall~~ may order that the defendant immediately be incarcerated to serve the mandatory minimum sentence imposed; provided that the defendant may be admitted to bail pending appeal pursuant to chapter 804. The court may stay the imposition of the sentence if special circumstances exist.

~~[(6)] (7)~~ Whenever a court sentences a person or grants a motion for deferral pursuant to [subsection] subsections (5)[;] and (6), it also shall require that the offender [undergo] complete within a specified time frame any available domestic violence intervention programs and, if the offense involved the presence of or abuse of a minor, any available parenting classes ordered by the court. The court shall revoke the defendant’s probation or set aside the defendant’s deferred acceptance of guilty plea and enter an adjudication of guilt, if applicable, and sentence or resentence the defendant to the maximum term of incarceration if:

(a) The defendant fails to complete, within the specified time frame, any domestic violence intervention programs or parenting classes ordered by the court; or

(b) The defendant violates any other term or condition of the defendant’s probation or deferral imposed by the court;

provided that, after a hearing on an order to show cause, the court finds that the defendant has failed to show good cause why the defendant has not timely completed the domestic violence intervention programs or parenting classes, if applicable, or why the defendant violated any other term or condition of the defendant’s sentence. However, the court may suspend any portion of a jail sentence, except for the mandatory sentences under subsection (5)(a) and (b), upon the condition that the defendant remain arrest-free and conviction-free or complete court-ordered intervention.

~~[(7)] (8)~~ For a third or any subsequent offense that occurs within two years of a second or subsequent conviction, the offense shall be a class C felony.

~~[(8)] (9)~~ Where the physical abuse consists of intentionally or knowingly causing bodily injury by impeding the normal breathing or circulation of the blood by:

- (a) Applying pressure on the throat or the neck with any part of the body or a ligature;
  - (b) Blocking the nose and mouth; or
  - (c) Applying pressure to the chest,
- abuse of a family or household member is a class C felony; provided that infliction of visible bodily injury shall not be required to establish an offense under this subsection.

For the purposes of this subsection, “bodily injury” shall have the same meaning as in section 707-700.

~~[(9)]~~ (10) Where physical abuse occurs in the presence of a minor, as defined in section 706-606.4, and the minor is a family or household member less than fourteen years of age, abuse of a family or household member is a class C felony.

~~[(40)]~~ (11) Any police officer who arrests a person pursuant to this section shall not be subject to any civil or criminal liability; provided that the police officer acts in good faith, upon reasonable belief, and does not exercise unreasonable force in effecting the arrest.

~~[(41)]~~ (12) The family or household member who has been physically abused or harmed by another person may petition the family court, with the assistance of the prosecuting attorney of the applicable county, for a penal summons or arrest warrant to issue forthwith or may file a criminal complaint through the prosecuting attorney of the applicable county.

~~[(42)]~~ (13) The ~~[respondent]~~ defendant shall be taken into custody and brought before the family court at the first possible opportunity. The court may dismiss the petition or hold the ~~[respondent]~~ defendant in custody, subject to bail. Where the petition is not dismissed, a hearing shall be set.

~~[(43)]~~ (14) This section shall not operate as a bar against prosecution under any other section of this Code in lieu of prosecution for abuse of a family or household member.

~~[(44)]~~ (15) It shall be the duty of the prosecuting attorney of the applicable county to assist any victim under this section in the preparation of the penal summons or arrest warrant.

~~[(45)]~~ (16) This section shall not preclude the physically abused or harmed family or household member from pursuing any other remedy under law or in equity.

~~[(46)]~~ (17) When a person is ordered by the court to ~~[undergo]~~ complete any domestic violence intervention~~[-]~~ programs or parenting classes, that person shall provide adequate proof of compliance with the court’s order. The court shall order a subsequent hearing at which the person is required to make an appearance, on a date certain, to determine whether the person has completed the ordered domestic violence intervention~~[-]~~ programs or parenting classes. The court may waive the subsequent hearing and appearance where a court officer has established that the person has completed the intervention ordered by the court.

(18) Notwithstanding any provision of law to the contrary, the court may grant a deferred acceptance of guilty plea pursuant to chapter 853 for misdemeanor or petty misdemeanor offenses of abuse of a family or household member when the defendant:

- (a) Has no prior conviction; or
- (b) Has not been previously granted a deferred acceptance of guilty plea.

for any offense charged in family court under this section regardless of the final plea.

- (19) For the purposes of this section:

“Business day” means any calendar day, except Saturday, Sunday, or any state holiday.

“Family or household member”:

- (a) Means spouses or reciprocal beneficiaries, former spouses or reciprocal beneficiaries, persons in a dating relationship as defined under section 586-1, persons who have a child in common, parents, children, persons related by consanguinity, and persons jointly residing or formerly residing in the same dwelling unit; and
- (b) Does not include those who are, or were, adult roommates or co-habitants only by virtue of an economic or contractual affiliation.”

SECTION 4. Section 853-4, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) This chapter shall not apply when:

- (1) The offense charged involves the intentional, knowing, reckless, or negligent killing of another person;
- (2) The offense charged is:
  - (A) A felony that involves the intentional, knowing, or reckless bodily injury, substantial bodily injury, or serious bodily injury of another person; or
  - (B) A misdemeanor or petty misdemeanor that carries a mandatory minimum sentence and that involves the intentional, knowing, or reckless bodily injury, substantial bodily injury, or serious bodily injury of another person;provided that the prohibition in this paragraph shall not apply to offenses described in section 709-906(18);
- (3) The offense charged involves a conspiracy or solicitation to intentionally, knowingly, or recklessly kill another person or to cause serious bodily injury to another person;
- (4) The offense charged is a class A felony;
- (5) The offense charged is nonprobationable;
- (6) The defendant has been convicted of any offense defined as a felony by the Hawaii Penal Code or has been convicted for any conduct that if perpetrated in this State would be punishable as a felony;
- (7) The defendant is found to be a law violator or delinquent child for the commission of any offense defined as a felony by the Hawaii Penal Code or for any conduct that if perpetrated in this State would constitute a felony;
- (8) The defendant has a prior conviction for a felony committed in any state, federal, or foreign jurisdiction;
- (9) A firearm was used in the commission of the offense charged;
- (10) The defendant is charged with the distribution of a dangerous, harmful, or detrimental drug to a minor;
- (11) The defendant has been charged with a felony offense and has been previously granted deferred acceptance of guilty plea or no contest plea for a prior offense, regardless of whether the period of deferral has already expired;
- (12) The defendant has been charged with a misdemeanor offense and has been previously granted deferred acceptance of guilty plea or no contest plea for a prior felony, misdemeanor, or petty misdemeanor for which the period of deferral has not yet expired;
- (13) The offense charged is:
  - (A) Escape in the first degree;

- (B) Escape in the second degree;
  - (C) Promoting prison contraband in the first degree;
  - (D) Promoting prison contraband in the second degree;
  - (E) Bail jumping in the first degree;
  - (F) Bail jumping in the second degree;
  - (G) Bribery;
  - (H) Bribery of or by a witness;
  - (I) Intimidating a witness;
  - (J) Bribery of or by a juror;
  - (K) Intimidating a juror;
  - (L) Jury tampering;
  - (M) Promoting prostitution;
  - (N) Abuse of family or household member[;] except as provided in paragraph (2) and section 709-906(18);
  - (O) Sexual assault in the second degree;
  - (P) Sexual assault in the third degree;
  - (Q) A violation of an order issued pursuant to chapter 586;
  - (R) Promoting child abuse in the second degree;
  - (S) Promoting child abuse in the third degree;
  - (T) Electronic enticement of a child in the first degree;
  - (U) Electronic enticement of a child in the second degree;
  - (V) Prostitution pursuant to section 712-1200(1)(b);
  - (W) Street solicitation of prostitution under section 712-1207(1)(b);
  - (X) Solicitation of prostitution near schools or public parks under section 712-1209;
  - (Y) Habitual solicitation of prostitution under section 712-1209.5; or
  - (Z) Solicitation of a minor for prostitution under section 712-1209.1;
- (14) The defendant has been charged with:
- (A) Knowingly or intentionally falsifying any report required under chapter 11, part XIII with the intent to circumvent the law or deceive the campaign spending commission; or
  - (B) Violating section 11-352 or 11-353; or
- (15) The defendant holds a commercial driver's license and has been charged with violating a traffic control law, other than a parking law, in connection with the operation of any type of motor vehicle."

## PART II

SECTION 5. The legislature finds that certain laws of the State were enacted to assist victims of domestic and sexual violence. For example, certain provisions in the Hawaii Revised Statutes address early termination of a shared cell phone contract or rental agreement by victims. However, the legislature also finds that when victims attempt to obtain assistance under these laws, they must show proof of their victim status. This is complicated by the fact that the types of documents accepted as proof of domestic or sexual violence victim status vary among the different laws, even though the actual substance of the requirements is similar. As a result, victims may be discouraged from trying to seek assistance under these laws.

The purpose of this part is to make consistent the types of documents accepted as proof of domestic or sexual violence victim status.



SECTION 6. Section 378-2, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) For purposes of subsection (a)(1):

(1) An employer may verify that an employee is a victim of domestic or sexual violence by requesting that the employee provide:

~~[(A) A signed written statement from a person listed below from whom the employee or the employee’s minor child has sought assistance in relation to the domestic or sexual violence:~~

~~(i) An employee, agent, or volunteer of a victim services organization;~~

~~(ii) The employee’s attorney or advocate;~~

~~(iii) The attorney or advocate of the employee’s minor child;~~

~~(iv) A medical or other health care professional; or~~

~~(v) A member of the clergy; or~~

~~(B) A police or court record supporting the occurrence of the domestic or sexual violence; and]~~

(A) Certified or exemplified restraining orders, injunctions against harassment, and documents from criminal cases;

(B) Documentation from a victim services organization or domestic or sexual violence program, agency, or facility, including a shelter or safe house for victims of domestic or sexual violence; or

(C) Documentation from a medical professional, mental health care provider, attorney, advocate, social worker, or member of the clergy from whom the employee or the employee’s minor child has sought assistance in relation to the domestic or sexual violence; and

(2) An employer may verify an employee’s status as a domestic or sexual violence victim not more than once every six months following the date the employer:

(A) Was provided notice by the employee of the employee’s status as a domestic or sexual violence victim;

(B) Has actual knowledge of the employee’s status as a domestic or sexual violence victim; or

(C) Received verification that the employee is a domestic or sexual violence victim;

provided that where the employee provides verification in the form of a protective order related to the domestic or sexual violence with an expiration date, the employer may not request any further form of verification of the employee’s status as a domestic or sexual violence victim until the date of the expiration or any extensions of the protective order, whichever is later.”

SECTION 7. Section 378-72, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

“(d) Where an employee has taken not more than five calendar days of leave for non-medical reasons, the employee shall provide certification to the employer in the form of a signed statement within a reasonable period after the employer’s request, that the employee or the employee’s minor child is a victim of domestic or sexual violence and the leave is for one of the purposes enumerated in subsection (a). If the leave exceeds five days per calendar year, then the certification shall be provided by one of the following methods:

~~[(1) A signed written statement from an employee, agent, or volunteer of a victim services organization, from the employee’s attorney or~~



~~advocate, from a minor child's attorney or advocate, or a medical or other professional from whom the employee or the employee's minor child has sought assistance related to the domestic or sexual violence; or~~

- (2) ~~A police or court record related to the domestic or sexual violence.]~~  
 (1) Certified or exemplified restraining orders, injunctions against harassment, and documents from criminal cases;  
 (2) Documentation from a victim services organization or domestic or sexual violence program, agency, or facility, including a shelter or safe house for victims of domestic or sexual violence; or  
 (3) Documentation from a medical professional, mental health care provider, attorney, advocate, social worker, or member of the clergy from whom the employee or the employee's minor child has sought assistance in relation to the domestic or sexual violence."

SECTION 8. Section 383-7.6, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The department may request as reasonable and confidential documentation under subsection (a)(1) the following evidence:

- (1) A notarized written statement of the individual attesting to the status of the individual or the individual's minor child as a victim of domestic or sexual violence and explaining how continued employment creates an unreasonable risk of further violence;
- (2) A signed written statement from:  
~~[(A) An employee, agent, or volunteer of a victim services organization;~~  
~~(B) The individual's attorney or advocate;~~  
~~(C) A minor child's attorney or advocate; or~~  
~~(D) A medical or other professional from whom the individual or the individual's minor child has sought assistance related to the domestic or sexual violence,]~~  
 (A) A victim services organization or domestic or sexual violence program, agency, or facility, including a shelter or safe house for victims of domestic or sexual violence; or  
 (B) A medical professional, mental health care provider, attorney, advocate, social worker, or member of the clergy from whom the individual or the individual's minor child has sought assistance in relation to the domestic or sexual violence,  
 attesting to the domestic or sexual violence and explaining how the continued employment creates an unreasonable risk of further violence; or
- (3) ~~[A police or court record]~~ Certified or exemplified restraining orders, injunctions against harassment, and documents from criminal cases suggesting or demonstrating that the continued employment may cause an unreasonable risk of further violence."

SECTION 9. Section 383-30.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) In applying the provisions of section 383-30(1), an individual who has established eligibility based on full-time employment may be found to have good cause for voluntarily separating from subsequent part-time employment based on any of the following conditions:

- (1) Loss of full-time work with a regular employer made it economically unfeasible to continue part-time employment;

- (2) The part-time employment was outside the individual's customary occupation and would not have been considered suitable work at the time the individual accepted part-time employment. In determining whether an individual is reasonably fitted for a particular job, the department shall consider:
  - (A) The degree of risk involved to the individual's health, safety, and morals;
  - (B) The individual's physical fitness;
  - (C) The individual's prior training;
  - (D) The individual's experience;
  - (E) The individual's prior earnings;
  - (F) The length of the individual's unemployment;
  - (G) The individual's prospects for obtaining work in the individual's customary occupation;
  - (H) The distance of available work from the individual's residence; and
  - (I) The individual's prospects for obtaining local work.

As used in this paragraph, "suitable work" means work in the individual's usual occupation or work for which the individual is reasonably fitted;
- (3) The employer failed to provide sufficient advance notice of a work schedule change;
- (4) There was a work schedule conflict with other concurrent part-time or full-time employment;
- (5) A real, substantial, or compelling reason, or a reason that would cause a reasonable and prudent employee, genuinely and sincerely desirous of maintaining employment, to take similar action and to try reasonable alternatives before terminating the employment relationship;
- (6) Change in working conditions and the change is prejudicial or detrimental to the health, safety, or morals of the employee;
- (7) Change in terms and conditions of employment, including change in rate of pay, position or grade, duties, days of work, or hours of work;
- (8) Discrimination that violates federal or state laws regarding equal employment opportunity practices;
- (9) Change in the employee's marital or domestic status;
- (10) Acceptance of a definite, firm offer made of other employment where the offer is subsequently withdrawn and the former employer refuses to rehire the employee;
- (11) Retirement under a mandatory requirement imposed by a collective bargaining agreement;
- (12) Evidence that the employee was a victim of domestic or sexual violence, including any circumstance that causes a reasonable employee to believe that other available alternatives, such as a leave of absence, a transfer of jobs, or an alternate work schedule, would not be sufficient to guarantee the safety of the employee and that separation from employment was necessary to address the resulting physical and psychological effects, to seek or reside in an emergency shelter, or to avoid future domestic or sexual violence. Evidence includes ~~[police records, court records, statements from the individual, a volunteer of a victim services organization, the employee's attorney or advocate, a member of the clergy, medical, or other professional~~

~~from whom the employee has sought assistance related to the domestic or sexual violence, or other corroborating evidence.];~~

- ~~(A) Certified or exemplified restraining orders, injunctions against harassment, and documents from criminal cases;~~
- ~~(B) Documentation from a victim services organization or domestic or sexual violence program, agency, or facility, including a shelter or safe house for victims of domestic or sexual violence;~~
- ~~(C) Documentation from a medical professional, mental health care provider, attorney, advocate, social worker, or member of the clergy from whom the employee or the employee's minor child has sought assistance in relation to the domestic or sexual violence; or~~
- ~~(D) Statements from the individual, or other corroborating evidence.~~

As used in this paragraph, "domestic or sexual violence" includes domestic abuse, sexual assault, or stalking; or

- (13) Any other factor relevant to a determination of good cause."

SECTION 10. Section 521-80, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) A tenant may terminate a rental agreement of a term of one year or less without penalty or fees for early termination or liability for future rent if the tenant or an immediate family member of the tenant residing at the dwelling unit has been the victim of domestic violence during the ninety days preceding the date the notice of early termination is provided to the landlord. The notice shall be given at least fourteen days prior to the early termination date specified in the notice, which shall be no more than one hundred four days from the date of the most recent act of domestic violence. The notice shall be accompanied by one of the following documents:

- ~~(1) A copy of a valid order of protection issued by a court of any state to the tenant or immediate family member of the tenant as a result of the tenant or the immediate family member of the tenant having been a victim of domestic violence;~~
- ~~(2) A copy of a police report filed with an agency of any state that states that the tenant or immediate family member of the tenant was a victim of domestic violence; or~~
- ~~(3) A copy of the conviction of a person for an act of domestic violence against the tenant or immediate family member of the tenant.]~~
- (1) Certified or exemplified restraining orders, injunctions against harassment, and documents from criminal cases;
- (2) Documentation from a victim services organization or domestic violence program, agency, or facility, including a shelter or safe house for victims of domestic violence; or
- (3) Documentation from a medical professional, mental health care provider, attorney, advocate, social worker, or member of the clergy from whom the victim has sought assistance in relation to the domestic violence.

The tenant shall also provide to the landlord a written statement, which describes that the tenant reasonably believes that the person who committed the domestic violence knows the address or location where the tenant or immediate family member of the tenant resides, unless the person who committed the domestic violence resides in the same dwelling unit."

SECTION 11. Section 801G-3, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The application shall be as prescribed by the program director and shall contain the following:

- (1) The primary applicant’s name;
- (2) A statement by the primary applicant that the primary applicant is a victim of domestic abuse, a sexual offense, or stalking and that the primary applicant fears for the primary applicant’s safety;
- (3) Evidence that the primary applicant is a victim of domestic abuse, a sexual offense, or stalking, including any of the following:
  - (A) Records or files of a court or government agency including but not limited to police reports, valid restraining orders, injunctions against harassment, and documents from criminal cases;
  - (B) Documentation from a domestic abuse program, agency, or facility including ~~[but not limited to] a [women’s] shelter or safe house[;]~~ for domestic abuse victims;
  - (C) Documentation from a sexual assault program; ~~[or]~~
  - (D) Documentation from a medical professional, mental health care provider, [or other class of professionals designated by the program director] attorney, advocate, social worker, or member of the clergy from whom the primary applicant has sought assistance in dealing with the alleged domestic abuse, sexual offense, or stalking; or
  - (E) Documentation from a victim services organization;
- (4) A statement by the primary applicant that disclosure of the primary applicant’s actual address will endanger the primary applicant’s safety;
- (5) A statement by the primary applicant that the primary applicant has confidentially relocated to an address in the State or will relocate to an address in the State within thirty days of the date of application and will not disclose the location to assailants or known potential assailants;
- (6) The primary applicant’s written consent that the program shall serve as the agent for the primary applicant for purposes of service of process and receiving mail;
- (7) The mailing address and telephone number where the primary applicant may be contacted by the program;
- (8) The actual address of the primary applicant;
- (9) A statement as to whether there is any existing court order or court action involving the primary applicant or an individual identified in paragraph (10) related to dissolution of marriage proceedings, child support, or the allocation of parental responsibilities or parenting time, including the court that issued the order or has jurisdiction over the action;
- (10) The name of any person who resides with the primary applicant who may apply as a secondary applicant pursuant to section 801G-4 to ensure the safety of the primary applicant;
- (11) The primary applicant’s sworn statement that the information contained in the application is true;
- (12) The application assistant’s statement that the application assistant has met with and discussed the application with the primary applicant and that the application assistant recommends that the primary applicant be assigned a substitute address; and

- (13) The date and signature of the primary applicant, the application assistant, and, if applicable, the primary applicant’s parent or guardian.”

### PART III

SECTION 12. No later than forty days prior to the convening of the regular sessions of 2022, 2023, 2024, 2025, and 2026, the judiciary shall submit a report to the legislature that includes, for cases filed with the judiciary involving offenses under section 709-906, Hawaii Revised Statutes, the outcome of each case, including the number of cases dismissed, by category; the number found not guilty; the number found guilty; and other outcomes, by category; provided that in cases in which an offender was required to complete a domestic violence intervention programs or parenting classes, the report shall include, by category, the number of cases in which the program was completed or not completed and the consequences for failure to complete the program.

### PART IV

SECTION 13. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 14. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 15. This Act shall take effect on January 1, 2021; provided that sections 2, 3, and 4 shall be repealed on June 30, 2026; provided further that sections 706-623, 709-906, and 853-4, Hawaii Revised Statutes, shall be re-enacted in the form in which they read on the day prior to the effective date of this Act.

(Approved September 15, 2020.)

## ACT 20

H.B. NO. 2425

A Bill for an Act Relating to Domestic Abuse.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 431:10-217.5, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) As used in this section, “domestic abuse” means:

- (1) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members;
- (2) Sexual assault of one family or household member by another;
- (3) Stalking of one family or household member by another family or household member; [øø]
- (4) Intentionally, knowingly, or recklessly causing damage to property so as to intimidate or attempt to control the behavior of another household member[-]; or
- (5) Coercive control, as defined in section 586-1, between family or household members.”

SECTION 2. Section 432:1-101.6, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) As used in this section, “domestic abuse” means:

- (1) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members;
- (2) Sexual assault of one family or household member by another;
- (3) Stalking of one family or household member by another family or household member; [ø¶]
- (4) Intentionally, knowingly, or recklessly causing damage to property so as to intimidate or attempt to control the behavior of another household member[-]; or
- (5) Coercive control, as defined in section 586-1, between family or household members.”

SECTION 3. Section 432:2-103.5, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) As used in this section, “domestic abuse” means:

- (1) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members;
- (2) Sexual assault of one family or household member by another;
- (3) Stalking of one family or household member by another family or household member; [ø¶]
- (4) Intentionally, knowingly, or recklessly causing damage to property so as to intimidate or attempt to control the behavior of another household member[-]; or
- (5) Coercive control, as defined in section 586-1, between family or household members.”

SECTION 4. Section 432D-27, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) As used in this section, “domestic abuse” means:

- (1) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members;
- (2) Sexual assault of one family or household member by another;
- (3) Stalking of one family or household member by another family or household member; [ø¶]
- (4) Intentionally, knowingly, or recklessly causing damage to property so as to intimidate or attempt to control the behavior of another household member[-]; or
- (5) Coercive control, as defined in section 586-1, between family or household members.”

SECTION 5. Section 586-1, Hawaii Revised Statutes, is amended as follows:

1. By adding a new definition to be appropriately inserted and to read: ““Coercive control” means a pattern of threatening, humiliating, or intimidating actions, which may include assaults, or other abuse that is used to harm, punish, or frighten an individual. “Coercive control” includes a pattern of behavior that seeks to take away the individual’s liberty or freedom and strip away the individual’s sense of self, including bodily integrity and human rights, whereby the “coercive control” is designed to make an individual dependent by

isolating them from support, exploiting them, depriving them of independence, and regulating their everyday behavior including:

- (1) Isolating the individual from friends and family;
  - (2) Controlling how much money is accessible to the individual and how it is spent;
  - (3) Monitoring the individual's activities, communications, and movements;
  - (4) Name-calling, degradation, and demeaning the individual frequently;
  - (5) Threatening to harm or kill the individual or a child or relative of the individual;
  - (6) Threatening to publish information or make reports to the police or the authorities;
  - (7) Damaging property or household goods; and
  - (8) Forcing the individual to take part in criminal activity or child abuse."
2. By amending the definition of "domestic abuse" to read:  
 "'Domestic abuse" means:
- (1) Physical harm, bodily injury, assault, or the threat of imminent physical harm, bodily injury, or assault, extreme psychological abuse, coercive control, or malicious property damage between family or household members; or
  - (2) Any act which would constitute an offense under section 709-906, or under part V or VI of chapter 707 committed against a minor family or household member by an adult family or household member."

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 21

H.B. NO. 2590

A Bill for an Act Relating to Autonomous Vehicles.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. (a) There is established within the department of transportation an autonomous vehicles testing pilot program.

(b) An autonomous vehicle may be tested on any public road in the State; provided that a conventional human driver shall remain physically present in the vehicle at all times in case the conventional human driver needs to intervene, supervise, or prevent a collision or other issues during testing.

(c) The department of transportation may adopt rules pursuant to chapter 91, Hawaii Revised Statutes, regarding the testing of autonomous vehicles.

(d) The department of transportation shall determine which entities shall be permitted to engage in the testing of autonomous vehicles in the State.

(e) As used in this section:

"Autonomous vehicle" means an automated-driving-system-equipped vehicle capable of performing all aspects of the dynamic driving task within its operational design domain, if any, including achieving a minimal risk condition, without any intervention or supervision by a conventional human driver.



## ACT 22

“Conventional human driver” means a person who manually exercises in-vehicle braking, accelerating, steering, and transmission gear selection input devices in order to operate a motor vehicle.

SECTION 2. (a) No later than twenty days prior to the convening of the regular session of 2023, the department of transportation shall submit to the legislature a report of its findings and recommendations, including any proposed legislation, regarding the autonomous vehicles testing pilot program.

(b) The report shall include:

- (1) A recommendation of whether autonomous vehicles are ready to be fully deployed in Hawaii; and
- (2) Issues surrounding the feasibility and safety of the operation of autonomous vehicles on Hawaii’s roads, as well as other matters deemed relevant by the department of transportation.

SECTION 3. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 22

H.B. NO. 2202

A Bill for an Act Relating to Cemeteries.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 441-22.1, Hawaii Revised Statutes, is amended to read as follows:

**“§441-22.1 Exemption.** (a) ~~The director shall exempt any cemetery authority from the [bonding requirement and the fee requirements for license, renewal and reinstatement] provisions of this chapter upon proof satisfactory to the director that [it] the cemetery authority does not sell for financial profit[-]; provided that a cemetery authority exempted under this section shall be required to comply with any provision of this chapter upon order by the director.~~

(b) Any church granted an exemption under this section shall be exempt from all requirements of this chapter. Any entity that is exempt as a church under federal tax law shall be considered a church for purposes of this section.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 23

S.B. NO. 2629

A Bill for an Act Relating to the Environment.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that the State has committed to a decisive and irreversible transition away from fossil fuels, and a swift transition



to a clean energy economy powered by one hundred per cent renewable energy. This renewable energy transformation will help to stabilize and strengthen Hawaii's economy by reducing its dependency on imported fossil fuels, fostering innovation and clean energy job growth, helping protect Hawaii's environment by greatly reducing carbon emissions, and positioning Hawaii as a global leader on climate solutions.

Coal is currently the largest source of carbon dioxide emissions in the world. The United Nations Intergovernmental Panel on Climate Change 2018 "Special Report on 1.5 Degrees Celsius" found that limiting the Earth's warming to 1.5 degrees Celsius, believed to be a threshold to avoid devastating climate change by many scientists, would mean a complete phase-out of the use of coal for electricity generation globally.

Furthermore, coal-fired power plants are responsible for seventy per cent of the nation's mercury emissions. After being released into the air, mercury accumulates in soil and water, where it contaminates food consumed, especially fish. Mercury is especially threatening to pregnant women and young children. As many as one in six American women have enough mercury in their bodies to put a baby at risk. Mercury is one of the leading causes of preventable birth defects, including brain damage and cerebral palsy. Federal regulations to reduce mercury from coal power plants have been significantly weakened by the current administration.

While coal is currently used to generate electricity on the island of Oahu, the power purchase agreement between the coal plant and the electric utility is set to expire in 2022. The electric utility has publicly stated that it does not intend to extend the contract with the coal plant beyond 2022. The electric utility has stated that the large power plant, with a relatively inflexible power output, is ill-suited for a small island electricity grid that increasingly relies on renewable energy. Despite the stated intentions, nothing currently in state law prohibits the continued use of coal for electricity generation into the future.

The legislature further finds that Hawaii has emerged as a leader on clean energy policy, adopting a number of bold, first-in-the-nation targets that have helped inspire other states to take similar action. Hawaii was the first state in the country to adopt a one hundred per cent renewable energy requirement for electricity by 2045 through the passage of Act 97, Session Laws of Hawaii 2015. California adopted a similar law in 2018. Hawaii has also pledged to achieve carbon neutrality by 2045 through the passage of Act 15, Session Laws of Hawaii 2018, another first in the nation. Despite the clear threat that coal-powered electricity presents to health and the climate, no state has proscribed its use. The legislature further finds that coal power, as one of the dirtiest fossil fuels, has no role in Hawaii's clean energy future.

The purpose of this Act is to eliminate the use of coal in Hawaii for electricity production.

SECTION 2. Chapter 269, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§269- Coal power purchase agreements; prohibited.** Beginning after June 30, 2020, the public utilities commission shall not approve:

- (1) Any new or renewed power purchase agreement that proposes to burn or consume coal to generate electricity; or
- (2) A modification of a coal power purchase agreement that proposes to extend the term or increase the amount of generation that is allowed to be produced under the existing agreement.”

## ACT 24

SECTION 3. Chapter 342B, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§342B- Use of coal for electricity generation.** The department may issue or renew a permit to an owner or operator of a covered source that will burn or consume coal to generate electricity; provided that as a condition of the permit, all coal burning shall cease on December 31, 2022. Beginning after December 31, 2022, the department shall not issue or renew any permit to an owner or operator of a covered source which will burn or consume coal to generate electricity.”

SECTION 4. New statutory material is underscored.<sup>1</sup>

SECTION 5. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

### Note

1. Edited pursuant to HRS §23G-16.5.

## ACT 24

H.B. NO. 1346

A Bill for an Act Relating to Early Childhood Education.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that according to a joint statement drafted by the National Association for the Education of Young Children, with support from a host of other national organizations regarded as leaders in the field of early childhood education, every year, as many as 8,710 three- and four-year-old children nationwide may be expelled from their state-funded preschool or prekindergarten classroom. These suspensions and expulsions are occurring at a rate more than three times that of their peers in kindergarten through grade twelve.

The legislature further finds that many more children are suspended, with the data demonstrating severe racial disparities. Data from the United States Department of Education Office for Civil Rights indicates a significant percentage of these children are also suspended more than once, leaving them with few supports and even fewer options to ensure that they are able to participate in high-quality early learning.

The legislature additionally finds that this situation is particularly troubling given that these suspensions and expulsions occur during a critical period in a child's development, when a child's brain is developing rapidly. The earliest years of a child's life are critical to laying the foundation of learning and wellness needed for success in school and beyond. Especially during these early years, the educational system should ensure that our youngest children have access to opportunities that will prepare them to reach their greatest potential. By suspending or expelling them, the educational system instead sets our youngest off in the wrong direction, before they even begin kindergarten.

Well-established research indicates that school suspension and expulsion practices are associated with adverse educational and life outcomes. Suspension and expulsion early in a child's life predicts suspension and expulsion later in school. Children who are suspended or expelled from school are as much as ten

times more likely to drop out of high school, experience academic failure, hold negative attitudes toward school, and face incarceration than their peers who were never suspended or expelled.

Though each case is different, suspensions and expulsions may be the result of the lack of, or misguided, policies, or insufficient training and support services for staff, especially in managing challenging behaviors, recognizing trauma, and promoting socioemotional development. The executive office on early learning makes it a priority to provide professional learning support to executive office on early learning public prekindergarten program staff as well as to work with school leadership on staffing, and has also been partnering with the University of Hawaii system to strengthen the pipeline of early childhood educators with respect to these areas. The executive office on early learning focuses on these matters in its work because the target population for the executive office on early learning public prekindergarten program is underserved or at-risk children, those who stand to benefit the most from and should be assured of high-quality early learning, rather than be denied access to it due to suspension or expulsion.

In December 2014, the United States Department of Health and Human Services and Department of Education issued a joint policy statement and recommendations to assist states and their public and private local early childhood learning programs to prevent and severely limit suspensions and expulsions in early learning settings. The policy statement affirmed the departments' efforts to prevent and eventually eliminate suspension and expulsion in all early childhood settings and support young children's social, emotional, and behavioral development.

The federal Office of Head Start has already prohibited its programs from expelling or un-enrolling children due to a child's behavior and requires its programs to prohibit or severely limit the use of suspension due to a child's behavior. Federal Head Start programs are required to partner with families, consult with specialists, help the child and family obtain additional services as appropriate, and take all possible steps to ensure the child's successful participation in the program.

In alignment with national best practices and the federal government's efforts to more appropriately support our youngest children, the purpose of this Act is to prohibit the suspension and expulsion of children participating in the executive office on early learning public prekindergarten program, except in very limited circumstances.

SECTION 2. Section 302A-1134, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) If for any reason a child becomes a detriment to the morals or discipline of any school, the child may be precluded from attending school by the principal, with the approval of the complex area superintendent[-]; provided that this section shall not apply to children participating in the executive office on early learning public prekindergarten program pursuant to section 302L-7. The department shall seek the active participation of other public and private agencies in providing help to these children before and after they have left school. An appeal may be taken on behalf of the child to the superintendent of education within ten days from the date of such action.”

SECTION 3. Section 302L-7, Hawaii Revised Statutes, is amended to read as follows:

“**§302L-7 Executive office on early learning public prekindergarten program; public preschools.** (a) There is established within the early learning sys-

tem an early childhood education program to be known as the executive office on early learning public prekindergarten program and to be administered by the office pursuant to rules adopted by the office. The program shall:

- (1) Be provided through the executive office on early learning, which shall partner with the department of education and state public charter school commission through either a memorandum of agreement or memorandum of understanding pursuant to the requirements of this section;
  - (2) Prepare children for school and active participation in society through the use of either of the State's two official languages; and
  - (3) Provide access to high-quality early learning that addresses children's physical, cognitive, linguistic, social, and emotional development.
- (b) The office shall implement an application process for schools that are interested in participating in the program. The criteria to prioritize applications shall include:
- (1) Community need, including:
    - (A) The percentage of the population in the school or community that meets the definitions of at-risk and underserved children pursuant to section 302L-1; and
    - (B) The availability and capacity of existing early learning programs or services for four-year-old children on the school campus and in the surrounding area;
  - (2) The availability of a classroom and outdoor play area that meet department of human services requirements for health and safety for four-year-old children; and
  - (3) The commitment of the principal to implementing a high-quality prekindergarten program including through active participation in professional development sessions offered through the office, and to promoting continuity and alignment between and across other early learning programs in the community and other grade levels in the school to ensure the positive outcomes of children are sustained.
- (c) The program shall serve children in the year prior to the year of kindergarten eligibility, with priority extended to underserved or at-risk children, as defined in section 302L-1, and follow the academic year schedule of the department of education and be aligned with the full-day kindergarten classroom schedule of each school. Enrollment priority shall be given but is not limited to children who attend prekindergarten at schools to which the children will be assigned upon entering kindergarten under section 302A-1143.
- (d) The program shall include students with disabilities based on individualized education program placement, recognizing that the in-classroom ratio of students with disabilities to the general population shall be based on the inclusion of children with disabilities in proportion to their presence in the general population; provided that application of this principle does not anticipate or permit imposing caps or quotas on the number of children with disabilities in a program or not individualizing services for children with disabilities under the Individuals with Disabilities Education Act of 2004 (20 U.S.C. 1400-1409, 1411-1419, 1431-1444, 1450-1482). The department of education shall collaborate with the office to coordinate services for students with disabilities who are placed in the classroom offered through the program. Funding for all costs associated with implementation of the individualized education programs of students shall be provided through the department of education.
- (e) Enrollment in the program shall be voluntary. A child who is required to attend school pursuant to section 302A-1132, shall not be eligible for enrollment in the program.

(f) The program shall enroll a maximum of twenty children per classroom.

(g) The program shall incorporate high-quality standards pursuant to rules adopted by the office. High-quality standards shall be research-based, developmentally-appropriate practices associated with better educational outcomes for children, such as:

- (1) Positive teacher-child interactions that shall be evaluated through observations conducted by the office using a tool several times a year; provided that the observations shall not be used for the purposes of teacher evaluation;
- (2) Use of individual child assessments that are used for ongoing instructional planning, relating to all areas of childhood development and learning, including cognitive, linguistic, social, and emotional approaches to learning and health and physical development;
- (3) Family engagement in partnership with the schools, including conducting outreach for enrollment and engagement of families in their children's education;
- (4) Alignment with the Hawaii early learning and development standards, which align with department of education standards, state content and performance standards, and general learner outcomes for grades kindergarten to twelve, to facilitate a seamless and high-quality educational experience for children;
- (5) A teacher who has coursework in early childhood education pursuant to Hawaii teacher standards board licensing requirements for a prekindergarten teacher. For program purposes, a teacher shall satisfy the Hawaii teacher standards board licensing requirements for a prekindergarten teacher or be enrolled in a State-approved teacher education program and working toward satisfying the Hawaii teacher standards board licensing requirements; and
- (6) An educational assistant who has a child development associate credential or the associated coursework. For program purposes, an educational assistant shall have a current child development associate credential, coursework for a certificate that meets the requirements for child development associate credential preparation, or is enrolled in and working toward completing a program that prepares the individual to obtain the credential.

The office shall monitor implementation of the high-quality educational experience for children.

(h) Prior to opening a public prekindergarten class in a school, the principal, and other school personnel as required by the office, shall participate in an early learning induction program.

(i) The office shall provide support to incorporate the high-quality standards developed pursuant to subsection (g), including support related to teacher-child interactions, individual child assessments, and family engagement. Teaching staff participating in the program shall participate in coaching and mentoring offered through the office; provided that the office shall cover the associated travel and substitute teacher costs. The office may extend this support, excluding travel and substitute teacher costs, to individuals who are not participating in the program to promote alignment between all grade levels, programs, and settings.

(j) The teacher and educational assistant teaching in the classroom through the program shall provide direct services solely to students enrolled in the program and shall be provided time for meetings regarding program implementation in the program.

## ACT 24

(k) The teacher and educational assistant teaching in the classroom through the program shall be included in school meetings and activities to promote alignment between all grade levels and settings, including school-wide professional development relating to social emotional learning, cultural and place-based instructional strategies, and transition to kindergarten.

(l) Each school participating in the program shall work with the office to develop and annually update a written two- to three-year plan to promote, within the school and community, alignment of and transitions between high-quality learning experiences, and submit to the office and the appropriate complex area superintendent a report on progress made toward the plan by the end of each school year.

(m) The office shall coordinate with other agencies and programs to facilitate comprehensive services for early learning.

(n) To promote the development of a cohesive, comprehensive, and sustainable early learning system, the office shall partner with the schools participating in the program to collaborate with:

(1) Other early learning providers, including those providing the programs and services specified in section [302L-2(2)(A)], to promote alignment between prekindergarten and elementary school programs and to support children and their families in making successful transitions from prekindergarten into kindergarten; and

(2) Early intervention programs.

(o) The office shall collect data with assistance from the department of education and state public charter school commission, based on a schedule to be determined by the office, to:

(1) Evaluate the services provided;

(2) Inform policy; and

(3) Make any improvements to the program.

(p) The department of education and any public charter school existing pursuant to chapter 302D, may use available classrooms for public preschool programs statewide. The office shall give priority to public charter schools that serve high populations of underserved or at-risk children. Preschool classrooms established pursuant to this section shall be in addition to any classrooms used for the pre-plus program established pursuant to section 302L-1.7.

(q) All processes involved in implementation of this section related to students having special needs shall comply with federal law.

~~(q)~~ (r) The office shall adopt rules pursuant to chapter 91 necessary to carry out the purposes of this section, including compliance with all applicable state and federal laws.

(s) The office shall prohibit the use of suspension in the program due to a child's behavior; provided that a temporary suspension may be used when there is a serious safety threat as determined by the administrator of the school.

The office shall prohibit the permanent removal of a student from the program due to a child's behavior; provided that when a child exhibits persistent and serious challenging behaviors, the administrator of the school shall consult with the office on how to address the behaviors.

The office shall implement chapter 19 of title 8, Hawaii Administrative Rules, for the purposes of the program, until the office develops and adopts rules to carry out the purposes of this subsection."

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved September 15, 2020.)



## ACT 25

H.B. NO. 1352

A Bill for an Act Relating to the Department of the Attorney General Operating Budget.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Due to rampant medicaid fraud that was occurring in the 1970s, each state that accepts federal medicaid funding is required to establish a medicaid fraud unit. The mission of the medicaid fraud unit is to investigate and prosecute medicaid provider fraud and patient abuse or neglect that occurs in health care facilities or in board and care facilities.

These medicaid fraud units receive seventy-five per cent of their budget from the federal government and twenty-five per cent from their respective state. In Hawaii, the medicaid fraud unit has been able to recover enough money through settlements in large, multistate medicaid civil fraud cases to cover the State's share of the medicaid fraud unit's budget. However, as these large multi-state cases continue to decrease, this funding approach will make the medicaid fraud unit's budget less predictable. In fact, it appears that Hawaii's medicaid fraud unit will soon not receive sufficient national civil recoveries to cover the state match. Further, the balance of available funds from these sources will likely be depleted in August 2020.

Most states' medicaid fraud units currently receive budgeted funds through legislative appropriations for the medicaid fraud unit match. The process to appropriate these funds has been further disrupted by the Coronavirus Disease 2019 pandemic. However, an alternative source of funding, excess funds in the DNA registry special fund, has been identified to provide a bridge for fiscal year 2021. The transfer of moneys out of the DNA registry special fund will not have an adverse impact on that special fund.

Accordingly, the purpose of this Act is to transfer moneys from the DNA registry special fund to the medicaid investigations recovery fund in order to cover the State's funding obligation for the medicaid fraud unit.

SECTION 2. There is appropriated out of the DNA registry special fund the sum of \$500,000 or so much thereof as may be necessary for fiscal year 2020-2021 to be deposited into the medicaid investigations recovery fund established under section 28-91.5, Hawaii Revised Statutes.

The sum appropriated shall be expended by the department of the attorney general for the purposes of the medicaid investigations recovery fund.

SECTION 3. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 26

H.B. NO. 1620

A Bill for an Act Relating to the Administration of Justice.

*Be It Enacted by the Legislature of the State of Hawaii:*

## PART I

SECTION 1. Chapter 704, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§704- Proceedings for defendants charged with petty misdemeanors not involving violence or attempted violence; criminal justice diversion program.**

(1) In cases where the defendant is charged with a petty misdemeanor not involving violence or attempted violence, if, at the hearing held pursuant to section 704-404(2)(a) or at a further hearing held after the appointment of an examiner pursuant to section 704-404(2)(b), the court determines that the defendant is fit to proceed, then the proceedings against the defendant shall resume. In all other cases where fitness remains an outstanding issue, the court shall continue the suspension of the proceedings and commit the defendant to the custody of the director of health to be placed in a hospital or other suitable facility for further examination and assessment.

(2) Within seven days from the commitment of the defendant to the custody of the director of health, or as soon thereafter as is practicable, the director of health shall report to the court on the defendant’s current capacity to understand the proceedings against defendant and defendant’s current ability to assist in defendant’s own defense. If, following the report, the court finds defendant fit to proceed, the proceedings against defendant shall resume. In all other cases, the court shall dismiss the charge with or without prejudice in the interest of justice. The director of health may at any time proceed under the provisions of section 334-60.2 or 334-121.”

SECTION 2. Section 704-404, Hawaii Revised Statutes, is amended as follows:

1. By amending subsections (1) and (2) to read:

“(1) Whenever there is reason to doubt the defendant’s fitness to proceed, the court may immediately suspend all further proceedings in the prosecution; provided that for any defendant not subject to an order of commitment to ~~[a hospital]~~ the director of health for the purpose of the examination, neither the right to bail nor proceedings pursuant to chapter 804 shall be suspended. If a trial jury has been ~~[empanelled,]~~ empaneled, it shall be discharged or retained at the discretion of the court. The discharge of the trial jury shall not be a bar to further prosecution.

(2) Upon suspension of further proceedings in the prosecution[-]:

(a) In cases where the defendant is charged with a petty misdemeanor not involving violence or attempted violence, if a court-based certified examiner is available, the court shall appoint the court-based certified examiner to examine and provide an expedited report solely upon the issue of the defendant’s capacity to understand the proceedings against the defendant and defendant’s ability to assist in the defendant’s own defense. The court-based certified examiner shall file the examiner’s report with the court within two days of the appointment of the examiner, or as soon thereafter is practicable. A hearing shall be held to determine if the defendant is fit to proceed within two days of the filing of the report, or as soon thereafter as is practicable;

(b) In all other nonfelony cases, and where a court-based certified examiner is not available in cases under paragraph (a), the court shall appoint ~~[three qualified examiners in felony cases, and]~~ one qualified examiner ~~[in nonfelony cases,]~~ to examine and report upon the defendant’s fitness to proceed. The court may appoint as the examiner either a psychiatrist or a licensed psychologist designated by the director of health from within the department of health; and



- (c) In felony cases, the court shall appoint three qualified examiners to examine and report upon the defendant's fitness to proceed. The court shall appoint as examiners [at least one psychiatrist and at least one licensed psychologist. The third examiner may be a psychiatrist, licensed psychologist, or qualified physician. One] psychiatrists, licensed psychologists, or qualified physicians; provided that one of the three examiners shall be a psychiatrist or licensed psychologist designated by the director of health from within the department of health.

[In nonfelony cases, the court may appoint as examiners either a psychiatrist or a licensed psychologist.] All examiners shall be appointed from a list of certified examiners as determined by the department of health. The court, in appropriate circumstances, may appoint an additional examiner or examiners. The examination may be conducted while the defendant is in custody or on release or, in the court's discretion, when necessary the court may order the defendant to be committed to a hospital or other suitable facility for the purpose of the examination for a period not exceeding thirty days, or a longer period as the court determines to be necessary for the purpose. The court may direct that one or more qualified physicians or psychologists retained by the defendant be permitted to witness the examination. As used in this section, the term "licensed psychologist" includes psychologists exempted from licensure by section 465-3(a)(3) and "qualified physician" means a physician qualified by the court for the specific evaluation ordered."

2. By amending subsection (5) to read:

"(5) ~~[The]~~ Except in the case of an examination pursuant to subsection (2)(a), the report of the examination for fitness to proceed shall include the following:

- (a) A description of the nature of the examination;
- (b) A diagnosis of the physical or mental condition of the defendant;
- ~~(b)~~ (c) An opinion as to the defendant's capacity to understand the proceedings against the defendant and to assist in the defendant's own defense;
- ~~(e)~~ (d) An assessment of the risk of danger to the defendant or to the person or property of others for consideration and determination of the defendant's release on conditions; and
- ~~(d)~~ (e) Where more than one examiner is appointed, a statement that the opinion rendered was arrived at independently of any other examiner, unless there is a showing to the court of a clear need for communication between or among the examiners for clarification. A description of the communication shall be included in the report. After all reports are submitted to the court, examiners may confer without restriction."

3. By amending subsection (7) to read:

"(7) ~~[Three copies]~~ A copy of the report of the examination, including any supporting documents, shall be filed with the clerk of the court ~~[, who shall cause copies to be delivered to the prosecuting attorney and to counsel for the defendant].~~"

SECTION 3. Section 704-406, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

"(1) If the court determines that the defendant lacks fitness to proceed, the proceeding against the defendant shall be suspended, except as provided in

~~[section]~~ sections 704-407[.], and 704- , and the court shall commit the defendant to the custody of the director of health to be placed in an appropriate institution for detention, assessment, care, and treatment; provided that ~~[the commitment shall be limited in certain cases as follows]:~~

- (a) When the defendant is charged with a petty misdemeanor not involving violence or attempted violence, the ~~[commitment shall be limited to no longer than sixty days from the date the court determines the defendant lacks fitness to proceed;]~~ defendant shall be diverted from the criminal justice system pursuant to section 704- ; and
- (b) When the defendant is charged with a misdemeanor not involving violence or attempted violence, the commitment shall be limited to no longer than one hundred twenty days from the date the court determines the defendant lacks fitness to proceed.

If the court is satisfied that the defendant may be released on conditions without danger to the defendant or to another or risk of substantial danger to property of others, the court shall order the defendant's release, which shall continue at the discretion of the court, on conditions the court determines necessary; provided that ~~[the release on conditions of a defendant charged with a petty misdemeanor not involving violence or attempted violence shall continue for no longer than sixty days, and]~~ the release on conditions of a defendant charged with a misdemeanor not involving violence or attempted violence shall continue for no longer than one hundred twenty days. A copy of all reports filed pursuant to section 704-404 shall be attached to the order of commitment or order of release on conditions that is provided to the department of health. When the defendant is committed to the custody of the director of health for detention, assessment, care, and treatment, the county police departments shall provide to the director of health and the defendant copies of all police reports from cases filed against the defendant that have been adjudicated by the acceptance of a plea of guilty or nolo contendere, a finding of guilt, acquittal, acquittal pursuant to section 704-400, or by the entry of a plea of guilty or nolo contendere made pursuant to chapter 853; provided that the disclosure to the director of health and the defendant does not frustrate a legitimate function of the county police departments; provided further that expunged records, records of or pertaining to any adjudication or disposition rendered in the case of a juvenile, or records containing data from the United States National Crime Information Center shall not be provided. The county police departments shall segregate or sanitize from the police reports information that would result in the likely or actual identification of individuals who furnished information in connection with the investigation or who were of investigatory interest. No further disclosure of records shall be made except as provided by law.”

SECTION 4. Section 704-411, Hawaii Revised Statutes, is amended by amending subsection (3) to read as follows:

- “(3) When ordering a hearing pursuant to subsection (2):
  - (a) In nonfelony cases, the court shall appoint a qualified examiner to examine and report upon the physical and mental condition of the defendant. The court may appoint either a psychiatrist or a licensed psychologist. The examiner may be designated by the director of health from within the department of health. The examiner shall be appointed from a list of certified examiners as determined by the department of health. The court, in appropriate circumstances, may

- appoint an additional examiner or examiners; and
- (b) In felony cases, the court shall appoint three qualified examiners to examine and report upon the physical and mental condition of the defendant. In each case, the court shall appoint ~~[at least one psychiatrist and at least one licensed psychologist. The third member may be a psychiatrist, a licensed psychologist, or a qualified physician. One]~~ as examiners psychiatrists, licensed psychologists, or qualified physicians; provided that one of the three shall be a psychiatrist or licensed psychologist designated by the director of health from within the department of health. The three examiners shall be appointed from a list of certified examiners as determined by the department of health.

To facilitate the examination and the proceedings thereon, the court may cause the defendant, if not then confined, to be committed to a hospital or other suitable facility for the purpose of examination for a period not exceeding thirty days or a longer period as the court determines to be necessary for the purpose upon written findings for good cause shown. The court may direct that qualified physicians or psychologists retained by the defendant be permitted to witness the examination. The examination and report and the compensation of persons making or assisting in the examination shall be in accordance with section 704-404(3), (5)(a) ~~[and]~~, (b), ~~(d), and (e)~~, (7), (8), (9), (10), and (11). As used in this section, the term “licensed psychologist” includes psychologists exempted from licensure by section 465-3(a)(3) and “qualified physician” means a physician qualified by the court for the specific evaluation ordered.”

SECTION 5. Section 704-414, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

“(1) Upon filing of an application pursuant to section 704-412 for discharge or conditional release, or upon the filing of an application pursuant to section 704-413 for discharge, the court shall appoint three qualified examiners in felony cases, and one qualified examiner in nonfelony cases, to examine and report upon the physical and mental condition of the defendant. In felony cases, the court shall appoint ~~[at least one psychiatrist and at least one licensed psychologist. The third member may be a psychiatrist, a licensed psychologist, or a qualified physician. One]~~ as examiners psychiatrists, licensed psychologists, or qualified physicians; provided that one of the three shall be a psychiatrist or licensed psychologist designated by the director of health from within the department of health. The examiners shall be appointed from a list of certified examiners as determined by the department of health. To facilitate the examination and the proceedings thereon, the court may cause the defendant, if not then confined, to be committed to a hospital or other suitable facility for the purpose of the examination and may direct that qualified physicians or psychologists retained by the defendant be permitted to witness the examination. The examination and report and the compensation of persons making or assisting in the examination shall be in accordance with section 704-404(3), (5)(a) ~~[and]~~, (b), ~~(d), and (e)~~, (7), (8), (9), (10), and (11). As used in this section, the term “licensed psychologist” includes psychologists exempted from licensure by section 465-3(a)(3) and “qualified physician” means a physician qualified by the court for the specific evaluation ordered.”

## PART II

SECTION 6. The legislature finds that the recommendations of the Hawaii Summit on Improving the Governmental Response to Community Mental Illness hosted by the State Justice Institute, National Center for State Courts, Conference of Chief Justices, and the Conference of State Court Administrators on November 6, 2019, as well as studies such as the 2016-2017 Policy Paper by the Conference of State Court Administrators' "Decriminalization of Mental Illness: Fixing a Broken System", demonstrate that jails nationwide have become the default mental health method of treatment for numerous low-level defendants whose needs could be far more effectively addressed by diversion into behavioral health treatment. Moreover, once the issue of mental health surfaces during a judicial proceeding, the defendant more often than not actually spends far more time being incarcerated without being treated and being denied due process while awaiting mental health evaluations. With the cost of incarceration in Hawaii averaging over \$150 per day and the high rate of recidivism shown by these studies because of the lack of treatment, the legislature finds that allowing the parties to opt out of judicial proceedings by entering into agreements at any stage of the process is more cost-effective with respect to time, money, and community results.

The purpose of this part is to:

- (1) Authorize the courts to enter into agreements with the parties where there is reason to believe that the defendant has a physical or mental disease, disorder, or defect that will or has become an issue in the criminal case;
- (2) Amend the requirements for appointing qualified examiners to perform examinations for penal responsibility; and
- (3) Remove the time requirement for the ordering of the penal responsibility evaluation.

SECTION 7. Section 704-407.5, Hawaii Revised Statutes, is amended as follows:

1. By amending subsections (1) and (2) to read:

"(1) Whenever the defendant has filed a notice of intention to rely on the defense of physical or mental disease, disorder, or defect excluding penal responsibility, or there is reason to believe that the physical or mental disease, disorder, or defect of the defendant will or has become an issue in the case, the court may order an examination as to the defendant's physical or mental disease, disorder, or defect at the time of the conduct alleged.

Whenever there is reason to believe that the physical or mental disease, disorder, or defect of the defendant will or has become an issue in the case, the court may enter into an agreement with the parties at any stage of the proceeding to divert the case into an evaluation of the defendant, treatment of the defendant, including residential or rehabilitation treatment; or any other course or procedure, including diversion into specialized courts. Such agreements may include in-court clinical evaluations.

(2) [The] For those cases not diverted by an agreement pursuant to subsection (1), the court shall appoint three qualified examiners [in felony cases] for class A and class B felonies, as well as for class C felonies involving violence or attempted violence, and one qualified examiner in nonfelony cases to examine and report upon the physical or mental disease, disorder, or defect of the defendant at the time of the conduct. For class C felonies not involving violence or attempted violence, the court may appoint one or three qualified examiners to examine and report upon the physical or mental disease, disorder, or defect

of the defendant at the time of the conduct. In [felony] cases[;] where the court appoints three examiners, the court shall appoint [at least one psychiatrist and at least one licensed psychologist. The third examiner may be a psychiatrist, licensed psychologist, or qualified physician. One] as examiners psychiatrists, licensed psychologists, or qualified physicians; provided that one of the three examiners shall be a psychiatrist or licensed psychologist designated by the director of health from within the department of health. In nonfelony cases[;] and class C felonies not involving violence or attempted violence where one examiner is appointed, the court may appoint as examiners either a psychiatrist or a licensed psychologist. The examiner may be designated by the director of health from within the department of health. All examiners shall be appointed from a list of certified examiners as determined by the department of health. The court, in appropriate circumstances, may appoint an additional examiner or examiners. The court may direct that one or more qualified physicians or psychologists retained by the defendant be permitted to witness the examination. As used in this section, the term “licensed psychologist” includes psychologists exempted from licensure by section 465-3(a)(3) and “qualified physician” means a physician qualified by the court for the specific evaluation ordered.”

2. By amending subsection (4) to read:

“(4) For defendants charged with felonies, the examinations for fitness to proceed under section 704-404 and penal responsibility under this section shall be conducted separately unless a combined examination has been ordered by the court upon a request by the defendant or upon a showing of good cause to combine the examinations. ~~[When the examinations are separate, the examination for penal responsibility under this section shall not be ordered more than thirty days after a finding of fitness to proceed.]~~ The report of the examination for fitness to proceed shall be separate from the report of the examination for penal responsibility unless a combined examination has been ordered. For defendants charged with offenses other than felonies, a combined examination is permissible when ordered by the court.”

### PART III

SECTION 8. The judiciary, in consultation with the prosecuting attorney of each county, shall submit a report of its findings and recommendations, including any proposed legislation, on the effectiveness of this Act to the legislature no later than forty days prior to the convening of the regular sessions of 2021, 2022, and 2023.

SECTION 9. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 10. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.<sup>1</sup>

SECTION 11. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

#### Note

1. Edited pursuant to HRS §23G-16.5.

A Bill for an Act Relating to Health.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 328, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

“§328- Customized patient medication package. (a) A pharmacy may provide a customized patient medication package to any person; provided that:

- (1) The pharmacy has obtained the consent of the patient, patient’s caregiver, patient’s guardian, or prescribing practitioner; provided that the consent may be communicated in writing, orally, or by electronic transmission; provided further that the format of the consent shall be identified on the prescription record required to be maintained under section 328-17.7;
- (2) The consent is accompanied by the patient’s current prescription; and
- (3) The customized patient medication package meets the requirements of section 328-16.

(b) As used in this section, “customized patient medication package” means a package that is prepared by a pharmacist for a specific patient and contains one or more prescribed solid oral dosage forms.”

SECTION 2. Section 329-14, Hawaii Revised Statutes, is amended to read as follows:

“(b) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

- (1) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidiny]-N-phenylacetamide);
- (2) Acetylmethadol;
- (3) Allylprodine;
- (4) Alphacetylmethadol (except levo-alphacetylmethadol, levomethadyl acetate, or LAAM);
- (5) Alphameprodine;
- (6) Alphamethadol;
- (7) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);
- (8) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidiny]-N-phenylpropanamide);
- (9) Benzethidine;
- (10) Betacetylmethadol;
- (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidiny]-N-phenylpropanamide);
- (12) Beta-hydroxy-3-methylfentanyl (N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidiny]-N-phenylpropanamide);
- (13) Betameprodine;
- (14) Betamethadol;
- (15) Betaprodine;
- (16) Clonitazene;
- (17) Dextromoramide;

- (18) Diampromide;
- (19) Diethylthiambutene;
- (20) Difenoxin;
- (21) Dimenoxadol;
- (22) Dimepheptanol;
- (23) Dimethylthiambutene;
- (24) Dioxaphetyl butyrate;
- (25) Dipipanone;
- (26) Ethylmethylthiambutene;
- (27) Etonitazene;
- (28) Etoxidine;
- (29) Furethidine;
- (30) Hydroxypethidine;
- (31) Ketobemidone;
- (32) Levomoramide;
- (33) Levophenacilmorphan;
- (34) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);
- (35) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide);
- (36) Morpheridine;
- (37) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- (38) Noracymethadol;
- (39) Norlevorphanol;
- (40) Normethadone;
- (41) Norpipanone;
- (42) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidyl] propanamide);
- (43) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- (44) Phenadoxone;
- (45) Phenampromide;
- (46) Phenomorphan;
- (47) Phenoperidine;
- (48) Piritramide;
- (49) Proheptazine;
- (50) Properidine;
- (51) Propiram;
- (52) Racemoramide;
- (53) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidyl]-propanamide);
- (54) Tilidine;
- (55) Trimeperidine;
- (56) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts, and salts of isomers;
- (57) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts, and salts of isomers;
- (58) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide, (acetyl fentanyl), its optical, positional, and geometric isomers, salts, and salts of isomers;
- (59) AH-7921 (3,4-dichloro-N-[(1-dimethylamino)cyclohexylmethyl]benzamide), its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers;



- (60) N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other names: Butyryl fentanyl);
- (61) N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other names: beta-hydroxythiofentanyl);
- (62) N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other names: Furanyl fentanyl); ~~and~~
- (63) 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (Other names: U-47700)[-];
- (64) 4-fluoroisobutyryl fentanyl or para-fluoroisobutyryl fentanyl [N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide];
- (65) Acryl fentanyl or acryloylfentanyl [N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide]; and
- (66) Ocfentanil [N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide].”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.<sup>1</sup>

SECTION 4. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

**Note**

1. Edited pursuant to HRS §23G-16.5.

**ACT 28**

H.B. NO. 1661

A Bill for an Act Relating to Health.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that a comprehensive mental health response crisis system is needed to serve the dual purposes of supporting individuals suffering from a behavioral health crisis and maintaining public safety. The legislature further finds that the mental health crisis response system has multiple steps for mental health crisis intervention, including initial contact by first responders, determining need and basis for involuntary transport for evaluation, and determination for disposition once an individual has been taken into custody pursuant to section 334-59(a), Hawaii Revised Statutes.

The legislature further finds that the department of health, along with a wide range of stakeholder partners, including the legislature, has been actively evaluating and restructuring the mental health crisis response system through the task force and working group established by Act 90 and Act 263, Session Laws of Hawaii 2019.

The purpose of this Act is to support the efforts of the mental health task force and working group by amending chapter 334, Hawaii Revised Statutes, to further define and guide the process that occurs when an individual has been transported to an emergency room or behavioral health crisis center pursuant to



section 334-59(a), Hawaii Revised Statutes, order for evaluation and the disposition of the individual once the evaluation has been completed.

SECTION 2. Section 334-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

“Behavioral health crisis center” means a facility that is specifically designed and staffed to provide care, diagnosis, or treatment for persons who are experiencing a mental illness or substance use disorder crisis.”

SECTION 3. Section 334-59, Hawaii Revised Statutes, is amended by amending subsections (b) to (e) to read as follows:

“(b) Emergency examination. A patient who is delivered for emergency examination and treatment to a psychiatric facility [designated by the director] or a behavioral health crisis center shall be [examined] provided an examination, which shall include a screening to determine whether the criteria for involuntary hospitalization listed in section 334-60.2 persists, by a licensed physician, medical resident under the supervision of a licensed physician, or advanced practice registered nurse without unnecessary delay, and [may] shall be [given] provided such treatment as is indicated by good medical practice. [A] If, after the examination, screening, and treatment, the licensed physician, medical resident under the supervision of a licensed physician, or advanced practice registered nurse determines that the involuntary hospitalization criteria persist, then a psychiatrist[-] or advanced practice registered nurse[-, or psychologist may] who has prescriptive authority and who holds an accredited national certification in an advanced practice registered nurse psychiatric specialization shall further examine the patient to diagnose the presence or absence of a mental illness or substance use disorder, further assess the risk that the patient may be dangerous to self or others, and assess whether or not the patient needs to be hospitalized. If it is determined that hospitalization is not needed, an examination pursuant to section 334-121.5 shall be completed.

(c) Release from emergency examination. If, after examination, the licensed physician [or], psychiatrist, or advanced practice registered nurse [who performs the emergency examination, in consultation with a psychologist if applicable, concludes] with prescriptive authority and who holds an accredited national certification in an advanced practice registered nurse psychiatric specialization determines that [the patient need not be hospitalized,] the involuntary hospitalization criteria set forth in section 334-60.2 are not met or do not persist and the examination pursuant to section 334-121.5, where required, has been completed, the patient shall be discharged [immediately] expediently, unless the patient is under criminal charges, in which case the patient shall be returned to the custody of a law enforcement officer.

(d) Emergency hospitalization. If the [physician,] psychiatrist or advanced practice registered nurse[-, or psychologist] with prescriptive authority and who holds an accredited national certification in an advanced practice registered nurse psychiatric specialization who performs the emergency examination has reason to believe that the patient is:

- (1) Mentally ill or suffering from substance abuse;
- (2) Imminently dangerous to self or others; and
- (3) In need of care or treatment, or both;

the [physician,] psychiatrist or advanced practice registered nurse[-, or psychologist may] with prescriptive authority and who holds an accredited national certification in an advanced practice registered nurse psychiatric specialization shall direct that the patient be hospitalized on an emergency basis or cause the patient to be transferred to another psychiatric facility for emergency hospitalization, or

both. The patient shall have the right immediately upon admission to telephone the patient’s guardian or a family member including a reciprocal beneficiary, or an adult friend and an attorney. If the patient declines to exercise that right, the staff of the facility shall inform the adult patient of the right to waive notification to the family, including a reciprocal beneficiary, and shall make reasonable efforts to ensure that the patient’s guardian or family, including a reciprocal beneficiary, is notified of the emergency admission but the patient’s family, including a reciprocal beneficiary, need not be notified if the patient is an adult and requests that there be no notification. The patient shall be allowed to confer with an attorney in private.

(e) Release from emergency hospitalization. If at any time during the period of emergency hospitalization the [~~responsible~~] treating physician [~~concludes~~] determines that the patient no longer meets the criteria for emergency hospitalization and the examination pursuant to section 334-121.5 has been completed, the physician shall expeditiously discharge the patient. If the patient is under criminal charges, the patient shall be returned to the custody of a law enforcement officer. In any event, the patient [~~must~~] shall be released within forty-eight hours of the patient’s admission[;] to a psychiatric facility, unless the patient voluntarily agrees to further hospitalization, or a proceeding for court-ordered evaluation or hospitalization, or both, is initiated as provided in section 334-60.3. If that time expires on a Saturday, Sunday, or holiday, the time for initiation is extended to the close of the next court day. Upon initiation of the proceedings, the facility shall be authorized to detain the patient until further order of the court.”

SECTION 4. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect on July 1, 2020.

(Approved September 15, 2020.)

**ACT 29**

H.B. NO. 1673

A Bill for an Act Relating to the State Ethics Code.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 84-13, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (b) to read:

“(b) Nothing in this section shall be construed to prohibit a legislator from introducing bills and resolutions, from serving on a committee, or from making statements or taking official action as a legislator. Every legislator shall publicly disclose the nature and extent of the interest or transaction that the legislator believes may be affected by the legislator’s official action[;] in accordance with section 84-17 and the rules of each house of the legislature.”

2. By amending subsection (d) to read:

“(d) The state ethics commission shall adopt rules pursuant to chapter 91 to effectuate the purposes of this section[;], except that each house of the

legislature shall adopt rules regarding the disclosure of the nature and extent of any interest or transaction that the legislator believes may be affected by the legislator's official action. Rules adopted by the state ethics commission shall apply only until such time that each house of the legislature adopts its own rules. Upon the passage of rules pursuant to this section by either house of the legislature, the rules adopted by the state ethics commission shall be preempted by the rules of each respective house of the legislature."

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 30

H.B. NO. 1676

A Bill for an Act Relating to Highway Safety.

*Be It Enacted by the Legislature of the State of Hawaii:*

### PART I

SECTION 1. The legislature finds that the prevalence of drivers violating Hawaii's traffic laws has become intolerable, particularly drivers who run red lights. From 2015 to 2019, county police throughout Hawaii issued 20,885 red light violations to motorists, for disregarding a red light traffic signal. These violations endanger the lives of motorists, pedestrians, bicyclists, and other vulnerable road users. Between 2014 and 2018, a total of 1,312 intersection crashes occurred in Hawaii as a result of red light and other traffic signal violations; some involved serious injuries or deaths. National studies have shown that more than half of those injured and killed in red light crashes are innocent people obeying the law, not the offending driver. Red light running violations compound the already hazardous conditions on Hawaii's roads and highways. It has become increasingly common to hear reports of hit-and-run drivers who have struck children or the elderly. Disregarding traffic signals has also been the common denominator in many recent, highly-publicized motor vehicle crashes that have claimed a number of lives.

The legislature further finds that in other jurisdictions in the United States, Canada, Europe, and other countries throughout the world, photo red light imaging detector systems have proven reliable, efficient, and effective in identifying and deterring those who run red lights. In New York City, for example, the average daily number of red light running violations issued at each camera location has declined by over seventy-five per cent since inception of the red light camera program more than twenty-five years ago. Moreover, right angle crashes at signalized intersections have declined by seventy-one per cent city-wide, from an average of 7,221 to 2,084 annually, and severe injuries from such crashes have declined by over eighty-three per cent, from six hundred thirty-three to one hundred three annually.

Photo red light imaging detector systems are safe, quick, cost-effective, and efficient. No traffic stop is involved, and a police officer is not at risk from passing traffic or armed violators. With photo red light imaging detector systems, a camera is positioned at intersections where red light violations and collisions are most frequent, and serves as a twenty-four-hour deterrent to running a red light. When a motor vehicle enters the intersection against a red light, the camera takes a telephoto color picture of the rear of the car, capturing the license plate. A second wide-angle photograph takes in the entire intersection, including other traffic.

These systems provide numerous benefits. Not only are streets safer, but police officers are also freed from the time-consuming duties of traffic enforcement and have more time to respond to priority calls. A violator is less likely to go to court because the color photograph of the violation, imprinted with the time, date, and location of the violation, and the amount of time the light had been red before the violator entered the intersection can be used as evidence in court. Few cases are contested in other jurisdictions using this system, and officers make fewer court appearances, saving court costs. In New York City, approximately five per cent of tickets were contested during the first five years of the program's start. Today, twenty-seven years later, less than two per cent of tickets are contested.

The system may also result in lower insurance costs for safe drivers through an overall reduction in crashes and injuries and by placing much of the system costs on the violators who have created the need for the program, less on law-abiding taxpayers. Traffic laws are impartially enforced, and safety and efficiency are increased by reducing the number of chases and personnel required for traffic collision clean-up, investigation, and court testimony.

The legislature further finds that the photo speed imaging detector system created by Act 234, Session Laws of Hawaii 1998, and implemented in January 2002, generated intense public opposition. As a result of this opposition, the legislature repealed Act 234 in its entirety. However, the majority of the opposition to this program resulted from the method by which the program was implemented. The public perceived that the program was operated more to maximize revenue for the vendor running the program than to improve traffic safety. In particular, vans in which the cameras were mounted were often placed at locations that did not necessarily have a history of speed-related collisions and instead were used to monitor locations with heavy traffic flow at lower speeds. This permitted the vendor to issue the maximum number of citations in the shortest period of time and at the least cost, thereby maximizing the potential return to the vendor without improving traffic safety.

The legislature further finds that Act 131, Session Laws of Hawaii 2019, created the red light running committee, whose purpose was to "develop policy recommendations for red light running programs in the city and county of Honolulu, and the counties of Maui, Kauai, and Hawaii." After examining the red light running programs of Washington, Illinois, New York, and Florida, the red light running committee found that red light photo enforcement programs are a promising tool that, when implemented properly, can save lives and reduce injuries by changing drivers' behaviors and lead to safer driving habits. Based on their findings, the red light running committee made a number of policy recommendations, which are reflected in this Act.

The purpose of this Act is to:

- (1) Establish a photo red light imaging detector systems program to improve enforcement of the traffic signal laws;

- (2) Allow the photo red light imaging detector systems program to be implemented in the counties of Hawaii, Maui, Kauai, and the city and county of Honolulu;
- (3) Authorize the deposit of fines collected under county programs into a special fund; and
- (4) Authorize the expenditure of funds from this special fund by the department of transportation in the county in which the fine was collected for the establishment, operation, management, and maintenance of the photo red light imaging detector systems program.

## PART II

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

### “CHAPTER PHOTO RED LIGHT IMAGING DETECTOR SYSTEMS

§ -1 **Definitions.** As used in this chapter, unless the context otherwise requires:

“County” means the counties of Hawaii, Kauai, and Maui, and the city and county of Honolulu.

“County highway” has the same meaning as used in section 264-1.

“Department” means the department of transportation.

“Motor vehicle” has the same meaning as defined in section 291C-1.

“Photo red light imaging detector” means a device used for traffic enforcement that includes a vehicle sensor that works in conjunction with a traffic-control signal and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the rear of the motor vehicle and motor vehicle license plate at the time the motor vehicle fails to stop when facing a steady red traffic-control signal in violation of section 291C-32(c).

“Owner” or “registered owner” has the same meaning as used in section 286-2.

“State highway” has the same meaning as used in section 264-1.

“Traffic-control signal” has the same meaning as defined in section 291C-1.

§ -2 **Photo red light imaging detector systems program; established.** There is established the photo red light imaging detector systems program to enforce the traffic-control signal laws of the State, which may be implemented by the State or any county following completion of a pilot program in the city and county of Honolulu, on any state or county highways within the respective county. Nothing in this chapter shall be deemed to supersede or override any provision of chapter 291D.

§ -3 **Pilot program.** There is established the photo red light imaging detector systems pilot program to enforce the traffic-control signal laws of the State, which may be implemented by the city and county of Honolulu, in the major arterial zones on state or county highways, within that area in the city and county of Honolulu established as Honolulu Police Department Districts 1, 5, 6 and 7, as they existed on July 1, 2020. The pilot project shall operate for a minimum of two years, starting from the time the cameras become operational and summons or citations are first issued.

**§ -4 County powers and duties.** (a) The State or any county may establish and implement, in accordance with this chapter, a photo red light imaging detector system imposing monetary liability on the registered owner of a motor vehicle for failure to comply with traffic-control signal laws. The State or any county may provide for the:

- (1) Procurement, location, and oversight of a photo red light imaging detector system; and
- (2) Installation, operation, maintenance, and repair of the photo red light imaging detector system through a third party contractor.

Where the photo red light imaging detector system affects state property, the department shall cooperate with and assist the county as needed to install, maintain, and repair the photo red light imaging detector system established pursuant to this chapter.

(b) If the State or a county establishes a red light imaging detector system under this chapter, the compensation paid by the State or county to a manufacturer or vendor of the equipment used shall be based upon the value of the equipment and services provided or rendered in support of the photo red light imaging detector system, and shall not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment.

(c) Prior to the installation and operation of any photo red light imaging detector system, for each intersection considered for enforcement via the photo red light imaging detector system, the State or county shall:

- (1) Conduct a comprehensive engineering review and study of each intersection and implement all necessary and appropriate engineering, design, and traffic-control-signal timing measures; and
- (2) Conduct a study to acquire a baseline average of the number of motor vehicles violating section 291C-32(c) over a period of not less than one week; provided that the baseline average shall be determined prior to the installation of any signs or other official traffic-control devices that indicate that an intersection is being considered for a photo red light imaging detector system.

(d) At least sixty days prior to the photo red light imaging detector systems becoming operational, the department, in conjunction with any county that implements a photo red light imaging detector systems program pursuant to this chapter, shall conduct a comprehensive informational and educational campaign to inform motorists and the general public about the program.

(e) During the first thirty days of operation of an individual photo red light imaging detector system at a particular traffic signal, a warning shall be issued for any violation of section 291C-32(c) and mailed to the registered owner of the motor vehicle at the address on record as the vehicle licensing division in lieu of a summons or citation pursuant to section -6.

**§ -5 Photo red light imaging detector system requirements.** (a) Photo red light imaging detector equipment may be operated from a fixed pole, post, or other fixed structure on a state or county highway.

(b) Signs and other official traffic-control devices indicating that traffic signal laws are enforced by a photo red light imaging detector system shall be posted on major routes entering the area in question to provide, as far as practicable, notice to drivers of the existence and operation of the system.

(c) Proof of a violation of section 291C-32(c) shall be as evidenced by information obtained from the photo red light imaging detector system authorized pursuant to this chapter. A certificate, sworn to or affirmed by the reviewing police department, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotape, or other recorded images produced



by the system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape, or other recorded images evidencing a violation shall be available for inspection in any proceeding to adjudicate the liability for that violation.

(d) The conditions specified in this section shall not apply when the information gathered is used for highway safety research or to issue warning citations not involving a fine or court appearance.

**§ -6 Summons or citations.** (a) Notwithstanding any law to the contrary, and except for the time period allowed pursuant to -4(e), beginning January 1, 2021, whenever any motor vehicle is determined, by means of a photo red light imaging detector system, to have disregarded a steady red signal in violation of section 291C-32(c), the State's or county's third party contractor shall cause a summons or citation, as described in this section, to be sent by first class mail, that is postmarked within ten calendar days after the date of the incident, to the registered owner of the motor vehicle at the address on record at the vehicle licensing division. If the end of the ten calendar day period falls on a Saturday, Sunday, or holiday, then the ending period shall run until the end of the next day that is not a Saturday, Sunday, or holiday.

(b) The form and content of the summons or citation shall be as adopted or prescribed by the administrative judge of the district courts and shall be printed on a form commensurate with the form of other summonses or citations used in modern methods of arrest, so designed to include all necessary information to make the summons or citation valid within the laws of the State; provided that any summons or citation pursuant to the photo red light imaging detector systems program shall contain a clear and unobstructed photographic, digital, or other visual image of the motor vehicle license plate, which shall be used as evidence of the violation.

(c) Every summons or citation shall be consecutively numbered and each copy thereof shall bear the number of its respective original.

(d) Prior to the mailing of the summons or citation for a traffic infraction pursuant to subsection (a), the applicable county police department shall review and verify the validity of the clear and unobstructed photographic, digital, or other visual image of the license plate of the motor vehicle required under section -6(b).

(e) Upon receipt of the summons or citation the registered owner shall respond as provided for in chapter 291D. A record of the mailing of the summons or citations prepared in the ordinary course of business is prima facie evidence of notification. The registered owner shall be determined by the identification of the motor vehicle license plate.

**§ -7 Registered owner's responsibility for a summons or citation.** (a) In any proceeding for a violation of this chapter, the information contained in the summons or citation mailed in accordance with section -6 shall be deemed prima facie evidence that a violation of section 291C-32(c) occurred. If the registered owner does not rebut the evidence presented in this subsection by presenting one or more of the defenses listed in subsection (b), the registered owner shall be strictly liable for a violation of section 291C-32(c).

(b) The registered owner of the motor vehicle may present evidence to rebut the evidence in subsection (a) by any one of the following:

- (1) Submitting a written statement as provided in section 291D-6(b)(2);
- (2) Testifying in open court under oath that the person named in the summons or citation was not the registered owner of the motor vehicle at the time of the alleged violation;

- (3) Calling witnesses to testify in open court under oath that the person named in the summons or citation was not the registered owner of the motor vehicle at the time of the alleged violation;
- (4) Submitting evidence that the motor vehicle passed through the intersection when the traffic light was red in order to yield the right-of-way to an emergency vehicle;
- (5) Submitting evidence that the motor vehicle was part of a funeral procession escorted by the police;
- (6) Presenting, prior to the return date established on the citation or summons issued pursuant to this chapter, a letter of verification of loss from the police department indicating that the motor vehicle or the motor vehicle license plates had been reported stolen, to the court adjudicating the alleged violation; or
- (7) Submitting evidence that the motor vehicle passed through the intersection at the direction of a law enforcement officer.

**§ -8 Failure to comply with summons or citation.** If the registered owner of the motor vehicle does not return an answer in response to a summons or citation within a period of thirty days from the date of the mailing of the summons or citation, the district court shall issue, pursuant to section 291D-7(e), a notice of entry of judgment of default to the registered owner of the motor vehicle.

**§ -9 Liability for rental or U-drive motor vehicle.** Notwithstanding any law to the contrary, any registered owner of record who is the lessor of a rental or U-drive motor vehicle, including those defined in section 286-2 shall be liable for any summons or citation issued pursuant to this chapter. The registered owner shall not be precluded from pursuing reimbursement from any applicable renter or lessee.

**§ -10 Penalty.** (a) The penalties for all consequences of a violation for disregarding a steady red signal initiated by the use of a photo red light imaging detector system shall be as provided in section 291C-161.

(b) Any summons or citations issued or convictions resulting from this chapter shall not be recorded on a person's traffic abstract and shall not be used for insurance purposes in the provision of motor vehicle insurance coverage.

**§ -11 Fines for unauthorized disclosure.** All personal and confidential information made available by a photo red light imaging detector system to an officer, employee, or agent of the State or any county, including third party contractors, shall be kept confidential and shall be used only for the purposes for which the information was furnished. Any officer, employee, or agent of the State or any county, including a third party contractor, who intentionally discloses or provides a copy of personal and confidential information obtained from a photo red light imaging detector system to any person or agency without authorization shall be fined not more than \$500; provided that the fine shall not preclude the application of penalties or fines otherwise provided for by law.

**§ -12 Photo red light imaging detector systems program special fund established.** (a) There is established a photo red light imaging detector systems special fund to be administered by the department, into which shall be paid revenues collected pursuant to this chapter.

(b) All fines collected under this chapter shall be deposited into the photo red light imaging detector systems program special fund. Moneys in the fund shall be expended by the department in the county in which the fine was im-



posed, for purposes that include the establishment, implementation, operation, oversight, repair and maintenance of a photo red light imaging detector system.

§ -13 **Rules.** The department shall adopt rules pursuant to chapter 91, as may be necessary to implement this chapter.”

### PART III

SECTION 3. Section 291C-32, Hawaii Revised Statutes, is amended to read as follows:

“§291C-32 **Traffic-control signal legend.** (a) Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red, and yellow shall be used, except for special pedestrian signals carrying a word or symbol legend, and the lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

- (1) Green indication:
  - (A) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at the place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.
  - (B) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.
  - (C) Unless otherwise directed by a pedestrian-control signal, as provided in section 291C-33, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.
- (2) Steady yellow indication:
  - (A) Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.
  - (B) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian-control signal as provided in section 291C-33, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.
- (3) Steady red indication:
  - (A) Vehicular traffic facing a steady red signal alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until an indication to proceed is shown, except as provided in the next succeeding paragraphs.
  - (B) The driver of a vehicle which is stopped in obedience to a steady red indication may make a right turn but shall yield the

right-of-way to pedestrians and other traffic proceeding as directed by the signal at said intersection, except that counties by ordinance may prohibit any such right turn against a steady red indication, which ordinance shall be effective when a sign is erected at such intersection giving notice thereof.

- (C) The driver of a vehicle on a one-way street which intersects another one-way street on which traffic moves to the left shall stop in obedience to a steady red indication but may then make a left turn into said one-way street, but shall yield right-of-way to pedestrians, proceeding as directed by the signal at said intersection except that counties by ordinance may prohibit any such left turn as above described which ordinance shall be effective when a sign is erected at such intersection giving notice thereof.
- (D) Unless otherwise directed by a pedestrian-control signal as provided in section 291C-33, pedestrians facing a steady red signal alone shall not enter the roadway.

(b) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

(c) Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, are actively monitored by an official photo red light imaging detector system, all registered owners of all motor vehicles in vehicular traffic at the intersection shall be held strictly liable for the motor vehicle's compliance with the traffic-control signal, to the extent that registered owners may be cited and held accountable for non-compliance via civil traffic infractions pursuant to chapter \_\_\_\_\_. The traffic-control signal lights shall apply to registered owners and motor vehicles as follows:

(1) Steady red indication:

- (A) Vehicular traffic facing a steady red signal alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until an indication to proceed is shown, except as provided in the next succeeding paragraphs.
- (B) Vehicular traffic that is stopped in obedience to a steady red indication may make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at said intersection, except that counties by ordinance may prohibit any such right turn against a steady red indication, which ordinance shall be effective when a sign is erected at such intersection giving notice thereof.
- (C) Vehicular traffic on a one-way street that intersects another one-way street on which traffic moves to the left shall stop in obedience to a steady red indication but may then make a left turn into said one-way street, but shall yield right-of-way to pedestrians, proceeding as directed by the signal at said intersection except that counties by ordinance may prohibit any such left turn as above described which ordinance shall be ef-

fective when a sign is erected at such intersection giving notice thereof.

- (2) To the extent a registered owner's motor vehicle fails to comply with any other law or ordinance related to traffic-control signals, the registered owner of a motor vehicle shall not be held strictly liable unless otherwise provided by law.

~~[(e)]~~ (d) For purposes of this section, a pedestrian is lawfully within an intersection or adjacent crosswalk when any part or extension of the pedestrian, including any part of the pedestrian's body, wheelchair, cane, crutch, or bicycle, is beyond the curb or the edges of the traversable roadway or moves onto the roadway within an intersection or crosswalk."

SECTION 4. Section 291C-161, Hawaii Revised Statutes, is amended to read as follows:

**"§291C-161 Penalties[-]; photo red light imaging detector system fines.**

(a) It ~~[is]~~ shall be a violation for any person to violate any of the provisions of this chapter, except as otherwise specified in subsections (c) and (d) and unless the violation is by other law of this State declared to be a felony, misdemeanor, or petty misdemeanor.

(b) Except as provided in subsections (c) and (d), every person who is determined to have violated any provision of this chapter for which another penalty is not provided shall be fined:

- (1) Not more than \$200 for a first violation thereof;
- (2) Not more than \$300 for a second violation committed within one year after the date of the first violation; and
- (3) Not more than \$500 for a third or subsequent violation committed within one year after the date of the first violation.

(c) Every person convicted under or found in violation of section 291C-12, 291C-12.5, 291C-12.6, 291C-13, 291C-14, 291C-15, 291C-16, 291C-72, 291C-73, 291C-95, 291C-102, 291C-103, 291C-104, or 291C-105 shall be sentenced or fined in accordance with those sections.

(d) Every person who violates section 291C-13 or 291C-18 shall:

- (1) Be fined not more than \$200 or imprisoned not more than ten days for a first conviction thereof;
- (2) Be fined not more than \$300 or imprisoned not more than twenty days or both for conviction of a second offense committed within one year after the date of the first offense; and
- (3) Be fined not more than \$500 or imprisoned not more than six months or both for conviction of a third or subsequent offense committed within one year after the date of the first offense.

(e) The court may assess a sum not to exceed \$50 for the cost of issuing a penal summons upon any person who fails to appear at the place within the time specified in the citation issued to the person for any traffic violation.

(f) Fines collected for a violation of section 291C-32(c) pursuant to the photo red light imaging detector system established pursuant to chapter shall be deposited into the photo red light imaging detector systems program special fund established under section -12 and shall be expended in the county in which the fine was imposed, for purposes that include the establishment, implementation, operation, oversight, management, repair and maintenance of a photo red light imaging detector system.

~~[(f)]~~ (g) The court may require a person who violates any of the provisions of this chapter to attend a course of instruction in driver retraining as deemed appropriate by the court, in addition to any other penalties imposed."

SECTION 5. Section 291C-163, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) This chapter shall not be deemed to prevent counties with respect to streets and highways under their jurisdiction from:

- (1) Regulating or prohibiting stopping, standing, or parking except as provided in section 291C-111;
- (2) Regulating traffic by means of police officers or official traffic-control devices;
- (3) Regulating or prohibiting processions or assemblages on the highways;
- (4) Designating particular highways or roadways for use by traffic moving in one direction;
- (5) Establishing speed limits for vehicles in public parks;
- (6) Designating any highway as a through highway or designating any intersection as a stop or yield intersection;
- (7) Restricting the use of highways;
- (8) Regulating the operation and equipment of and requiring the registration and inspection of bicycles, including the requirement of a registration fee;
- (9) Regulating or prohibiting the turning of vehicles or specified types of vehicles;
- (10) Altering or establishing speed limits;
- (11) Requiring written accident reports;
- (12) Designating no-passing zones;
- (13) Prohibiting or regulating the use of controlled-access roadways by any class or kind of traffic;
- (14) Prohibiting or regulating the use of heavily traveled streets by any class or kind of traffic found to be incompatible with the normal and safe movement of traffic;
- (15) Establishing minimum speed limits;
- (16) Designating hazardous railroad grade crossing;
- (17) Designating and regulating traffic on play streets;
- (18) Prohibiting pedestrians from crossing a roadway in a business district or any designated highway except in a crosswalk;
- (19) Restricting pedestrian crossing at unmarked crosswalks;
- (20) Regulating persons propelling push carts;
- (21) Regulating persons upon skates, coasters, sleds, and other toy vehicles;
- (22) Adopting and enforcing such temporary or experimental regulations as may be necessary to cover emergencies or special conditions;
- (23) Adopting maximum and minimum speed limits on streets and highways within their respective jurisdictions;
- (24) Adopting requirements on stopping, standing, and parking on streets and highways within their respective jurisdictions except as provided in section 291C-111;
- (25) Prohibiting or regulating electric personal assistive mobility devices on sidewalks and bicycle paths; ~~and~~
- (26) Implementing a photo red light imaging detector system pursuant to chapter \_\_\_\_\_; and
- ~~[(26)]~~ (27) Adopting such other traffic regulations as are specifically authorized by this chapter.”

SECTION 6. Section 291C-165, Hawaii Revised Statutes, is amended to read as follows:

**“§291C-165 Summons or citation.** (a) There shall be provided for use by authorized police officers, a form of summons or citation for use in citing violators of those traffic laws which do not mandate the physical arrest of such violators. The form and content of such summons or citation shall be as adopted or prescribed by the administrative judge of the district courts and shall be printed on a form commensurate with the form of other summonses or citations used in modern methods of arrest, so designed to include all necessary information to make the same valid within the laws and regulations of the State.

(b) In every case when a citation is issued, the original of the citation shall be given to the violator; provided that:

- (1) In the case of an unattended vehicle, the original of the citation shall be affixed to the vehicle as provided for in section 291C-167; or
- (2) In the case of:
  - (A) A vehicle utilizing the high occupancy vehicle lane illegally; or
  - (B) A vehicle illegally utilizing a parking space reserved for persons with disabilities, where the violator refuses the citation;

the original of the citation shall be sent by certified or registered mail, with a return receipt that is postmarked within forty-eight hours of the time of the incident, as provided in section 291C-223 for vehicles illegally utilizing the high occupancy vehicle lane, or within seventy-two hours of the time of the incident for vehicles illegally utilizing a parking space reserved for persons with disabilities, to the registered owner of the vehicle at the address on record at the vehicle licensing division. If the end of the applicable forty-eight or seventy-two hour period falls on a Saturday, Sunday, or holiday, then the ending period shall run until the end of the next day which is not a Saturday, Sunday, or holiday; provided that the administrative judge of the district courts may allow a carbon copy of the citation to be given to the violator or affixed to the vehicle and provide for the disposition of the original and any other copies of the citation.

(c) In the case of a motor vehicle determined by means of a photo red light imaging detector system established pursuant to chapter \_\_\_\_\_ to have disregarded a steady red signal in violation of section 291C-32(c); the original of the citation shall be sent by first class mail within ten calendar days from the time of the incident for motor vehicles disregarding a steady red light signal in violation of section 291C-32(c), as determined by means of a photo red light imaging system, to the registered owner of the motor vehicle at the address on record at the vehicle licensing division. If the end of the applicable ten calendar day period falls on a Saturday, Sunday, or holiday, then the ending period shall run until the end of the next day which is not a Saturday, Sunday, or holiday.

~~[(e)]~~ (d) Every citation shall be consecutively numbered and each carbon copy shall bear the number of its respective original.”

SECTION 7. Section 291C-194, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Any person who is convicted of violating this section shall be subject to penalties as provided under section 291C-161(b) and ~~[(f)]~~ (g).”

#### PART IV

SECTION 8. The department of transportation, in consultation with any county that implements a photo red light imaging detector system pilot program pursuant to this Act, shall annually submit a report to the legislature no later than twenty days prior to the convening of the regular sessions of 2021, 2022, 2023, and 2024. The reports shall include, at a minimum, information on whether the implementation of the pilot program has resulted in any statistically

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significant reduction in motor vehicle collisions, traffic infractions, and other traffic-related incidents. The reports shall also include recommendations on how to improve the pilot program, if it should be made permanent, and funding estimates.

SECTION 9. There is appropriated out of the state highway fund the sum of \$800,000 or so much thereof as may be necessary for fiscal year 2021-2022 to be deposited into the photo red light imaging detector systems special fund.

SECTION 10. There is appropriated out of the photo red light imaging detector systems special fund the sum of \$800,000 or so much thereof as may be necessary for fiscal year 2021-2022 for purposes of establishing the photo red light imaging detector systems pilot program.

The sum appropriated shall be expended by the department of transportation for the purposes of this Act; provided that the department of transportation shall expend \$112,602 in fiscal year 2020-2021 and fiscal year 2021-2022 for the funding of one permanent full-time (1.0 FTE) deputy prosecuting attorney position within the department of the prosecuting attorney of the city and county of Honolulu.

SECTION 11. It is the intent of this Act not to jeopardize the receipt of any federal aid nor to impair the obligation of the State or any agency thereof to the holders of any bond issued by the State or by any such agency, and to the extent, and only to the extent, necessary to effectuate this intent, the governor may modify the strict provisions of this Act, but shall promptly report any such modification with reasons therefor to the legislature at its next session thereafter for review by the legislature.

SECTION 12. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 13. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 14. This Act shall take effect upon its approval; provided that sections 9 and 10 shall take effect retroactive to July 1, 2020.

(Approved September 15, 2020.)

## ACT 31

H.B. NO. 1698

A Bill for an Act Relating to Collective Bargaining.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 89-6, Hawaii Revised Statutes, is amended as follows:

1. By amending subsections (a) and (b) to read:

“(a) All employees throughout the State within any of the following categories shall constitute an appropriate bargaining unit:



- (1) Nonsupervisory employees in blue collar positions;
  - (2) Supervisory employees in blue collar positions;
  - (3) Nonsupervisory employees in white collar positions;
  - (4) Supervisory employees in white collar positions;
  - (5) Teachers and other personnel of the department of education under the same pay schedule, including part-time employees working less than twenty hours a week who are equal to one-half of a full-time equivalent;
  - (6) Educational officers and other personnel of the department of education under the same pay schedule;
  - (7) Faculty of the University of Hawaii and the community college system;
  - (8) Personnel of the University of Hawaii and the community college system, other than faculty;
  - (9) Registered professional nurses;
  - (10) Institutional, health, and correctional workers;
  - (11) Firefighters;
  - (12) Police officers;
  - (13) Professional and scientific employees, who cannot be included in any of the other bargaining units; ~~and~~
  - (14) State law enforcement officers ~~[and state]; and~~
  - (15) State and county ocean safety and water safety officers.
- (b) Because of the nature of work involved and the essentiality of certain occupations that require specialized training, supervisory employees who are eligible for inclusion in units (9) through ~~[(14)]~~ (15) shall be included in units (9) through ~~[(14);]~~ (15), respectively, instead of unit (2) or (4).”

2. By amending subsection (d) to read:

“(d) For the purpose of negotiating a collective bargaining agreement, the public employer of an appropriate bargaining unit shall mean the governor together with the following employers:

- (1) For bargaining units (1), (2), (3), (4), (9), (10), (13), ~~and~~ (14), and (15), the governor shall have six votes and the mayors, the chief justice, and the Hawaii health systems corporation board shall each have one vote if they have employees in the particular bargaining unit;
- (2) For bargaining units (11) and (12), the governor shall have four votes and the mayors shall each have one vote;
- (3) For bargaining units (5) and (6), the governor shall have three votes, the board of education shall have two votes, and the superintendent of education shall have one vote; and
- (4) For bargaining units (7) and (8), the governor shall have three votes, the board of regents of the University of Hawaii shall have two votes, and the president of the University of Hawaii shall have one vote.

Any decision to be reached by the applicable employer group shall be on the basis of simple majority, except when a bargaining unit includes county employees from more than one county. In that case, the simple majority shall include at least one county.”

SECTION 2. Section 89-11, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) If an impasse exists between a public employer and the exclusive representative of bargaining unit (2), supervisory employees in blue collar positions; bargaining unit (3), nonsupervisory employees in white collar positions;

bargaining unit (4), supervisory employees in white collar positions; bargaining unit (6), educational officers and other personnel of the department of education under the same salary schedule; bargaining unit (8), personnel of the University of Hawaii and the community college system, other than faculty; bargaining unit (9), registered professional nurses; bargaining unit (10), institutional, health, and correctional workers; bargaining unit (11), firefighters; bargaining unit (12), police officers; bargaining unit (13), professional and scientific employees; ~~[øf]~~ bargaining unit (14), state law enforcement officers ~~[and]; or bargaining unit (15)~~, state and county ocean safety and water safety officers, the board shall assist in the resolution of the impasse as follows:

- (1) Mediation. During the first twenty days after the date of impasse, the board shall immediately appoint a mediator, representative of the public from a list of qualified persons maintained by the board, to assist the parties in a voluntary resolution of the impasse.
- (2) Arbitration. If the impasse continues twenty days after the date of impasse, the board shall immediately notify the employer and the exclusive representative that the impasse shall be submitted to a three-member arbitration panel who shall follow the arbitration procedure provided herein.
  - (A) Arbitration panel. Two members of the arbitration panel shall be selected by the parties; one shall be selected by the employer and one shall be selected by the exclusive representative. The neutral third member of the arbitration panel, who shall chair the arbitration panel, shall be selected by mutual agreement of the parties. In the event that the parties fail to select the neutral third member of the arbitration panel within thirty days from the date of impasse, the board shall request the American Arbitration Association, or its successor in function, to furnish a list of five qualified and experienced interest arbitrators from which the neutral arbitrator shall be selected. Within five days after receipt of the list, the parties shall alternately strike names from the list until a single name is left, who shall be immediately appointed by the board as the neutral arbitrator and chairperson of the arbitration panel.
  - (B) Final positions. Upon the selection and appointment of the arbitration panel, each party shall submit to the panel, in writing, with copy to the other party, a final position that shall include all provisions in any existing collective bargaining agreement not being modified, all provisions already agreed to in negotiations, and all further provisions that each party is proposing for inclusion in the final agreement; provided that such further provisions shall be limited to those specific proposals that were submitted in writing to the other party and were the subject of collective bargaining between the parties up to the time of the impasse, including those specific proposals that the parties have decided to include through a written mutual agreement. The arbitration panel shall decide whether final positions are compliant with this provision and which proposals may be considered for inclusion in the final agreement.
  - (C) Arbitration hearing. Within one hundred twenty days of its appointment, the arbitration panel shall commence a hearing at which time the parties may submit, either in writing or through oral testimony, all information or data supporting their respective final positions. The arbitrator, or the chair-



person of the arbitration panel together with the other two members, are encouraged to assist the parties in a voluntary resolution of the impasse through mediation, to the extent practicable throughout the entire arbitration period until the date the panel is required to issue its arbitration decision.

- (D) Arbitration decision. Within thirty days after the conclusion of the hearing, a majority of the arbitration panel shall reach a decision pursuant to subsection (f) on all provisions that each party proposed in its respective final position for inclusion in the final agreement and transmit a preliminary draft of its decision to the parties. The parties shall review the preliminary draft for completeness, technical correctness, and clarity and may mutually submit to the panel any desired changes or adjustments that shall be incorporated in the final draft of its decision. Within fifteen days after the transmittal of the preliminary draft, a majority of the arbitration panel shall issue the arbitration decision.”

SECTION 3. The rights, benefits, and privileges currently enjoyed by state and county ocean safety and water safety officers, including those rights, benefits, and privileges under chapters 76, 78, 87A, and 88, Hawaii Revised Statutes, shall not be impaired or diminished as a result of these employees being transitioned to the newly created bargaining unit (15). The transition to the new bargaining unit (15) shall not result in any break in service for the affected employees. The rights, benefits, and privileges currently enjoyed by state and county ocean safety and water safety officers shall be maintained under their existing collective bargaining agreement and any successor agreement until a collective bargaining agreement is negotiated for the new bargaining unit (15).

SECTION 4. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 32

H.B. NO. 1854

A Bill for an Act Relating to Little Fire Ants.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that little fire ants threaten human health, wildlife, agriculture, and tourism. Since first discovered on the island of Hawaii in 1999, little fire ants have been spreading rapidly throughout the State. There are now little fire ant populations on Kauai, Maui, and Oahu.

The legislature further finds that the Hawaii Ant Lab’s methods for treating little fire ants have been successful in controlling infestations on properties of homeowners and farmers. The Hawaii Ant Lab uses a dual approach of applying insect growth regulators followed by a barrier treatment. This method,

which targets the source of the infestation and kills the queen and causes colony collapse, reduces the likelihood that this invasive species will spread.

The legislature also finds that pest control operators in the State are not required by law to use the Hawaii Ant Lab’s approach when treating little fire ants. There are reports that some pest control operators do not employ these methods and opt to spray contact insecticides in lieu of using the Hawaii Ant Lab treatment strategy. By using less effective methods that do not completely eradicate the infestation, pest control operators create permanent customers who continue to require repeat service as more little fire ants return. The legislature recognizes that untreated little fire ant nests can grow and spread to surrounding properties, thereby further exacerbating the problems and creating a much bigger challenge for mitigation efforts.

The purpose of this Act is to control the spread of little fire ants in the State by:

- (1) Authorizing the department of agriculture, in conjunction with Hawaii Ant Lab, to identify best practices for the treatment of little fire ants;
- (2) Requiring the department of agriculture to post any identified best practices on its website;
- (3) Adding to the prohibited acts of pesticides, any application that may defeat the best practices for the treatment of little fire ants as identified by the department of agriculture; and
- (4) Clarifying that training for invasive species be based on the best available technology and best practices in a manner consistent with state and federal laws.

SECTION 2. Section 141-3.5, Hawaii Revised Statutes, is amended to read as follows:

**“[§141-3.5] Control or eradication programs.** (a) The department of agriculture shall develop and implement a detailed control or eradication program for any pest designated in section 141-3, using the best available technology in a manner consistent with state and federal law.

(b) For any pest designated by emergency rule as provided in section 141-3, the department of agriculture shall implement an emergency program using the best available technology in a manner consistent with state and federal law.

(c) The department of agriculture:

- (1) In conjunction with the Hawaii Ant Lab, may identify best practices for the treatment of little fire ants; and
- (2) Shall post on its website any best practices identified for the treatment of little fire ants.”

SECTION 3. Section 149A-11, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) It shall be unlawful to:

- (1) Detach, alter, deface, or destroy, in whole or in part, any label or alter any labeling of a pesticide unless it is approved by the department to correct an improper label or labeling under section 24(c), FIFRA;
- (2) Add any substance to, or take any substance from, a pesticide or apply a pesticide in a manner that may defeat the purpose of this chapter[;] or of section 141-3.5;
- (3) Use for a person’s own advantage or reveal any information relative to formulas of products acquired in the administration of this

chapter, to persons other than to the chairperson or proper officials or employees of the State or the federal government; to the courts of this State or the federal government in response to a subpoena; to physicians; or, in emergencies, to pharmacists and other qualified persons for use in the preparation of antidotes;

- (4) For any pesticide dealer, wholesaler, or retailer to expose or to offer for sale or to solicit or receive orders for the sale of restricted use pesticides unless the dealer, wholesaler, or retailer has applied for and has obtained a license from the department;
- (5) For any pesticide dealer, wholesaler, or retailer to expose or to offer for sale or to solicit or receive orders for the sale of restricted use pesticides to any person other than a certified pesticide applicator;
- (6) For any pesticide dealer, wholesaler, or retailer to make any verbal or written claim or representation relating to any pesticide product that is inconsistent with the specific pesticide product label; or
- (7) For any pesticide dealer to expose to, offer for sale to, or solicit or receive orders for the sale of restricted use pesticides to any pest control operator or to an employee of the pest control operator acting on the pest control operator's behalf without satisfactory proof that the pest control operator holds, or has held within the previous one hundred twenty days, a pest control license and, when applicable, without satisfactory proof that the employee is employed by the pest control operator."

SECTION 4. Section 149A-13.5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) Moneys in the pesticide use revolving fund shall be expended by the department:

- (1) To support the pesticide program's registration and licensing, certification and education, and compliance monitoring activities;
- (2) To establish pesticide training workshops and educational programs[;], including, but not limited to, eradication and control programs for pests designated in section 141-3, using the best available technology and best practices in a manner consistent with state and federal law;
- (3) To develop integrated pest management strategies, the pesticide subsidy program created under Act 105, Session Laws of Hawaii 2014, and other services for pesticide users such as the agricultural pest control industry, the structural pest control industry, and consumer users of pesticides, which provide pesticide instruction in areas, including but not limited to the collection, disposal, and recycling of pesticide containers; and
- (4) For all other pesticide services deemed necessary by the department.

Moneys from the revolving fund may be used for personnel, services, materials, and equipment for the purposes of this section.

Moneys expended by the department from the pesticide use revolving fund for training workshops, educational programs, and other services for the agricultural pest control industry, the structural pest control industry, and consumer groups shall be expended in a manner that appropriately addresses the needs of each category of pesticide user."

SECTION 5. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

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SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect upon approval.

(Approved September 15, 2020.)

## ACT 33

H.B. NO. 1912

A Bill for an Act Relating to the Pacific International Space Center for Exploration Systems.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 201-76, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) There is established the Pacific international space center for exploration systems, to be ~~[administratively attached to the office of aerospace development in]~~ placed within the department of business, economic development, and tourism~~[-]~~ for administrative purposes only.”

SECTION 2. Section 201-77, Hawaii Revised Statutes, is amended to read as follows:

“**§201-77 Pacific international space center for exploration systems; board of directors; establishment; duties.** (a) There is established the board of directors of the Pacific international space center for exploration systems, consisting of nine members, to include:

- ~~[(1) The executive director of the space center as an ex officio, voting member;~~
- ~~(2)]~~ (1) The director of business, economic development, and tourism, or the director's designated representative;
- ~~[(3)]~~ (2) The president of the University of Hawaii, or the president's designated representative; [and]
- (3) The chancellor of the University of Hawaii at Hilo, or the chancellor's designated representative; and
- (4) Six members from government, industry, and academia, both national and international, with appropriate professional interests and backgrounds[-]

to be appointed by the governor, pursuant to section 26-34]; provided that of the members appointed under paragraph (4), two members shall be appointed from a list of nominees submitted by the president of the senate, two members shall be appointed from a list of nominees submitted by the speaker of the house of representatives, and two members shall be appointed by the governor[-]; provided further that the members appointed pursuant to paragraph (4) shall be subject to section 26-34.

The board shall select a chairperson from among its members.

(b) Five members shall constitute a quorum, whose affirmative vote shall be necessary for all actions by the space center. The members of the board shall serve without compensation, but shall be entitled to reimbursement for necessary expenses, including travel expenses, incurred in the performance of their duties.

(c) The ~~[director of business, economic development, and tourism]~~ board shall appoint an executive director to the space center~~[-]~~ subject to confir-

~~mation by the board,]~~ who shall be exempt from chapter 76. The board shall set the salary and duties of the executive director.”

SECTION 3. Section 201-80, Hawaii Revised Statutes, is amended to read as follows:

~~“[H]§201-80~~ **Pacific international space center for exploration systems; reporting requirement.** The Pacific international space center for exploration systems shall submit, no later than September 1 of each year, an annual report to the legislature that includes:

- ~~(1) An updated business plan regarding the aerospace technology research and development park project;~~
- ~~(2) Details on any progress made toward the development of a world-class space center in Hawaii;~~
- ~~(3) The development of technologies and any concomitant effect on the level of resource imports into the State;~~
- ~~(4) The status of all working relationships with educational and research institutions and federal agencies;~~
- ~~(5) Details on any progress made toward the development of a robotic operator training and certification program;~~
- ~~(6) The level of private sector investment in aerospace and related industries, including the number and nature of any partnerships with private industry to facilitate state-based manufacturing and operations related to green energy technology;~~
- ~~(7) The status of the memorandum of understanding with Hawaii Techworks and the east Hawaii community development corporation regarding the cultivation of a skilled local workforce to support planned manufacturing operations; and]~~
- (1) A detailed description of each of the space center’s active economic development projects, the status of each project, and any potential impact each project may have on the economy of the State;
- (2) A detailed description of each of the space center’s applied research projects, related research grants applied for and received, the status of each applied research project, and any potential impact each project may have on the economy of the State;
- (3) A description of the space center’s workforce development and outreach programs and events;
- (4) The status of all memoranda of understanding or any other agreements with third parties established to facilitate the space center’s ability to meet its obligations and objectives; and
- ~~(8)~~ (5) A detailed statement of assets, liabilities, revenues, and expenses for each fiscal year ending June 30.”

SECTION 4. Beginning in fiscal year 2021-2022, the department of business, economic development, and tourism shall establish the Pacific international space center for exploration systems as a separate line item within the department’s budget. Exempt positions shall be created within this separate line item to match any current position of the Pacific international space center for exploration that exists on the effective date of this Act pursuant to the current contract with the research corporation of the University of Hawaii. These positions shall be filled pursuant to section 201-76(b), Hawaii Revised Statutes.

SECTION 5. Upon the expiration of the existing operating contract between the Pacific international space center for exploration systems and the research corporation of the University of Hawaii, all rights, powers, functions, duties, and employees of the Pacific international space center for exploration

systems that are under contract on the effective date of this Act with the research corporation of the University of Hawaii are transferred to the department of business, economic development, and tourism.

All employees employed under contract on the effective date of this Act with the research corporation of the University of Hawaii and whose functions are transferred to the department of business, economic development, and tourism pursuant to this Act shall be placed in exempt positions that are otherwise equivalent to the employees' current positions in rights, powers, functions, and duties. Employees shall be transferred without loss of salary, seniority (except as prescribed by applicable collective bargaining agreements), retention points, prior service credit, any vacation and sick leave credits previously earned, and other rights, benefits, and privileges, in accordance with state personnel laws and this Act; provided that the employees possess the minimum qualifications and public employment requirements for the class or position to which transferred or appointed, as applicable; provided further that subsequent changes in status may be made pursuant to applicable civil service and compensation laws.

Any employee who, prior to this Act, is exempt from civil service and is transferred as a consequence of this Act may retain the employee's exempt status, but shall not be appointed to a civil service position as a consequence of this Act. An exempt employee who is transferred by this Act shall not suffer any loss of prior service credit, vacation or sick leave credits previously earned, or other employee benefits or privileges as a consequence of this Act; provided that the employees possess legal and public employment requirements for the position to which transferred or appointed, as applicable; provided further that subsequent changes in status may be made pursuant to applicable employment and compensation laws. The executive director of the Pacific international space center for exploration systems may prescribe the duties and qualifications of these employees and fix their salaries without regard to chapter 76, Hawaii Revised Statutes.

SECTION 6. All appropriations, records, equipment, machines, files, supplies, contracts, books, papers, documents, maps, and other personal property heretofore made, used, acquired, or held by the research corporation of the University of Hawaii relating to the functions transferred to the department of business, economic development, and tourism shall be transferred with the functions to which they relate.

SECTION 7. All rules, policies, procedures, guidelines, and other material adopted or developed by the research corporation of the University of Hawaii to implement provisions of the Hawaii Revised Statutes that are reenacted or made applicable to the department of business, economic development, and tourism by this Act shall remain in full force and effect until amended or repealed by the department of business, economic development, and tourism pursuant to chapter 91, Hawaii Revised Statutes. In the interim, every reference to the research corporation of the University of Hawaii, executive director of the research corporation of the University of Hawaii, or the board of the research corporation of the University of Hawaii in those rules, policies, procedures, guidelines, and other material is amended to refer to the department of business, economic development, and tourism or the director of business, economic development, and tourism, as appropriate.

SECTION 8. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 9. This Act shall take effect upon its approval.

(Approved September 15, 2020.)



## ACT 34

H.B. NO. 1929

A Bill for an Act Relating to Affordable Housing.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that there is a severe shortage of affordable rental housing in the county of Maui, particularly in the western part of the island of Maui. To help address this issue, the legislature passed Act 150, Session Laws of Hawaii 2018 (Act 150), to appropriate funds in support of the Front Street Apartments in Lahaina, Maui. By passing Act 98, Session Laws of Hawaii 2019 (Act 98), the legislature also sought to ensure the continued availability of affordable rental housing in Maui county by preserving the affordability of the Front Street Apartments in Lahaina, Maui.

The legislature further finds that since the passage of both Act 150 and Act 98, the Hawaii housing finance and development corporation has acquired the leased fee interest in the Front Street Apartments project as required in sections 2 and 4 of Act 98.

Under Act 150, as amended by Act 98, the Hawaii housing finance and development corporation must initiate condemnation proceedings unless, by December 31, 2019, it renegotiates the ground lease for the Front Street Apartments project or issues a new ground lease on terms acceptable to the Hawaii housing finance and development corporation. However, a pending lawsuit filed in federal court on behalf of the tenants of Front Street Apartments project has made it virtually impossible to obtain an accurate appraisal of the value of the ground lease. The legislature finds that, without an accurate appraisal, neither condemnation by the Hawaii housing finance and development corporation nor a negotiated ground lease agreement are possible. The state constitution requires payment of fair market value under the condemnation process. Similarly, a renegotiated ground lease also requires an accurate appraisal to assess the reasonableness of a lessee's proposal. Thus, an extension of the December 31, 2019, deadline is necessary.

The purpose of this Act is to extend the aforementioned deadline and help ensure the continued availability of affordable rental housing in Maui county at the Front Street Apartments in Lahaina.

SECTION 2. Act 150, Session Laws of Hawaii 2018, as amended by Act 98, Session Laws of Hawaii 2019, is amended by amending section 1 to read as follows:

“SECTION 1. The Hawaii housing finance and development corporation shall institute proceedings for the condemnation of the ground lease for the Front Street Apartments affordable housing project pursuant to chapter 101, Hawaii Revised Statutes, unless the corporation has renegotiated the ground lease or issued a new ground lease on terms acceptable to the corporation by December 31, [~~2019~~] 2021.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval and shall apply retroactively to December 30, 2019.

(Approved September 15, 2020.)

A Bill for an Act Relating to Child Abuse Reporting.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that in 2017, the child welfare services branch of the State's department of human services received 3,702 reports of child abuse. More than half of these reports were made by mandated reporters working in fields such as medicine, law enforcement, and social services. Unfortunately, despite the extent of reporting that does occur, many other instances of child abuse go unreported.

The legislature further finds that Hawaii is one of only a handful of states that do not include members of the clergy as mandatory reporters of child abuse and neglect. Additionally, the legislature finds that sexual exploitation of children often occurs online, making it easier for some predators to avoid detection and arrest. By requiring commercial computer technicians and commercial film and photographic print or image processors to report computer files containing child pornography to law enforcement, the State can protect more children from exploitation and abuse.

The purpose of this Act is to update Hawaii's child abuse and neglect mandated reporting law by adding members of the clergy, commercial computer technicians, commercial film and photographic print or image processors, and administrators and employees of any public or private organization whose duties require direct contact with or supervision of children, to the categories of persons who are required to report, consistent with California's Child Abuse and Neglect Reporting Act.

SECTION 2. Section 350-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

““Electronic medium” means any recording, synthetic media, magnetic disc memory, magnetic tape memory, compact disk, digital video disk, thumb drive, or any other data recording hardware or media used with a computer.”

SECTION 3. Section 350-1.1, Hawaii Revised Statutes, is amended to read as follows:

**§350-1.1 Reports.** (a) Notwithstanding any other state law concerning confidentiality to the contrary, the following persons who, in their professional or official capacity, have reason to believe that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future, shall immediately report the matter orally to the department or to the police department:

- (1) Any licensed or registered professional of the healing arts or any health-related occupation who examines, attends, treats, or provides other professional or specialized services, including but not limited to physicians, including physicians in training, psychologists, dentists, nurses, osteopathic physicians and surgeons, optometrists, chiropractors, podiatrists, pharmacists, and other health-related professionals;
- (2) Employees or officers of any public or private school;
- (3) Employees or officers of any public or private agency or institution, or other individuals, providing social, medical, hospital, or mental health services, including financial assistance;



- (4) Employees or officers of any law enforcement agency, including but not limited to the courts, police departments, department of public safety, correctional institutions, and parole or probation offices;
- (5) Individual providers of child care, or employees or officers of any licensed or registered child care facility, foster home, or similar institution;
- (6) Medical examiners or coroners; ~~and~~
- (7) Employees of any public or private agency providing recreational or sports activities[-];
- (8) Commercial film and photographic print or image processors;
- (9) Commercial computer technicians; and
- (10) Members of the clergy or custodians of records therefor; provided

that a member of the clergy shall not be required to report information gained solely during a penitential communication. When a clergy member receives reportable information from any other source, the clergy member shall comply with the reporting requirements of this section, regardless of whether the clergy member received the same information during a penitential communication. For purposes of this paragraph, "penitential communication" means a communication, including a sacramental confession, that is intended to be kept confidential and is made to a member of the clergy who, in the course of the discipline or practice of the applicable religious organization, is authorized or accustomed to hear those communications, and under the discipline, tenets, customs, or practices of the applicable religious organization, has a duty to keep those communications secret.

(b) Whenever a person designated in subsection (a) is a member of the staff of any public or private school, agency, or institution, that staff member shall immediately report the known or suspected child abuse or neglect directly to the department or to the police department and also shall immediately notify the person in charge or a designated delegate of the report made in accordance with this chapter.

(c) The initial oral report shall be followed as soon as possible by a report in writing to the department[-]; provided that:

- (1) If a police department or the department of public safety is the initiating agency, a written report shall be filed with the department for cases that the police or the department of public safety takes further action on or for active cases in the department under this chapter[-];
- (2) All written reports shall contain the name and address of the child and the child's parents or other persons responsible for the child's care, if known, the child's age, the nature and extent of the child's injuries, and any other information that the reporter believes might be helpful or relevant to the investigation of the child abuse or neglect[-]; and
- (3) This subsection shall not be construed to serve as a cause of action against the department, the police, or the department of public safety.

(d) Any person subject to subsection (a) ~~shall~~, upon demand of the department or any police department, shall provide all information related to the alleged incident of child abuse or neglect, including[-] but not limited to[-] medical records and medical reports[-which] and any image, film, video, or other electronic medium, that was not included in the written report submitted pursuant to subsection (c).

(e) The director may adopt, amend, or repeal rules, subject to chapter 91, to further define or clarify the specific forms of child abuse or neglect enumerated in section 350-1 for use in implementing this chapter; provided that rules adopted under this subsection shall be limited to such further or clarifying definitions.”

SECTION 4. Before March 1, 2021, a member of the clergy or a custodian of records thereof, may report to the department of human services or a county police department that the clergy member or custodian of records, in the person’s professional capacity or within the scope of the person’s employment, has acquired knowledge or has a reasonable suspicion that a child was a victim of abuse or neglect and that the clergy member or custodian of records did not previously report the abuse or neglect; provided that a member of the clergy shall not report information gained solely during a penitential communication. A report may be made regardless of whether the victim of the known or suspected abuse or neglect has reached the age of eighteen at the time the report is made. A person who makes a report pursuant to this section shall not be subject to the penalty for nonreporting under section 350-1.2, Hawaii Revised Statutes.

For purposes of this section, “penitential communication” means a communication, including a sacramental confession, that is intended to be kept confidential and is made to a member of the clergy who, in the course of the discipline or practice of the applicable religious organization, is authorized or accustomed to hear those communications, and under the discipline, tenets, customs, or practices of the applicable religious organization, has a duty to keep those communications secret.

SECTION 5. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 36

H.B. NO. 1978

A Bill for an Act Relating to Special Immigrant Juvenile Status.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that federal law provides protections to individuals classified as special immigrant juveniles. The legislature further finds that, consistent with the actions of other states, the State may assist individuals in claiming special immigrant juvenile status by clarifying that family court has jurisdiction over unmarried individuals under twenty-one years of age for purposes of awarding custody or guardianship pursuant to a motion for factual findings within the meaning of the Immigration and Nationality Act, title 8 United States Code section 1101(a)(27)(J).

SECTION 2. Section 571-11, Hawaii Revised Statutes, is amended to read as follows:

“§571-11 **Jurisdiction; children.** Except as otherwise provided in this chapter, the court shall have exclusive original jurisdiction in proceedings:

- (1) Concerning any person who is alleged to have committed an act prior to achieving eighteen years of age that would constitute a violation or attempted violation of any federal, state, or local law or county ordinance. Regardless of where the violation occurred, jurisdiction may be taken by the court of the circuit where the person resides, is living, or is found, or in which the offense is alleged to have occurred;
- (2) Concerning any child living or found within the circuit:
  - (A) Who is neglected as to or deprived of educational services because of the failure of any person or agency to exercise that degree of care for which it is legally responsible;
  - (B) Who is beyond the control of the child's parent or other custodian or whose behavior is injurious to the child's own or others' welfare;
  - (C) Who is neither attending school nor receiving educational services required by law whether through the child's own misbehavior or nonattendance or otherwise; or
  - (D) Who is in violation of curfew;
- (3) To determine the custody of any child or appoint a guardian of any child;
- (4) For the adoption of a person under chapter 578;
- (5) For the termination of parental rights under sections 571-61 through 571-63;
- (6) For judicial consent to the marriage, employment, or enlistment of a child, when consent is required by law;
- (7) For the treatment or commitment of a mentally defective or mentally ill child, or a child with an intellectual disability;
- (8) Under the Interstate Compact on Juveniles under chapter 582 or the Interstate Compact for Juveniles under chapter 582D;
- (9) For the protection of any child under chapter 587A; ~~and~~
- (10) For a change of name as provided in section 574-5(a)(2)(C)[-]; and
- (11) Concerning custody or guardianship of an immigrant child pursuant to a motion for special immigrant juvenile factual findings requesting a determination that the child was abused, neglected, or abandoned before the age of eighteen years for purposes of section 101(a)(27)(J) of the federal Immigration and Nationality Act. For the purposes of this paragraph, "child" means an unmarried individual under the age of twenty-one years.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 37

H.B. NO. 2043

A Bill for an Act Relating to Adolescent Mental Health Care.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that Act 13, Session Laws of Hawaii 2018, required the department of health to convene a task force to address the

concerns of minors seeking counseling on sexual orientation, gender identity, gender expressions, and related behaviors. According to the department's child and adolescent mental health division's November 2018 report to the legislature, there was general agreement amongst task force members to amend existing law to increase access to adolescent mental health services. Specifically, access would be increased by allowing unlicensed mental health professionals to provide minor-initiated mental health treatment or counseling services under the supervision of licensed mental health professionals and maintaining the confidentiality of mental health treatment or counseling services when a minor initiates mental health services without parental or legal guardian consent, knowledge, or participation.

These unlicensed mental health professionals who provide services under the supervision of a licensed mental health professional are considered to be in-training and must be in an accredited training program or have completed all licensing requirements except the post-degree experience for licensure examination.

The legislature further finds that it is standard practice for a mental health professional treating a minor to explain what confidentiality means in regard to mental health treatment or counseling services and counsel the minor on whether to keep treatment or counseling confidential from the minor's parent or legal guardian. Confidentiality may be broken when necessary for the health and safety of the minor client or others, or when recovery requires the involvement of another person. The legislature also finds that it is important for a mental health professional to assist a minor in completing a nondisclosure form to be sent to a health plan provider when there is consensus between the licensed mental health professional and the minor to keep treatment and counseling confidential from the minor's parent or legal guardian.

The purpose of this Act is to improve minors' access to mental health care by:

- (1) Allowing an unlicensed mental health professional, working under the supervision of a licensed mental health professional, to provide mental health treatment or counseling services to minors without parental or legal guardian consent, knowledge, or participation;
- (2) Requiring a mental health professional to ensure that the covered entity has been notified that minor-initiated mental health treatment or counseling services should not be disclosed; and
- (3) Requiring a covered entity, upon notification that minor-initiated mental health treatment or counseling services should not be disclosed, to maintain the confidentiality of minor-initiated mental health treatment or counseling services.

SECTION 2. Section 577-29, Hawaii Revised Statutes, is amended to read as follows:

**“§577-29 Mental health services relating to minors; diagnosis, counseling, and related activities.** (a) Notwithstanding any other law to the contrary, a minor who is fourteen years of age or older may consent to mental health treatment or counseling services provided by a licensed mental health professional or mental health professional if, in the opinion of the licensed mental health professional, the minor is mature enough to participate intelligently in the mental health treatment or counseling services[;] without parental or legal guardian consent, knowledge, or participation; provided that the consent of the minor's parent or legal guardian shall be required to prescribe medication to the minor or to place the minor into an out-of-home or residential treatment program.

(b) The mental health treatment or counseling services provided to a minor as authorized by this section shall include involvement of the minor's parent or legal guardian, unless the licensed mental health professional~~;~~ or mental health professional and licensed mental health professional, after consulting with the minor, determines that the involvement would be inappropriate. ~~[The licensed mental health professional shall state in the client record whether and when the treating clinician attempted to contact the minor's parent or legal guardian, and whether the attempt to contact was successful or unsuccessful, or the reason why, in the treating licensed mental health professional's opinion, it would be inappropriate to contact the minor's parent or guardian.]~~ The mental health professional shall ensure that the covered entity has been notified that minor-initiated mental health treatment or counseling services should not be disclosed.

(c) A covered entity shall have policies and procedures established to maintain nondisclosure of the minor-initiated mental health treatment or counseling services to the parent or legal guardian in accordance with federal regulations, including 45 Code of Federal Regulations section 164, subpart E. The mental health professional shall be entitled to submit a claim to the covered entity for the provision of minor-initiated treatment or counseling services to the minor pursuant to this section, but shall not bill for out-of-pocket payments, copayments, coinsurance, or deductibles.

~~[(e)]~~ (d) A minor may not abrogate consent provided by a parent or legal guardian on the minor's behalf. A parent or legal guardian may not abrogate consent given by the minor on the minor's own behalf.

~~[(d)]~~ (e) If a minor consents to receive mental health treatment or counseling services pursuant to this section, the minor shall not be liable for payment.

(e) (f) The minor's parent or legal guardian ~~is~~ shall not be liable for payment for mental health treatment or counseling services provided pursuant to this section unless the parent or guardian participates in the mental health treatment or counseling services, and then only for services rendered with the participation of the parent or guardian.

(g) Pursuant to this section, upon notification from the mental health professional that minor-initiated mental health treatment or counseling services should not be disclosed, a covered entity shall not disclose to the minor's parent or legal guardian who is a policyholder or other covered person, any billing information, including payments made by the covered entity for minor-initiated mental health treatment or counseling services.

~~[(f) As used in]~~ (h) For the purposes of this section:

"Covered entity" has the same meaning as in title 45 Code of Federal Regulations section 160.103.

"Licensed mental health professional" means [any of the following:] a person who provides counseling as part of the following professions:

- (1) A ~~person~~ licensed ~~as a~~ mental health counselor licensed pursuant to chapter 453D;
- (2) A ~~person~~ licensed ~~as a~~ marriage and family therapist licensed pursuant to chapter 451J;
- (3) A licensed clinical social worker licensed pursuant to chapter 467E;
- (4) A ~~person~~ licensed ~~as a~~ psychologist licensed pursuant to chapter 465;
- (5) A physician licensed pursuant to chapter 453, who is board certified, or board eligible, [licensed psychiatrist;] in psychiatry; or
- (6) An advanced practice registered nurse licensed pursuant to chapter 457 who holds an accredited national certification in an advanced practice registered nurse psychiatric specialization.

“Mental health professional” means a person who is working under the supervision of a licensed mental health professional and:

- (1) Is enrolled in an accredited training program; or
- (2) Has completed all licensing requirements except the hours of supervised post-degree experience or examination required for state licensure as a licensed mental health counselor pursuant to chapter 453D; licensed marriage and family therapist pursuant to chapter 451J; licensed clinical social worker pursuant to chapter 467E; licensed psychologist pursuant to chapter 465; or advanced practice registered nurse licensed pursuant to chapter 457.

“Mental health treatment or counseling services” means the provision of outpatient mental health treatment or counseling by a licensed mental health professional[-] or mental health professional.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on January 30, 2021.

(Approved September 15, 2020.)

**ACT 38**

H.B. NO. 2097

A Bill for an Act Relating to Medical Cannabis.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that amendments to chapter 329D, Hawaii Revised Statutes, are warranted to clarify legislative intent, ensure smooth administration of the medical cannabis dispensary system law, allow for adequate patient access based on experiences in other states that have a reasonable medical cannabis program, and resolve other issues that have arisen under the existing law.

The purpose of this Act is to authorize:

- (1) The department of health to consider processes that may allow cannabis or manufactured cannabis products that fail testing to be remediated;
- (2) Licensed dispensaries to manufacture and distribute edible cannabis products under certain conditions; and
- (3) The department of health to allow licensed dispensaries to provide educational and scientific information and sponsor events related to medical cannabis.

SECTION 2. Section 329D-1, Hawaii Revised Statutes, is amended by amending the definition of “manufactured cannabis product” to read as follows:

““Manufactured cannabis product” means any capsule, lozenge, oil or oil extract, tincture, ointment or skin lotion, pill, transdermal patch, or pre-filled and sealed container used to aerosolize and deliver cannabis orally, such as an inhaler or nebulizer, that has been manufactured using cannabis, or any other products as specified by the department pursuant to section [~~329D-10(a)(10)~~]-329D-10(a)(11).”

SECTION 3. Section 329D-8, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:



“(a) The department shall establish and enforce standards for laboratory-based testing of cannabis and manufactured cannabis products for content, contamination, and consistency; provided that in establishing these standards, the department shall:

- (1) Review and take guidance from the testing programs and standards utilized in other jurisdictions;
- (2) Consider the impact of the standards on the retail cost of the product to the qualifying patient;
- (3) Review and take guidance from the testing programs and standards for pesticides under the regulations of the United States Environmental Protection Agency;
- (4) Consider processes that may allow cannabis or manufactured cannabis products that fail testing standards to be remediated;
- [~~(4)~~] (5) For the testing for microbiological impurities, consider the benefits of organically grown cannabis that features the use of bacteria in lieu of pesticides; and
- [~~(5)~~] (6) Include permission for qualifying patients and primary caregivers to obtain testing services directly from certified laboratories on the island where the qualifying patient and primary caregiver reside.”

SECTION 4. Section 329D-10, Hawaii Revised Statutes, is amended to read as follows:

“**§329D-10 Types of manufactured cannabis products.** (a) The types of medical cannabis products that may be manufactured and distributed pursuant to this chapter shall be limited to:

- (1) Capsules;
- (2) Lozenges;
- (3) Pills;
- (4) Oils and oil extracts;
- (5) Tinctures;
- (6) Ointments and skin lotions;
- (7) Transdermal patches;
- (8) Pre-filled and sealed containers used to aerosolize and deliver cannabis orally, such as with an inhaler or nebulizer; provided that containers need not be manufactured by the licensed dispensary but shall be filled with cannabis, cannabis oils, or cannabis extracts manufactured by the licensed dispensary; shall not contain nicotine, tobacco-related products, or any other non-cannabis derived products; and shall be designed to be used with devices used to provide safe pulmonary administration of manufactured cannabis products;
- (9) Devices that provide safe pulmonary administration; provided that:
  - (A) The heating element of the device, if any, is made of inert materials such as glass, ceramic, or stainless steel, and not of plastic or rubber;
  - (B) The device is distributed solely for use with single-use, pre-filled, tamper-resistant, sealed containers that do not contain nicotine or other tobacco products;
  - (C) The device is used to aerosolize and deliver cannabis by inhalation, such as an inhaler, medical-grade nebulizer, or other similar medical grade volatilization device;
  - (D) There is a temperature control on the device that is regulated to prevent the combustion of cannabis oil; and

(E) The device need not be manufactured by the licensed dispensary; ~~and~~

(10) Other products, including edible cannabis products, as specified by the department; and

~~(10)~~ (11) Other products as specified by the department.

(b) As used in this section, “lozenge” means a small tablet manufactured in a manner to allow for the dissolving of its medicinal or therapeutic component slowly in the mouth.

(c) As used in this section, “edible cannabis products” means manufactured cannabis products intended for gastrointestinal administration of any cannabinoid extracted from the cannabis plant and regulated as manufactured cannabis products and not as a “drug” or “food” as defined and regulated in chapter 328, or as “bottled water” as defined and regulated in chapter 328D.

(d) Any medical cannabis product manufactured pursuant to this chapter shall be regulated and approved by the department and meet all requirements of rules adopted pursuant to this chapter; provided that the department shall establish requirements for child-resistant packaging and accurate and proper labeling.”

SECTION 5. Section 329D-11, Hawaii Revised Statutes, is amended to read as follows:

**“§329D-11 Advertising and packaging.** (a) The department shall establish standards regarding the advertising and packaging of cannabis and manufactured cannabis products; provided that the standards, at a minimum, shall require the use of packaging that:

- (1) Is child-resistant and opaque so that the product cannot be seen from outside the packaging;
- (2) Uses only black lettering on a white background with no pictures or graphics;
- (3) Is clearly labeled with the phrase “For medical use only”;
- (4) Is clearly labeled with the phrase “Not for resale or transfer to another person”;
- (5) Includes instructions for use and “use by date”;
- (6) Contains information about the contents and potency of the product;
- (7) Includes the name of the production center where cannabis in the product was produced, including the batch number and date of packaging;
- (8) Includes a barcode generated by tracking software; and
- (9) In the case of a manufactured cannabis product, includes a:
  - (A) Listing of the equivalent physical weight of the cannabis used to manufacture the amount of the product that is within the packaging, pursuant to section 329D-9(c);
  - (B) Clearly labeled warning stating that the product:
    - (i) Is a medication that contains cannabis, and is not a food; and
    - (ii) Should be kept away from children; and
  - (C) Date of manufacture.

(b) Any capsule, lozenge, or pill containing cannabis or its principal psychoactive constituent tetrahydrocannabinol shall be packaged so that one dose, serving, or single wrapped item contains no more than ten milligrams of tetrahydrocannabinol; provided that no manufactured cannabis product that is sold in a pack of multiple doses, servings, or single wrapped items, nor any con-



tainers of oils, shall contain more than a total of one thousand milligrams of tetrahydrocannabinol per pack or container; provided further that no dispensary shall exceed the dispensing limits imposed by section 329D-7.

(c) All manufactured cannabis products shall be individually wrapped at the original point of manufacture.

(d) The department shall be authorized to allow dispensaries to provide, disseminate, and publish educational and scientific materials relating to medical cannabis and its approved products and sponsor events about medical cannabis.

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect on January 1, 2021.

(Approved September 15, 2020.)

## ACT 39

H.B. NO. 2125

A Bill for an Act Relating to the State Ethics Code.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 84-17, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

“(a) For the purposes of this section, ~~the terms:~~

~~“Disclosure] “disclosure period” refers to the period from January 1 of the preceding calendar year to the time of the filing of the employee’s or legislator’s disclosure of financial interests.~~

~~[“Substantially the same” refers to no more than ten amendments or changes to the information reported for the preceding disclosure period.]”~~

2. By amending subsection (f) to read:

“(f) Candidates for state elective offices, including candidates for election to the constitutional convention, shall only be required to disclose their own financial interests. The disclosures of financial interests of all other persons designated in subsection (c) shall state, in addition to the financial interests of the person disclosing, the financial interests of the person’s spouse and dependent children. All disclosures shall include:

(1) The source and amount of all income of \$1,000 or more received, for services rendered, by the person in the person’s own name or by any other person for the person’s use or benefit during the preceding calendar year and the nature of the services rendered; provided that required disclosure under this paragraph for the income source of the spouse or dependent child of a person subject to subsection (d) shall be limited to the name of the business or other qualifying source of income, and need not include the income source’s address; provided further that other information that may be privileged by law or individual items of compensation that constitute a portion of the gross income of the business or profession from which the person derives income need not be disclosed;

(2) The amount and identity of every ownership or beneficial interest held during the disclosure period in any business having a value of \$5,000 or more or equal to ten per cent of the ownership of the

- business and, if the interest was transferred during the disclosure period, the date of the transfer; provided that an interest in the form of an account in a federal or state regulated financial institution, an interest in the form of a policy in a mutual insurance company, or individual items in a mutual fund or a blind trust, if the mutual fund or blind trust has been disclosed pursuant to this paragraph, need not be disclosed;
- (3) Every officership, directorship, trusteeship, or other fiduciary relationship held in a business during the disclosure period, the term of office and the annual compensation;
  - (4) The name of each creditor to whom the value of \$3,000 or more was owed during the disclosure period and the original amount and amount outstanding; provided that debts arising out of retail installment transactions for the purchase of consumer goods need not be disclosed;
  - (5) The street address and, if available, the tax map key number, and the value of any real property in which the person holds an interest whose value is \$10,000 or more, and, if the interest was transferred or obtained during the disclosure period, a statement of the amount and nature of the consideration received or paid in exchange for such interest, and the name of the person furnishing or receiving the consideration; provided that disclosure shall not be required of the street address and tax map key number of the person's residence;
  - (6) The names of clients ~~personally~~ assisted or represented before state agencies, except in ministerial matters, for a fee or compensation during the disclosure period and the names of the state agencies involved; and
  - (7) The amount and identity of every creditor interest in an insolvent business held during the disclosure period having a value of \$5,000 or more."

3. By amending subsection (h) to read:

~~"(h) The state ethics commission shall provide a long form of disclosure on all even-numbered years and a short form of disclosure for subsequent annual filings on all odd-numbered years in those instances where the financial interests of the person disclosing are substantially the same as those reported for the preceding disclosure period.]"~~ method for filing financial disclosure statements. The commission may require that financial disclosure statements be filed electronically."

SECTION 2. Section 353L-1, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

~~"(d) The members of the commission shall receive reimbursement for expenses, including travel expenses, that are necessary for the performance of their duties. [No member of the commission shall be made subject to the financial disclosure requirements of sections 84-13 and 84-17 solely because of that member's participation as a member of the commission.]"~~ The terms of the commissioners shall be as provided in section 26-34."

SECTION 3. The state ethics commission, in its discretion, may make any changes that it deems necessary to its internal procedures or forms to aid in the implementation of this Act.

SECTION 4. The reporting obligation of current members of the Hawaii correctional system oversight commission shall begin on the effective date of this Act and the initial disclosure shall follow the statutory disclosure period

from January 1 of the preceding calendar year to the time of the filing of the member's disclosure of financial interests. The initial filing shall occur within thirty days as if the member were newly appointed.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 40

H.B. NO. 2148

A Bill for an Act Relating to Family Leave.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that approximately sixty-one thousand children under age eighteen live in homes where householders are grandparents or other relatives. Approximately forty-seven thousand of these children live with grandparents, according to a May 2017 fact sheet by Grandfamilies.org. The legislature also finds that there is a growing number of grandparents raising grandchildren and who are primary caretakers of their grandchildren. While Hawaii's family leave law allows employees to take family leave upon the birth of an employee's child, an employee's adoption of a child, or to care for an employee's child, spouse or reciprocal beneficiary, or a parent with a serious condition, family leave does not extend to care for employees' grandchildren.

The purpose of this Act is to:

- (1) Extend family leave in the State to include care for employees' grandchildren; and
- (2) Provide a definition of "sibling" for purposes of the family leave law.

SECTION 2. Section 398-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read:

"Sibling" means an individual who is a biological, adopted, or foster brother or sister; or a stepbrother or stepsister of an employee."

SECTION 3. Section 398-3, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) An employee shall be entitled to a total of four weeks of family leave during any calendar year:

- (1) Upon the birth of a child of the employee or the adoption of a child; or
- (2) To care for the employee's child, spouse, reciprocal beneficiary, sibling, grandchild, or parent with a serious health condition."

SECTION 4. Section 398-6, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) When leave is to care for a child, spouse, reciprocal beneficiary, sibling, grandchild, or parent who has a serious health condition, certification shall be issued by the health care provider of the individual requiring care. Certification shall be considered sufficient if it provides information as required by the director."

SECTION 5. New statutory material is underscored.

SECTION 6. This Act shall take effect on July 1, 2020.

(Approved September 15, 2020.)

A Bill for an Act Relating to Towing.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that predatory towing is a combination of generally unethical practices used by some towing companies to maximize their income. These practices include using spotters to get cars towed almost as soon as they are parked; charging excessive fees for towing or storage; or making private side deals with owners of stores or parking lots to maximize towing income. The legislature further finds that any of these practices can result in unfair and excessive charges for the vehicle owner.

The purpose of this Act is to protect consumers from predatory towing practices by:

- (1) Clarifying the fees tow companies may charge;
- (2) Clarifying the duties of a tow company when a vehicle owner arrives on the scene while the vehicle is in the process of being hooked up;
- (3) Requiring tow and storage companies to accept credit cards and debit cards;
- (4) Subjecting any violation of the towing statute to the penalties and remedies under the State's unfair or deceptive acts or practices law and consumer protection law; and
- (5) Adding definitions for clarity.

SECTION 2. Section 290-11, Hawaii Revised Statutes, is amended to read as follows:

**“§290-11 Vehicles left unattended on private and public property; sale or disposition of abandoned vehicles.** (a) Notwithstanding any other provision of this chapter, any vehicle left unattended on private or public property without authorization of the owner or occupant of the property, may be towed away at the expense of the vehicle owner [~~of the vehicle~~], by order of the owner, occupant, or person in charge of the property; provided that there is posted a notice prohibiting vehicles to park on the property without authorization. The notice shall clearly state, in not less than two-inch high, light reflective letters on a contrasting background, that the vehicle parked without authorization will be towed and held at the expense of the vehicle owner, as well as the name, address, and a telephone number of the facility where the vehicle will be towed and held. The notice shall be of such size and be placed in a location that is clearly visible to the driver of a vehicle approaching any individual marked or unmarked parking space; provided that where an entire parking lot consists of restricted parking spaces, placement of the notice at each entrance of the parking lot shall suffice.

(b) Towing companies engaged by the owner, occupant, or person in charge of the property shall:

- (1) Charge not more than \$65 for a tow, or \$75 for a tow using a dolly, plus a mileage charge of \$7.50 per mile towed and \$25 per day or fraction thereof for storage for the first seven days and \$20 per day thereafter. In the case of a difficult hookup, a towing surcharge of \$30 shall apply. When the tow occurs between the hours of six o'clock p.m. and six o'clock a.m., from Monday through Thursday and from six o'clock p.m. Friday to six o'clock a.m. Monday, the towing company shall be entitled to an overtime charge of \$15. [~~If the vehicle is in the process of being hooked up or is hooked up to the tow truck and the owner appears on the scene, the towing~~

~~company shall unhook the vehicle and shall not charge any fee to the owner of the vehicle. In the case of a difficult hookup, meaning an above or below ground hookup in a multilevel facility, a towing surcharge of \$30 shall be applicable;] The charges listed in this paragraph shall be the only charges tow companies are authorized to charge vehicle owners. For purposes of this paragraph, "difficult hookup" shall mean an above or below ground hookup in a multilevel facility;~~

- (2) If the vehicle is in the process of being hooked up, meaning up to the point when the tow truck is driving away, and the vehicle owner appears on the scene, the tow company shall release the vehicle to the vehicle owner at a location that ensures the safety of all persons and property involved, regardless of whether the release occurs on the scene or if the vehicle must be removed from the scene to be safely released; provided that no fee will be charged to the vehicle owner under this paragraph;
- [(2)] (3) Determine the name of the legal owner and the last registered owner of the vehicle from the department of transportation and the county department of finance. The legal owner and the last registered owner shall be notified in writing at the address on record with the department of transportation or with the county department of finance by registered or certified mail of the location of the vehicle, together with a description of the vehicle, within a reasonable period not to exceed fifteen days following the tow. The notice shall state:
- (A) The maximum towing charges and fees allowed by law;
  - (B) The telephone number of the consumer information service of the department of commerce and consumer affairs; and
  - (C) That if the vehicle is not recovered within thirty days after the mailing of the notice, the vehicle shall be deemed abandoned and will be sold or disposed of as junk.

~~Where the [owners] legal owner and the last registered owner have not been [so] notified[, then the owner] pursuant to this paragraph, the vehicle may [recover the owner's car] be recovered by the vehicle owner from the towing company without paying tow or storage fees[; provided that the]. The notice need not be sent to a legal owner or last registered owner or any person with an unrecorded interest in the vehicle whose name or address cannot be determined. Absent evidence to the contrary, a notice shall be deemed received by the legal owner or last registered owner five days after the mailing[. A person, including but not limited to the owner's or driver's insurer, who has been charged in excess of the charges permitted under this section may sue for damages sustained and, if the judgment is for the plaintiff, the court shall award the plaintiff a sum not to exceed the amount of the damages and reasonable attorney's fees together with the cost of suit];~~

- [(3)] (4) Provide, when a vehicle is recovered by the vehicle owner [~~before written notice is sent by registered or certified mail,~~] the vehicle owner with a receipt stating:
- (A) The maximum towing charges and fees allowed by law; and
  - (B) The telephone number of the consumer information service of the department of commerce and consumer affairs; and

(4) (5) Accommodate payment by the vehicle owner for charges under paragraph (1) by cash ~~[and by either]~~, credit card ~~[or automated teller machine located on the premises.]~~, or debit card.

(c) When a vehicle is not recovered within thirty days after the mailing of the notice, it shall be deemed abandoned and the owner of the towing company, or the owner of the towing company's authorized representative, after one public advertisement in a newspaper of general circulation in the State, may negotiate a sale of the vehicle or dispose of it as junk.

(d) The authorized seller of the vehicle shall be entitled to the proceeds of the sale to the extent that compensation is due the authorized seller for services rendered in respect to the vehicle, including reasonable and customary charges for towing, handling, storage, and the cost of the notices and advertising required by this part. Any remaining balance shall be forwarded to the legal owner or last registered owner of the vehicle if the legal owner or last registered owner can be found. If the legal owner or last registered owner cannot be found at the address on record at the department of transportation or the county department of finance, the balance shall be deposited with the ~~[director of finance of the State]~~ State's unclaimed property program administered by the department of budget and finance and shall be paid out to the legal owner or last registered owner of the vehicle if a proper claim is filed therefor within one year from the execution of the sales agreement. If no claim is made within the year allowed, the money shall become a state realization.

(e) The transfer of title and interest by sale under this part is a transfer by operation of law~~;~~ provided that if the certificate of ownership or registration is unavailable, a bill of sale executed by an authorized seller is satisfactory evidence authorizing the transfer of the title or interest.], pursuant to the requirements under section 286-52(f).

(f) Notwithstanding any law or ordinance to the contrary, including subsection ~~[(g)]~~ (h) and section 46-20.5, any towing company engaged in towing in a county with a population greater than five hundred thousand shall offer towing services to consumers twenty-four hours per day every day of the week~~;~~ which. The towing services shall include the release of vehicles kept in storage to [a registered owner, legal owner,] an insurer, vehicle owner or a designated representative.

(g) Any person who violates any provision of this section shall be deemed to have:

- (1) Engaged in an unfair or deceptive act or practice in the conduct of any trade or commerce within the meaning of section 480-2 and subject to penalties and remedies under chapter 480; and
- (2) Furnished services without a license within the meaning of section 487-13 and subject to penalties and remedies under chapter 487.

~~[(g)]~~ (h) This section shall not apply to a county that has adopted ordinances regulating towing operations.

(i) As used in this section:

"Hooked up" means completely and securely attached and fastened to the tow truck by means of clamps, couplings, straps, tow bars, and other mechanical devices that are specifically designed to prevent the vehicle from dropping off or detaching from the tow truck in any way or otherwise shifting in any manner.

"Scene" means the location of the vehicle while it is in the process of being hooked up, or the location where it was hooked up, and anywhere within a fifty foot radius of that location.

"Vehicle owner" means any person, other than the towing company, who has possession of or any other interest in the vehicle, including but not limited to the legal or last registered owner of the vehicle, the insurance company insuring



the vehicle, the person renting the vehicle pursuant to chapter 437D or any other law authorizing a person to operate the vehicle, or any person in possession of the key or remote keyless ignition system device to the vehicle.

“Vehicle parked without authorization” means any vehicle left unattended on private or public property that is not parked in compliance with the notice required by subsection (a). “Vehicle parked without authorization” shall not include:

- (1) A vehicle otherwise parked in compliance with the notice required by subsection (a) where the vehicle owner has prepaid for parking and placed a payment receipt, placard, or permit anywhere on or in the vehicle and the payment receipt, placard, or permit is visible from outside the vehicle; or
- (2) A vehicle otherwise parked in compliance with the notice required by subsection (a) where the vehicle owner has received authorization from an owner, occupant, or person in charge of the property and placed the placard, permit, or written authorization, if any, anywhere on or in the vehicle and the placard, permit, or written authorization is visible from the outside of the vehicle.”

SECTION 3. Section 291C-165.5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The towing company shall determine the name of the lien holder and the last registered owner of the vehicle from the department of transportation or the county department of finance. The lien holder and the registered owner shall be notified by the towing company in writing at the address on record with the department of transportation or with the county department of finance by registered or certified mail of the location of the vehicle, together with a description of the vehicle, within a reasonable period not to exceed twenty days following the tow. The notice shall state:

- (1) The maximum towing charges and fees allowed by law;
- (2) The telephone number of the county finance department that arranged for or authorized the tow; and
- (3) That if the vehicle is not recovered within thirty days after the mailing of the notice, the vehicle shall be deemed abandoned and will be sold or disposed of as junk.

Any towing company engaged in towing pursuant to this section shall comply with the requirements of section 291C-135. When the vehicle is recovered after the tow by the last registered owner or lien holder, the party recovering the vehicle shall pay the tow and storage charges which shall not exceed the charges as provided by section 290-11(b) or the rates agreed upon with the respective counties, whichever is lower, except that tow operators may charge additional reasonable amounts for excavating vehicles from off-road locations; provided that if the notice required by this section was not sent within twenty days after the tow, neither the last registered owner nor the lien holder shall be required to pay the tow and storage charges. No notice shall be sent to a legal or last registered owner or any person with any unrecorded interest in the vehicle whose name or address cannot be determined. ~~[A person, including but not limited to the owner’s or driver’s insurer, who has been charged in excess of the charges permitted under this section may sue for damages sustained, and, if the judgment is for the plaintiff, the court shall award the plaintiff a sum not to exceed the amount of these damages and reasonable attorney’s fees together with the cost of the suit.]~~ Any person who violates any provision of this section shall be deemed to have:

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- (1) Engaged in an unfair or deceptive act or practice in the conduct of any trade or commerce within the meaning of section 480-2 and subject to the penalties and remedies of chapter 480; and
- (2) Furnished services without a license within the meaning of section 487-13 and subject to penalties and remedies under chapter 487.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on October 1, 2020.

(Approved September 15, 2020.)

### Note

1. Prior to amendment “,” appeared here.

## ACT 42

H.B. NO. 2183

A Bill for an Act Relating to the Housing Loan and Mortgage Program.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that the affordable housing crisis continues to be one of the State’s most significant and challenging social problems and is a critical issue for many Hawaii residents. As the cost of housing increases, the State must continue to assist residents in obtaining affordable rental housing.

The purpose of this Act is to provide that assistance by increasing the Hula Mae multifamily revenue bond authorization.

SECTION 2. Act 291, Session Laws of Hawaii 1980, as amended by Act 304, Session Laws of Hawaii 1996, as amended by Act 185, Session Laws of Hawaii 2004, as amended by Acts 231 and 249, Session Laws of Hawaii 2007, as amended by Act 121, Session Laws of Hawaii 2008, as amended by Act 138, Session Laws of Hawaii 2012, as amended by Act 162, Session Laws of Hawaii 2014, as amended by Act 175, Session Laws of Hawaii 2017, is amended by amending section 11 to read as follows:

“SECTION 11. **Issuance of revenue bond; amount authorized.** Revenue bonds may be issued by the Hawaii housing finance and development corporation pursuant to part III[;] of chapter 39 and subpart A of part III of chapter 201H, Hawaii Revised Statutes, in an aggregate principal amount not to exceed [~~\$1,500,000,000~~] \$3,000,000,000 at [~~such~~] the times and in [~~such~~] the amounts as the Hawaii housing finance and development corporation deems advisable for the purpose of undertaking and maintaining any of the housing loan programs under subpart A of part III of chapter 201H, Hawaii Revised Statutes, relating to the funding or purchasing of eligible project loans.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved September 15, 2020.)



## ACT 43

H.B. NO. 2340

A Bill for an Act Relating to Dead Bodies.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The purpose of this Act is to clarify prohibited actions related to anatomical gifts and disposition of bodies.

SECTION 2. Section 327-11, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) An anatomical gift of a body or body part may be made to the following persons:

- (1) A named hospital, accredited medical school, dental school, college, university, or ~~[organ]~~ procurement organization~~[-or other appropriate person]~~ for research or education;
- (2) A named individual designated by the person making the anatomical gift if the individual is the recipient of the body part; or, if the body part for any reason cannot be transplanted into the individual, the body part shall pass in accordance with subsection (f) in the absence of an express, contrary indication by the person making the anatomical gift; or
- (3) A named eye bank or tissue bank.”

SECTION 3. Section 327-36, Hawaii Revised Statutes, is amended to read as follows:

“~~§327-36 Final disposition of [bodies retained for medical education and research purposes.] anatomical gifts.~~ A ~~[university, hospital, or institution] person or procurement organization~~ that holds a dead human body as a result of an anatomical gift shall, when the body is deemed of no further value for ~~[medical purposes of transplantation, therapy, research, or education [and research purposes],~~ be responsible for the final disposition of that dead human body and all of its parts, except those parts used for transplantation. ~~The person or procurement organization shall~~ dispose of the remains by cremation, except as otherwise provided in section 327-14~~[-.]~~ or as directed in a document of gift, subject to any required disposition permits.”

SECTION 4. Section 711-1108, Hawaii Revised Statutes, is amended to read as follows:

“~~§711-1108 Abuse of a corpse.~~ (1) A person commits the offense of abuse of a corpse if, except as authorized by law, the person ~~[treats]:~~

- (a) ~~Treats~~ a human corpse in a way that the person knows would outrage ordinary family sensibilities~~[-];~~ or
- (b) ~~Accepts the donation of a dead human body or any of its parts.~~
- (2) ~~An entity to whom body parts are entrusted commits the offense of abuse of a corpse if, except as authorized by law, the entity to whom body parts are entrusted disposes of a dead human body without a disposition permit. Disposal of a dead human body includes removal of body parts or organs; provided that it shall not be an offense for a procurement organization to remove body parts or organs for transplantation or therapy prior to obtaining a disposition permit.~~

~~[(2)]~~ (3) The preparation of a corpse for burial or cremation in a manner consistent with traditional Hawaiian cultural customs and practices shall not be a violation of this section.

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~~[(3)]~~ (4) The burial or cremation of a corpse prepared consistent with traditional Hawaiian cultural customs and practices shall not be a violation of this section.

~~[(4)]~~ (5) Abuse of a corpse is a misdemeanor.

(6) For the purposes of this section, “procurement organization” has the same meaning as defined in section 327-2.”

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect on January 1, 2021.

(Approved September 15, 2020.)

## ACT 44

H.B. NO. 2350

A Bill for an Act Relating to the Department of Labor and Industrial Relations.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 371-9, Hawaii Revised Statutes, is amended to read as follows:

“**§371-9 Penalties.** (a) Any employer, employee, or other person who wilfully violates any lawful rule of the department for which no penalty is otherwise provided shall be fined ~~[not]~~ no more than ~~[\$250,]~~ \$500, or imprisoned ~~[not]~~ no more than six months, or both, for each ~~[such]~~ offense.

(b) Any person who, after twenty-one days written notice and the opportunity to be heard by the director, is found to have violated any lawful rule of the department for which no penalty is otherwise provided, shall be fined ~~[not]~~ no more than ~~[\$250]~~ \$500 for each offense.”

SECTION 2. Section 378-29.3, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

“(a) Civil. Any employer found in violation of this part shall be subject to a fine of ~~[not]~~ no less than ~~[\$100]~~ \$250 nor more than ~~[\$1,000]~~ \$2,500 to be collected by the director and ~~[such]~~ the fine shall not be suspended. Each violation shall constitute a separate offense. Amounts so collected by the director shall be paid into the general fund.

(b) Criminal. Whoever intentionally resists, prevents, impedes, or interferes with the department or any of its agents or representatives in the performance of duties pursuant to this part, or who in any manner intentionally violates ~~[the law,]~~ any provision of this chapter, or rule adopted thereunder, shall be fined ~~[not]~~ no more than ~~[\$1,000,]~~ \$2,500, or imprisoned ~~[not]~~ no more than one year, or both.”

SECTION 3. Section 378-65, Hawaii Revised Statutes, is amended to read as follows:

“**§378-65 Penalties for violations.** (a) A person or public employer who violates this part shall be fined ~~[not]~~ no less than ~~[\$500]~~ \$750 nor more than ~~[\$5,000]~~ \$7,500 for each violation.

(b) A civil fine ~~[which]~~ that is ordered pursuant to this part shall be deposited with the director of finance to the credit of the general fund of the State.”

SECTION 4. Section 383-73, Hawaii Revised Statutes, is amended to read as follows:

**“§383-73 Penalty for delinquency; remission.** (a) A penalty of ten per cent or ~~[\$10,]~~ \$100, whichever is greater, shall be added to the amount of all delinquent contributions, as hereafter defined, and any delinquent contribution and penalty remaining unpaid fifteen days after the date of delinquency shall bear interest from the date of delinquency at the rate of two-thirds of one per cent for each month or fraction of a month until paid. Any penalty and interest ~~[above referred to]~~ assessed pursuant to this section shall be added to the contribution and shall be collected as ~~[though the same were]~~ a part of the contribution. For the purposes of this section, a contribution shall be deemed delinquent:

- (1) Upon a nonpayment thereof on the date prescribed for its payment, but only in case of failure to pay a contribution shown due by a return, or in case of failure to file a return, or in case of failure to pay a contribution because of a false or fraudulent return; and
- (2) Upon nonpayment thereof within the time provided by ~~[paragraph]~~ subsection (c) of section 383-70, in any other case.

(b) ~~Except in cases of fraud or wilful violation of this chapter, or wilful refusal to make a return [(but inclusion in a return of a claim of nonliability for contributions shall not be deemed a refusal to make a return)], the director [of labor and industrial relations] may, in a case of excusable failure to file a return, or pay a contribution within the time required by this chapter, or in a case of uncollectibility of the whole amount due, remit any amount of penalties or interest added to any delinquent contribution[. In all such cases there shall be placed on file in the director's office a statement showing the name of the person receiving such remission, the principal amount of the contribution, and the period involved.]; provided that a claim of nonliability shall not be deemed as a refusal to make a return.~~

(c) The department shall keep a record of any remittance approved by the director.

(d) Whenever an employer makes a partial payment of a sum owed for delinquent contributions, penalties, and interest, the amount received by the director shall first be credited to interest, then to penalties, and then to principal.”

SECTION 5. Section 385-11, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Whoever makes a false statement or representation knowing it to be false or who knowingly fails to disclose a material fact to obtain or increase any benefit or other payment under this chapter shall be fined ~~[not] no~~ less than ~~[\$20]~~ \$175 nor more than ~~[\$200,]~~ \$1,750, or imprisoned ~~[not] no~~ more than ~~[thirty days,]~~ one year, or both.”

SECTION 6. Section 386-27, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Any health care provider who fails to comply with subsections (a) and (b) may be subject to such sanctions deemed just and proper by the director which may include:

- (1) Disallowance of fees for services rendered to an injured employee;
- (2) Forfeiture of payments for services rendered to an injured employee under this chapter;
- (3) Fines of ~~[not] no~~ more than ~~[\$1,000]~~ \$2,500 for each violation;
- (4) Suspension as a qualified provider; and
- (5) Disqualification as a provider of services under this chapter.”

SECTION 7. Section 386-94, Hawaii Revised Statutes, is amended to read as follows:

**“§386-94 Attorneys, physicians, other health care providers, and other fees.** Claims for services shall not be valid unless approved by the director or, if an appeal is had, by the ~~[appellate]~~ appeals board or court deciding the appeal. Any claim so approved shall be a lien upon the compensation in the manner and to the extent fixed by the director, the ~~[appellate]~~ appeals board, or the court.

In approving fee requests, the director, appeals board, or court may consider factors such as the attorney’s skill and experience in state workers’ compensation matters, the amount of time and effort required by the complexity of the case, the novelty and difficulty of issues involved, the amount of fees awarded in similar cases, benefits obtained for the claimant, and the hourly rate customarily awarded attorneys possessing similar skills and experience. In all cases, reasonable attorney’s fees shall be awarded.

Any person who receives any fee, other consideration, or gratuity on account of services so rendered, without approval, in conformity with the preceding paragraph, shall be fined by the director ~~[not]~~ no more than ~~[\$10,000-]~~ \$25,000.”

SECTION 8. Section 386-97.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Any person who, after twenty-one days written notice and the opportunity to be heard by the director, is found to have violated any provision of this chapter or rule adopted thereunder for which no penalty is otherwise provided, shall be fined ~~[not]~~ no more than ~~[\$250]~~ \$500 for each offense.”

SECTION 9. Section 386-98, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) In lieu of the criminal penalties set forth in subsection (d), any person who violates subsections (a) and (b) may be subject to the administrative penalties of restitution of benefits or payments fraudulently received under this chapter, whether received from an employer, insurer, or the special compensation fund, to be made to the source from which the compensation was received, and one or more of the following:

- (1) A fine of ~~[not]~~ no more than ~~[\$10,000]~~ \$20,000 for each violation;
- (2) Suspension or termination of benefits in whole or in part;
- (3) Suspension or disqualification from providing medical care or services, vocational rehabilitation services, and all other services rendered for payment under this chapter;
- (4) Suspension or termination of payments for medical, vocational rehabilitation and all other services rendered under this chapter;
- (5) Recoupment by the insurer of all payments made for medical care, medical services, vocational rehabilitation services, and all other services rendered for payment under this chapter; and
- (6) Reimbursement of attorney’s fees and costs of the party or parties defrauded.”

SECTION 10. Section 387-7, Hawaii Revised Statutes, is amended to read as follows:

**“§387-7 Wilful violations; penalty.** Any employer who wilfully hinders or delays the director ~~[of labor and industrial relations]~~ or the director’s authorized representative in the performance of the director’s duties in the enforcement of this chapter; or who wilfully refuses to admit the director or the director’s authorized representative to any place of employment; or who fails

to keep or who falsifies any record required under section 387-6 or who refuses to make [such] the records accessible or to give information required for the proper enforcement of this chapter, upon demand, to the director or the director's authorized representative shall be fined [not] no more than [~~\$500~~] \$10,000, or imprisoned [not] no more than ninety days, or both."

SECTION 11. Section 387-12, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Criminal.

- (1) Any person divulging information in violation of section 387-8;
- (2) Any employer who wilfully violates this chapter or of any rule, regulation, or order issued under the authority of this chapter;
- (3) Any employer or the employer's agent or any officer or agent of a corporation who discharges or in any other manner discriminates against any employee because the employee has made a complaint to the employee's employer, to the director, or to any other person that the employee has not been paid wages in accordance with this chapter, or has instituted or caused to be instituted any proceeding under or related to this chapter, or has testified or is about to testify in any such proceedings; or
- (4) Any employer or the employer's agent or any officer or agent of a corporation who pays or agrees to pay any employee compensation less than that which the employee is entitled to under this chapter,

shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of [not] no less than [~~\$50~~] \$500 nor more than [~~\$500~~] \$5,000, or by imprisonment for a period not to exceed one year, or by both [such] fine and imprisonment."

SECTION 12. Section 388-52, Hawaii Revised Statutes, is amended to read as follows:

"~~[[§388-52]]~~ **Penalties.** Any employer found in violation of section 388-51 shall be subject to a fine of [not] no less than [~~\$100~~] \$250 nor more than [~~\$1,000~~] \$2,500 to be collected by the director and [such] the fine shall not be suspended. Each violation shall constitute a separate offense. Amounts so collected by the director shall be paid into the general fund."

SECTION 13. Section 392-68, Hawaii Revised Statutes, is amended to read as follows:

"~~[[§392-68]]~~ **Failure to pay assessments.** If an employer or insurer fails to pay the assessment required by section 392-67(a) or section 392-67(b) within thirty days after the end of the month or quarter for which payment was due, the director shall levy a penalty of at least [~~\$10~~] \$250 but no more than ten per cent of the assessment due against [such] the employer or insurer, unless the nonpayment is excused by the director after a showing by [such] the employer or insurer that the payment of the assessment could not be made on the date prescribed therefor owing to conditions over which the employer or insurer had no control and [such] the employer or insurer forthwith complies."

SECTION 14. Section 392-69, Hawaii Revised Statutes, is amended to read as follows:

"**§392-69 Request for wage and employment information.** An employer to whom the department has sent a request for wage and employment information for an employee claiming benefits against the trust fund for disability benefits, shall complete and file such information within seven days from date

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the request was sent. If an employer fails to file such information in seven days, the director shall levy a penalty of ~~[not more than \$10]~~ \$250 for each delinquent request, unless the failure to file such information is excused by the director after a showing by ~~[such]~~ the employer that such filing could not be made on the prescribed date therefor owing to conditions over which the employer had no control.”

SECTION 15. Section 392-92, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Any person who, after twenty-one days written notice and the opportunity to be heard by the director, is found to have violated any provision of this chapter or rule adopted thereunder for which no penalty is otherwise provided, shall be fined ~~[not]~~ no more than ~~[\$250]~~ \$500 for each offense.”

SECTION 16. Section 392-101, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§392-101]]~~ **Limitation of fees.** Any individual claiming benefits in any proceeding before the department or the referee may be represented by counsel or other duly authorized agent; but no such counsel or agent shall either charge or receive for such services more than an amount approved by the department or referee, and such amount shall in no case exceed ten per cent of the total amount of benefits received as a result of such proceeding. Any person who violates this section shall, for each such offense, be fined ~~[not]~~ no less than ~~[\$50]~~ \$325 nor more than ~~[\$500]~~ \$3,250, or imprisoned ~~[not]~~ no more than six months, or both.”

SECTION 17. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 18. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 19. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 45

H.B. NO. 2486

A Bill for an Act Relating to the Office of Planning.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that not only is climate change real, but it is the overriding challenge of the twenty-first century and one of the priority issues of the State. Climate change poses immediate and long-term threats to Hawaii’s economy, sustainability, security, and way of life.

The legislature recognized in Act 8, Special Session Laws of Hawaii 2005, that “many quality-of-life issues, including water quality, air quality, land use, energy, and ocean resources, are important to the people of Hawaii and should be the focus for planning Hawaii’s future” and created the Hawaii 2050 sustainability plan to “coordinate the actions needed to sustain a growing and vibrant economy, while maintaining a high quality of life for all residents and visitors.”



The legislature recognized in Act 181, Session Laws of Hawaii 2011, that “[t]he creation of the Hawaii 2050 sustainability plan comes as the State faces a growing number of pressing issues, including the steady deterioration of public infrastructure, the lack of affordable housing, a continued reliance on a service-based economy, the vulnerability of Hawaii in a volatile global energy market, possible interruptions in travel and to critical food supplies, threats to fragile island ecosystems, ever-increasing numbers of residents, and an increasing number of visitors over the long-term.” These issues all raise questions about the long-term limits of growth in the State and highlight the need to begin planning and coordinating state agencies to act to assure Hawaii’s sustainable future.

The legislature further finds that the recent novel coronavirus disease (COVID-19) pandemic and state of emergency has created unprecedented demands in Hawaii’s local communities. The immediate impacts of the pandemic resulted in a sharp drop in Hawaii’s employment and economic activity. Other sudden economic factors that were caused by reducing COVID-19 transmission throughout the State of Hawaii include: significant job loss, cost of living challenges, increased affordable housing demands, shocks to the supply chain, locally produced food insecurity, scarcity of locally produced goods, increased technological demand, strains on technological infrastructure, workforce constraints, and increased demands on healthcare and social services. These socioeconomic shocks and Hawaii’s economic stresses have inspired discussions for long-term and comprehensive planning for a sustainable and resilient economic recovery for the State of Hawaii.

The purpose of this Act is to:

- (1) Establish a statewide sustainability branch within the office of planning to ensure stronger, long-term planning, coordination, and implementation of Hawaii’s sustainability goals; and
- (2) Update and reaffirm the role of the office of planning to coordinate among state agencies regarding climate change adaptation and sustainability.

SECTION 2. Chapter 225M, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§225M- Statewide sustainability branch; established. The statewide sustainability branch is established within the office of planning. The state sustainability coordinator shall serve as the administrator of the branch. The branch shall have the following duties:

- (1) Develop, organize, and promote policies and programs that assist in the meeting of Hawaii’s numerous sustainability and climate policies and goals, and the priority guidelines and principles to promote sustainability set forth in section 226-108;
- (2) Identify, evaluate, and make recommendations regarding proposed legislation, regulatory changes, or policy modifications to the governor, the legislature, government agencies, private entities, and other bodies for the purpose of encouraging activities that best sustain, protect, and enhance the quality of the environment, economy, and community for the present and future benefit of the people of Hawaii; and
- (3) Develop and promote proposals that jointly and mutually enhance local economies, the environment, and community well-being for the present and future benefit of the people of Hawaii.”

SECTION 3. Section 225M-2, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The office of planning shall gather, analyze, and provide information to the governor to assist in the overall analysis and formulation of state policies and strategies to provide central direction and cohesion in the allocation of resources and effectuation of state activities and programs and effectively address current or emerging issues and opportunities. More specifically, the office shall engage in the following activities:

- (1) State comprehensive planning and program coordination. Formulating and articulating comprehensive statewide goals, objectives, policies, and priorities, and coordinating their implementation through the statewide planning system established in part II of chapter 226;
- (2) Strategic planning. Identifying and analyzing significant issues, problems, and opportunities confronting the State, and formulating strategies and alternative courses of action in response to identified problems and opportunities by:
  - (A) Providing in-depth policy research, analysis, and recommendations on existing or potential areas of critical state concern;
  - (B) Examining and evaluating the effectiveness of state programs in implementing state policies and priorities;
  - (C) Monitoring through surveys, environmental scanning, and other techniques—current social, economic, and physical conditions and trends; and
  - (D) Developing, in collaboration with affected public or private agencies and organizations, implementation plans and schedules and, where appropriate, assisting in the mobilization of resources to meet identified needs;
- (3) Planning coordination and cooperation. Facilitating coordinated and cooperative planning and policy development and implementation activities among state agencies and between the state, county, and federal governments, by:
  - (A) Reviewing, assessing, and coordinating, as necessary, major plans, programs, projects, and regulatory activities existing or proposed by state and county agencies;
  - (B) Formulating mechanisms to simplify, streamline, or coordinate interagency development and regulatory processes; and
  - (C) Recognizing the presence of federal defense and security forces and agencies in the State as important state concerns;
- (4) Statewide planning and geographic information system. Collecting, integrating, analyzing, maintaining, and disseminating various forms of data and information, including geospatial data and information, to further effective state planning, policy analysis and development, and delivery of government services by:
  - (A) Collecting, assembling, organizing, evaluating, and classifying existing geospatial and non-geospatial data and performing necessary basic research, conversions, and integration to provide a common database for governmental planning and geospatial analyses by state agencies;
  - (B) Planning, coordinating, and maintaining a comprehensive, shared statewide planning and geographic information system and associated geospatial database. The office shall be the lead agency responsible for coordinating the maintenance of the multi-agency, statewide planning and geographic information system and coordinating, collecting, integrating, and disseminating geospatial data sets that are used to support a variety



of state agency applications and other spatial data analyses to enhance decision-making. The office shall promote and encourage free and open data sharing among and between all government agencies. To ensure the maintenance of a comprehensive, accurate, up-to-date geospatial data resource that can be drawn upon for decision-making related to essential public policy issues such as land use planning, resource management, homeland security, and the overall health, safety, and well-being of Hawaii's citizens, and to avoid redundant data development efforts, state agencies shall provide to the shared system either their respective geospatial databases or, at a minimum, especially in cases of secure or confidential data sets that cannot be shared or must be restricted, metadata describing existing geospatial data. In cases where agencies provide restricted data, the office of planning shall ensure the security of that data; and

- (C) Maintaining a centralized depository of state and national planning references;
- (5) Land use planning. Developing and presenting the position of the State in all boundary change petitions and proceedings before the land use commission, assisting state agencies in the development and submittal of petitions for land use district boundary amendments, and conducting periodic reviews of the classification and districting of all lands in the State, as specified in chapter 205;
- (6) Coastal and ocean policy management~~[-]~~, and sea level rise adaptation coordination. Carrying out the lead agency responsibilities for the Hawaii coastal zone management program, as specified in chapter 205A. Also:
  - (A) Developing and maintaining an ocean and coastal resources information, planning, and management system;
  - (B) Further developing and coordinating implementation of the ocean resources management plan; and
  - (C) Formulating ocean policies with respect to the exclusive economic zone, coral reefs, and national marine sanctuaries;
- (7) Regional planning and studies. Conducting plans and studies to determine:
  - (A) The capability of various regions within the State to support projected increases in both resident populations and visitors;
  - (B) The potential physical, social, economic, and environmental impact on these regions resulting from increases in both resident populations and visitors;
  - (C) The maximum annual visitor carrying capacity for the State by region, county, and island; and
  - (D) The appropriate guidance and management of selected regions and areas of statewide critical concern.

The studies in subparagraphs (A) to (C) shall be conducted at appropriate intervals, but not less than once every five years;
- (8) Regional, national, and international planning. Participating in and ensuring that state plans, policies, and objectives are consistent, to the extent practicable, with regional, national, and international planning efforts;
- (9) Climate adaptation and sustainability planning~~[-]~~ and coordination. Conducting plans and studies and preparing reports as follows:

- (A) Develop, monitor, and evaluate strategic climate adaptation plans and actionable policy recommendations for the State and counties addressing expected statewide climate change impacts identified under ~~[Act 286, Session Laws of Hawaii 2012, through the year 2050;]~~ chapter 225P and sections 226-108 and 226-109; and
- (B) Provide planning and policy guidance and assistance to state and county agencies regarding climate change~~;~~ and sustainability; and
- ~~[(C) Publish its findings, recommendations, and progress reports on actions taken no later than December 31, 2017, and its annual report to the governor and the legislature thereafter; and]~~
- (10) Smart growth and transit-oriented development. Acting as the lead agency to coordinate and advance smart growth and transit-oriented development planning within the State as follows:
  - (A) Identify transit-oriented development opportunities shared between state and county agencies, including relevant initiatives such as the department of health’s healthy Hawaii initiative and the Hawaii clean energy initiative;
  - (B) Refine the definition of “transit-oriented development” in the context of Hawaii, while recognizing the potential for smart growth development patterns in all locations;
  - (C) Clarify state goals for transit-oriented development and smart growth that support the principles of the Hawaii State Planning Act by preserving non-urbanized land, improving worker access to jobs, and reducing fuel consumption;
  - (D) Target transit-oriented development areas for significant increase in affordable housing and rental units;
  - (E) Conduct outreach to state agencies to help educate state employees about the ways they can support and benefit from transit-oriented development and the State’s smart growth goals;
  - (F) Publicize coordinated state efforts that support smart growth, walkable neighborhoods, and transit-oriented development;
  - (G) Review state land use decision-making processes to identify ways to make transit-oriented development a higher priority and facilitate better and more proactive leadership in creating walkable communities and employment districts, even if transit will only be provided at a later date; and
  - (H) Approve all state agencies’ development plans for parcels along the rail transit corridor. For the purposes of this subparagraph, “development plans” means conceptual land use plans that identify the location and planned uses within a defined area.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.<sup>1</sup>

SECTION 5. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

**Note**

1. Edited pursuant to HRS §23G-16.5.

## ACT 46

H.B. NO. 2543

A Bill for an Act Relating to Access to Learning.

*Be It Enacted by the Legislature of the State of Hawaii:*

## PART I. INTRODUCTION

SECTION 1. The purpose of this Act is to:

- (1) Expand the capacity, resources, affordability, and flexibility of childcare facilities licensed by the department of human services to significantly increase affordable and accessible childcare choices for Hawaii's families, especially those in financial need and in lesser-served areas of the State;
- (2) Expand the capacity, early learning, and availability of public pre-kindergarten;
- (3) Offset the cost of living for Hawaii families by subsidizing both childcare and preschool;
- (4) Clarify the coordination of the continuum of early learning and preschool programs throughout the State;
- (5) Build the infrastructure and develop the resources necessary to achieve the objective of providing the capacity to serve fifty per cent of all otherwise unserved children who are three to four years of age, or will not be at least five years of age on or before July 31 of the current school year, with access to learning by the year 2027, and providing the capacity to serve one hundred per cent of those children within the same age group with access to learning by the year 2032; and
- (6) Ensure that the implementation of new and expanded programs pursuant to this Act aligns with other statutory provisions that provide distinctive support for education through the medium of the Hawaiian language.

This Act is part of the State's early childhood plan to increase access to child care and early learning opportunities for children in the State.

## PART II. DEPARTMENT OF EDUCATION

SECTION 2. Chapter 302A, Hawaii Revised Statutes, is amended by adding two new sections to subpart C of part IV to be appropriately designated and to read as follows:

**“§302A-A Standardized assessment for students entering kindergarten.**

(a) The board of education shall adopt a student assessment model pursuant to section 302A-1101(a) to assess all students entering kindergarten.

(b) Within the first thirty days of each school year, the department shall assess all kindergarten students with the student assessment model; provided that any assessment administered pursuant to this subsection shall be conducted in either English or Hawaiian.

(c) The department shall share the information gathered pursuant to this section with the department of human services, executive office on early learning, and public charter school commission to the extent not otherwise prohibited by administrative rule or law.

**§302A-B Prior early learning programs attendance disclosure.** (a) At least one parent or guardian of each child entering kindergarten shall disclose to

the department the name of, address of, and duration of attendance at the early learning program that the child attended during the previous academic year. The department may also require the disclosure of any other information not otherwise prohibited by law that would assist the department, the department of human services, and the executive office on early learning in developing, assessing, and implementing strategies to meet the early learning needs of children in the State. The department and the executive office on early learning shall use the information to assist the executive office on early learning and department of human services in determining the levels of prekindergarten attendance and need for child care in geographic regions of the State and identify the highest priority regions requiring prekindergarten programs and child care to meet the needs of unserved or underserved eligible children.

(b) The department may include a request for the information required by subsection (a) on a kindergarten enrollment form or any other appropriate form.

(c) The department shall share the information gathered pursuant to this section with the department of human services, executive office on early learning, and public charter school commission to the extent not otherwise prohibited by administrative rule or law.”

SECTION 3. Chapter 302D, Hawaii Revised Statutes, is amended by adding three new sections to be appropriately designated and to read as follows:

**“§302D-A Standardized assessment for students entering kindergarten.**

(a) The commission shall adopt the student assessment model adopted by the board pursuant to section 302A-A(a) to assess all charter school students entering kindergarten.

(b) Within the first thirty days of each school year, the commission shall ensure that all charter school kindergarten students are assessed by public charter schools with the student assessment model; provided that any assessment administered pursuant to this subsection shall be conducted in either English or Hawaiian.

(c) The commission shall share the information gathered from public charter schools pursuant to this section with the department, department of human services, and executive office on early learning to the extent not otherwise prohibited by administrative rule or law.

**§302D-B Prior early learning programs attendance disclosure.** (a) At least one parent or guardian of each child entering kindergarten shall disclose to the public charter school at which the child is enrolled the name and address of the early learning program that the child attended during the previous academic year. Each public charter school shall provide to the commission the information disclosed pursuant to this section. The commission may also require the disclosure of any other information not otherwise prohibited by law that would assist the department, the department of human services, and the executive office on early learning in developing, assessing, and implementing strategies to meet the early learning needs of children in the State. The commission and the executive office on early learning shall use the information to assist the department of human services and executive office on early learning in determining the levels of prekindergarten attendance and need for child care in geographic regions of the State and identify the highest priority regions requiring prekindergarten programs and child care to meet the needs of unserved or underserved eligible children and shall provide the information to the department of human services.

(b) The commission may include a request for the information required by subsection (a) on a kindergarten enrollment form or any other appropriate form used at all public charter schools.

(c) The commission shall share the information gathered pursuant to this section with the department, department of human services, and executive office on early learning to the extent not otherwise prohibited by administrative rule or law.

**§302D-C Public early learning and preschool programs; administrative authority.** (a) The commission shall have administrative authority over all state-funded early learning programs and private partnership-funded preschool programs in public charter schools except for special education and Title I-funded prekindergarten programs.

(b) The early learning programs in charter schools shall enroll no more than a maximum of twenty children per classroom who are three- or four-years-old on or before July 31 of the school year, as aligned with the department's kindergarten age entry requirements.

(c) Subject to the availability of funding, the commission shall implement an application process for schools to establish an early learning program.

(d) Each early learning program and preschool program shall meet the following requirements:

- (1) The availability of a classroom and outdoor play area that meet department of human services requirements for the health and safety of three- and four-year-old children and is exempt from section 346-161 as a public preschool provider;
- (2) The commitment of the principal to implementing an early learning program, including through active participation in professional development sessions offered through the commission, and promoting continuity and alignment between and across other early learning programs in the community and other grade levels in the school to ensure the positive outcomes of children are sustained;
- (3) The inclusion of students with disabilities based on individualized education program placement; provided that:
  - (A) The in-classroom ratio of students with disabilities shall be based on the inclusion of children with disabilities in proportion to the general population of the school;
  - (B) Subparagraph (A) does not anticipate or permit imposing caps or quotas on the number of children with disabilities in a program or not individualizing services for children with disabilities under the Individuals with Disabilities Education Act of 2004 (20 U.S.C. 1400 et seq., as amended);
  - (C) The department shall collaborate with the charter school to coordinate services for students with disabilities who are placed in the classroom offered through the program; and
  - (D) Funding for all costs associated with the implementation of the individualized education program of students shall be provided through the department;
- (4) Enrollment in the program shall be free and voluntary;
- (5) The enrollment shall not exceed twenty children per classroom; and
- (6) The incorporation of standards that are research-based and developmentally-appropriate practices associated with improved educational outcomes for children, such as:
  - (A) Positive teacher-child interactions that shall be evaluated through observations conducted by the commission using a

research-based tool at least twice a year, for the purposes of professional development; provided that the observations shall not be used for the purposes of teacher evaluation;

- (B) The early learning environment shall be assessed using a tool that measures its effectiveness and shall be conducted at least two times per school year by a certified observer who is employed or contracted by the commission; provided that the teaching staff shall use the assessment data and feedback to improve the quality of the learning environment; provided further that observations shall be used for the purposes of professional development and shall not be used for the purposes of teacher evaluation;
- (C) Use of individual child formative assessments that are used for ongoing planning relating to all areas of child development and learning including cognitive, linguistic, social emotional approaches to learning, and health and physical development;
- (D) Family engagement in partnership with charter schools, including conducting outreach for enrollment and engagement of families in their children's education in recognition of families' role as their child's first and most important teacher;
- (E) Alignment with the Hawaii early learning and development standards, department standards, state content and performance standards, and general learner outcomes for grades kindergarten to twelve to facilitate a seamless educational experience for children;
- (F) Requirements that any teacher shall have coursework in early childhood education pursuant to Hawaii teacher standards board licensing requirements for a prekindergarten teacher or be enrolled in a state-approved teacher education program and be working toward satisfying the Hawaii teacher standards board licensing requirements; and
- (G) Requirements that any educational assistant has a current child development associate credential, coursework for a certificate that meets the requirements for child development associate credential preparation, or be enrolled in and working toward completing a program that prepares the individual to obtain the credential.

(e) The commission shall monitor the implementation of the educational experience for children.

(f) The commission shall provide support to incorporate the standards developed pursuant to subsection (d), including support related to teacher-child interactions, early childhood learning environment, individual child assessments, and family engagement.

(g) Teaching staff participating in a program established pursuant to this section shall participate in coaching and mentoring and professional development opportunities offered through the commission; provided that the commission shall cover the associated travel and substitute teacher costs, contingent upon funding availability. The commission may extend this support, excluding travel and substitute teacher costs, to individuals who are not participating in the program to promote alignment between all grade levels, programs, and settings.

(h) School leaders shall attend professional development sessions related to P-3 (preschool to grade three) alignment offered through the commission. The commission shall cover the costs associated with travel and substitute teacher expenditures, contingent upon the availability of funding. The commis-



sion may extend this support, excluding travel and substitute teacher costs, to individuals who are not participating in the program to promote alignment between all grade levels, programs, and settings.

(i) The commission shall work with each charter school to develop and annually update a written three-year plan that promotes, within the school and community, alignment of and transitions between learning experiences, and report on the progress made toward the plan by the end of the school year.

(j) The commission shall coordinate with other agencies and programs to facilitate comprehensive services for early learning.

(k) The commission shall promote the development of a cohesive, comprehensive, and sustainable early learning system. The commission shall coordinate with other early learning providers, including those providing the programs and services, to promote alignment between prekindergarten and elementary school programs and to support children and their families in making successful transitions from prekindergarten into kindergarten.

(l) The commission shall adopt rules pursuant to chapter 91 for the purpose of this section.

(m) The commission shall submit a report to the legislature no later than twenty days prior to the convening of each regular session regarding state-funded early learning programs in charter schools. The report shall include, as related to each type of program:

- (1) The number and location of classrooms;
- (2) Sources of funding for each classroom;
- (3) Aggregated data reflecting the quality of teacher-child interactions relating to emotional support, classroom organization, and instructional support;
- (4) Aggregated data reflecting the quality of the early learning environment and the teacher-child interactions that maximize the learning opportunities of the environment; and
- (5) Aggregated student outcomes related to all areas of child development and learning, including cognitive, linguistic, social and emotional approaches to learning and health and physical development, as assessed using a formative assessment tool selected or approved by the commission.

This reported data shall be compiled from the previously state-funded school year.”

SECTION 4. Section 302L-5, Hawaii Revised Statutes, is amended to read as follows:

“**§302L-5 Early learning [~~trust fund~~] special fund.** (a) There is established within the state treasury the early learning [~~trust fund~~] special fund, to be administered by the executive office on early learning, into which shall be deposited all moneys received by the office in the form of:

- (1) Fees;
- (2) Grants;
- (3) Donations;
- (4) Appropriations made by the legislature to the fund; and
- (5) Revenues regardless of their source,

and earnings on moneys in the fund. Moneys in the fund shall be used for the early learning system. Expenditures from the fund may be made by the office without appropriation or allotment.

(b) The office shall submit an annual report to the legislature, no later than August 31, on the sources of moneys deposited into the fund and expenditures of the moneys in the fund.”

SECTION 5. Section 302L-7, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

“(a) There is established within the early learning system an early childhood education program to be known as the executive office on early learning public prekindergarten program and to be administered by the office pursuant to rules adopted by the office. The program shall:

- (1) Be provided through the executive office on early learning, which shall partner with the department of education [~~and state public charter school commission~~] through either a memorandum of agreement or memorandum of understanding pursuant to the requirements of this section;
- (2) Prepare children for school and active participation in society through the use of either of the State’s two official languages; and
- (3) Provide access to high-quality early learning that addresses children’s physical, cognitive, linguistic, social, and emotional development.”

2. By amending subsections (o) and (p) to read:

“(o) The office shall collect data with assistance from the department of education [~~and state public charter school commission~~], based on a schedule to be determined by the office, to:

- (1) Evaluate the services provided;
- (2) Inform policy; and
- (3) Make any improvements to the program.

(p) The department of education [~~and any public charter school existing pursuant to chapter 302D;~~] may use available classrooms for public preschool programs statewide. [~~The office shall give priority to public charter schools that serve high populations of underserved or at-risk children.~~] Preschool classrooms established pursuant to this section shall be in addition to any classrooms used for the pre-plus program established pursuant to section 302L-1.7.”

SECTION 6. Section 312-2.1, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

“[(d)] The state librarian shall collect, purchase, receive gifts of, and otherwise acquire all books and other publications proper for libraries, and arrange, classify, and catalog the same; provide for their safekeeping; expend moneys appropriated by the legislature and otherwise acquired for the development, use, support, and maintenance of libraries[;] and other related purposes; provide ways and means for placing libraries within reach of all residents throughout the State and particularly of all public and private school children; provide and maintain branch libraries, offices, or places for the distribution of books and periodicals throughout the State; enter into contracts as may be necessary to carry into effect the general duties herein imposed; appoint such officers and employees as deemed necessary, all of whom shall be under the authority of the governor for purposes of chapters 76, 78, 89, and 89C; and adopt rules for the management and use of libraries, and for the control of the property under its management.”

### PART III. DEPARTMENT OF HUMAN SERVICES

SECTION 7. Chapter 346, Hawaii Revised Statutes, is amended by adding four new sections to subpart D of part VIII to be appropriately designated and to read as follows:



**“§346-A Preschool open doors special fund.** (a) There is established within the state treasury the preschool open doors special fund, to be administered by the department’s child care assistance program, into which shall be deposited all moneys received by the department’s child care assistance program in the form of:

- (1) Fees;
- (2) Grants;
- (3) Donations;
- (4) Appropriations made by the legislature to the fund; and
- (5) Revenues regardless of their source,

and earnings on moneys in the fund. Moneys in the fund shall be used for the procurement of health and human services under the preschool open doors program. Expenditures from the fund may be made by the department without appropriation or allotment but shall not be made for capital improvement projects.

(b) The department shall submit an annual report to the legislature, no later than August 31, on the sources of moneys deposited into the fund and expenditures of moneys in the fund.

**§346-B Preschool grant program special fund; established.** (a) There is established within the state treasury the preschool grant program special fund, to be administered by the department, into which shall be deposited:

- (1) Donations to the fund;
- (2) Appropriations made by the legislature to the fund;
- (3) Revenues regardless of their source; and
- (4) Earnings on moneys in the fund.

(b) The department shall expend moneys in the special fund to award funds to private entities for the operating costs of new preschools or expansion of existing preschools at the private entity’s place of business.

(c) Expenditures from the fund may be made by the department without appropriation or allotment.

(d) Any grant awarded pursuant to this section or expenditure of funds for the administration of the preschool open doors program shall be exempt from chapters 103D and 103F. The department shall adopt rules pursuant to chapter 91 to effectuate the grant program.

(e) The department shall submit an annual report to the legislature, no later than August 31, on the sources of moneys deposited into the fund and expenditures of moneys in the fund.

**§346-C Preschool open doors program; provider accreditation.** (a) Each service provider of the preschool open doors program shall be accredited or shall obtain accreditation within seven calendar years of first receiving any funds from the preschool open doors program; provided that any existing service provider unaccredited on July 1, 2020, shall commence the accreditation process no later than July 1, 2022, and obtain accreditation by July 1, 2027; provided further that the director may grant to any service provider one or more extensions to obtain accreditation on a case-by-case basis.

(b) Accreditation under this section shall be obtained from one or more of the following national early learning accrediting organizations:

- (1) National Association for the Education of Young Children;
- (2) National Early Childhood Program Accreditation;
- (3) National Association for Family Child Care; or
- (4) An accrediting organization approved by the director; provided that the accrediting organization is comparable to the organizations specified in paragraphs (1) through (3).

(c) Notwithstanding subsections (a) and (b), a service provider may receive or continue to receive funding through the preschool open doors program if the service provider maintains a satisfactory performance rating under the Classroom Assessment Scoring System developed by the University of Virginia and performed in conformance with United States Department of Health and Human Services guidelines.

(d) The department shall provide operational and financial support to service providers to assist the service providers in obtaining accreditation. The department may contract with a private entity to assist service providers in obtaining accreditation.

**§346-D Preschool open doors; procurement exemption.** Effective July 1, 2020, any expenditure of funds by the department to implement, operate, or expand the preschool open doors program may be made without regard to chapters 103D and 103F.”

SECTION 8. Chapter 346, Hawaii Revised Statutes, is amended by adding a new section to part VIII to be appropriately designated and to read as follows:

**“§346- Prior early learning program information.** (a) The department shall establish or augment an existing database to collect and analyze information it receives from the department of education pursuant to sections 302A-A and 302A-B and the state public charter school commission pursuant to sections 302D-A and 302D-B and any other information the department may collect on all children in the State who are three to four years old and children who will not be at least five years of age on or before July 31 of the current school year.

(b) To the extent not prohibited by administrative rule or law, the department, department of education, public charter school commission, and executive office on early learning shall share any information gathered pursuant to sections 302A-A, 302A-B, 302D-A, and 302D-B with each other, along with any other information the department, department of education, or public charter school commission may collect on all children in the State who are three to four years old and children who will not be at least five years of age on or before July 31 of the current school year.

(c) Any procurement executed pursuant to this section shall be exempt from chapters 103D and 103F.”

SECTION 9. Section 346-181, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) to read as follows:

“(b) Subject to the availability of funds, the program shall serve three- and four-year-old children[-] who are in the two years prior to kindergarten entry pursuant to section 302A-411, with priority extended [to:] in the following order to any:

- (1) ~~Children who are not eligible to attend public school kindergarten in the calendar year in which they turn five years of age because their birth date occurs after the kindergarten eligibility date pursuant to section 302A-411; and~~
- (2) (1) Underserved or at-risk [children,] four-year-old child who was previously served as a three-year-old child, as defined by rules adopted by the department[-];
- (2) Four-year-old child who was previously served as a three-year-old child;
- (3) Four-year-old child;

(4) Underserved or at-risk three-year-old child, as defined by rules adopted by the department; and

(5) Three-year-old child.

(c) Enrollment in the program shall be voluntary. A parent or guardian of a child enrolled in the program [~~shall~~ may] share in the costs of the program through a copayment according to a sliding fee scale that is based on need pursuant to rules adopted by the department.”

SECTION 10. There are established twelve permanent full-time equivalent (12.0 FTE) positions for the preschool open doors program within the department of human services for the purposes of this Act.

SECTION 11. There is appropriated out of federal funds deposited in the state treasury the sum of \$5,000,000 or so much thereof as may be necessary for fiscal year 2020-2021 for the department of human services to expand its information technology system for the purpose of managing the information collected pursuant to this Act.

The sum appropriated shall be expended by the department of human services for the purposes of this Act.

#### PART IV. OFFICE OF THE GOVERNOR

SECTION 12. Chapter 26, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

#### “PART . EARLY LEARNING

**§26- Benchmarks; duties.** (a) The department of human services and the executive office on early learning shall ensure access to learning through preschool programs that meet or exceed the following benchmarks:

- (1) Fifty per cent of all otherwise unserved children who are three to four years of age, or will not be at least five years of age on or before July 31 of the current school year, shall have access to enrollment in a preschool program by December 31, 2027; and
- (2) One hundred per cent of all children who are three to four years of age, or will not be at least five years of age on or before July 31 of the current school year, shall have access to enrollment in a preschool program by December 31, 2032.

The department of human services and the executive office on early learning shall submit an annual report to the legislature, no later than August 31 of each year, on the progress toward achieving the benchmarks until all children who are three to four years of age, or will not be at least five years of age on or before July 31 of the current school year, are enrolled in a preschool program.

(b) The department of human services and the executive office on early learning shall collaborate to identify the need for child care and early learning in geographic regions of the State and consider using public facilities including schools, libraries, and the university of Hawaii system as locations for child care and early learning programs.

(c) The department of human services may create programs and private sector delivery systems that can pose the essential information and policy questions, monitor the progress of the implementation of this part, and generate timely detailed reports to the extent allowable by law.

(d) The department of human services shall facilitate and support data sharing among public and private entities to the extent not otherwise prohibited by law or rule.”

SECTION 13. Section 27-7, Hawaii Revised Statutes, is amended to read as follows:

~~[[§27-7]]~~ **Departmental data sharing.** (a) The department of education, the University of Hawaii, the department of labor and industrial relations, and other state agencies, as appropriate, shall share data to support research that will improve educational and workforce outcomes and meet the longitudinal data requirements of the federal American Recovery and Reinvestment Act of 2009, as amended. The data to be shared shall be determined jointly by the department of education, the University of Hawaii, the department of labor and industrial relations, and other state agencies, as appropriate, and shall be shared no less than annually.

(b) The department of education, the University of Hawaii, the department of labor and industrial relations, and other state agencies, as appropriate, shall share data in a manner that safeguards the confidentiality of student education records, as defined by the federal Family Educational Rights and Privacy Act, and workforce data, as provided by applicable federal and state laws, rules, and regulations.

(c) All data shared by or with the department of human services, department of education, public charter school authorizers, public charter schools, executive office on early learning, and other entities as required by statute shall be subject to any administrative rule regarding privacy adopted by the department or agency that collected the data.

~~[(e)]~~ (d) The department of education, the University of Hawaii, the department of labor and industrial relations, and other state agencies, as appropriate, shall establish a data governance and access committee that meets on a quarterly basis to determine protocols to:

- (1) Prioritize analyses and research questions that will provide information to improve educational and workforce outcomes and policies; and
- (2) Approve requests for access to data provided by the department of education, the University of Hawaii, the department of labor and industrial relations, and other state agencies, as appropriate.

~~[(e)]~~ (e) All state agency directors shall consider sharing data for the statewide longitudinal data system.”

## PART V. HAWAIIAN LANGUAGE IMMERSION

SECTION 14. Chapter 304A, Hawaii Revised Statutes, is amended by adding a new section to subpart E of part V to be appropriately designated and to read as follows:

**§304A- Hawaiian early learning trust fund.** (a) There is established the Hawaiian early learning trust fund, into which shall be deposited:

- (1) Donations to the fund;
  - (2) Appropriations made by the legislature to the fund;
  - (3) Revenues regardless of their source; and
  - (4) Earnings on moneys in the fund.
- (b) The university of Hawaii at Hilo shall expend moneys in the trust fund for purposes of Hawaiian early learning.

(c) The university of Hawaii shall submit an annual report to the legislature, no later than August 31, on the sources of moneys deposited into the fund and expenditures of moneys from the fund.”

SECTION 15. There is appropriated out of the Hawaiian early learning trust fund the sum of \$5,000,000 or so much thereof as may be necessary for fiscal year 2020-2021 for the purpose of assisting Ka Haka Ula O Keelikolani, in partnership with the Imiloa astronomy center and other public or private partners as appropriate or required by law, to build two or more classrooms for Hawaiian language medium pre-kindergarten programs that shall be used to establish a pathway for the development of other Hawaiian language medium pre-kindergarten and Hawaiian language immersion classes.

The sum appropriated shall be expended by the university of Hawaii at Hilo for the purposes of this Act.

SECTION 16. The standards, assessments, performance ratings, staff qualifications, and staff training requirements established by this Act shall not apply to any laboratory school program of the Hawaiian language college at the university of Hawaii at Hilo until July 1, 2026.

## PART VI. LIBRARIES

SECTION 17. Chapter 312, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§312- **Early learning classrooms and services on public library property; authorized.** (a) The Hawaii state public library system, in consultation and partnership with the department of human services or the executive office on early learning, may establish new early learning classrooms and contract for early learning services licensed by the department of human services or authorized by the executive office on early learning at any library under the jurisdiction of the Hawaii state public library system; provided that:

- (1) The entity with which the Hawaii state public library system partners to establish a new early learning classroom shall be the same entity responsible for the oversight of that early learning classroom; and
- (2) The oversight of that early learning classroom shall be conducted pursuant to administrative rules adopted by that entity.

(b) The planning, constructing, equipping, and operating of new early learning classrooms and the contracting of early learning services shall not be subject to chapters 103D or 103F.”

SECTION 18. There is appropriated out of federal funds deposited in the state treasury the sum of \$3,000,000 or so much thereof as may be necessary for fiscal year 2020-2021 for early learning classrooms and services on public library property.

The sum appropriated shall be expended by the Hawaii state public library system for the purposes of this part.

## PART VII. MISCELLANEOUS PROVISIONS

SECTION 19. In codifying the new sections added by sections 2, 3, and 7 of this Act, the revisor of statutes shall substitute appropriate section numbers for the letters used in designating the new sections in this Act.

## ACT 47

SECTION 20. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.<sup>1</sup>

SECTION 21. This Act shall take effect upon approval; provided that:

- (1) Sections 10, 11, 15, and 18 shall take effect on July 1, 2020;
- (2) Section 2; sections 302D-A and 302D-B, Hawaii Revised Statutes, as set forth in section 3; section 8; and section 13 shall take effect on July 1, 2022; and
- (3) Section 12 shall take effect on July 1, 2024.

(Approved September 15, 2020.)

### Note

1. Edited pursuant to HRS §23G-16.5.

## ACT 47

H.B. NO. 285

A Bill for an Act Relating to Public Safety.

*Be It Enacted by the Legislature of the State of Hawaii:*

### PART I

SECTION 1. The legislature finds that public trust in law enforcement is critical to ensuring justice for all under the law. The legislature further finds that the difficult and often dangerous job of law enforcement is safer, easier, and more effectively executed when citizens trust those empowered to serve and protect them.

The purpose of this Act is to enhance the public's trust in law enforcement and standardize best practices for the use of force between the counties by:

- (1) Requiring the chief of police of each county police department to disclose to the legislature the identity of a police officer upon suspension or discharge of the officer;
- (2) Amending the Uniform Information Practices Act to allow for the disclosure of information related to the suspension or discharge of a police officer;
- (3) Empowering the law enforcement standards board to establish uniform statewide standards for law enforcement and the use of force; and
- (4) Explicitly allowing the law enforcement standards board to revoke the certification of law enforcement officers for misconduct or failure to meet qualifying standards as warranted.

### PART II

SECTION 2. Section 52D-3.5, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (b) to read:

“(b) The report shall:

- (1) Summarize the facts and the nature of the misconduct for each incident;
- (2) Specify the disciplinary action imposed for each incident;

- (3) Identify any other incident in the annual report committed by the same police officer; ~~and~~
- (4) State whether the highest nonjudicial grievance adjustment procedure timely invoked by the police officer or the police officer's representative has concluded:
  - (A) If the highest nonjudicial grievance adjustment procedure has concluded, the report shall state:
    - (i) Whether the incident concerns conduct punishable as a crime, and if so, describe the county police department's findings of fact and conclusions of law concerning the criminal conduct; and
    - (ii) Whether the county police department notified the respective county prosecuting attorney of the incident; or
  - (B) If the highest nonjudicial grievance adjustment procedure has not concluded, the report shall state the current stage of the nonjudicial grievance adjustment procedure as of the end of the reporting period~~[-]; and~~
- (5) Disclose the identity of the police officer upon the police officer's suspension or discharge."

2. By amending subsection (d) to read:

"(d) The summary of facts provided in accordance with subsection (b)(1) shall not be of such a nature so as to disclose the identity of the individuals involved~~[-]~~. except as required under subsection (b)(5)."

SECTION 3. Section 92F-14, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The following are examples of information in which the individual has a significant privacy interest:

- (1) Information relating to medical, psychiatric, or psychological history, diagnosis, condition, treatment, or evaluation, other than directory information while an individual is present at such facility;
- (2) Information identifiable as part of an investigation into a possible violation of criminal law, except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation;
- (3) Information relating to eligibility for social services or welfare benefits or to the determination of benefit levels;
- (4) Information in an agency's personnel file, or applications, nominations, recommendations, or proposals for public employment or appointment to a governmental position, except:
  - (A) Information disclosed under section 92F-12(a)(14); and
  - (B) The following information related to employment misconduct that results in an employee's suspension or discharge:
    - (i) The name of the employee;
    - (ii) The nature of the employment related misconduct;
    - (iii) The agency's summary of the allegations of misconduct;
    - (iv) Findings of fact and conclusions of law; and
    - (v) The disciplinary action taken by the agency;

when the following has occurred: the highest nonjudicial grievance adjustment procedure timely invoked by the employee or the employee's representative has concluded; a written decision sustaining the suspension or discharge has been issued after this procedure; and thirty calendar days have elapsed following the issuance of the decision or, for decisions involving county police department officers, ninety days have elapsed following the issuance of the decision;



- [provided that subparagraph (B) shall not apply to a county police department officer except in a case which results in the discharge of the officer;]
- (5) Information relating to an individual's nongovernmental employment history except as necessary to demonstrate compliance with requirements for a particular government position;
  - (6) Information describing an individual's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness;
  - (7) Information compiled as part of an inquiry into an individual's fitness to be granted or to retain a license, except:
    - (A) The record of any proceeding resulting in the discipline of a licensee and the grounds for discipline;
    - (B) Information on the current place of employment and required insurance coverages of licensees; and
    - (C) The record of complaints including all dispositions;
  - (8) Information comprising a personal recommendation or evaluation;
  - (9) Social security numbers; and
  - (10) Information that if disclosed would create a substantial and demonstrable risk of physical harm to an individual."

PART III

SECTION 4. Section 139-3, Hawaii Revised Statutes, is amended to read as follows:

~~“§139-3~~ **Powers and duties of the board.** The board shall:

- (1) Adopt rules in accordance with chapter 91 to implement this chapter;
- (2) Establish minimum standards for employment as a law enforcement officer and to certify persons to be qualified as law enforcement officers;
- (3) Establish criteria and standards in which a person who has been denied certification, whose certification has been revoked by the board, or whose certification has lapsed may reapply for certification;
- (4) Establish minimum criminal justice curriculum requirements for basic, specialized, and in-service courses and programs for schools operated by or for the State or a county for the specific purpose of training law enforcement officers;
- (5) Consult and cooperate with the counties, agencies of the State, other governmental agencies, universities, colleges, and other institutions concerning the development of law enforcement officer training schools and programs of criminal justice instruction;
- (6) Employ, subject to chapter 76, an administrator and other persons necessary to carry out its duties under this chapter;
- (7) Investigate when there is reason to believe that a law enforcement officer does not meet the minimum standards for employment, and in so doing, may:
  - (A) Subpoena persons, books, records, or documents;
  - (B) Require answers in writing under oath to questions asked by the board; and
  - (C) Take or cause to be taken depositions as needed in investigations, hearings, and other proceedings, related to the investigation;



- (8) Establish and require participation in continuing education programs for law enforcement officers;
- (9) Have the authority to charge and collect fees for applications for certification as a law enforcement officer; ~~[and]~~
- (10) Establish procedures and criteria for the revocation of certification issued by the board~~[-]~~;
- (11) Have the authority to revoke certifications; and
- (12) Review and recommend statewide policies and procedures relating to law enforcement, including the use of force.”

SECTION 5. Act 220, Session Laws of Hawaii 2018, is amended by amending section 6 to read as follows:

“SECTION 6. This Act shall take effect on July 1, 2018; provided that the law enforcement standards board established under this Act shall finalize its standards and certification process by ~~[July 1, 2019.]~~ December 31, 2021.”

PART IV

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

ACT 48

S.B. NO. 785

A Bill for an Act Relating to Collective Bargaining.

*Be It Enacted by the Legislature of the State of Hawaii:*

PART I

SECTION 1. There are appropriated from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (2):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$891,352	\$1,530,434
Special funds	223,391	429,479
Federal funds	12,942	25,951
Revolving funds	31,462	45,626

Of the above amounts, the following amounts are for the department of education:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$501,499	\$815,786
Special funds	-0-	273
Federal funds	-0-	140

## ACT 48

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

SECTION 2. There is appropriated from the source of funding indicated below to administration (JUD 601) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (2):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$2,000	\$3,418

Funds appropriated by this section shall be expended by the chief justice in the respective fiscal year for the purposes of this section.

SECTION 3. There are appropriated from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other cost adjustments authorized by chapter 89C, Hawaii Revised Statutes, for state officers and employees who are excluded from collective bargaining and belong to the same compensation plans as those officers and employees within bargaining unit (2):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$ 593	\$1,057
Special funds	2,593	4,396

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

SECTION 4. There is appropriated from the source of funding indicated below to Hawaii health systems corporation - corporate office (HTH 210) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (2) who is assigned to the Hawaii health systems corporation:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
Special funds	\$40,561	\$80,956

Funds appropriated by this section shall be allotted by the director of finance to the Hawaii health systems corporation for expenditure in the respective fiscal year for the purposes of this section.

## PART II

SECTION 5. There are appropriated from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (3):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$24,884,300	\$22,887,613
Special funds	2,129,405	2,150,909
Federal funds	2,141,177	2,021,437
Other federal funds	443,600	425,022
Trust funds	124,019	101,101
Interdepartmental transfers	71,906	71,366
Revolving funds	315,724	290,253
Other funds	76,784	73,213
Special fund CIP	337,247	342,858

Of the above amounts, the following amounts are for the department of education:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$12,841,043	\$10,031,889
Special funds	37,743	38,729
Federal funds	329,179	275,250
Other federal funds	-0-	141
Trust funds	9,281	9,234
Interdepartmental transfers	2,723	2,675
Revolving funds	27,469	28,147

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

SECTION 6. There are appropriated from the sources of funding indicated below to administration (JUD 601) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (3):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$2,599,507	\$2,041,107
Special funds	88,159	88,616

Funds appropriated by this section shall be expended by the chief justice in the respective fiscal year for the purposes of this section.

SECTION 7. There are appropriated from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other cost adjustments authorized by chapter 89C, Hawaii Revised Statutes, for state officers and employees who are excluded from collective bargaining and belong to the same compensation plans as those officers and employees within bargaining unit (3):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$2,037,627	\$2,852,097
Special funds	285,479	300,319
Federal funds	89,672	93,344
Other federal funds	28,817	22,578
Trust funds	10,891	9,343
Interdepartmental transfers	29,042	23,609
Revolving funds	17,535	18,307
Other funds	10,275	12,717
Special fund CIP	35,686	37,630

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Of the above amounts, the following amounts are for the department of education:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$387,799	\$1,103,546
Special funds	-0-	418
Federal funds	10,274	15,071
Other federal funds	-0-	67
Trust funds	-0-	54
Interdepartmental transfers	7,261	5,389

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

SECTION 8. There is appropriated from the source of funding indicated below to administration (JUD 601) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other cost adjustments authorized by chapter 89C, Hawaii Revised Statutes, by the chief justice for state officers and employees who are excluded from collective bargaining and belong to the same compensation plans as those officers and employees within bargaining unit (3):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$165,386	\$150,282

Funds appropriated by this section shall be expended by the chief justice in the respective fiscal year for the purposes of this section.

SECTION 9. There is appropriated from the source of funding indicated below to Hawaii health systems corporation - corporate office (HTH 210) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (3) who is assigned to the Hawaii health systems corporation:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
Special funds	\$1,261,752	\$1,171,114

Funds appropriated by this section shall be allotted by the director of finance to the Hawaii health systems corporation for expenditure in the respective fiscal year for the purposes of this section.

SECTION 10. There is appropriated from the source of funding indicated below to Hawaii health systems corporation - corporate office (HTH 210) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other adjustments authorized by chapter 89C, Hawaii Revised Statutes, for state officers and employees who are excluded from collective bargaining, assigned to the Hawaii health systems corporation, and belong to the same compensation plans as those officers and employees within bargaining unit (3):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
Special funds	\$81,911	\$71,343

Funds appropriated by this section shall be allotted by the director of finance to the Hawaii health systems corporation for expenditure in the respective fiscal year for the purposes of this section.

PART III

SECTION 11. There are appropriated from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (4):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$1,823,159	\$1,770,205
Special funds	276,022	277,914
Federal funds	160,680	145,718
Other federal funds	11,861	10,819
Trust funds	17,044	14,956
Revolving funds	8,879	9,928
Other funds	7,107	6,187
Special fund CIP	65,770	57,882

Of the above amounts, the following amounts are for the department of education:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$844,229	\$780,104
Special funds	-0-	147
Federal funds	-0-	2,305
Trust funds	13,441	11,833
Revolving funds	-0-	1,769

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

SECTION 12. There are appropriated from the sources of funding indicated below to administration (JUD 601) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (4):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$195,559	\$192,813
Special funds	9,152	7,700

Funds appropriated by this section shall be expended by the chief justice in the respective fiscal year for the purposes of this section.

SECTION 13. There are appropriated from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other cost adjustments authorized by chapter 89C, Hawaii Revised Statutes, for state officers and employees who are excluded from collective bargaining and belong to the same compensation plans as those of officers and employees within bargaining unit (4):

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	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$36,744	\$35,336
Special funds	13,514	12,359
Revolving funds	3,938	3,966
Special fund CIP	9,779	10,995

Of the above amounts, the following amounts are for the department of education:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	-0-	\$773

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

SECTION 14. There is appropriated from the source of funding indicated below to Hawaii health systems corporation - corporate office (HTH 210) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (4) who is assigned to the Hawaii health systems corporation:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
Special funds	\$39,272	\$76,066

Funds appropriated by this section shall be allotted by the director of finance to the Hawaii health systems corporation for expenditure in the respective fiscal year for the purposes of this section.

**PART IV**

SECTION 15. There are appropriated or authorized from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 all collective bargaining cost items in the agreement negotiated with the exclusive bargaining representative of collective bargaining unit (7):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$2,018,533	\$6,994,742
Special funds	34,824	112,602
Federal funds	46,082	159,706
Revolving funds	4,363	15,134

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

SECTION 16. There are appropriated or authorized from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other cost adjustments authorized by chapter 89C, Hawaii Revised Statutes, for state officers and employees who are excluded from collective bargaining and belong to the same compensation plans as those officers and employees within bargaining unit (7):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$308,504	\$1,057,893
Special funds	44,466	142,148
Federal funds	1,223	3,815
Revolving funds	805	2,899

Funds appropriated or authorized by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

PART V

SECTION 17. There are appropriated from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (8):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$3,570,204	\$8,073,449
Special funds	314,084	635,726
Federal funds	4,318	9,416
Revolving funds	87,135	177,018

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

SECTION 18. There are appropriated from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other cost adjustments authorized by chapter 89C, Hawaii Revised Statutes, for state officers and employees who are excluded from collective bargaining and belong to the same compensation plans as those of officers and employees within bargaining unit (8):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$233,818	\$551,210
Special funds	17,711	33,930

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

PART VI

SECTION 19. There are appropriated from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (9):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$3,746,536	\$5,372,911
Special funds	23,197	30,777
Federal funds	43,915	65,359
Other federal funds	98,784	139,176
Revolving funds	40,706	63,003

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Of the above amounts, the following amounts are for the department of education:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$9,496	\$12,100

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

SECTION 20. There is appropriated from the source of funding indicated below to administration (JUD 601) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (9):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$16,738	\$23,397

Funds appropriated by this section shall be expended by the chief justice in the respective fiscal year for the purposes of this section.

SECTION 21. There is appropriated from the source of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other cost adjustments authorized by chapter 89C, Hawaii Revised Statutes, for state officers and employees who are excluded from collective bargaining and belong to the same compensation plans as those officers and employees within bargaining unit (9):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$39,601	\$54,080

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

SECTION 22. There is appropriated from the sources of funding indicated below to administration (JUD 601) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other cost adjustments authorized by chapter 89C, Hawaii Revised Statutes, by the chief justice for state officers and employees who are excluded from collective bargaining and belong to the same compensation plans as those officers and employees within bargaining unit (9):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$4,544	\$5,752

Funds appropriated by this section shall be expended by the chief justice in the respective fiscal year for the purposes of this section.

SECTION 23. There is appropriated from the source of funding indicated below to Hawaii health systems corporation - corporate office (HTH 210) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (9) who is assigned to the Hawaii health systems corporation:



	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
Special funds	\$4,741,994	\$6,501,131

Funds appropriated by this section shall be allotted by the director of finance to the Hawaii health systems corporation for expenditure in the respective fiscal year for the purposes of this section.

SECTION 24. There is appropriated from the source of funding indicated below to Hawaii health systems corporation - corporate office (HTH 210) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other adjustments authorized by chapter 89C, Hawaii Revised Statutes, for state officers and employees who are excluded from collective bargaining assigned to the Hawaii health systems corporation and belong to the same compensation plans as those officers and employees within bargaining unit (9):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
Special funds	\$100,239	\$127,488

Funds appropriated by this section shall be allotted by the director of finance to the Hawaii health systems corporation for expenditure in the respective fiscal year for the purposes of this section.

PART VII

SECTION 25. There are appropriated from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (13):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$10,962,654	\$24,007,772
Special funds	1,984,557	4,233,880
Federal funds	1,722,062	3,721,359
Other federal funds	476,093	1,007,686
Trust funds	100,273	194,571
Interdepartmental transfers	31,485	66,565
Revolving funds	305,752	596,675
Other funds	152,292	327,121
Special fund CIP	624,885	1,335,367

Of the above amounts, the following amounts are for the department of education:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$2,319,018	\$5,006,896
Special funds	15,912	31,281
Federal funds	55,494	128,400
Revolving funds	4,992	11,915

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

SECTION 26. There are appropriated from the sources of funding indicated below to administration (JUD 601) the following sums or so much

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thereof as may be necessary to fund for fiscal biennium 2019-2021 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (13):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$1,160,359	\$2,498,670
Special funds	29,184	65,553

Funds appropriated by this section shall be expended by the chief justice in the respective fiscal year for the purposes of this section.

SECTION 27. There are appropriated from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other cost adjustments authorized by chapter 89C, Hawaii Revised Statutes, for state officers and employees who are excluded from collective bargaining and belong to the same compensation plans as those of officers and employees within bargaining unit (13):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$3,605,118	\$7,235,374
Special funds	764,441	1,464,928
Federal funds	229,915	448,353
Other federal funds	73,557	135,338
Trust funds	19,733	35,788
Interdepartmental transfers	324,657	600,743
Revolving funds	65,633	124,704
Other funds	39,200	77,597
Special fund CIP	47,630	92,826

Of the above amounts, the following amounts are for the department of education:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$184,091	\$395,282
Special funds	42	94
Federal funds	9,915	22,460

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

SECTION 28. There are appropriated from the sources of funding indicated below to administration (JUD 601) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other cost adjustments authorized by chapter 89C, Hawaii Revised Statutes, by the chief justice for state officers and employees who are excluded from collective bargaining and belong to the same compensation plans as those officers and employees within bargaining unit (13):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$348,850	\$765,961
Special funds	5,221	10,922

Funds appropriated by this section shall be expended by the chief justice in the respective fiscal year for the purposes of this section.

SECTION 29. There is appropriated from the source of funding indicated below to Hawaii health systems corporation - corporate office (HTH 210) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (13) who is assigned to the Hawaii health systems corporation:

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
Special funds	\$698,660	\$2,052,866

Funds appropriated by this section shall be allotted by the director of finance to the Hawaii health systems corporation for expenditure in the respective fiscal year for the purposes of this section.

SECTION 30. There is appropriated from the source of funding indicated below to Hawaii health systems corporation - corporate office (HTH 210) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other adjustments authorized by chapter 89C, Hawaii Revised Statutes, for state officers and employees who are excluded from collective bargaining, assigned to the Hawaii health systems corporation, and belong to the same compensation plans as those officers and employees within bargaining unit (13):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
Special funds	\$192,638	\$399,066

Funds appropriated by this section shall be allotted by the director of finance to the Hawaii health systems corporation for expenditure in the respective fiscal year for the purposes of this section.

PART VIII

SECTION 31. There are appropriated from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining unit (14):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$1,384,877	\$3,225,080
Special funds	68,741	167,879
Interdepartmental transfers	221,120	529,977

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

SECTION 32. There is appropriated from the source of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2019-2021 the salary increases and other cost adjustments authorized by chapter 89C, Hawaii Revised Statutes, for state officers and employees who are excluded from collective bargaining and belong to the same compensation plans as those officers and employees within bargaining unit (14):

	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>
General funds	\$40,510	\$91,577

## ACT 49

Funds appropriated by this section shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this section.

### PART IX

SECTION 33. There is appropriated out of the general revenues of the State of Hawaii the sum of \$15,776,780 or so much thereof as may be necessary for fiscal year 2020-2021 to meet collective bargaining requirements under emergency medical services contracts.

The sum appropriated shall be expended by the department of health for the purposes of this section.

### PART X

SECTION 34. Salary increases and cost adjustments provided in this Act for any officer or employee whose compensation is paid, in whole or in part, from federal, special, or other funds shall be paid wholly or proportionately, as the case may be, from the respective funds.

SECTION 35. The fiscal year 2019-2020 appropriations under this Act shall not lapse until the end of fiscal biennium 2019-2021; provided that funds appropriated or authorized by this Act that are not expended or encumbered by June 30, 2021, shall lapse as of that date.

SECTION 36. This Act, upon its approval, shall take effect retroactive to June 30, 2020.

(Approved September 15, 2020.)

## ACT 49

S.B. NO. 2130

A Bill for an Act Relating to the State Fire Code.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that the state fire code is among the building codes and standards that compose the state building code. The state building code also includes the building, residential, plumbing, electrical, energy, and elevator codes. Pursuant to chapter 107, Hawaii Revised Statutes, the state fire code is first adopted by the state fire council and is then adopted by the state building code council, a body composed of experts representing designers, contractors, industry representatives, and county building, fire, and other state regulatory code officials. The state building code council is administratively attached to the department of accounting and general services. Currently, the department of accounting and general services is required to adopt administrative rules pursuant to chapter 91, Hawaii Revised Statutes, after the building codes are adopted by the state building code council. Section 132-3, Hawaii Revised Statutes, requires the state fire code to be adopted after public hearings are conducted pursuant to chapter 91, Hawaii Revised Statutes. The other building codes that make up the state building code are exempt from the requirement to conduct public hearings. Instead, these other building codes are adopted pursuant to chapter 92, Hawaii Revised Statutes, which requires stakeholders to meet and discuss the various building codes in an open forum. These state codes form

a consistent basis for the adoption of building codes for designers, contractors, and the counties.

Accordingly, the purpose of this Act is to repeal the requirement that the state fire code be adopted after public hearings pursuant to chapter 91, Hawaii Revised Statutes, and instead require that the code be adopted pursuant to chapter 92, Hawaii Revised Statutes, in conformance with all other state building codes.

SECTION 2. Section 132-3, Hawaii Revised Statutes, is amended to read as follows:

**“§132-3 Adoption of state fire code.** The state fire council shall, [~~after public hearings pursuant to chapter 91,~~] pursuant to chapter 92 and exempt from the requirements of chapter 91, adopt a state fire code setting forth minimum requirements relative to the protection of persons and property from fire loss, including without limitation:

- (1) [~~the~~] The storage, handling, and use of hazardous substances, materials, and devices; and
- (2) [~~the~~] The control of conditions hazardous to life or property in the design, use, or occupancy of buildings and premises.

The state fire code shall become part of the Hawaii state building codes as provided in section 107-25. The state fire council shall meet annually to review and amend the state fire code.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 50

S.B. NO. 2188

A Bill for an Act Relating to Wildlife Offenses.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 183D-5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Any person violating section 183D-66, 183D-25.5, 183D-26, 183D-27, 183D-32, 183D-62, or 183D-64 shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished as follows:

- (1) For a first conviction by a mandatory fine of not less than \$200, or by imprisonment of not more than one year, or both[;] and all animal parts, products, or items containing prohibited animal parts or products involved in the commission of the violations shall be considered contraband to be forfeited to and disposed of by the State;
- (2) For a second conviction within five years of a previous conviction, by a mandatory fine of not less than \$1,000, or by imprisonment of not more than one year, or both, and all firearms, animal parts, products, or items containing prohibited animal parts or products used in the commission of the violations shall be considered contraband to be forfeited to and disposed of by the State; and
- (3) For a third or subsequent conviction within five years of the first two or more convictions, by a mandatory fine of not less than

\$2,000, or by imprisonment of not more than one year, or both, and all firearms, animal parts, products, or items containing prohibited animal parts or products used in the commission of the violations shall be considered contraband to be forfeited to and disposed of by the State.”

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

**ACT 51**

S.B. NO. 2193

A Bill for an Act Relating to Employment Discrimination.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that meaningful opportunities for gainful and legitimate employment are necessary for people with criminal records to achieve economic stability for themselves and their families. The legislature also finds that legitimate employment is significantly correlated with lower recidivism rates for individuals with past convictions, and ensuring more meaningful employment opportunities for people with criminal records may therefore be key to reducing crime and improving public safety in the long-term.

Unfortunately, a job applicant’s criminal record, including their conviction history, can itself serve as a barrier to employment opportunities since employers may have express or unconscious biases against hiring or retaining individuals with a record, even if those records are extremely old, for relatively minor crimes, or unrelated to specific employment opportunities. Recognizing this, the legislature was at the forefront of a national movement to pass “ban the box” legislation, which is intended to address employment hurdles that people with criminal records face. Hawaii’s current “ban the box” law generally prohibits the use of arrest and court records as a basis for employment discrimination, subject to exceptions for certain occupations. An employer may inquire about and consider conviction records up to ten years old if those records have a “rational relationship” to the duties and responsibilities of the position in question.

Unfortunately, Hawaii’s current “ban the box” law, specifically its ten-year conviction record “lookback” exception, may continue to facilitate employment discrimination against individuals who have a criminal history, but who have long since paid their debt to society and pose little to no risk to an employer or the public. For example, employers may use conviction information they acquire in a ten-year background check explicitly allowed under the law to ostensibly justify discrimination against individuals with a conviction record, regardless of the age of their conviction or relevance to the job at hand. Even employers and human resource professionals with good intentions may be affected by unconscious biases and make adverse decisions against wholly qualified employees and prospective employees who have a ten-year-old record. Compounding this problem, background checks are often inaccurate, and can still show arrest and expunged records in conflict with what is currently allowed to be used under the existing statute. Accordingly, even individuals who have not been convicted of

a crime or have had their records expunged may continue to face employment challenges as a result of the ten-year “lookback” period.

The legislature finds that the ten-year “lookback” period for conviction records should be shortened to reduce unnecessary employment discrimination against individuals with old and relatively minor conviction records, in furtherance of economic self-sufficiency, and to reduce crime and recidivism rates.

The purpose of this Act is to limit the convictions that may be used in employment decisions, from all convictions in the most recent ten years, to felony convictions that occurred in the most recent seven years and misdemeanor convictions that occurred in the most recent five years. This Act is not intended to amend or affect existing exceptions that explicitly allow the use of criminal history-related records for certain occupations, such as department of education employees, and specific circumstances, such as sex offender registration.

SECTION 2. Section 378-2.5, Hawaii Revised Statutes, is amended by amending subsections (c) and (d) to read as follows:

“(c) For purposes of this section, “conviction” means an adjudication by a court of competent jurisdiction that the defendant committed a crime, not including final judgments required to be confidential pursuant to section 571-84; provided that the employer may consider the employee’s conviction record falling within a period that shall not exceed the most recent [~~ten years,~~] seven years for felony convictions and the most recent five years for misdemeanor convictions, excluding periods of incarceration. If the employee or prospective employee claims that the period of incarceration was less than what is shown on the employee’s or prospective employee’s conviction record, an employer shall provide the employee or prospective employee with an opportunity to present documentary evidence of a date of release to establish a period of incarceration that is shorter than the sentence imposed for the employee’s or prospective employee’s conviction.

(d) Notwithstanding subsections (b) and (c), the requirement that inquiry into and consideration of a prospective employee’s conviction record may take place only after the individual has received a conditional job offer, and the limitation to the most recent [~~ten-year period,~~] seven-year period for felony convictions and the most recent five-year period for misdemeanor convictions, excluding the period of incarceration, shall not apply to employers who are expressly permitted to inquire into an individual’s criminal history for employment purposes pursuant to any federal or state law other than subsection (a), including:

- (1) The State or any of its branches, political subdivisions, or agencies pursuant to sections 78-2.7 and 831-3.1;
- (2) The department of education pursuant to section 302A-601.5;
- (3) The department of health with respect to employees, providers, or subcontractors in positions that place them in direct contact with clients when providing non-witnessed direct mental health services pursuant to section 321-171.5;
- (4) The judiciary pursuant to section 571-34;
- (5) The counties pursuant to section 846-2.7(b)(5), (33), (34), (35), (36), and (38);
- (6) Armed security services pursuant to section 261-17(b);
- (7) Providers of a developmental disabilities domiciliary home pursuant to section 321-15.2;
- (8) Private schools pursuant to sections 302C-1 and 378-3(8);



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- (9) Financial institutions in which deposits are insured by a federal agency having jurisdiction over the financial institution pursuant to section 378-3(9);
- (10) Detective agencies and security guard agencies pursuant to sections 463-6(b) and 463-8(b);
- (11) Employers in the business of insurance pursuant to section 431:2-201.3;
- (12) Employers of individuals or supervisors of individuals responsible for screening passengers or property under title 49 United States Code section 44901 or individuals with unescorted access to an aircraft of an air carrier or foreign carrier or in a secured area of an airport in the United States pursuant to title 49 United States Code section 44936(a);
- (13) The department of human services pursuant to sections 346-97 and 352-5.5;
- (14) The public library system pursuant to section 302A-601.5;
- (15) The department of public safety pursuant to section 353C-5;
- (16) The board of directors of a cooperative housing corporation or the manager of a cooperative housing project pursuant to section 421I-12;
- (17) The board of directors of an association under chapter 514B, or the managing agent or resident manager of a condominium pursuant to section 514B-133; and
- (18) The department of health pursuant to section 321-15.2.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 52

S.B. NO. 2260

A Bill for an Act Relating to Civil Identification Cards.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 286-303, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Application for the identification card shall be made in person by any adult or minor. ~~[The minimum age for minors to obtain an identification card shall be ten years of age.]~~ In the case of a minor under the age of fourteen years, the application shall be made on the minor’s behalf by the parent, or by another individual in loco parentis of the minor who can provide proof of guardianship. In the case of an incompetent individual, the application shall be made by the individual having the custody or control of or maintaining the incompetent individual. A non-compliant identification card shall be issued in accordance with section 286-301.5 for applications not made in person.”

SECTION 2. Statutory material to be repealed is bracketed and stricken.

SECTION 3. This Act shall take effect upon its approval.

(Approved September 15, 2020.)



## ACT 53

S.B. NO. 2262

A Bill for an Act Relating to the Hawaii Teacher Standards Board.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 302A-802, Hawaii Revised Statutes, is amended to read as follows:

**“§302A-802 Licensing and certification standards; policies.** (a) The board shall establish licensing and certification standards that govern teacher licensing and certification in Hawaii. Licensing and certification standards established by the board shall be adopted as rules under chapter 91 unless otherwise specified in this subpart.

(b) In the development of its standards, the board shall consider the existing teacher applicant pool that is available in the State and the level of the qualification of these applicants, as well as the nature and availability of existing preservice teacher training programs.

(c) The board shall adopt policies, exempt from chapters 91 and 92, to initiate the following:

- (1) Develop criteria allowing more individuals with trade or industry experience to teach in vocational, technical, and career pathway programs, and criteria for the issuance of permits allowing qualified individuals to teach when recommended by the superintendent or the commission, when appropriate. The department or the commission, when appropriate, shall be responsible for the review and acceptance of the relevant licenses, certificates, or other qualifications related to an individual’s vocational, technical, or career pathway education-related experience that the department or the commission, when appropriate, deems necessary for a permit. The department or the commission, when appropriate, shall have the authority to waive the requirement of a bachelor’s degree to teach in a vocation, technical, or career pathway education program;
- (2) Develop a plan to accept teachers from any state as long as they have completed state-approved teacher education programs and pass relevant Hawaii teacher examinations or their equivalent;
- (3) Clarify the requirements, on a state-by-state basis, for out-of-state licensed teachers to obtain a license in Hawaii;
- (4) Develop a plan to facilitate licensing for those who intend to teach in Hawaii immersion programs, the island of Niihau, or any other extraordinary situation as defined by the superintendent or the superintendent’s designee, or by the commission, when appropriate; [and]
- (5) Pursue full teacher license reciprocity with all other states~~[-];~~ and
- (6) Develop a plan to facilitate an optional certification for those who teach or intend to teach at private schools.”

SECTION 2. Section 302A-803, Hawaii Revised Statutes, is amended to read as follows:

**“§302A-803 Powers and duties of the board.** (a) In addition to establishing standards for the issuance and renewal of licenses and certificates and any other powers and duties authorized by law, the board’s powers shall also include:

- (1) Setting and administering its own budget;

- (2) Adopting, amending, or repealing the rules of the board in accordance with chapter 91;
- (3) Receiving grants or donations from private foundations, and state and federal funds;
- (4) Submitting an annual report to the governor, the legislature, and the board of education on the board's operations and expenditures, and from the 2007-2008 school year, submitting a summary report every five years of the board's accomplishment of objectives, efforts to improve or maintain teacher quality, and efforts to keep its operations responsive and efficient;
- (5) Conducting a cyclical review of standards and suggesting revisions for their improvement;
- (6) Establishing licensing and certification fees in accordance with chapter 91 and determining the manner by which fees are collected and subsequently deposited into the state treasury and credited to the general fund;
- (7) Establishing penalties in accordance with chapter 91;
- (8) Issuing, renewing, forfeiting, restoring, conditioning, revoking, suspending, and reinstating licenses~~;~~ and certificates;
- (9) Developing criteria for a full career and technical education license, limited to career and technical education teaching assignments, allowing qualified individuals with at least an associate's degree, coursework, industry experience, and content expertise to teach;
- (10) Reviewing reports from the department and commission on individuals hired on an emergency basis;
- (11) Applying licensing and certification standards on a case-by-case basis and conducting licensing and certification evaluations;
- (12) Preparing and disseminating teacher licensing and certification information to schools and operational personnel;
- (13) Approving teacher preparation programs;
- (14) Establishing policies and procedures for approving alternative pathways to teaching;
- (15) Administering reciprocity agreements with other states relative to licensing;
- (16) Conducting research and development on teacher licensure systems, beginning teacher programs, the assessment of teaching skills, and other related topics;
- (17) Participating in efforts relating to teacher quality issues, professional development related to the board's standards, and promotion of high teacher standards and accomplished teaching;
- (18) Upon declaration of a state of emergency pursuant to section 127A-14, extending the expiration date of any license, certificate, or permit until June 30 of the following school year;
- ~~(19)~~ (19) Adopting applicable rules and procedures; ~~[and]~~
- ~~(20)~~ (20) Adopting, amending, repealing, or suspending the policies and standards of the board~~[-]; and~~
- (21) Issuing and renewing an optional certificate for those who teach or intend to teach at private schools.

(b) If, in accordance with chapter 92, the board determines, on a case-by-case basis, that extenuating circumstances exist to justify the suspension, the board may temporarily suspend its rules, or any portion thereof. The board shall establish, in accordance with chapter 91, procedures for the suspension of its rules. When determining whether to suspend its rules, the board shall also establish the length of time for which the suspension shall be in effect.

(c) The board, in accordance with chapter 92, may also amend licensing-related and certification-related fees and set or amend other charges related to the performance of its duties.

(d) The board may delegate to its executive director, or other designee, any of its powers and duties as it deems reasonable and proper; provided that the delegation of powers and duties by the board shall be made in accordance with procedures set forth in this subsection. The board shall not delegate its discretionary functions resulting in a final decision in:

- (1) Adopting, amending, or repealing rules;
- (2) Ordering disciplinary action against a licensee, including license revocation or suspension, or the imposition of conditions or fines; provided that summary suspensions may be delegated; or
- (3) Denying permits [ØF], licenses, or certificates, including license and certificate renewals and reinstatements, or otherwise conditioning permits [ØF], licenses, or certificates unless the denying, or otherwise conditioning of a permit [ØF], license, or certificate does not require the exercise of the board's expertise and discretion.

To delegate authority, the concurrence of a majority of the members to which the board is entitled shall be necessary for any action taken by the board to be valid. The board shall conduct its meetings to delegate powers and duties to its executive director, or other designee, in accordance with chapters 91 and 92.”

SECTION 3. Section 302A-804, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (b) to read:

“(b) The department's powers and duties under this subpart shall be limited to:

- (1) Hiring, except in emergency situations as described in this chapter, licensed teachers to teach in their fields of licensing;
- (2) Reporting data annually to the board about the supply of, and demand for, teachers in department schools, including the identification of shortage areas, out-of-field teaching assignments, number of classrooms without a licensed teacher for a quarter or more, numbers of teachers teaching out-of-field, numbers and types of courses and classes taught by out-of-field teachers, and numbers and types of students taught by out-of-field teachers;
- (3) On an emergency and case-by-case basis, hiring unlicensed individuals; provided that:
  - (A) A list of the names, work sites, teaching assignments, and progress toward licensing of these individuals shall be reported to the board and any changes shall be updated on a monthly basis by the department;
  - (B) There are no properly licensed teachers for the specific assignments for which the individuals are being hired; and
  - (C) No individual may be employed by the department on an emergency basis for more than three years[-]; provided that in the case of a declaration of a state of emergency pursuant to section 127A-14, the board, pursuant to its powers in section 302A-803(a)(18), may extend the three-year period by authorizing an extension to complete licensing requirements. During this time, the individual shall demonstrate active pursuit of licensing in each year of employment;
- (4) Submitting an annual report to the board documenting:

- (A) The number of emergency hires in department schools by subject matter areas and by school;
  - (B) The reasons and duration of employment for the emergency hiring enumerated in subparagraph (A); and
  - (C) The department's efforts to address the shortages described in subparagraph (A); and
- (5) Providing any other information requested by the board that is pertinent to its powers and duties.”
2. By amending subsection (d) to read:
- “(d) A charter school’s powers and duties under this subpart shall be limited to:
- (1) Except in emergency situations as described in this chapter, hiring licensed teachers to teach in their fields of licensing;
  - (2) On an emergency and case-by-case basis, hiring unlicensed individuals; provided that:
    - (A) A list of the names, work sites, teaching assignments, and progress toward licensing of these individuals shall be reported to the board and any changes shall be updated on a monthly basis by the charter schools;
    - (B) There are no properly licensed teachers for the specific assignments for which the individuals are being hired; and
    - (C) No individual may be employed by the charter school on an emergency basis for more than three years[-]; provided that in the case of a declaration of a state of emergency pursuant to section 127A-14, the board, pursuant to its powers in section 302A-803(a)(18), may extend the three-year period by authorizing an extension to complete licensing requirements. During this time, the individual shall demonstrate active pursuit of licensing in each year of employment;
  - (3) Submitting an annual report to the board documenting:
    - (A) The number of emergency hires in the charter school by subject matter areas;
    - (B) The reasons and duration of employment for the emergency hiring enumerated in subparagraph (A);
    - (C) The number of classrooms without a licensed teacher for a quarter or more;
    - (D) The number and type of courses and classes taught by out-of-field teachers; and
    - (E) The number and type of students taught by out-of-field teachers; and
  - (4) Providing any other information requested by the board that is pertinent to the charter school’s powers and duties.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

A Bill for an Act Relating to Notarial Acts.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The purpose of this Act is to update the laws regarding notaries public to conform to the Revised Uniform Law on Notarial Acts (2018), the Hawaii Uniform Electronic Transactions Act, other state notary laws, and current notary practices.

SECTION 2. Chapter 456, Hawaii Revised Statutes, is amended by adding six new sections to be appropriately designated and to read as follows:

**§456-A Authority to refuse to perform notarial act.** (a) A notary public may refuse to perform a notarial act if the notary public is not satisfied that:

- (1) The person executing the document is competent or has the capacity to execute the document;
- (2) The person's signature is knowingly and voluntarily made; or
- (3) The notary public has proof of the signer's signature and identity or, if the person is a remotely located individual, satisfactory evidence of the identity under section 456-B.

(b) A notary public may refuse to perform a notarial act unless the refusal is prohibited by any provision of law other than this chapter.

**§456-B Notarial act performed for remotely located individual.** (a) A remotely located individual may comply with any law requiring the individual to appear personally before, or be in the presence of, a notary public at the time of the performance of a notarial act by using communication technology to appear before a remote online notary public.

(b) A remote online notary public located in this State may perform a notarial act for a remotely located individual using communication technology if:

- (1) The remote online notary public has:
  - (A) Personal knowledge of the identity of the individual;
  - (B) Satisfactory evidence of the identity of the remotely located individual by oath or affirmation from a credible witness appearing before the remote online notary public under this chapter; or
  - (C) Obtained satisfactory evidence of the identity of the remotely located individual by using at least two different types of identity proofing;
- (2) The remote online notary public is reasonably able to confirm that a document before the remote online notary public is the same document in which the remotely located individual made a statement or on which the remotely located individual executed a signature;
- (3) The remote online notary public, or a person acting on behalf of the remote online notary public, creates an audiovisual recording of the performance of the notarial act; and
- (4) For a remotely located individual located outside the United States:
  - (A) The document to be notarized:
    - (i) Is to be filed with or relates to a matter before a public official or court, governmental entity, or other entity subject to the jurisdiction of the United States;

- (ii) Involves property located in the territorial jurisdiction of the United States or involves a transaction substantially connected with the United States; or
- (iii) Involves a transaction with a bank, the deposits of which are insured by the Federal Deposit Insurance Corporation, including a bank so insured and that is located in the Federated States of Micronesia, Republic of the Marshall Islands, or Republic of Palau; and

(B) The act of making the statement or signing the record is not prohibited by the foreign state in which the remotely located individual is located.

(c) If a notarial act is performed under this section, any certificate of notarial act required by this chapter or other laws of this State shall indicate that the notarial act was performed using communication technology.

(d) A form of certificate of notarial act subject to this section and authorized by the laws of this State, including a certificate of acknowledgment provided in section 502-41, is sufficient if it:

- (1) Complies with rules adopted under this section; or
- (2) Is in the form authorized by the laws of this State and contains a statement substantially as follows: “This notarial act involved the use of communication technology”.

(e) A remote online notary public; guardian, conservator, or agent of a remote online notary public; or personal representative of a deceased remote online notary public shall retain any audiovisual recording created under this section or cause the recording to be retained by a repository designated by or on behalf of the person required to retain the recording. Unless a different period is required by a rule adopted under this section, the recording shall be retained for a period of no less than ten years after the recording is made.

(f) Prior to performing any initial notarial act under this section, the remote online notary public shall notify the attorney general that the remote online notary public will be performing notarial acts with respect to remotely located individuals and identify the technologies that the remote online notary public intends to use. The technologies selected by a remote online notary public to perform notarial acts for remotely located individuals shall conform to the attorney general’s standards developed for this chapter.

(g) In addition to adopting, amending, or repealing rules under sections 456-1.5 and 456-8, the attorney general may adopt, amend, or repeal rules pursuant to chapter 91 regarding the performance of notarial acts under this section, including:

- (1) Prescribing the means of performing a notarial act involving a remotely located individual using communication technology;
- (2) Establishing standards for communication technology and identity proofing;
- (3) Establishing requirements and procedures to approve providers of communication technology and the process of identity proofing; and
- (4) Establishing standards for, and a period of retention of, any audiovisual recording created under this section.

(h) Prior to adopting, amending, or repealing a rule governing the performance of a notarial act with respect to a remotely located individual, the attorney general shall consider:

- (1) The most recent standards regarding the performance of a notarial act with respect to a remotely located individual promulgated by

national standard-setting organizations and the recommendations of the National Association of Secretaries of State;

- (2) The standards, practices, and customs of other jurisdictions that have laws substantially similar to this section; and
- (3) The views of governmental officials and entities and other interested persons.

(i) For purposes of this section:

“Communication technology” means an electronic device or process that:

- (1) Allows a remote online notary public and a remotely located individual to communicate with each other simultaneously by sight and sound; and
- (2) When necessary and consistent with other applicable laws, facilitates communication between a remote online notary public and a remotely located individual who has a vision, hearing, or speech impairment.

“Foreign state” means a jurisdiction other than the United States, a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, any territory or insular possession subject to the jurisdiction of the United States, or a federally recognized Indian tribe.

“Identity proofing” means a process or service by which a third person provides a remote online notary public with a means to verify the identity of a remotely located individual by a review of the remotely located individual’s personal information from public or private data sources.

“Outside the United States” means a location outside the geographic boundaries of the United States; Puerto Rico; the United States Virgin Islands; and any territory, insular possession, or other location subject to the jurisdiction of the United States.

“Remote online notary public” means an individual commissioned by the attorney general to perform notarial acts for remotely located individuals.

“Remotely located individual” means an individual who is not in the physical presence of the remote online notary public performing a notarial act for that individual under this section.

**§456-C Remote online notaries public; application; qualifications.** (a) A notary public or an applicant for commission as a notary public may apply to the attorney general to be commissioned as a remote online notary public in the manner provided by this section.

(b) A person qualifies to be commissioned as a remote online notary public by:

- (1) Satisfying the qualification requirements for commission as a notary public under this chapter;
- (2) Paying any application fee established pursuant to subsection (c); and
- (3) Submitting to the attorney general an application in the form prescribed by the attorney general that establishes the applicant’s qualifications.

(c) The attorney general may charge a fee for an application submitted under this section in an amount necessary to administer this section.

(d) An individual commissioned as a remote online notary public under this section shall forthwith file a literal or photostatic copy of the individual’s commission with the clerk of the circuit court of the circuit in which the remote online notary public resides.

(e) An individual commissioned as a remote online notary public under this section shall be deemed a notary public for purposes of this chapter and



shall be subject to the requirements, powers, and duties of a notary public under this chapter.

**§456-D Notification regarding performance of notarial act on electronic record; selection of technology; acceptance of tangible copy of electronic record.**

(a) A notary public may select one or more tamper-evident technologies to perform notarial acts with respect to electronic documents. No person shall require a notary public to perform a notarial act with respect to an electronic document using a technology that the notary public has not selected.

(b) Prior to the performance of an initial notarial act with respect to an electronic document, the notary public shall notify the attorney general that the notary public will be performing notarial acts with respect to electronic documents and identify the technology the notary public intends to use; provided that the technology selected by a remote online notary public for remote online notarizations shall conform to the attorney general’s standards developed for this chapter.

(c) The registrar of conveyances may accept for recording under chapter 502 a tangible copy of an electronic document containing a notarial certificate as satisfying any requirement that a document accepted for recording be an original; provided that the notary public executing the notarial certificate certifies that the tangible copy is an accurate copy of the electronic document.

**§456-E Validity of notarial acts.** Except as otherwise provided in section 456-14(b), the failure of a notary public to perform a duty or meet a requirement specified in this chapter does not validate or invalidate a notarial act performed by the notary public. The validity of a notarial act under this chapter does not prevent an aggrieved person from seeking to invalidate the document or transaction that is the subject of the notarial act or from seeking other remedies based on the laws of this State other than this chapter or based on the laws of the United States. This section shall not be deemed to validate a purported notarial act performed by a person who does not have the authority to perform notarial acts.

**§456-F Relation to the federal Electronic Signatures in Global and National Commerce Act.** This chapter modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act, title 15 United States Code section 7001, et seq., but does not modify, limit, or supersede section 101(c) of that Act, title 15 United States Code section 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of that Act, title 15 United States Code section 7003(b).”

SECTION 3. Section 456-1, Hawaii Revised Statutes, is amended to read as follows:

**“§456-1 [Appointment;] Commission; renewal.** (a) The attorney general may, in the attorney general’s discretion, ~~appoint and~~ commission ~~[such]~~ the number of notaries public for the State ~~[as]~~ that the attorney general deems necessary for the public good and convenience. The term of ~~[office]~~ commission of a notary public shall be four years from the date of the ~~[notary’s]~~ notary public’s commission, unless sooner removed by the attorney general for cause after ~~[due]~~ the opportunity for hearing; provided that after ~~[due]~~ the opportunity for hearing, the commission of a notary public may be revoked or the notary public may be otherwise disciplined by the attorney general in any case where any change occurs in the ~~[notary’s office,]~~ notary public’s commission, occupation, residence, or employment ~~[which]~~ that, in the attorney general’s judgment, renders the



holding of [such] the commission by the notary public no longer necessary for the public good and convenience. Each notary public shall, upon any change in the [~~notary's office,~~] notary public's commission, occupation, residence, or employment, forthwith report the [same] change to the attorney general.

(b) Each notary public shall be responsible for renewing the notary public's commission on a timely basis and satisfying the renewal requirements provided by law. The failure to renew a commission in a timely manner ~~[may] shall~~ cause the commission to be forfeited~~[, if the attorney general finds that the failure was done knowingly];~~ provided that a forfeited commission may be restored by the attorney general within one year after the date of forfeiture upon compliance with the commission renewal requirements provided by law and upon written application and payment of all applicable fees.”

SECTION 4. Section 456-1.6, Hawaii Revised Statutes, is amended as follows:

1. Adding twelve new definitions to be appropriately inserted and to read:

“Acknowledgment” means a declaration by a person before a notary public that the person has signed a document for the purpose stated in the document and, if the document is signed in a representative capacity, that the person signed the document with proper authority and signed it as the act of the person or entity identified in the document.

“Document” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

“Electronic” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

“Electronic signature” means an electronic symbol, sound, or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document.

“In a representative capacity” means acting as:

- (1) An authorized officer, agent, partner, trustee, or other representative for a person other than an individual;
- (2) A public officer, personal representative, guardian, or other representative, in the capacity stated in an applicable document;
- (3) An agent or attorney-in-fact for a principal; or
- (4) An authorized representative of another in any other capacity.

“Notarial act” means an act, whether performed with respect to a tangible or electronic document, that a notary public may perform under the laws of this State. “Notarial act” includes taking an acknowledgment, administering an oath or affirmation, taking a verification upon oath or affirmation, witnessing or attesting a signature, certifying or attesting a copy, and noting a protest of a negotiable instrument.

“Notary public” means an individual commissioned to perform a notarial act by the attorney general under this chapter.

“Sign” means, with present intent to authenticate or adopt a document:

- (1) To execute or adopt a tangible symbol; or
- (2) To attach or logically associate with the document an electronic symbol, sound, or process.

“Signature” means a tangible symbol or an electronic signature that evidences the signing of a document.

“Stamping device” means:

- (1) A physical device capable of stamping or impressing upon a tangible document a notary seal; or

- (2) An electronic device or process capable of attaching to, or logically associating with, an electronic document a notary seal.

“Tamper-evident” means any change to an electronic document that displays evidence of the change.

“Verification on oath or affirmation” means a declaration, made by a person on oath or affirmation before a notary public, that a statement in a document is true.”

2. By amending the definition of “proof of the signer’s signature and identity” to read:

““Proof of the signer’s signature and identity” means [proof evidenced by production of a current identification card or document issued by the United States, this State, any other state, or a national government that contains the bearer’s photograph and signature.] satisfactory evidence of the identity of an individual appearing before the notary public if the notary public can identify the individual:

(1) By means of:

(A) Having personal knowledge of the identity of an individual before the officer if the individual is personally known to the notary public through dealings sufficient to provide reasonable certainty that the individual has the identity claimed;

(B) A passport, driver’s license, or government-issued non-driver identification card that is valid or expired no more than three years prior to the performance of the notarial act and contains the signature and photograph of the individual;

(C) Another form of government identification issued to an individual that is valid or expired no more than three years prior to performance of the notarial act, contains the signature and photograph of the individual, and is satisfactory to the notary public; or

(D) By verification on oath or affirmation of a credible witness personally appearing before the notary public and known to the notary public or whom the notary public can identify on the basis of a passport, driver’s license, or government-issued non-driver identification card that is valid or expired no more than three years prior to performance of the notarial act; or

(2) By requiring an individual to provide additional information or identification credentials necessary to assure the notary public of the identity of the individual.”

3. By repealing the definition of “personally knowing”.

[“Personally knowing” means having an acquaintance, derived from association with the individual, which establishes the individual’s identity with at least a reasonable certainty.”]

SECTION 5. Section 456-2, Hawaii Revised Statutes, is amended to read as follows:

**“§456-2 Qualifications; oath.** Every person [~~appointed~~] commissioned as a notary public shall, at the time of the person’s [appointment,] commission, be a resident of the State, possess the other qualifications required of [~~public officers~~] a notary public and be at least eighteen years of age. Every person [~~appointed to that office,~~] prior to being commissioned as a notary public, shall [~~before entering thereon,~~] take and subscribe an oath for the faithful discharge of the person’s duties, which oath shall be filed in the department of the attorney general.”

SECTION 6. Section 456-3, Hawaii Revised Statutes, is amended to read as follows:

**“§456-3 Seal.** Every notary public shall constantly keep ~~[an engraved seal of office or]~~ a rubber stamp ~~[faesimile]~~ notary seal which shall clearly show, when ~~[embossed,]~~ stamped~~[-]~~ or impressed upon a tangible document~~[-]~~ or when attached to or logically associated with an electronic document, only the ~~[notary’s]~~ notary public’s name, the ~~[notary’s]~~ notary public’s commission number, and the words, “notary public” and “State of Hawaii”. The notary seal shall be capable of being copied together with the document to which it is stamped, impressed, or attached, or with which it is logically associated. The notary public shall authenticate all the ~~[notary’s]~~ notary public’s official acts, attestations, certificates, and instruments therewith, and shall always add to an official signature the typed or printed name of the notary public and a statement showing the date that the ~~[notary’s]~~ notary public’s commission expires. Upon resignation, death, expiration of term of ~~[office]~~ commission without ~~[reappointment,]~~ renewal, or ~~[removal from]~~ revocation or abandonment of ~~[office,]~~ commission, the notary public, or in the case of the death of the notary public, the notary public’s personal representative, shall immediately deliver the ~~[notary’s]~~ notary public’s seal to the attorney general who shall deface or destroy the same. ~~[If any notary fails to comply with this section within ninety days of the date of the notary’s resignation, expiration of term of office without reappointment, or removal from or abandonment of office or if the notary’s personal representative fails to comply with this section within ninety days of the notary’s death, then the notary public or the notary’s personal representative shall forfeit to the State not more than \$200, in the discretion of the court, to be recovered in an action to be brought by the attorney general on behalf of the State.]~~ If a notary public has used an electronic stamping device, upon resignation, death, expiration of term of commission without renewal, or revocation or abandonment of commission, the notary public, or in the case of the death of the notary public, the notary public’s personal representative, shall disable the electronic stamping device by destroying, defacing, damaging, erasing, or securing it against use in a manner that renders it unusable and shall submit a declaration to the attorney general that the electronic stamping device was disabled and indicate the date and manner in which the device was disabled.”

SECTION 7. Section 456-4, Hawaii Revised Statutes, is amended to read as follows:

**“§456-4 Filing copy of commission; authentication of acts.** (a) Each person ~~[appointed and]~~ commissioned as a notary public under this chapter shall forthwith file a literal or photostatic copy of the person’s commission, an impression of the person’s tangible seal, and a specimen of the person’s official signature with the clerk of the circuit court of the circuit in which the notary public resides. Each person ~~[appointed and]~~ commissioned as a notary public under this chapter may also, at the person’s option, file the above-named documents with the clerk of any other circuit court. Thereafter any clerk, when ~~[thereunto]~~ requested, shall certify to the official character and acts of any such notary public whose commission, impression of tangible seal, and specimen of official signature ~~[is]~~ are so filed in the clerk’s office. A notary public’s electronic seal shall not be subject to the requirements of this section.

(b) All documents filed under this section may be maintained in tangible or electronic format.”

SECTION 8. Section 456-5, Hawaii Revised Statutes, is amended to read as follows:

“§456-5 **Official bond.** Each notary public forthwith and before entering upon the duties of the ~~[notary’s office]~~ notary public’s commission shall execute, at the ~~[notary’s]~~ notary public’s own expense, an official surety bond which shall be in the sum of \$1,000. Each bond shall be approved by a judge of the circuit court.

The obligee of each bond, or bond continuation certificate, shall be the State and the condition contained therein shall be that the notary public will well, truly, and faithfully perform all the duties of the ~~[notary’s office]~~ notary public’s commission which are then or may thereafter be required, prescribed, or defined by law or by any rule made under the express or implied authority of any statute, and all duties and acts undertaken, assumed, or performed by the notary public by virtue or color of the ~~[notary’s office.]~~ notary public’s commission. The surety on ~~[any such] each~~ each bond, or bond continuation certificate, shall be a surety company authorized to do business in the State. After approval, the bond~~;~~  or bond continuation certificate shall be deposited and kept on file in the office of the clerk of the circuit court of the judicial circuit in which the notary public resides. The clerk shall keep a book to be called the “bond record”, in which the clerk shall record ~~[such]~~ data [in respect] relating to each of the bonds or bond continuation certificates deposited and filed in the clerk’s office as the attorney general may direct.”

SECTION 9. Section 456-6, Hawaii Revised Statutes, is amended to read as follows:

“§456-6 **Liabilities; limitations on; official bond.** (a) In the performance of a notarial act, a ~~[notary’s]~~ notary public’s liability shall be limited to a failure by the notary public to perform properly the actions required for the jurat, acknowledgment, or other notarial ~~[act.]~~ acts. The ~~[notary’s]~~ notary public’s liability shall not be based on statements in a notarized document apart from the notarial certificate.

(b) For the official misconduct or neglect of a notary public or breach of any of the conditions of the ~~[notary’s]~~ notary public’s official bond, the notary public and the surety on the ~~[notary’s]~~ notary public’s official bond shall be liable to the party injured thereby for all the damages sustained. The party shall have a right of action in the party’s ~~[own]~~ name upon the bond and may prosecute the action to final judgment and execution.”

SECTION 10. Section 456-7, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) A person commits the offense of unauthorized practice as a notary public if the person knowingly engages in or offers to engage in any duties of ~~[the office of]~~ a notary public without first complying with all of the following:

- (1) Being ~~[appointed and]~~ commissioned as a notary public by the attorney general;
- (2) Filing a copy of the person’s commission, an impression of the person’s seal, and a specimen of the person’s official signature with the clerk of the circuit court of the circuit in which the person resides; and
- (3) Executing an official surety bond pursuant to section 456-5.”

SECTION 11. Section 456-8, Hawaii Revised Statutes, is amended to read as follows:

“§456-8 **Rules.** The attorney general, subject to chapter 91, may prescribe such rules as the attorney general deems advisable concerning the administration of this chapter, the ~~[appointment]~~ commission and duties of notaries

public, ~~[the duties of other officers thereunder,]~~ and ~~[such]~~ any measures as may be necessary to prevent the fraudulent use of a notarized document after placement of the ~~[notary's]~~ notary public's seal. The rules shall have the force and effect of law.”

SECTION 12. Section 456-9, Hawaii Revised Statutes, is amended to read as follows:

**“§456-9 Fees and administrative fines.** (a) The attorney general shall charge and collect the following fees for:

- (1) Issuing the original commission, \$40; ~~[and]~~
- (2) Renewing the commission, \$40~~[-]; and~~
- (3) Electronic processing service fees of up to ten per cent of the amount of the transaction.

These fees may be adjusted, and any other fees may be established and adjusted, by adopting rules pursuant to chapter 91.

(b) The court fees for filing a copy of a commission and for each certificate of authentication shall be specified by the supreme court.

(c) The attorney general may impose and collect the following administrative fines for a notary public's failure to:

- (1) Maintain an official seal of ~~[one type, either a single engraved seal or]~~ a single rubber stamp ~~[faesimile]~~ notary seal, on which shall be inscribed the name of the notary public, the commission number of the notary public, and the words “notary public” and “State of Hawaii” only, \$20;
- (2) Surrender the notary public's ~~[seal]~~ physical stamping device and certificate to the attorney general within ninety days of resignation, ~~[removal from office,]~~ revocation of commission, or the expiration of a term without renewal, \$200;
- (3) Disable the notary public's electronic stamping device within ninety days of resignation, revocation of commission, or the expiration of a term without renewal, \$200;
- ~~[(3)]~~ (4) Authenticate every acknowledgment or jurat with a certificate that shall be signed and dated by the notary~~[-]~~ public, include the printed name and official stamp or seal of the notary~~[-]~~ public, and identify the jurisdiction in which the notarial act is performed, ~~[describe in close proximity to the acknowledgment or jurat the document being notarized, and state the number of pages and date of the document,]~~ \$500;
- ~~[(4)]~~ ~~Record~~ (5) Chronicle all of the notary public's ~~[transactions]~~ notarial acts as prescribed by section 456-15 and applicable rules, \$200; and
- ~~[(5)]~~ Surrender the notary public's record books to the attorney general within ninety days of the end date of the commission, resignation, or removal from office, \$500; and]
- (6) Notify the attorney general within ten days after loss, misplacement, or theft of the notary public's ~~[seal, stamp,]~~ stamping device or any ~~[record book,]~~ journal, inform the appropriate law enforcement agency in the case of theft, and deliver a copy of the law enforcement agency's report of the theft to the attorney general, \$20.

(d) The ~~[foregoing]~~ moneys collected by the attorney general pursuant to this section shall be deposited into the notaries public revolving fund established by section 456-9.5, except that if that fund is terminated, the ~~[foregoing]~~ moneys shall thereafter be deposited with the director of finance to the credit of the general fund.

(e) All unpaid fees, fines, and forfeitures shall constitute a debt due and owing to the State.”

SECTION 13. Section 456-9.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) There is established in the state treasury the notaries public revolving fund into which shall be deposited:

- (1) All fees, administrative fines, charges, or other payments received pursuant to section 456-9;
- (2) Penalties and fines for violations of section 456-3[.] or 456-7[.]~~or 456-16~~;
- (3) Appropriations made for deposit into the notaries public revolving fund; and
- (4) Interest earned on money in the notaries public revolving fund.”

SECTION 14. Section 456-14, Hawaii Revised Statutes, is amended to read as follows:

**“§456-14 [Notary] Authority to perform notarial act; notary public connected with a corporation or trust company;** ~~authority to act~~. (a) Except as otherwise provided in subsection (b):

- (1) A notary public may perform a notarial act authorized by this chapter or by the laws of this State; and
- (2) It shall be lawful for any notary public, although an officer, employee, shareholder, or director of a corporation or trust company to take the acknowledgment of any party to any written instrument executed to or by the corporation or trust company, or to administer an oath to any shareholder, director, officer, employee, or agent of the corporation or trust company, or to protest for nonacceptance or nonpayment of bills of exchange, drafts, checks, notes, and other negotiable instruments [which] that may be owned or held for collection by the corporation or trust company; ~~provided it shall be unlawful for any notary public to take the acknowledgment of any party to an instrument, or to protest any negotiable instrument, where the notary is individually a party to the instrument].~~

(b) A notary public shall not perform a notarial act with respect to a document to which the notary public or the notary public’s spouse or civil partner is a party or in which either of them has a direct beneficial interest. A notarial act performed in violation of this section is voidable.

(c) A notary public may certify that a tangible copy of an electronic document is an accurate copy of the electronic document.”

SECTION 15. Section 456-15, Hawaii Revised Statutes, is amended to read as follows:

**“§456-15 [Record;] Journal; copies as evidence.** ~~[Every notary public shall record at length in a book of records all acts, protests, depositions, and other things, by the notary noted or done in the notary’s official capacity. For each official act, the notary shall enter in the book:]~~ (a) A notary public shall maintain a journal in which the notary public chronicles all notarial acts that the notary public performs. The notary public shall retain the journal for ten years after the performance of the last notarial act chronicled in the journal.

(b) A journal may be created on a tangible medium or in an electronic format. A notary public shall maintain only one tangible journal at a time to chronicle all notarial acts performed regarding tangible documents and one electronic journal at a time to chronicle all notarial acts performed regarding elec-



tronic documents. If the journal is maintained on a tangible medium, it shall be a permanent, bound register with numbered pages. If the journal is maintained in an electronic format, it shall be in a permanent, tamper-evident electronic format complying with all rules adopted by the attorney general pursuant to this chapter.

(c) A notary public having the care and custody of the journal may cause the same to be photographed, microphotographed, reproduced on film, or copied to an electronic format. Any device or electronic storage system used to copy or reproduce the journal shall accurately reflect all details of the information in the original thereof.

(d) A photograph, microphotograph, reproduction on film, or electronic copy of a journal shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies. A transcript, exemplification, facsimile, or certified copy thereof, for all purposes recited in this section, shall be deemed to be a transcript, exemplification, facsimile, or certified copy of the original record.

(e) An entry in a journal shall be made contemporaneously with performance of the notarial act and contain the following information:

- (1) The type, date, and time of day of the notarial act;
- (2) The title or type and date of the document or proceeding and the nature of the act, transaction, or thing to which the document relates;
- (3) The ~~[signature;]~~ full printed name~~[-]~~ and address of each person whose signature is notarized and of each witness~~[-]~~ and, if the journal is maintained in a tangible medium, the signature of that person;
- (4) ~~[Other parties to the instrument; and]~~ If the identity of the person is based on personal knowledge, a statement to that effect;
- (5) ~~[The manner in which the signer was identified.]~~ If the identity of the person is based on satisfactory evidence, a brief description of the method of identification and the identification credential presented, if any, including the identification number and date of expiration of any identification credentials; and
- (6) The fee, if any, charged by the notary public.

(f) If a notary public's journal is lost or stolen, the notary public shall promptly notify the attorney general upon discovering that the journal is lost or stolen.

(g) On resignation from, or the expiration, revocation, or suspension of, a notary public's commission, the notary public shall retain the notary public's journal in accordance with this section and provide to the attorney general the location of the journal.

(h) On the death or adjudication of incompetency of a current or former notary public, the notary public's personal representative or guardian or any other person knowingly in possession of the journal shall transmit the journal to the attorney general or a repository approved by the attorney general.

(i) All copies or certificates granted by the notary public shall be under the ~~[notary's]~~ notary public's hand and notary seal and shall be received as evidence of such transactions.

(j) The journals are subject to any reasonable periodic, special, or other audits or inspections by the department of the attorney general, within or without the State, as the attorney general considers necessary or appropriate. An audit or inspection may be made at any time and without prior notice. The department of the attorney general may copy, and remove for audit or inspection copies of, all records that the department of the attorney general reasonably considers necessary or appropriate to conduct the audit or inspection. If any notary public fails to comply with this section, the notary public shall be subject

to an administrative fine of no less than \$50 nor more than \$500. All unpaid fees, fines, and forfeitures shall constitute a debt due and owing to the State.”

SECTION 16. Section 456-17, Hawaii Revised Statutes, is amended to read as follows:

“**§456-17 Fees.** Subject to section 456-18, every notary public is entitled to demand and receive the following fees:

For noting the protest of mercantile paper, \$5;

For each notice and certified copy of protest, \$5;

For noting any other protest, \$5;

For every notice thereof, and certified copy of protest, \$5;

For every deposition, or official certificate, \$5;

For the administration of oath, including the certificate of the oath, \$5; for affixing the certificate of the oath to every duplicate original instrument beyond four, \$2.50;

For taking any acknowledgment, \$5 for each party signing; for affixing to every duplicate original beyond one of any instrument acknowledged before the notary~~[-]~~ public, the ~~notary's~~ notary public's certificate of the acknowledgment, \$2.50 for each person making the acknowledgment~~[-]; and~~

For any of the foregoing notarial acts performed for a remotely located individual under section 456-B, other than affixing a notary public's certificate to a duplicate original, \$25.”

SECTION 17. Section 456-19, Hawaii Revised Statutes, is amended to read as follows:

“~~[[~~**§456-19**~~]]~~ **Notary public signing for disabled person.** A notary public may sign the name of a person physically unable to sign or to make a mark on a document presented for notarization; provided that the notary public is satisfied that the person has voluntarily given consent for the notary public to sign on the person's behalf, if the notary public writes, in the presence of the person: “Signature affixed by notary public pursuant to section 456-19, Hawaii Revised Statutes.” beneath the signature, and if a doctor's written certificate is provided to the notary public certifying that the person is unable to physically sign or make a mark because of the disability, and that the person is capable of communicating the person's intentions. The certificate shall be attached to the document.”

SECTION 18. Section 456-20, Hawaii Revised Statutes, is amended by amending its title and subsection (a) to read as follows:

“~~[[~~**§456-20**~~]]~~ **Failure to verify identity and signature.** (a) A person commits the offense of failure to verify identity ~~[and signature]~~ if the person is a commissioned notary public and knowingly notarizes a document and~~[-]~~

(1) ~~If~~ if a witness to the signing of the instrument, fails to verify the identity of the signer by ~~[personally knowing the signer or by comparing the personal appearance of the signer with satisfactory proof of the signer's identity; or~~

(2) ~~If not a witness to the signing of the instrument, fails to verify the identity of the signer by personally knowing the signer or by comparing the personal appearance of the signer with satisfactory proof of the signer's identity; or fails to verify the signature of the signer by recognizing the signature of the signer by personal familiarity with the signature, or by comparing the signature with satisfactory proof of the signer's signature.]~~ proof of the signer's signature and



identity, or by obtaining satisfactory evidence of identity of a remotely located individual under section 456-B.”

SECTION 19. Section 456-21, Hawaii Revised Statutes, is amended to read as follows:

~~“[§456-21]~~ **Failure to authenticate with a certification statement.** (a) A person commits the offense of failure to authenticate with a certification statement if the person is a commissioned notary public and knowingly ~~[notarizes]~~ performs a notarial act with respect to a document and fails to include any of the following in the notary certification:

- (1) Date of notarization and signature of the notary public;
- (2) The printed name, date of expiration, and stamp or seal of the notary public; and
- (3) Identification of the jurisdiction in which the notarial act is performed~~;~~
- (4) ~~Identification or description of the document being notarized, placed in close proximity to the acknowledgment or jurat; and~~
- (5) ~~A statement of the number of pages and date of the document].~~

(b) If a notarial act regarding a tangible record is performed by a notary public, an official stamp shall be stamped, impressed, or attached on the certificate. If a notarial act is performed regarding a tangible record by a notary public and the certificate contains the information specified in this section, an official stamp shall be affixed to the certificate. If a notarial act regarding an electronic record is performed by a notary public and the certificate contains the information specified in this section, an official stamp shall be attached to or logically associated with the certificate.

~~[(b)]~~ (c) Any person who violates this section shall be guilty of a misdemeanor and shall be sentenced in accordance with chapter 706.

~~[(e)]~~ (d) A conviction under this section shall result in the automatic revocation of the notary public’s commission.”

SECTION 20. Section 502-42, Hawaii Revised Statutes, is amended to read as follows:

**§502-42 Certificate, contents.** The certificate of acknowledgment shall state in substance that the person who executed the instrument appeared before the ~~[officer]~~ notary public granting the certificate and acknowledged or stated that the person executed the same, and that ~~[such]~~ the person was personally known to the ~~[officer]~~ notary public granting ~~[such]~~ the certificate to be the person whose name is subscribed to the instrument as a party thereto, or was proved to be ~~[such]~~ the party by the oath or affirmation of a credible witness known to the ~~[officer]~~ notary public whose name shall be inserted in the certificate~~[-]~~ or by other satisfactory evidence of identity under the laws of this State. If the person who executed the instrument appeared before a notary public as a remotely located individual under section 456-B, then the certificate shall indicate that the notarial act was performed using communication technology in a manner provided in section 456-B. It shall not be [ground] grounds for the rejection of any [such] certificate, or for refusing to accept [such] the instrument for record or in evidence, that the certificate fails to state that the person making the acknowledgment stated or acknowledged that the instrument was executed freely or voluntarily by the person or as the person’s free act and deed.”

SECTION 21. Section 502-48, Hawaii Revised Statutes, is amended to read as follows:

**“§502-48 Identification of person making.** No acknowledgment of any conveyance or other instrument, except as provided by this chapter, whereby any real estate is conveyed or may be affected, shall be taken, unless the person offering to make the acknowledgment is personally known to the ~~[officer]~~ notary public taking the acknowledgment to be the person whose name is subscribed to the conveyance or instrument as a party thereto, or is proved to be such by the oath or affirmation of a credible witness known to the ~~[officer]~~ notary public, or by production of a ~~[current]~~ valid identification card or document issued by the United States, this State, any other state, or a national government that contains the bearer’s photograph and signature~~[-]~~, or by obtaining satisfactory evidence of identity of a remotely located individual under section 456-B.”

SECTION 22. Section 502-72, Hawaii Revised Statutes, is amended to read as follows:

**“§502-72 Disposition of records.** ~~[Except as otherwise provided in respect to notaries public by section 456-16, the]~~ The books of record so kept shall every five years, and upon the resignation, death, or removal from office of such judge or other officer, be deposited with the clerk of the circuit court of the judicial circuit for and in which the judge or other officer was or is authorized to act.”

SECTION 23. Section 456-16, Hawaii Revised Statutes, is repealed.

SECTION 24. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 25. In codifying the new sections added by section 2 and referenced in sections 16, 18, 20, and 21 of this Act, the revisor of statutes shall substitute appropriate section numbers for the letters used in designating the new sections in this Act.

SECTION 26. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.<sup>2</sup>

SECTION 27. This Act shall take effect on January 1, 2021.

(Approved September 15, 2020.)

**Notes**

1. So in original.
2. Edited pursuant to HRS §23G-16.5.

**ACT 55**

S.B. NO. 2384

A Bill for an Act Relating to Motor Vehicles.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 291C-165.5, Hawaii Revised Statutes, is amended to read as follows:

**“§291C-165.5 Motor vehicle towing and storage; settlement~~[-]~~; disabled vehicles.** (a) Notwithstanding any other provision of this chapter, any vehicle identified for removal pursuant to any county ordinance ordering removal of motor vehicles by any county police department for traffic violations, or any

vehicle involved in a motor vehicle accident that cannot be moved under its own power or is otherwise disabled, including a vehicle which constitutes an obstruction or hazard to traffic, may be towed away at the expense of the registered owner of the vehicle, as provided by this section.

(b) The towing company shall determine the name of the lien holder and the registered owner of the vehicle from the department of transportation or the county department of finance. The lien holder and the registered owner shall be notified by the towing company in writing at the address on record with the department of transportation or with the county department of finance by registered or certified mail of the location of the vehicle, together with a description of the vehicle, within a reasonable period not to exceed twenty days following the tow. The notice shall state:

- (1) The maximum towing charges and fees allowed by law;
- (2) The telephone number of the county finance department that arranged for or authorized the tow; and
- (3) That if the vehicle is not recovered within thirty days after the mailing of the notice, the vehicle shall be deemed abandoned and will be sold or disposed of as junk.

Any towing company engaged in towing pursuant to this section shall comply with the requirements of section 291C-135. When the vehicle is recovered after the tow by the registered owner or lien holder, the party recovering the vehicle shall pay the tow and storage charges which shall not exceed the charges as provided by section 290-11(b) or the rates agreed upon with the respective counties, whichever is lower, except that tow operators may charge additional reasonable amounts for excavating vehicles from off-road locations; provided that if the notice required by this section was not sent within twenty days after the tow, neither the registered owner nor the lien holder shall be required to pay the tow and storage charges. No notice shall be sent to a legal or registered owner or any person with any unrecorded interest in the vehicle whose name or address cannot be determined. A person, including but not limited to the owner's or driver's insurer, who has been charged in excess of the charges permitted under this section may sue for damages sustained, and, if the judgment is for the plaintiff, the court shall award the plaintiff a sum not to exceed the amount of these damages and reasonable attorney's fees together with the cost of the suit.

(c) When a vehicle is recovered by the owner or lien holder before written notice is sent by registered or certified mail, the towing company shall provide the owner or lien holder with a receipt stating the maximum towing charges and fees allowed by law and the telephone number of the county finance department that arranged for or authorized the tow.

(d) When a vehicle is not recovered within thirty days after the mailing of the notice, it shall be deemed abandoned and the owner of the towing company, or the owner of the towing company's authorized representative, after one statewide public notice as required in section 1-28.5, may negotiate a sale of the vehicle or dispose of it as junk.

(e) The authorized seller of the vehicle shall be entitled to the proceeds of the sale to the extent that compensation is due to the authorized seller for services rendered in respect to the vehicle, including reasonable and customary charges for towing, handling, storage, and the cost of the notices and advertising required by this part. Any remaining balance shall be forwarded to the registered owner or lien holder of the vehicle if the registered owner or lien holder is found. If the registered owner or lien holder cannot be found, the balance shall be deposited with the director of finance of the State and shall be paid out to the registered owner or lien holder of the vehicle if a proper claim is filed therefor within one year from the execution of the sales agreement. The lien holder shall

have first priority to the funds to the extent of the lien holder’s claim. If no claim is made within the year allowed, the money shall escheat to the State.

(f) The transfer of title and interest by sale under this section is a transfer by operation of law; provided that if the certificate of ownership or registration is unavailable, a bill of sale executed by an authorized seller is satisfactory evidence authorizing the transfer of the title or interest.

(g) In the event that a motor vehicle is involved in an accident and cannot be moved under its own power or is otherwise disabled and constitutes an obstruction or hazard to traffic, and the vehicle has not been ordered to be towed by the applicable county police department, the towing of such vehicle and the towing and storage expenses shall be subject to the provisions of section 290-11(b).

~~(g)~~ (h) This section shall not apply to a county that has adopted ordinances regulating towing operations. This section shall not apply to automobile clubs or towing companies operating under a contract with an automobile club, insurer, or motor vehicle manufacturer. For purposes of this subsection, “automobile club” means a legal entity that, in consideration of dues, assessments, or periodic payments of money, promises to assist its members or subscribers in matters relating to motor travel or the operation, use, or maintenance of a motor vehicle by supplying services that may include but are not limited to towing services and emergency road service.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect on September 1, 2020.

(Approved September 15, 2020.)

**ACT 56**

S.B. NO. 2421

A Bill for an Act Relating to Condominium Associations.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that Act 195, Session Laws of Hawaii 2018 (“Act 195”) created important and effective rules relating to association foreclosures on condominiums. The stated goals of Act 195 were to:

- (1) Clarify that an association does not have to rescind the notice of default and intention to foreclose or restart the foreclosure by filing a new notice of default and intent to foreclose if a unit owner defaults on a payment plan to cure a nonjudicial foreclosure agreed to by the parties;
- (2) Specify that if a unit owner and an association have agreed on a payment plan to prevent a nonjudicial foreclosure from proceeding, any association fines imposed while the payment plan is in effect shall not be deemed a default under the payment plan;
- (3) Clarify the obligations of a unit owner and an association while a unit owner is not otherwise in default under a payment plan;
- (4) Clarify that the pay first, dispute later provisions in Hawaii’s condominium law apply only to common expense assessments claimed by an association;
- (5) Specify that a unit owner who disputes the amount of an assessment may request a written statement about the assessment from the association, including that a unit owner may demand mediation

prior to paying contested charges, other than common expense assessments; and

- (6) Specify requirements for mediation on contested charges, except for common expense assessments.

The legislature further finds that the amendments to the Hawaii Revised Statutes made by Act 195 successfully effectuated its purpose and should remain permanent.

The purpose of this Act is to repeal the sunset date of Act 195, Session Laws of Hawaii 2018, so the statutory amendments remain permanent.

SECTION 2. Act 195, Session Laws of Hawaii 2018, is amended by amending section 6 to read as follows:

~~“SECTION 6. This Act shall take effect on July 1, 2018, and shall be repealed on June 30, 2020; provided that sections 514B-105, 514B-146, and 667-94, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day before the effective date of this Act.”~~

SECTION 3. Statutory material to be repealed is bracketed and stricken.

SECTION 4. This Act, upon its approval, shall take effect retroactive to June 29, 2020.

(Approved September 15, 2020.)

## ACT 57

S.B. NO. 2425

A Bill for an Act Relating to Condominiums.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that Act 196, Session Laws of Hawaii 2018 (“Act 196”) created important and effective rules relating to alternative dispute resolution to address condominium related disputes. The stated goals of Act 196 were to:

- (1) Expand the scope of the condominium education trust fund to cover voluntary binding arbitration between interested parties; and
- (2) Amend the conditions that mandate mediation and exceptions to mandatory mediation.

The legislature further finds that the amendments to the Hawaii Revised Statutes made by Act 196 successfully effectuated its purpose and should remain permanent.

The purpose of this Act is to repeal the sunset date of Act 196, Session Laws of Hawaii 2018 so the statutory amendments remain permanent.

SECTION 2. Act 196, Session Laws of Hawaii 2018, is amended by amending section 9 to read as follows:

~~“SECTION 9. This Act shall take effect on January 2, 2019, and except for section 6, shall be repealed on June 30, 2023; provided that sections 514B-71(a), 514B-72(a), and 514B-161, Hawaii Revised Statutes, shall be reenacted in the form in which they read on January 1, 2019.”~~

SECTION 3. Statutory material to be repealed is bracketed and stricken.

SECTION 4. This Act shall take effect on July 1, 2020.

(Approved September 15, 2020.)

A Bill for an Act Relating to Sports Officials.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 706, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

**“§706- Assault against a sports official.** (1) If a person is convicted of the offense of:

- (a) Assault in the first degree, as provided by section 707-710;
- (b) Assault in the second degree, as provided by section 707-711(a), (b), or (d);
- (c) Assault in the third degree, as provided by section 707-712;
- (d) Terroristic threatening in the first degree, as provided by section 707-716(a), (e), or (f); or
- (e) Terroristic threatening in the second degree, as provided by section 707-717; and

the victim of the offense is a sports official engaged in the lawful discharge of the sports official’s duties, the court may order, in the court’s discretion, that the defendant, in addition to any other punishment imposed pursuant to chapter 706, be enjoined from attending any sports event of the type at which the sports official was engaged in the lawful discharge of the sports official’s duties for a period of up to twelve months from the date of sentencing for a first offense, and for life for a second or subsequent offense.

(2) For the purposes of this section:

“Lawful discharge of the sports official’s duty” means the performance of duties of a sports official from the time the sports official arrives at the venue of a sports event and ending when the sports official returns to their residence or business.

“Sports event” means any organized amateur or professional athletic contest in the State.

“Sports official” means a person at a sports event who enforces the rules of the event, such as an umpire, referee, timer, or scorer, or a person who supervises the participants, such as a coach, regardless of whether the person is paid or provides their services as an unpaid volunteer.”

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 3. New statutory material is underscored.<sup>1</sup>

SECTION 4. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

**Note**

1. Edited pursuant to HRS §23G-16.5.



## ACT 59

H.B. NO. 2750

A Bill for an Act Relating to Monetary Obligations.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that Hawaii law allows for the imposition of restrictions on an individual's ability to obtain or renew a driver's license or motor vehicle registration as a penalty for various unpaid monetary obligations that are civil and not criminal in nature. The most concerning reason for these punitive restrictions is the failure of an individual to pay the fines and fees assessed in connection with non-parking related traffic tickets within thirty days. This practice of imposing driver's license or vehicle registration "stoppers" may also occur as a consequence of other unpaid civil obligations.

The legislature further finds that, according to a Washington Post investigation, more than seven million individuals nationwide have had their driver's licenses suspended for unpaid court or administrative debt. The investigation also found that Hawaii has a high percentage, around nine per cent, of adults who have had their licenses suspended for unpaid debt. The American Bar Association recently adopted guidelines on preventing fines and fees that penalize poverty. These guidelines instruct against driver's license suspensions and the imposition of fines that result in substantial and undue hardship. At least four states do not allow driver's licenses to be suspended or restricted for unpaid court debt. The inability to obtain or renew a driver's license prevents people who have not committed a crime from getting to work, picking up their children, keeping medical appointments, and ultimately from escaping debt.

The purpose of this Act is to prohibit the imposition of restrictions on a person's ability to obtain or renew a driver's license or to register, renew the registration of, or transfer or receive title to a motor vehicle, as a consequence of unpaid monetary obligations incurred on or after November 1, 2020. This Act provides the courts with a transition period by retaining the existing "stopper" law until November 1, 2020, thereby applying the prohibition of "stoppers" to any citations issued on or after November 1, 2020, while allowing, upon approval of this Act, any person prevented from obtaining or renewing a driver's license or motor vehicle registration solely due to failure to pay any monetary assessment to petition the court for clearance. It is the intent of this Act to repeal the process for ordering "stoppers" pursuant to chapter 291D, Hawaii Revised Statutes, for citations issued on or after November 1, 2020. However, this Act shall not have any effect on driver's license suspensions related to excessive speeding, lack of motor vehicle insurance, or noncompliance with a child support order.

SECTION 2. Section 286-109, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) Statutes of limitations and other provisions of this chapter notwithstanding, no driver's license or instruction permit shall be issued or renewed under this section, where the examiner of drivers is notified by the district judge, traffic violations bureaus of the district courts, or the judge of the circuit court that the applicant has failed to respond to a traffic citation or summons, or failed to appear in court after an arrest for the violation of any traffic laws of a county, this chapter or chapter 286G, 287, 290, 291, or 291C, or of any motor vehicle insurance laws under article 10C of chapter 431, or of any motorcycle or motor scooter insurance laws under article 10G of chapter 431, and the same remains delinquent and outstanding, or the applicant, has as of the time of the application, failed to comply in full with all orders of the court; provided that this

subsection shall not apply to outstanding and delinquent payments pursuant to chapter 291D; provided further that the district court with whose order an applicant has failed to comply in full, may approve the issuance or renewal of a driver's license or instruction permit other than a commercial driver's license upon conditions imposed by the court for the satisfaction of the outstanding court order and any other conditions as may be imposed by the court, if one or more of the following conditions are met:

- (1) The applicant is gainfully employed in a position that requires driving and will be discharged if the applicant is unable to drive; or
- (2) The applicant has no access to alternative transportation and therefore must drive to work;

provided further that if the applicant has failed to comply in full with orders of the district court of more than one circuit, the applicant shall obtain the approval of the district court of each circuit in which the applicant has an outstanding court order before a driver's license or instruction permit may be issued or renewed under this subsection.

A driver's license or instruction permit issued or renewed under this subsection shall be subject to immediate suspension by the court upon the applicant's failure to remain in full compliance with all conditions imposed by the court for the issuance or renewal of the driver's license or instruction permit. The examiner of drivers may place an indication of restriction upon a driver's license or instruction permit issued or renewed under this subsection. Proof of financial responsibility under section 287-20 shall not apply to the issuance or renewal of driver's licenses or instruction permits under this subsection."

SECTION 3. Section 291D-5, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

"(d) The notice of traffic infraction shall include the following:

- (1) A statement of the specific traffic infraction for which the notice was issued;
- (2) Except in the case of parking-related traffic infractions, a brief statement of the facts;
- (3) A statement of the total amount to be paid for each traffic infraction, which amount shall include any fee, surcharge, or cost required by statute, ordinance, or rule, and any monetary assessment, established for the particular traffic infraction pursuant to section 291D-9, to be paid by the driver or registered owner of the vehicle, which shall be uniform throughout the State;
- (4) A statement of the options provided in section 291D-6(b) for answering the notice and the procedures necessary to exercise the options;
- (5) A statement that the person to whom the notice is issued must answer, choosing one of the options specified in section 291D-6(b), within twenty-one days of issuance of the notice;
- (6) A statement that failure to answer the notice of traffic infraction within twenty-one days of issuance shall result in the entry of judgment by default for the State and may result in the assessment of a late penalty~~], and, that if the person to whom the notice was issued fails to pay the total amount specified in the default judgment within an additional thirty days or to otherwise take action to set aside the default, notice shall be sent to the director of finance of the appropriate county:~~



- (A) That the person to whom the notice of infraction not involving parking was issued shall not be permitted to renew or obtain a driver's license; or
  - (B) Where the notice was issued to a motor vehicle, that the registered owner shall not be permitted to register, renew the registration of, or transfer title to the motor vehicle until the traffic infraction is finally disposed of pursuant to this chapter, except as provided in section 291D-10(b);
- (7) A statement that, at a hearing requested to contest the notice of traffic infraction conducted pursuant to section 291D-8, no officer shall be present unless the driver timely requests the court to have the officer present, and that the standard of proof to be applied by the court is whether a preponderance of the evidence proves that the specified traffic infraction was committed;
  - (8) A statement that, at a hearing requested for the purpose of explaining mitigating circumstances surrounding the commission of the infraction or in consideration of a written request for mitigation, the person shall be considered to have committed the traffic infraction;
  - (9) A space in which the signature of the person to whom the notice was issued may be affixed; and
  - (10) The date, time, and place at which the person to whom the notice was issued must appear in court, if the person is required by the notice to appear in person at the hearing."

SECTION 4. Section 291D-7, Hawaii Revised Statutes, is amended as follows:

1. By amending subsections (a), (b), and (c) to read:
  - (a) When an admitting answer is received, the court shall enter judgment in favor of the State in the total amount specified in the notice of traffic infraction. ~~[If the total amount is not submitted with the answer, the court may take action as provided in section 291D-10.]~~
  - (b) When a denying answer is received, the court shall proceed as follows:
    - (1) In the case of a traffic infraction where the person requests a hearing at which the person will appear in person to contest the infraction, the court shall notify the person in writing of the date, time, and place of hearing to contest the notice of traffic infraction. The notice of hearing shall be mailed to the address stated in the denying answer, or if none is given, to the address stated on the notice of traffic infraction. The notification also shall advise the person that, if the person fails to appear at the hearing, the court shall enter judgment by default in favor of the State, as of the date of the scheduled hearing, that the total amount specified in the default judgment must be paid within thirty days of entry of default judgment[, and, if it is not paid, that the court shall take action as provided in section 291D-10]; and
    - (2) When a denying answer is accompanied by a written statement of the grounds on which the person contests the notice of traffic infraction, the court shall proceed as provided in section 291D-8(a) and shall notify the person of its decision, including the total amount assessed, if any, by mailing the notice of entry of judgment within forty-five days of the postmarked date of the answer to the address provided by the person in the denying answer, or if none is given, to the address given when the notice of traffic infraction was issued or,

in the case of parking violations, to the address at which the vehicle is registered. The notice of entry of judgment also shall advise the person, if it is determined that the infraction was committed and judgment is entered in favor of the State, that the person has the right, within thirty days of entry of judgment, to request a trial and shall specify the procedures for doing so. The notice of entry of judgment shall also notify the person, if an amount is assessed by the court for monetary assessments, fees, surcharges, or costs, that if the person does not request a trial within the time specified in this paragraph, the total amount assessed shall be paid within thirty days of entry of judgment. ~~[The notice of entry of judgment shall inform the person that if the total amount is not paid within thirty days, the court shall take action as provided in section 291D-10.]~~

(c) When an answer admitting commission of the infraction but seeking to explain mitigating circumstances is received, the court shall proceed as follows:

- (1) In the case of a traffic infraction where the person requests a hearing at which the person will appear in person to explain mitigating circumstances, the court shall notify the person in writing of the date, time, and place of hearing to explain mitigating circumstances. The notice of hearing shall be mailed to the address stated in the answer, or if none is given, to the address stated on the notice of traffic infraction. The notification also shall advise the person that, if the person fails to appear at the hearing, the court shall enter judgment by default in favor of the State, as of the date of the scheduled hearing, and that the total amount stated in the default judgment must be paid within thirty days of entry of default judgment~~[, and, if it is not paid, that the court shall take action as provided in section 291D-10];~~ and
- (2) If a written explanation is included with an answer admitting commission of the infraction, the court shall enter judgment for the State and, after reviewing the explanation, determine the total amount of the monetary assessments, fees, surcharges, or costs to be assessed, if any. The court shall then notify the person of the total amount to be paid for the infraction, if any. There shall be no appeal from the judgment. If the court assesses an amount for monetary assessments, fees, surcharges, or costs, the court shall also notify the person that the total amount shall be paid within thirty days of entry of judgment. ~~[The notice of entry of judgment also shall inform the person that if the total amount is not paid within thirty days, the court shall take action as provided in section 291D-10.]~~

2. By amending subsection (c) to read:

“(e) Whenever judgment by default in favor of the State is entered, the court shall mail a notice of entry of default judgment to the address provided by the person when the notice of traffic infraction was issued or, in the case of parking infractions, to the address stated in the answer, if any, or the address at which the vehicle is registered. The notice of entry of default judgment shall advise the person that the total amount specified in the default judgment shall be paid within thirty days of entry of default judgment and shall explain the procedure for setting aside a default judgment. ~~[The notice of entry of default judgment shall also inform the person that if the total amount is not paid within thirty days, the court shall take action as provided in section 291D-10.]~~ Judgment by default for the State entered pursuant to this chapter may be set aside pending final disposition of the traffic infraction upon written application of the person

and posting of an appearance bond equal to the amount of the total amount specified in the default judgment and any other assessment imposed pursuant to section 291D-9. The application shall show good cause or excusable neglect for the person's failure to take action necessary to prevent entry of judgment by default. ~~[Upon receipt of the application and required appearance bond, the court shall take action to remove the restriction placed on the person's driver's license or the motor vehicle's registration and title imposed pursuant to section 291D-10.]~~ Thereafter, the court shall determine whether good cause or excusable neglect exists for the person's failure to take action necessary to prevent entry of judgment by default. If so, the application to set aside default judgment shall be granted, the default judgment shall be set aside, and the notice of traffic infraction shall be disposed of pursuant to this chapter. If not, the application to set aside default judgment shall be denied, the appearance bond shall be forfeited and applied to satisfy amounts due under the default judgment, and the notice of traffic infraction shall be finally disposed. In either case, the court shall determine the existence of good cause or excusable neglect and notify the person of its decision on the application in writing."

SECTION 5. Section 291D-8, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) If a person for whom a hearing has been scheduled, to contest the notice of traffic infraction or to explain mitigating circumstances, fails to appear at the hearing, the court shall enter judgment by default for the State and take action as provided in section 291D-7(e). ~~[If the total amount of the monetary assessment, fees, surcharges, or costs is not paid within thirty days of entry of default judgment, the court shall take action as provided in section 291D-10.]~~"

SECTION 6. Section 291D-9, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

"(d) The court may grant to a person claiming inability to pay, an extension of the period in which the monetary assessment shall be paid or may impose community service in lieu thereof. ~~[If the assessment is not paid or the community service is not performed on or before the date established and the court has not extended the time, the court shall take action as provided in section 291D-10.]~~"

SECTION 7. Section 291D-12, Hawaii Revised Statutes, is amended to read as follows:

**"§291D-12 Powers of the district court judge sitting in the traffic division.**

(a) A district court judge sitting in the traffic division and hearing cases pursuant to this chapter shall have all the powers of a district court judge under chapter 604, including the following powers:

- (1) To conduct traffic infraction hearings and to impose monetary assessments;
- (2) To permit deferral of monetary assessment or impose community service in lieu thereof;
- (3) To dismiss a notice of traffic infraction, with or without prejudice, or to set aside a judgment for the State;
- (4) To order temporary driver's license suspension or driver's license reinstatement;
- ~~(5) To order the director of finance not to issue or renew the driver's license, or to register, renew the registration of, or issue title to a motor vehicle, of any person who has not paid a monetary assessment, has not performed community service in lieu thereof, or has~~

~~not otherwise satisfied a judgment for the State entered pursuant to this chapter;~~

- (6) (5) To approve the issuance or renewal of a driver’s license or instruction permit pursuant to section 286-109(c);
- (7) (6) To issue penal summonses and bench warrants and initiate contempt of court proceedings in proceedings conducted pursuant to section 291D-13;
- (8) (7) To issue penal summonses and bench warrants and initiate failure to appear proceedings in proceedings conducted pursuant to section 291D-5(d)(10); and
- (9) (8) To exercise other powers the court finds necessary and appropriate to carry out the purposes of this chapter.

(b) A district court judge sitting in the traffic division and hearing cases pursuant to this chapter shall not order the director of finance to withhold issuing or renewing the driver’s license, or registering, renewing the registration of, or issuing the title to a motor vehicle, of any person who has not paid a monetary assessment, has not performed community service in lieu thereof, or has not otherwise satisfied a judgment for the State entered pursuant to this chapter.”

SECTION 8. Section 291D-10, Hawaii Revised Statutes, is repealed.

SECTION 9. Any person prevented from obtaining or renewing a driver’s license or motor vehicle registration solely due to failure to pay any monetary assessment imposed under chapter 291D, Hawaii Revised Statutes, may petition the court for a driver’s license or motor vehicle clearance. The court shall grant any petition for a driver’s license or motor vehicle clearance filed in accordance with this section.

SECTION 10. Statutory material to be repealed is bracketed and stricken.<sup>1</sup> New statutory material is underscored.

SECTION 11. This Act shall take effect upon its approval; provided that sections 2 through 8 shall take effect on November 1, 2020.

(Approved September 15, 2020.)

**Note**

1. Edited pursuant to HRS §23G-16.5.

**ACT 60**

S.B. NO. 2701

A Bill for an Act Relating to Agricultural Buildings.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 46-88, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) The exemptions in subsections (a) and (b) shall apply; provided that:

- (1) The aggregate floor area of the exempted agricultural buildings shall not exceed:
  - (A) Five thousand square feet per zoning lot for lots of two acres or less;

- (B) Eight thousand square feet per zoning lot for lots greater than two acres but ~~not~~ no more than five acres; and
  - (C) Eight thousand square feet plus two per cent of the acreage per zoning lot for lots greater than five acres; provided that each exempted agricultural building is compliant with the square foot area restrictions in subsection (a) or subsection (b);
- (2) The minimum horizontal separation between each agricultural building, structure, or appurtenance thereto is fifteen feet;
  - (3) The agricultural buildings, structures, or appurtenances thereto are located on a commercial farm or ranch and are used for general agricultural or aquacultural operations, or for purposes incidental to such operations;
  - (4) The agricultural buildings, structures, or appurtenances thereto are constructed or installed on property that is used primarily for agricultural or aquacultural operations, and is two or more contiguous acres in area or one or more contiguous acres in area if located in a nonresidential agricultural or aquacultural park;
  - (5) An owner or occupier that intends to utilize the exemptions under this section shall provide written notice to the appropriate county agency of the size, type, and location of the proposed building, structure, related appurtenances, or development. No work shall commence until the county agency has determined that a building permit for the proposed building, structure, related appurtenances, or development is not required for compliance with county, state, or federal floodplain management development standards, ordinances, codes, statutes, rules, or regulations pursuant to the National Flood Insurance Program requirements;
  - (6) The appropriate county agency shall certify the building, structure, related appurtenances, or development within thirty calendar days upon the receipt of the written notice from the owner or occupier, pursuant to paragraph (5);
  - (7) The owner or occupier shall provide a final as-built written notice to the appropriate county building permitting agency of the final as-built size, type, and location of the building, structure, related appurtenances, or development. Such final as-built written notification shall be provided to the county agency within thirty calendar days of the completion, occupancy, or use of the building, structure, related appurtenances, or development. Failure to provide such written notice may void the building permit or building code exemption, or both, which voidance for such failure is subject to the sole discretion of the appropriate county building permitting agency;
  - (8) No electrical power and no plumbing systems shall be connected to the building or structure without first obtaining the appropriate county electrical or plumbing permit, and all such installations shall be installed under the supervision of a licensed electrician or plumber, as appropriate, and inspected and approved by an appropriate county or licensed inspector or, if a county building agency is unable to issue an electrical permit because the building or structure is permit-exempt, an electrical permit shall be issued for an electrical connection to a meter on a pole beyond the permit-exempt structure in accordance with the installation, inspection, and approval requirements in this paragraph;

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- (9) Disposal of wastewater from any building or structure constructed or installed pursuant to this section shall comply with chapter 342D; ~~[and]~~
- (10) Permit-exempt structures shall be exempt from any certificate of occupancy requirements~~[-]; and~~
- (11) The appropriate county fire department and county building permitting agency shall have the right to enter the property, upon reasonable notice to the owner or occupant, to investigate exempted agricultural buildings for compliance with the requirements of this section; provided that if entry is refused after reasonable notice is given, the applicable department or agency may apply to the district court of the circuit in which the property is located for a warrant, directed to any police officer of the circuit, commanding the police officer to provide sufficient aid and to assist the department or agency in gaining entry onto the property to investigate exempted agricultural buildings for compliance with the requirements of this section.

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

ACT 61

S.B. NO. 2820

A Bill for an Act Relating to Renewable Energy.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 235-12.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) When the requirements of subsection (d) are met, each individual or corporate taxpayer that files an individual or corporate net income tax return for a taxable year may claim a tax credit under this section against the Hawaii state individual or corporate net income tax. The tax credit may be claimed for every eligible renewable energy technology system that is installed and placed in service in the State by a taxpayer during the taxable year. The tax credit may be claimed as follows:

- (1) For each solar energy system: thirty-five per cent of the actual cost or the cap amount determined in subsection (b)~~[-; whichever is less; or]~~; provided that:
  - (A) For taxable years beginning after December 31, 2019, and except as provided in subparagraphs (B) and (C), no tax credit may be claimed for a solar energy system that is five megawatts in total output capacity or larger and requires a power purchase agreement approved by the public utilities commission;
  - (B) A solar energy system that is five megawatts in total output capacity or larger, installed and placed in service pursuant to a power purchase agreement approved or pending approval by a decision and order by the public utilities commission prior to December 31, 2019, shall continue to receive a tax credit equal to thirty-five per cent of the actual cost, or \$500,000 per solar



energy system that has a total output capacity of at least one thousand kilowatts per system of direct current, whichever is less; and

(C) For each solar energy system integrated with a pumped hydro-electric energy storage system, the tax credit may be claimed for thirty-five per cent of the actual cost or the cap amount determined in subsection (b), whichever is less; provided that applicable project approval filings have been made to the public utilities commission by December 31, 2021; or

(2) For each wind-powered energy system: twenty per cent of the actual cost or the cap amount determined in subsection (b), whichever is less;

provided further that multiple owners of a single system shall be entitled to a single tax credit; and provided further that the tax credit shall be apportioned between the owners in proportion to their contribution to the cost of the system.

In the case of a partnership, S corporation, estate, or trust, the tax credit allowable is for every eligible renewable energy technology system that is installed and placed in service in the State by the entity. The cost upon which the tax credit is computed shall be determined at the entity level. Distribution and share of credit shall be determined pursuant to ~~[section 235-110.7(a)-]~~ administrative rule.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval and shall apply to taxable years beginning after December 31, 2019.

(Approved September 15, 2020.)

## ACT 62

S.B. NO. 2866

A Bill for an Act Relating to the Hawaii Employer-Union Health Benefits Trust Fund Employee-Beneficiary Monthly Contributions.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that the Hawaii employer-union health benefits trust fund offers health benefits to active and retired employees of the State, counties, and their dependents. The fund currently offers retired employees and surviving employee-beneficiaries who are responsible for all or a portion of their monthly health benefit premiums the option to pay through monthly electronic deductions from their employees' retirement system pension or financial institution, or by check. In order to improve operational efficiency, reduce banking fees, and ensure that retired employees and surviving employee-beneficiaries do not miss any monthly payments and possibly lose their health benefits, the legislature finds that retired employees and surviving employee-beneficiaries should be required to pay their share of the health benefit premiums through monthly electronic deductions.

The purpose of this Act is to amend section 87A-40, Hawaii Revised Statutes, to mandate that newly retired employees and surviving employee-beneficiaries pay their share of health benefits premiums through monthly electronic deduction from their employees' retirement system pension or their financial institution.

SECTION 2. Section 87A-40, Hawaii Revised Statutes, is amended to read as follows:

~~“[§87A-40]~~ **Employee-beneficiary contributions; health benefit plans.**

(a) Each employee-beneficiary shall make a monthly contribution to the fund amounting to the difference between the monthly charge of the health benefits plan selected by the employee-beneficiary and the contribution made by the State or county for the employee-beneficiary to the fund. Nothing in this section shall prohibit any employee-beneficiary from participating in a cafeteria plan authorized under Title 26 United States Code section 125, Internal Revenue Code of 1986, as amended, and section 78-30.

(b) ~~[During]~~ Except as provided in subsection (c), during the period the health benefits plan selected by an employee-beneficiary is in effect, the employee-beneficiary, if allowed by law, shall authorize the employee-beneficiary’s contribution to be withheld and transmitted to the fund monthly by the comptroller, employees’ retirement system, or finance officer who disburses the employee-beneficiary’s compensation, pension, or retirement pay. If an employee-beneficiary’s contribution to the fund is not withheld and transmitted to the fund, the employee-beneficiary shall pay the monthly contribution[:

- ~~(1) In the case of an employee-beneficiary who normally receives the employee-beneficiary’s compensation from the comptroller or employees’ retirement system, directly to the fund by the first day of each month; or~~
- ~~(2) In the case of all other employee-beneficiaries, to the respective finance officer from whom the employee-beneficiary normally receives compensation for transmittal to the fund by the first day of each month.]~~

directly to the fund by the first day of each month.

(c) Each employee-beneficiary who retires after June 30, 2020, and each surviving spouse or surviving child who enrolls in a health plan offered by the fund as an employee-beneficiary after June 30, 2020, shall authorize their contribution to the fund to be electronically withheld or deducted and transmitted to the fund monthly by the employees’ retirement system or the financial institution of the retirant or retirant’s surviving beneficiary. This method may be waived by the fund if another method is determined to be more appropriate. If the contribution by the retirant or the retirant’s surviving beneficiary is not electronically withheld, deducted, or transmitted to the fund, the retirant or the retirant’s surviving beneficiary shall pay their monthly contribution directly to the fund by the first day of each month.

~~(e)~~ (d) Notwithstanding subsection (a), an employee-beneficiary’s monthly contribution to the fund shall include the amount that would have been the employee-beneficiary’s contribution if the employee-beneficiary had not elected to participate in the cafeteria plan.”

SECTION 3. Section 88-95, Hawaii Revised Statutes, is amended to read as follows:

**§88-95 Withholding of dues and insurance premiums.** A ~~[retired member, if the retired member requests in writing, may]~~ retirant or the retirant’s surviving beneficiary shall have withheld from the ~~[retired member’s]~~ retirant’s or the retirant’s surviving beneficiary’s pension, annuity, or retirement allowance, payments to the employer-union health benefits trust fund and employee organizations for dues and insurance premiums.”



SECTION 4. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.  
(Approved September 15, 2020.)

## ACT 63

S.B. NO. 2877

A Bill for an Act Relating to Mental Health Counselors.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 453D-6, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) This chapter shall not apply to:

- (1) A person doing work within the duties of the person’s profession that overlaps with the practice of mental health counseling; provided that no such person shall use a title stating or implying that the person is a “licensed mental health counselor” or “mental health counselor”, or describe or refer to the person’s services as mental health counseling;
- (2) Any person who is a duly recognized member of the clergy; provided that the person functions only within the person’s capacity as a member of the clergy; and provided further that the person does not represent the person to be a “licensed mental health counselor” or “mental health counselor”, or describe or refer to the person’s services as mental health counseling;
- (3) Any student enrolled in an accredited educational institution in a recognized program of study leading towards attainment of a graduate degree in mental health counseling or other professional field; provided that the student’s activities and services are part of a prescribed course of study supervised by the accredited educational institution and the student is identified by an appropriate title, including but not limited to “mental health counseling student” or “trainee”, “clinical psychology student” or “trainee”, “social work student” or “trainee”, “marriage and family counseling student” or “trainee”, or any title that clearly indicates training status;
- (4) Any individual who uses the title of “mental health counselor intern” for the purpose of obtaining clinical experience in accordance with ~~section 453D-7(a)(3);~~ section 453D-7(a)(2);
- (5) Any person employed by a federal, state, or county government agency in a counseling position, but only at those times when the employee is carrying out the duties and responsibilities as a counselor in governmental employment; or
- (6) Any person who is obtaining supervised clinical experience for licensure as a psychologist, social worker, marriage and family therapist, or as another licensed professional; provided that the person’s title indicates a trainee or intern status; and provided further that

the person does not purport to be a “licensed mental health counselor” or “mental health counselor”.”

SECTION 2. Section 453D-7, Hawaii Revised Statutes, is amended to read as follows:

**“§453D-7 Application for licensure as a mental health counselor. (a)**

An applicant shall be issued a license by the department if the applicant provides satisfactory evidence to the department that the applicant is qualified for licensure pursuant to the requirements of this chapter and meets the following qualifications:

- (1) [A] Receipt of a master’s degree or doctoral degree from an accredited educational institution in counseling or in an allied field related to the practice of mental health counseling that includes, or is supplemented by, graduate level course work in counseling comprising a minimum of forty-eight semester hours or seventy-two quarter hours in the following course areas, with a minimum of three semester hours or five quarter hours in each course area as indicated below:
  - (A) Human growth and development, including but not limited to the study of life span development, strategies to facilitate that development and transitions, theories of learning and personality development, and human behavior to include crisis, disabilities, addictive behavior, and environmental factors;
  - (B) Social and cultural foundations, including but not limited to the study of issues and trends in a multicultural and diverse society, including characteristics of diverse groups that may include but are not limited to age, race, religious or sexual preference, physical disability, ethnicity and culture, gender, socioeconomics, intellectual ability, and individual, family, and group strategies with diverse populations;
  - (C) Counseling theories and applications, including but not limited to counseling and consultation, including both individual and systems perspectives, interviewing, assessment, and counseling skills, as well as applying principles, methods, and theories of counseling, treatment and counseling of mental and emotional disorders, and educational techniques aimed at preventing ~~[such]~~ these disorders with individuals and families;
  - (D) Group theory and practice, including but not limited to principles of group dynamics, group process, group leadership styles, theories and methods of group counseling, and the application of theory to the group processes;
  - (E) Career and lifestyle development, including but not limited to the study of vocational development theories and decision-making models, assessment instruments, and techniques, types, sources, and uses of occupational and educational information systems, career development applications, and career counseling processes, techniques, and resources;
  - (F) Appraisal of human behavior, including but not limited to assessment and diagnosis of disorders with an emphasis on ~~[DSM-IV]~~ DSM categories[,] and an understanding of these disorders relative to the counseling context;
  - (G) Tests and measurements, including but not limited to theoretical and historical bases for assessment techniques, and assessment methods, including analysis of various types of tests to

- select, administer, interpret, and use assessment and evaluation instruments and techniques in counseling;
- (H) Research and program evaluation, including but not limited to research design and methods, statistical analysis, principles, practices, and application of needs assessment, and program evaluation; ~~and~~
- (I) Professional orientation and ethics, including but not limited to the history of the helping profession, professional roles and functions, ethical standards, confidentiality, professional organizations, and the public policy process, including advocacy on behalf of the profession and its clientele; and
- (J) At least two academic terms of supervised mental health practicum intern experience for graduate credit of at least six semester hours or ten quarter hours in a mental health counseling setting, with a total of three hundred hours of supervised client contact. The practicum experience shall be completed under the clinical supervision of a person who is licensed as a mental health counselor, psychologist, clinical social worker, advanced practice registered nurse with a specialty in mental health, marriage and family therapist, or physician with a specialty in psychiatry;
- ~~[(2) At least two academic terms of supervised mental health practicum intern experience for graduate credit of at least six semester hours or ten quarter hours a mental health counseling setting with three hundred hours of supervised client contact; the practicum experience shall be completed under the clinical supervision of a person who is licensed as a mental health counselor, psychologist, clinical social worker, advanced practice registered nurse with a specialty in mental health, marriage and family therapist, or physician with a specialty in psychiatry;~~
- (3) (2) Completion of not less than three thousand hours of post-graduate experience in the practice of mental health counseling, with one hundred hours of face-to-face clinical supervision that shall be completed in no less than two years and in no more than four years, under the clinical supervision of a person who is a licensed mental health counselor, psychologist, clinical social worker, advanced practice registered nurse with a specialty in mental health, marriage and family therapist, or physician with a specialty in psychiatry~~]; and~~. In collaboration with the supervisor, the applicant may elect to fulfill some or all of the supervision requirements through face-to-face supervision that is conducted electronically through a videoconference service that complies with all federal and state privacy, security, and confidentiality laws, including the Health Insurance Portability and Accountability Act of 1996; provided that the applicant shall review the laws and rules of other jurisdictions to determine the impact, if any, that electronic supervision may have on licensure by endorsement or reciprocity in other states prior to electing electronic supervision; and
- ~~[(4) Passed]~~ (3) Passage of the National Counselor Examination for Licensure and Certification.
- (b) An individual ~~who~~ shall be deemed to have met the requirements of this section if the individual:

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- (1) Holds current, unencumbered certification as a national certified counselor or a national certified rehabilitation counselor prior to the effective date of this chapter;
  - (2) Has passed the National Counselor Examination for Licensure and Certification, National Clinical Mental Health Counselors Examination of the National Board for Certified Counselors, or Commission on Rehabilitation Counselor Certification examination after January 1, 2000, and before July 1, 2005; and
  - (3) Within one year of the effective date of this chapter, applies for licensure and pays the applicable license fee~~[- shall be deemed to have met the requirements of this section].~~
- (c) For an applicant who graduated from an accredited educational institution as specified in subsection (a)(1) before July 1, 2007, the department shall also deem acceptable:
- (1) For practicum intern experience, written certification from an official of the institution of higher education attesting that the applicant has completed the academic terms, graduate credit hours, and supervised client contact hours in subsection ~~[(a)(2)]~~ (a)(1)(J) and that the applicant's practicum intern experience is equivalent to a mental health graduate level practicum program; and
  - (2) For post-graduate experience, written certification from an officer and the clinical supervisor of the agency at which the applicant has earned experience attesting that the applicant has completed the hours of experience and supervision in subsection ~~[(a)(3)]~~ (a)(2), within the time frame set forth in that subsection, and that the applicant's post-graduate experience is equivalent to the practice of mental health counseling.

The license requirements for clinical supervisors under subsections ~~[(a)(2)]~~ (a)(1)(J) and ~~[(a)(3)]~~ (a)(2) shall not apply to this subsection.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 64

S.B. NO. 2878

A Bill for an Act Relating to Massage Therapy.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 452-18, Hawaii Revised Statutes, is amended to read as follows:

“**§452-18 Sanitary rule.** The ~~[department of health] board~~ shall prescribe ~~[such]~~ sanitary rules as it deems necessary, with ~~[particular]~~ reference to the precautions necessary to be employed to prevent the creating and spreading of infectious and contagious diseases.”

SECTION 2. Section 452-19, Hawaii Revised Statutes, is amended to read as follows:

“**§452-19 Penalties.** ~~[(a) Any person who practices massage or maintains a massage therapy establishment, or acts in any capacity wherein a license~~

is required by this chapter, without a license provided for in this chapter, shall be guilty of a petty misdemeanor.

(b) Any owner, operator, manager, or licensee in charge of or in control of a massage therapy establishment who knowingly employs a person who is not licensed as a massage therapist or who has not received a permit as a massage therapist apprentice as provided in this chapter, or who allows an unlicensed person to perform, operate, or practice massage is guilty of a misdemeanor.”

SECTION 3. Section 452-24, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Any person who violates any of the provisions of this chapter or the rules adopted pursuant thereto shall be fined not less than [~~\$100~~] \$250 nor more than [~~\$1,000~~] \$2,000 for each violation.”

SECTION 4. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 65

S.B. NO. 2893

A Bill for an Act Relating to Chronically Homeless.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. In 2015, the United States Department of Housing and Urban Development established a definition of “chronically homeless” for use in its homeless assistance programs. The purpose of this Act is to amend Hawaii’s definition of “chronically homeless individual” to better align with the federal definition and reduce confusion among service providers, communities, and private partners.

SECTION 2. Section 346-378, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) As used in this section, “chronically homeless individual” means [~~a homeless individual who has an addiction or a mental illness, or both.~~]:

(1) A homeless individual having a mental illness, addiction, or physical disability who:

(A) Lives in a place not meant for human habitation, a safe haven, or an emergency shelter; and

(B) Has been homeless and living as described in subparagraph (A) continuously for at least twelve months or on at least four separate occasions in the last three years; provided that the combined occasions equal at least twelve months and each break in homelessness separating the occasions included at least seven consecutive nights of not living in places as described in subparagraph (A); provided further that stays in institutional care facilities for fewer than ninety days shall not constitute a break

in homelessness, but shall be included in the twelve-month total if the individual was living in a place not meant for human habitation, a safe haven, or an emergency shelter immediately before entering the institutional care facility;

- (2) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than ninety days and met all of the criteria in paragraph (1) before entering that facility; or
- (3) A family with an adult head of household, or a minor head of household if there is no adult in the family, who meets all of the criteria in paragraph (1) or (2), including a family whose composition has fluctuated while the head of household has been homeless.”

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.  
(Approved September 15, 2020.)

**ACT 66**

S.B. NO. 2894

A Bill for an Act Relating to Child Care.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The purpose of this Act is to amend provisions of chapter 346, Hawaii Revised Statutes, to clarify: (1) the exemptions from licensure or registration that are authorized for the purpose of minimizing the number of child care facilities that are operating in violation of the law; (2) that minimum health and safety requirements or standards as required by federal law may be imposed on any of the persons listed in section 346-152, Hawaii Revised Statutes, that provide child care for a child whose family receives a child care subsidy from the department; (3) that the burden of proof is upon the caregiver or facility to provide the department with verification of meeting a declared exemption under section 346-152, Hawaii Revised Statutes; (4) the information that may be investigated by the department to determine violations of part VIII of chapter 346 occurred or is occurring; (5) that the department may file a petition for a search warrant with the district court; and (6) that a search warrant may be issued to the department and the appropriate law enforcement agency to conduct an investigation.

Lastly, Act 276, Session Laws of Hawaii 2019, amended section 346-152(a) by inserting a new paragraph (4), which resulted in renumbering paragraphs (4) through (12) so that those paragraphs are now numbered (5) through (13). Years of administrative correspondence to organizations and individuals containing the statutory citations to the exemptions are no longer aligned with the statute. This Act renumbers the paragraphs so that they appear as they were prior to Act 276, Session Laws of Hawaii 2019, to ease administration for the department.

SECTION 2. Section 346-152, Hawaii Revised Statutes, is amended to read as follows:

“**§346-152 Exclusions; exemptions.** (a) Nothing in this part shall be construed to include:

- (1) A person caring for children who is related to [the caregiver] each child by blood, marriage, or adoption[;] as:
  - (A) An aunt, uncle, grandparent, great-grandparent, great-great grandparent, first cousin, niece, nephew, grandniece, grand-nephew, great aunt, or great uncle;
  - (B) A stepfather, stepmother, stepbrother, or stepsister; or
  - (C) The spouse of a person named in subparagraph (A) or (B), even if the marriage is terminated by death, separation, or divorce;
- (2) A person, group of persons, or facility caring for a child less than six hours a week;
- (3) A kindergarten, school, or child care program licensed or certified by the department of education or the United States Department of Defense and located on federal property[;], or a
- ~~[(4)]~~ A] classroom administered by the executive office on early learning pursuant to section 302L-7;
- ~~[(5)]~~ (4) A program that provides exclusively for a specialized training or skill development for children[;] who are eligible pupils in grades kindergarten through twelve in public or private schools, including but not limited to programs providing activities [such as] includ- ing athletic sports, foreign language, the Hawaiian language, dance, drama, music, or martial arts;
- ~~[(6)]~~ (5) A multiservice organization or community association, duly incorporated under the laws of the State, that operates for the purpose of promoting recreation, health, safety, or social group functions for eligible pupils in public and private schools through seventeen years of age;
- ~~[(7)]~~ (6) Programs for children four years of age and older that operate for no more than two consecutive calendar weeks in a three-month period;
- ~~[(8)]~~ (7) A provider agency operating or managing a homeless facility or any other program for homeless persons authorized under part XVII;
- ~~[(9)]~~ (8) After-school, weekend, and summer recess programs conducted by the department of education pursuant to section 302A-408;
- ~~[(10)]~~ (9) Child care programs conducted by counties pursuant to section 302A-408; provided that each county adopts rules for its programs;
- ~~[(11)]~~ (10) Any person who enters a home in a child caring capacity and only cares for children who are of that household;
- ~~[(12)]~~ (11) A person caring for two or fewer children unrelated to the care- giver by blood, marriage, or adoption[;] as described in paragraph (1); and
- ~~[(13)]~~ (12) A child care program licensed by the Hawaii council of private schools. A child care program claiming an exemption under this paragraph shall submit an application for the exemption on a form provided by the department and shall provide to the department evi- dence that the licensing standards of the Hawaii council of private schools meet or exceed the department’s standards for a comparable program, including a monitoring component. Upon application of a child care program for the exemption under this paragraph, the



department shall have the discretion to determine whether the licensing standards of the Hawaii council of private schools meet or exceed the department's standards.

(b) Staff members of programs taught solely in Hawaiian that promote fluency in the Hawaiian language shall be exempt from any rules requiring academic training or certification.

(c) Minimum health and safety requirements or standards as required by federal law may be imposed on any of the groups listed in this section that provide child care ~~[services and are reimbursed with federal funds.]~~ for a child whose family receives a child care subsidy from the department.

(d) Any person or child care facility asserting an exemption under this section shall ~~[cooperate]:~~

- (1) Cooperate with the department in investigations relating to unlicensed or unregistered child care[-];
- (2) Have the burden of proving that the person or child care facility falls within an exemption pursuant to subsection (a); and
- (3) Provide verification to the department that the person or child care facility falls within an exemption pursuant to subsection (a)."

SECTION 3. Section 346-152.3, Hawaii Revised Statutes, is amended to read as follows:

~~"[§346-152.3 Investigations.]~~ (a) Upon receiving a report that a person or child care facility may be caring for ~~[more than two children unrelated to the caregiver by blood, marriage, or adoption, or providing care for a child for more than six hours per week, without a child care license issued by the department,]~~ children in violation of this part, the department may conduct an investigation for the ~~[limited]~~ purpose of determining ~~[the number of children in care who are unrelated to the caregiver by blood, marriage, or adoption, and the number of hours of care provided per week, in accordance with the following provisions;]~~ whether a violation of this part has occurred or is occurring.

~~(4)~~ (b) The department may request access to the location indicated in the report ~~[-or~~

(2) ~~The department may]~~ and file a [complaint] petition for a search warrant with the district court in the circuit where the location is indicated in the report [is; and the]. The district court, upon probable cause, may issue a search warrant, directed to the department and the appropriate ~~[county police department,]~~ law enforcement agency, if necessary, to conduct an investigation pursuant to this section ~~[between the hours of sunrise and sunset]."~~

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

SECTION 1. Section 286-236, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:



“(a) No person shall be issued a commercial driver’s license unless that person meets the qualification standards of title 49 Code of Federal Regulations, part 391, subparts B and E, has passed a knowledge and driving skills test for driving a commercial motor vehicle that complies with minimum federal standards established by federal regulation enumerated in title 49 Code of Federal Regulations, part 383, subparts G and H, is domiciled in this State as defined in title 49 Code of Federal Regulations, part 383.5, and has satisfied all other requirements of the Commercial Motor Vehicle Safety Act of 1986, Public Law 99-570, title XII, in addition to other requirements imposed by state law or federal regulation. The tests shall be prescribed by the director and administered by the respective county examiner of drivers. The test examiners shall communicate with the applicant only in English during the skills test. As of January 30, 2012, the examiner of drivers shall verify that the medical certification status of a driver who self-certified according to title 49 Code of Federal Regulations section ~~[383.71(a)(1)(ii)(A),]~~ 383.71(b)(1)(i), non-excepted interstate, is certified. If a driver submits a current medical examiner’s certificate, the examiner of drivers shall date-stamp the certificate and post all required information to the commercial driver’s license information system pursuant to title 49 Code of Federal Regulations section ~~[383.73(a)(5)]~~ 383.73(b)(5) and in accordance with title 49 Code of Federal Regulations section ~~[383.73(j)-]~~ 383.73(o). A person who is not physically qualified to drive under title 49 Code of Federal Regulations section 391.41(b)(1)~~];~~ or (2)~~]; or (3)]~~ and who is otherwise qualified to drive a motor vehicle may be granted an intrastate waiver by the director. The process for granting intrastate waivers shall be the same as that for interstate waivers in title 49 Code of Federal Regulations section 391.49, except that the intrastate waiver requests shall be submitted to the director~~]; provided that the director shall adopt rules under chapter 91 to establish a screening process, including approval by a licensed physician, for granting an intrastate waiver to persons who are not physically qualified under title 49 Code of Federal Regulations section 391.41(b)(3)].~~”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect September 1, 2020.

(Approved September 15, 2020.)

## ACT 68

S.B. NO. 3054

A Bill for an Act Relating to Firearm Registration.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that the State has some of the strongest gun safety laws in the nation. However, based on the recent report by the legislative reference bureau on statistical data relating to firearms, there is no accurate data on the number of firearms in the State. This is in part because currently there is no reporting mechanism for the firearms that are moved out of the State, but only for those being transferred into the State.

The purpose of this Act is to amend the mandates of section 134-3, Hawaii Revised Statutes, to include providing notification of permanently removing firearms from the State.

SECTION 2. Section 134-3, Hawaii Revised Statutes, is amended to read as follows:

**“§134-3 Registration, mandatory, exceptions.** (a) Every person arriving in the State who brings or by any other manner causes to be brought into the State a firearm of any description, whether usable or unusable, serviceable or unserviceable, modern or antique, shall register the firearm within five days after arrival of the person or of the firearm, whichever arrives later, with the chief of police of the county of the person’s place of business or, if there is no place of business, the person’s residence or, if there is neither a place of business nor residence, the person’s place of sojourn. A nonresident alien may bring firearms not otherwise prohibited by law into the State for a continuous period not to exceed ninety days; provided that the person meets the registration requirement of this section and the person possesses:

- (1) A valid Hawaii hunting license procured under chapter 183D, part II, or a commercial or private shooting preserve permit issued pursuant to section 183D-34;
- (2) A written document indicating the person has been invited to the State to shoot on private land; or
- (3) Written notification from a firing range or target shooting business indicating that the person will actually engage in target shooting.

The nonresident alien shall be limited to a nontransferable registration of not more than ten firearms for the purpose of the above activities.

Every person registering a firearm under this subsection shall be fingerprinted and photographed by the police department of the county of registration; provided that this requirement shall be waived where fingerprints and photographs are already on file with the police department. The police department shall perform an inquiry on the person by using the International Justice and Public Safety Network, including the United States Immigration and Customs Enforcement query, the National Crime Information Center, and the National Instant Criminal Background Check System, pursuant to section 846-2.7 before any determination to register a firearm is made.

(b) Every person who acquires a firearm pursuant to section 134-2 shall register the firearm in the manner prescribed by this section within five days of acquisition. The registration shall be on forms prescribed by the attorney general, which shall be uniform throughout the State, and shall include the following information: name of the manufacturer and importer; model; type of action; caliber or gauge; serial number; and source from which receipt was obtained, including the name and address of the prior registrant. If the firearm has no serial number, the permit number shall be entered in the space provided for the serial number, and the permit number shall be engraved upon the receiver portion of the firearm before registration. All registration data that would identify the individual registering the firearm by name or address shall be confidential and shall not be disclosed to anyone, except as may be required:

- (1) For processing the registration;
- (2) For database management by the Hawaii criminal justice data center;
- (3) By a law enforcement agency for the lawful performance of its duties; or
- (4) By order of a court.

(c) Dealers licensed under section 134-31 or dealers licensed by the United States Department of Justice shall register firearms pursuant to this section on registration forms prescribed by the attorney general and shall not be required to have the firearms physically inspected by the chief of police at the time of registration.

- (d) Registration shall not be required for:
- (1) Any device that is designed to fire loose black powder or that is a firearm manufactured before 1899;
  - (2) Any device not designed to fire or made incapable of being readily restored to a firing condition; or
  - (3) All unserviceable firearms and destructive devices registered with the Bureau of Alcohol, Tobacco, ~~and~~ Firearms and Explosives of the United States Department of Justice pursuant to Title 27, Code of Federal Regulations.

(e) Every person who permanently moves firearms out of the State shall contact and notify the county police department in the county where the firearms are registered about the removal of the firearms within five days of the removal from the State. Any person who fails to timely notify the appropriate police department shall be subject to a civil penalty of \$100 per firearm.

~~(e)~~ (f) No fee shall be charged for the registration of a firearm under this section, except for a fee chargeable by and payable to the registering county for persons registering a firearm under subsection (a), in an amount equal to the fee charged by the Hawaii criminal justice data center pursuant to section 846-2.7. In the case of a joint registration, the fee provided for in this section may be charged to each person.

~~(f)~~ (g) No person less than twenty-one years of age shall bring or cause to be brought into the State any firearm.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 69

S.B. NO. 3117

A Bill for an Act Relating to Homelessness.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that the State has one of the highest rates of homelessness per capita in the nation. Additionally, the legislature finds that The Queen’s Medical Center provides the majority of medical care to the State’s homeless population. According to the Laulima Data Alliance, from January 2016 to September 2018, The Queen’s Medical Center experienced approximately sixty per cent of all hospital visits by homeless persons on Oahu and forty-three per cent of all hospital visits by homeless persons in the State.

Recognizing the high needs of the State’s most medically fragile homeless populations, the legislature established the emergency department homelessness assessment pilot program and the medical respite pilot program in Part II of Act 209, Session Laws of Hawaii 2018. Through contracts with the department of human services, The Queen’s Medical Center was able to provide medical respite services and intensive care navigation services to patients experiencing homelessness and patients at risk of experiencing homelessness.

Through the emergency department homelessness assessment pilot program, the Queen’s Care Coalition was able to identify homeless patients with high utilization of emergency department services and deliver short-term, post-discharge navigation services to special populations to reduce reliance on acute

care by connecting patients to community services. The Queen's Care Coalition provided one hundred thirty-one homeless adults with navigation services during the contract period of September 1, 2018, to June 30, 2019. Of the homeless adults served:

- (1) Ninety-four per cent were connected with community resources;
- (2) Sixty-five per cent were document-ready for housing; and
- (3) Ninety-two per cent of the individuals that were connected to permanent housing were able to maintain permanent housing after three months.

The emergency department homelessness assessment pilot program, as executed by the Queen's Care Coalition, was able to reduce the number of unnecessary emergency department visits by thirty-nine per cent, the number of hospitalized days by seventeen per cent, and the amount of ambulance utilization by fifty-three per cent.

The legislature further finds that the work of the Queen's Care Coalition resulted in significant cost savings to three major Med-QUEST managed care plans. Analysis on total cost of care pre- and post-Queen's Care Coalition demonstrates an average of thirty-nine per cent reduction in total cost of care.

The National Health Care for the Homeless Council recognizes medical respite as a needed service and response to the circumstances faced by people experiencing homelessness. Homeless individuals suffer profound disparities in health and mortality compared to the general population. After an acute care stay, recovery is extremely difficult on the streets and shelters generally are not equipped to support people who are sick or injured.

Thus, medical respite care for individuals experiencing homelessness is a critical part of the continuum of care for this population. Through a partnership with the Institute for Human Services, The Queen's Medical Center is able to provide medical respite to homeless patients who have been discharged and may need additional time to heal in a more appropriate level of care setting.

The legislature also finds that the emergency department homelessness assessment pilot program merits continuation because it has demonstrated positive results in delivering care coordination services by a multidisciplinary team, thereby mitigating the number of unnecessary emergency department visits by patients experiencing homelessness and patients at risk of experiencing homelessness. Additionally, the legislature finds that the medical respite pilot program merits consideration because it has demonstrated positive results in delivering medical respite services for eligible individuals experiencing homelessness by providing certain services, including meals; case management; and medical, nursing, and psychiatric care.

Further, the legislature finds that the department of human services supports the continuation of both programs and is in the process of transitioning the programs from the department's homeless program office to the department's Med-QUEST division.

Finally, the legislature intends that no lapse in resources occur for the emergency department homelessness assessment pilot program and medical respite pilot program, as these programs are transitioned to the Med-QUEST division.

The purpose of this Act is to:

- (1) Extend the duration of the emergency department homelessness assessment pilot program and the medical respite pilot program to June 30, 2021; and
- (2) Clarify the lapse date for encumbered resources for the pilot programs that were previously appropriated pursuant to Act 209, Session Laws of Hawaii 2018.

SECTION 2. Act 209, Session Laws of Hawaii 2018, section 7, as amended by Act 128, Session Laws of Hawaii 2019, section 1, is amended as follows:

1. By amending subsection (c) to read:

“(c) The department of human services shall work with the participating hospital under the emergency department homelessness assessment pilot program to collect and analyze data to be included in a report that contains a summary and explanation of the data regarding the efficacy of emergency department intervention by the multidisciplinary team in mitigating the number of unnecessary emergency department visits by patients experiencing homelessness or patients at risk of experiencing homelessness. The report shall contain findings and recommendations, including any proposed legislation, for continuation, modification, or termination of the pilot program. The department of human services shall submit the report to the legislature no later than twenty days prior to the convening of the regular ~~session~~ sessions of 2020[-] and 2021.”

2. By amending subsection (e) to read:

“(e) The emergency department homelessness assessment pilot program shall cease to exist on June 30, ~~[2020-]~~ 2021.”

SECTION 3. Act 209, Session Laws of Hawaii 2018, section 9, as amended by Act 128, Session Laws of Hawaii 2019, section 1, is amended as follows:

1. By amending subsection (c) to read:

“(c) The department of human services shall submit a report to the legislature of its findings and recommendations, including any proposed legislation, regarding the pilot program no later than twenty days prior to the convening of the regular ~~session~~ sessions of 2020[-] and 2021.”

2. By amending subsection (e) to read:

“(e) The medical respite pilot program shall cease to exist on June 30, ~~[2020-]~~ 2021.”

SECTION 4. Act 209, Session Laws of Hawaii 2018, is amended as follows:

1. By amending section 8 to read:

“SECTION 8. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,000,000 or so much thereof as may be necessary for fiscal year 2018-2019 for the department of human services to establish the emergency department homelessness assessment pilot program; provided that:

- (1) The department of human services shall reimburse the participating hospital for expenses directly related to the emergency department homelessness assessment pilot program;
- (2) No funds shall be disbursed to a participating hospital unless matched on a dollar-for-dollar basis by the participating hospital; and
- (3) All funds designated as matching funds by the participating hospital shall be funds expended by the participating hospital for the pilot program.

The sum appropriated shall be expended by the department of human services for the purposes of this part[-]; provided that funds appropriated or authorized by this section that are not expended or encumbered by June 30, 2019, shall lapse as of June 30, 2021.”

2. By amending section 10 to read:

“SECTION 10. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,000,000 or so much thereof as may be neces-

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sary for fiscal year 2018-2019 for the department of human services to establish the medical respite pilot program; provided that:

- (1) The department of human services shall reimburse a participating hospital for expenses directly related to the medical respite pilot program;
- (2) No funds shall be disbursed to a participating hospital unless matched on a dollar-for-dollar basis by the participating hospital; and
- (3) All funds designated as matching funds by the participating hospital shall be funds expended by the participating hospital for the pilot program.

The sum appropriated shall be expended by the department of human services for the purposes of this part[-]; provided that funds appropriated or authorized by this section that are not expended or encumbered by June 30, 2019, shall lapse as of June 30, 2021.”

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act, upon its approval, shall take effect retroactively to June 29, 2019.

(Approved September 15, 2020.)

## ACT 70

S.B. NO. 3119

A Bill for an Act Relating to Statutory Revision: Amending or Repealing Various Provisions of the Hawaii Revised Statutes or the Session Laws of Hawaii for the Purposes of Correcting Errors and References, Clarifying Language, or Deleting Obsolete or Unnecessary Provisions.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 14-24, Hawaii Revised Statutes, is amended to read as follows:

**“§14-24 Certificate of election, notice of meeting.** Not later than 4:30 p.m. on the last day in the month of the election, or as soon as the returns have been received from all counties in the State, if received before that time, the chief election officer shall certify to the governor the names of the presidential electors and alternates of the same political party or group as the candidates for president and vice president receiving the highest number of votes as elected as presidential electors and alternates. Thereupon the governor shall in accordance with the laws of the United States, communicate by registered mail under the seal of the State of Hawaii to the administrator of general services of the United States, the certificates of persons elected as presidential electors, setting forth the names of the electors and the total number of votes cast for each elector. The chief election officer shall thereupon, together with a notice of the time and place of the meeting of the electors, cause to issue and transmit to each elector and alternate a certificate of election signed by the governor in substantially the following form:



**CERTIFICATE OF ELECTION OF  
PRESIDENTIAL [ELECTORS] ELECTOR**

I,.....Governor of the State of Hawaii, do hereby certify that....., a member of the.....party or group, was on the.....day of....., [19.....] 20..... duly elected a Presidential Elector for the State of Hawaii for the presidential election of [19.....] 20.....

**CERTIFICATE OF ELECTION OF  
ALTERNATE PRESIDENTIAL ELECTOR**

I,.....Governor of the State of Hawaii, do hereby certify that....., a member of the.....party or group, was on the.....day of....., [19.....] 20..... duly elected.....Alternate Presidential Elector for Presidential Elector.....for the State of Hawaii for the presidential election of [19.....] 20.....”

SECTION 2. Section 87A-42, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Notwithstanding sections 87A-31 and 87A-31.5, the board, upon terms and conditions set by the board, shall establish and administer a separate trust fund for the purpose of receiving employer contributions that will prefund other post-employment health and other benefit plan costs for retirees and their beneficiaries. The separate trust fund shall meet the requirements of the [~~Gover-  
nment~~] Governmental Accounting Standards Board regarding other post-employment benefits trusts. The board shall establish and maintain a separate account for each public employer within the separate trust fund to accept and account for each public employer’s contributions. Employer contributions to the separate trust fund shall be irrevocable, all assets of the fund shall be dedicated exclusively to providing health and other benefits to retirees and their beneficia-  
ries, and assets of the fund shall not be subject to appropriation for any other purpose and shall not be subject to claims by creditors of the employers or the board or plan administrator. The board’s powers under section 87A-24 shall also apply to the fund established pursuant to this section.”

SECTION 3. Section 128B-1, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) The coordinator shall partner with representatives from the follow-  
ing entities:

- (1) The Hawaii state fusion center;
- (2) The Hawaii state cyber resiliency center;
- (3) Federal government agencies;
- (4) State government agencies;
- (5) The counties of the State;
- (6) Institutions of higher education; and
- (7) Other entities within the power, water, communications, transporta-  
tion, and finance sectors, including public utilities, private telecom-  
munications companies, airlines, financial institutions, and private  
information technology companies.”

SECTION 4. Section 201-113, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The fund shall be used by the  
[~~(A) The grant shall be used exclusively for eligible Hawaii projects;~~]  
department to provide for:

- (1) A program to provide seed capital for film, media, and creative industries intellectual property development projects for export, as determined by the department;
- (2) Programs that expand the skills of the State’s resident workforce in the film, media, and creative industries; and
- (3) Marketing programs that attract business opportunities within the film, media, and creative industries in the State.”

SECTION 5. Section 235-2.3, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The following Internal Revenue Code subchapters, parts of subchapters, sections, subsections, and parts of subsections shall not be operative for the purposes of this chapter, unless otherwise provided:

- (1) Subchapter A (sections 1 to 59A) (with respect to determination of tax liability), except section 1(h)(2) (relating to net capital gain reduced by the amount taken into account as investment income), except sections 2(a), 2(b), and 2(c) (with respect to the definition of “surviving spouse” and “head of household”), except section 41 (with respect to the credit for increasing research activities), except section 42 (with respect to low-income housing credit), except sections 47 and 48, as amended, as of December 31, 1984 (with respect to certain depreciable tangible personal property), and except section 48(d)(3), as amended, as of February 17, 2009 (with respect to the treatment of United States Department of Treasury grants made under section 1603 of the American Recovery and Reinvestment Tax Act of 2009). For treatment, see sections 235-110.91, 235-110.7, and 235-110.8;
- (2) Section 78 (with respect to dividends received from certain foreign corporations by domestic corporations choosing foreign tax credit);
- (3) Section 86 (with respect to social security and tier 1 railroad retirement benefits);
- (4) Section 91 (with respect to certain foreign branch losses transferred to specified 10-percent owned foreign corporations);
- (5) Section 103 (with respect to interest on state and local bonds). For treatment, see section 235-7(b);
- (6) Section 114 (with respect to extraterritorial income). For treatment, any transaction as specified in the transitional rule for 2005 and 2006 as specified in the American Jobs Creation Act of 2004 section 101(d) and any transaction that has occurred pursuant to a binding contract as specified in the American Jobs Creation Act of 2004 section 101(f) are inoperative;
- (7) Section 120 (with respect to amounts received under qualified group legal services plans). For treatment, see section 235-7(a)(9) to (11);
- (8) Section 122 (with respect to certain reduced uniformed services retirement pay). For treatment, see section 235-7(a)(3);
- (9) Section 135 (with respect to income from United States savings bonds used to pay higher education tuition and fees). For treatment, see section 235-7(a)(1);
- (10) Section 139C (with respect to COBRA premium assistance);
- (11) Subchapter B (sections 141 to 150) (with respect to tax exemption requirements for state and local bonds);
- (12) Section 151 (with respect to allowance of deductions for personal exemptions). For treatment, see section 235-54;



- (13) Section 179B (with respect to expensing of capital costs incurred in complying with Environmental Protection Agency sulphur regulations);
- (14) Section 181 (with respect to special rules for certain film and television productions);
- (15) Section 196 (with respect to deduction for certain unused investment credits);
- (16) Section 199 (with respect to the U.S. production activities deduction);
- (17) Section 199A (with respect to qualified business income);
- (18) Section 222 (with respect to qualified tuition and related expenses);
- (19) Sections 241 to 247 (with respect to special deductions for corporations). For treatment, see section 235-7(c);
- (20) Section 250 (with respect to foreign-derived intangible income and global intangible low-taxed income);
- (21) Section 267A (with respect to certain related party amounts paid or accrued in hybrid transactions or with hybrid entities);
- (22) Section 280C (with respect to certain expenses for which credits are allowable). For treatment, see section 235-110.91;
- (23) Section 291 (with respect to special rules relating to corporate preference items);
- (24) Section 367 (with respect to foreign corporations);
- (25) Section 501(c)(12), (15), (16) (with respect to exempt organizations); except that section 501(c)(12) shall be operative for companies that provide potable water to residential communities that lack any access to public utility water services;
- (26) Section 515 (with respect to taxes of foreign countries and possessions of the United States);
- (27) Subchapter G (sections 531 to 565) (with respect to corporations used to avoid income tax on shareholders);
- (28) Subchapter H (sections 581 to 597) (with respect to banking institutions), except section 584 (with respect to common trust funds). For treatment, see chapter 241;
- (29) Section 642(a) and (b) (with respect to special rules for credits and deductions applicable to trusts). For treatment, see sections 235-54(b) and 235-55;
- (30) Section 646 (with respect to tax treatment of electing Alaska Native settlement trusts);
- (31) Section 668 (with respect to interest charge on accumulation distributions from foreign trusts);
- (32) Subchapter L (sections 801 to 848) (with respect to insurance companies). For treatment, see sections 431:7-202 and 431:7-204;
- (33) Section 853 (with respect to foreign tax credit allowed to shareholders). For treatment, see section 235-55;
- (34) Section 853A (with respect to credits from tax credit bonds allowed to shareholders);
- (35) Subchapter N (sections 861 to 999) (with respect to tax based on income from sources within or without the United States), except sections 985 to 989 (with respect to foreign currency transactions). For treatment, see sections 235-4, 235-5, and 235-7(b), and 235-55;
- (36) Section 1042(g) (with respect to sales of stock in agricultural refiners and processors to eligible farm cooperatives);
- (37) Section 1055 (with respect to redeemable ground rents);
- (38) Section 1057 (with respect to election to treat transfer to foreign trust, etc., as taxable exchange);

- (39) Sections 1291 to 1298 (with respect to treatment of passive foreign investment companies);
- (40) Subchapter Q (sections 1311 to 1351) (with respect to readjustment of tax between years and special limitations);
- (41) Subchapter R (sections 1352 to 1359) (with respect to election to determine corporate tax on certain international shipping activities using per ton rate);
- (42) Subchapter U (sections 1391 to [~~1397F~~] 1397F) (with respect to designation and treatment of empowerment zones, enterprise communities, and rural development investment areas). For treatment, see chapter 209E;
- (43) Subchapter W (sections 1400 to 1400C) (with respect to District of Columbia enterprise zone);
- (44) Section 1400O (with respect to education tax benefits);
- (45) Section 1400P (with respect to housing tax benefits);
- (46) Section 1400R (with respect to employment relief);
- (47) Section 1400T (with respect to special rules for mortgage revenue bonds);
- (48) Section 1400U-1 (with respect to allocation of recovery zone bonds);
- (49) Section 1400U-2 (with respect to recovery zone economic development bonds); and
- (50) Section 1400U-3 (with respect to recovery zone facility bonds).”

SECTION 6. Section 261-12, Hawaii Revised Statutes, is amended to read as follows:

“**§261-12 Rules, standards.** (a) Powers to adopt. The director of transportation may perform [~~such~~] acts, issue and amend [~~such~~] orders, adopt [~~such~~] reasonable general or special rules and procedures, and establish [~~such~~] minimum standards, consistent with this chapter, as the director deems necessary to carry out this chapter and to perform the duties assigned thereunder, all commensurate with and for the purpose of protecting and [~~insuring~~] ensuring the general public interest and safety, the safety of persons operating, using, or traveling in aircraft, and the safety of persons and property on land or water, and developing and promoting aeronautics in the State.

In furtherance of the duties assigned under this chapter, the director may adopt rules relating to:

- (1) Safety measures, requirements, and practices in or about the airport premises;
  - (2) The licensing and regulation of persons engaged in commercial activities in or about the airport premises;
  - (3) The regulation of equipment and motor vehicles operated in or about the airport operational area;
  - (4) Airport security measures or requirements, and designation of sterile passenger holding areas and operational areas;
  - (5) The regulation of motor vehicles and traffic; and
  - (6) Any other matter relating to the health, safety, and welfare of the general public and persons operating, using, or traveling in aircraft.
- (b) ~~[[~~Tour aircraft operations.~~]]~~ Any other law to the contrary notwithstanding, no tour aircraft operation shall be permitted in any airport under the State’s control without having a permit. The director shall adopt rules to regulate tour aircraft operations by permit, which shall include but not be limited to:
- (1) Identification of the types of aircraft to be utilized;
  - (2) The number of operations daily for each type of aircraft used and the days and hours of operation;

- (3) Verification that the applicant is in compliance with all state statutes, including but not limited to this section;
- (4) Verification that the applicant has the Federal Aviation Administration certificate 121 or 135;
- (5) A written assessment by the department of the impact to the surrounding area and to the subject state airport;
- (6) Revocation of a permit based on the failure to comply with the information provided by the applicant and the terms and conditions set forth by the department in the permit; and any false statement or misrepresentation made by the applicant;
- (7) Establishment of penalties for revocation and suspension of a permit for failure to comply with permit conditions;
- (8) Annual renewal of permits; and
- (9) Any change of operations under the existing permit to be approved by the director.

No permit shall be authorized unless accompanied by a Hawaii sectional aeronautical chart marked to indicate routes and altitudes to be used in conducting aerial tours and noise abatement procedures to be employed in the vicinity of identified noise sensitive areas.

For the purposes of this subsection, “tour aircraft operations” means any business operation [which] that offers aircraft for hire by passengers for the purpose of aerial observation of landmarks and other manmade or natural sites within an island of the State[;] and for the purpose of transporting passengers for tourist-related activities.

(c) ~~[Definitions. For the purpose of this section, if not inconsistent with the context:~~

~~“Sterile passenger holding area” means any portion of a public airport designated by the director and identified by appropriate signs as an area into which access is conditioned upon the prior inspection of persons and property in accordance with the approved Federal Aviation Administration air carrier screening program.~~

~~“Operational area” means any portion of a public airport, from which access by the public is prohibited by fences or appropriate signs, and which is not leased or demised to anyone for exclusive use and includes runways, taxiways, all ramps, cargo ramps and apron areas, aircraft parking and storage areas, fuel storage areas, maintenance areas, and any other area of a public airport used or intended to be used for landing, takeoff or surface maneuvering of aircraft or used for embarkation or debarkation of passengers.]~~

Notwithstanding the restriction on access by the public into operational areas, entry may be authorized for airport operational area related purposes with the prior permission of the director or the director’s duly authorized representative.

(d) Conformity to federal legislation and rules. No rules, orders, or standards prescribed by the director shall be inconsistent with, or contrary to, any act of the Congress of the United States or any regulation promulgated or standard established pursuant thereto.

(e) How made. All rules having the force and effect of law[;] shall be adopted by the director pursuant to chapter 91.

(f) Distribution. The director shall provide for the publication and general distribution of all of [its] the department’s rules and procedures having general effect.

(g) ~~Definitions. For the purpose of this section, if not inconsistent with the context:~~

“Operational area” means any portion of a public airport from which access by the public is prohibited by fences or appropriate signs and that is not leased or demised to anyone for exclusive use. “Operational area” includes runways, taxiways, all ramps, cargo ramps and apron areas, aircraft parking and storage areas, fuel storage areas, maintenance areas, and any other area of a public airport used or intended to be used for landing, takeoff, or surface maneuvering of aircraft or used for embarkation or debarkation of passengers.

“Sterile passenger holding area” means any portion of a public airport designated by the director and identified by appropriate signs as an area into which access is conditioned upon the prior inspection of persons and property in accordance with the approved Federal Aviation Administration air carrier screening program.”

SECTION 7. Section 261-13, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Every order of the director of transportation requiring performance of or desistance from certain acts or compliance with certain requirements and any denial or revocation of an approval, certificate, or license or refusal of a renewal thereof~~[-]~~ shall be:

- (1) ~~[shall be in such]~~ In the form [as] required by section 91-12~~[-]~~;
- (2) ~~[shall be made]~~ Made only after reasonable notice and an opportunity to be heard in conformity with chapter 91~~[-]~~; and
- (3) ~~[shall be served]~~ Served upon the persons affected either by registered or certified mail with return receipt requested or in person.”

SECTION 8. Section 261-16, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

“(a) Site approvals. Except as provided in subsection (d) ~~[of this section]~~, the department of transportation may provide for the approval of airport sites and the issuance of certificates of the approvals. No charge shall be made for any approval. Upon the ~~[promulgation]~~ department’s adoption of a rule ~~[or regulation]~~ providing for ~~[such]~~ the approvals, any person desiring or planning to construct or establish an airport may~~[-, before the acquisition of the site or before the construction or establishment of the proposed airport, make application]~~ apply to the department for approval of the site~~[-]; provided that the application is made before the acquisition of the site or before the construction or establishment of the proposed airport. The department shall issue with reasonable dispatch ~~[issue]~~ a certificate granting approval of a site if it is satisfied that:~~

- (1) ~~[that the]~~ The site is adequate for the proposed airport;
- (2) ~~[that the]~~ The proposed airport, if constructed or established, will conform to minimum standards of safety; and
- (3) ~~[that safe]~~ Safe air traffic patterns can be worked out for the proposed airport and for all existing airports and approved airport sites in its vicinity.

An approval of a site may be granted subject to any reasonable conditions ~~[which]~~ that the department may deem necessary to effectuate the purposes of this section~~[-]~~ and shall remain in effect, unless sooner revoked by the department, until a license for an airport located on the approved site has been issued pursuant to subsection (b) ~~[of this section]~~. The department ~~[may]~~, after notice and opportunity for hearing to a holder of a certificate of approval, may revoke the approval when it shall reasonably determine ~~[(1)]~~ that there has been an abandonment of the site as an airport site~~[-, or (2)]~~; that there has been a failure within the time prescribed, or if no time was prescribed, within a reasonable time, to develop the site as an airport or to comply with the conditions of

the approval~~[-];~~ or ~~(3)~~ that because of change of physical or legal conditions or circumstances the site is no longer usable for the aeronautical purposes for which the approval was granted.

(b) Licenses. Except as provided in subsection (d), the department may provide for the licensing of airports and the annual renewal of ~~[such]~~ the licenses. ~~[H] The department~~ may charge license fees not exceeding \$100 for each original license, and not exceeding \$10 for each renewal thereof. Upon the ~~[promulgation]~~ adoption of a rule ~~[or regulation]~~ providing for the licensing, and upon receipt of an application for an original license and the payment of the duly required fee therefor, the department shall issue with reasonable dispatch~~[-, upon receipt of an application for an original license and the payment of the duly required fee therefor, issue]~~ an appropriate license if ~~[it]~~ the department is satisfied that the airport conforms to minimum standards of safety and that safe air traffic patterns can be worked out for the airport and for all existing airports and approved airport sites in its vicinity. All licenses shall be renewable annually upon payment of the fees prescribed. Licenses and renewals thereof may be issued subject to any reasonable conditions that the department may deem necessary to effectuate the purposes of this section. The department ~~[may],~~ after notice and opportunity for hearing to the licensee, may revoke any license or renewal thereof, or refuse to issue a renewal, when ~~[it shall]~~ the department reasonably ~~[determine]~~ determines that:

- (1) ~~[that there]~~ There has been an abandonment of the airport as such~~[-, or];~~
- (2) ~~[that there]~~ There has been a failure to comply with the conditions of the license or renewal thereof~~[-];~~ or
- (3) ~~[that because]~~ Because of change of physical or legal conditions or circumstances, the airport has become either unsafe or unusable for the aeronautical purposes for which the license or renewal was issued.

It shall be unlawful for any person to operate an airport without an appropriate license ~~[for such],~~ as may be duly required by rule ~~[or regulation issued]~~ adopted pursuant to this subsection.”

SECTION 9. Section 261-17.5, Hawaii Revised Statutes, is amended to read as follows:

“~~[H]§261-17.5~~ **Arrest or citation.** (a) Except when required by state law to take immediately before a district judge a person arrested for a violation of any provision of this chapter, including any rule ~~[or regulation]~~ adopted ~~[and promulgated]~~ pursuant to this chapter, any person authorized to enforce the provisions of this chapter, hereinafter referred to as ~~[enforcement officer,]~~ an “enforcement officer”, upon arresting a person for violation of any provision of this chapter, including any rule ~~[or regulation]~~ adopted ~~[and promulgated]~~ pursuant to this chapter, shall~~[-]~~ in the discretion of the enforcement officer~~[-, either];~~

- (1) ~~[issue]~~ Issue to the purported violator a summons or citation, printed in the form hereinafter described, warning the purported violator to appear and answer to the charge against the purported violator at a certain place and at a time within seven days after ~~[such]~~ the arrest~~[-];~~ or
- (2) ~~[take]~~ Take the purported violator without unnecessary delay before a district judge.

(b) The summons or citation shall be printed in a form comparable to the form of other summonses and citations used for arresting offenders and shall be designed to ~~[provide for inclusion of]~~ include all necessary information. The

form and content of ~~[such]~~ the summons or citation shall be adopted or prescribed by the district courts.

Summonses and citations shall be consecutively numbered, and the carbon copy or copies of each shall bear the same number.

(c) The original of a summons or citation shall be given to the purported violator and the other copy or copies distributed in the manner prescribed by the district courts; provided that the district courts may prescribe alternative methods of distribution for the original and any other copies.

~~[Summonses and citations shall be consecutively numbered and the carbon copy or copies of each shall bear the same number.]~~

(d) Any person who fails to appear at the place and within the time specified in the summons or citation issued to the person by the enforcement officer, upon the person's arrest for violation of any provision of this chapter, including any rule ~~[or regulation promulgated]~~ adopted pursuant to this chapter, shall be guilty of a misdemeanor and, on conviction, shall be fined not more than \$1,000, or be imprisoned not more than six months, or both.

~~[In the event]~~ If any person fails to comply with a summons or citation issued to ~~[such]~~ the person, or if any person fails or refuses to deposit bail as required, the enforcement officer shall cause a complaint to be entered against ~~[such]~~ the person and secure the issuance of a warrant for the person's arrest."

SECTION 10. Section 261-31, Hawaii Revised Statutes, is amended by amending the definitions of "business" and "person" to read as follows:

"Business" means any lawful activity conducted;

- (1) ~~[primarily]~~ Primarily for the purchase and resale, manufacture, processing, or marketing of products, commodities, or any other personal property;
- (2) ~~[primarily]~~ Primarily for the sale of services to the public; or
- (3) ~~[by]~~ By a nonprofit organization.

"Person" means:

- (1) ~~[any]~~ Any individual, partnership, corporation, or association ~~[which]~~ that is the owner of a business;
- (2) ~~[any]~~ Any owner, part owner, tenant, or sharecropper operating a farm;
- (3) ~~[the]~~ The head of a family; or
- (4) ~~[an]~~ An individual not a member of a family."

SECTION 11. Section 261-32, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) Any displaced person who moves or discontinues the person's business or farm operations ~~[who]~~ and elects to accept the payment authorized by this subsection in lieu of the payment authorized by subsection (a)[;] may receive a fixed relocation payment in an amount equal to the average annual net earnings of the business or farm operation, or \$5,000, whichever is ~~[the lesser:]~~ less. In the case of a business, no payment shall be made under this subsection unless the director is satisfied that the business:

- (1) ~~[cannot]~~ Cannot be relocated without a substantial loss of its existing patronage; and
- (2) ~~[is]~~ Is not part of a commercial enterprise having at least one other establishment~~[, not]~~ that is:
  - (A) Not being acquired by the State ~~[which is engaged]; and~~
  - (B) Engaged in the same or similar business."



SECTION 12. Section 261-53, Hawaii Revised Statutes, is amended to read as follows:

“~~§261-53~~ **Findings and determination for special facility leases.** The department shall not enter into any special facility lease unless the department at or prior to the entering into of ~~[such] the~~ special facility lease ~~[shall find] finds~~ and ~~[determine:] determines~~ that:

- (1) ~~[that the] The~~ building, structure, or facility ~~[which] that~~ is to be the subject of ~~[such] the~~ special facility lease will not be used to provide services, commodities, supplies, or facilities ~~[which] that~~ are then adequately being made available through the airports system of the State;
- (2) ~~[that the] The~~ result of the use or occupancy of ~~[such] the~~ building, structure, or facility under ~~[such] the~~ special facility lease would not result in the reduction of the revenues derived from the airports system to an amount below the amount required to be derived therefrom by section 39-61; and
- (3) ~~[that the] The~~ entering into of ~~[such] the~~ special facility lease would not be in violation of or result in a breach of any covenant contained in any resolution or certificate authorizing any bonds of the State then outstanding.”

SECTION 13. Section 262-11, Hawaii Revised Statutes, is amended to read as follows:

“**§262-11 Acquisition of air rights.** When:

- (1) ~~[it] It~~ is desired to remove, lower, or otherwise terminate a nonconforming structure or use; ~~[or]~~
- (2) ~~[the] The~~ approach protection necessary ~~[cannot]~~, because of constitutional limitations, cannot be provided by airport zoning regulations under this chapter; or
- (3) ~~[it] It~~ appears advisable that the necessary approach protection be provided by acquisition of property rights rather than by airport zoning regulations,

the director of transportation on behalf of the State may acquire<sup>[5]</sup> by purchase, grant, or condemnation in the manner provided by chapter 101~~[-, such] the~~ air right, aviation easement, or other estate or interest in the property or nonconforming structure or use in question as may be necessary or proper to effectuate the purposes of this chapter, including acquisition of a fee simple estate.”

SECTION 14. Section 263A-1, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The test or tests shall be administered at the request of a law enforcement officer having probable cause to believe the person operating or in actual physical control of an aircraft is under the influence of intoxicating liquor only after:

- (1) ~~[a] A~~ lawful arrest; and
- (2) ~~[the] The~~ officer has informed the person of the sanctions of section 263A-5.”

SECTION 15. Section 264-26, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Any moneys appropriated for the State’s share of the price or any moneys in the state highway fund created by section 248-8, in the discretion of the director, may be drawn upon to advance the federal share of payments;

- (1) ~~[earned]~~ Earned by contractors on federal-aid projects for completed portions of the work~~[-];~~ or
- (2) ~~[due]~~ Due the owners for property conveyed by them,

where the necessary federal-aid moneys are not immediately forthcoming~~[-];~~ provided that the appropriation or fund ~~[tø], as applicable,~~ shall be reimbursed for the advances when federal-aid moneys are received.”

SECTION 16. Section 266-21.4, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

- “(a) The department shall:
- (1) ~~[develop]~~ Develop a list of minimum requirements for the marine inspection of vessels seeking permits to moor in state commercial harbors~~[-];~~
  - (2) ~~[approve]~~ Approve qualified marine surveyors to inspect vessels seeking permits to moor in state commercial harbors~~[-];~~ and
  - (3) ~~[approve]~~ Approve a fee schedule for marine surveyors’ inspections.”

SECTION 17. Section 266-24.1, Hawaii Revised Statutes, is amended to read as follows:

“**§266-24.1 Arrest or citation.** (a) Except when required by state law to take immediately before a district judge a person arrested for a violation of any provision of this part, including any rule ~~[or regulation]~~ adopted ~~[and promulgated]~~ pursuant to this part, any person authorized to enforce the provisions of this part, hereinafter referred to as ~~[enforcement officer,]~~ an “enforcement officer”, upon arresting a person for violation of any provision of this part, including any rule ~~[or regulation]~~ adopted ~~[and promulgated]~~ pursuant to this part, shall~~[-]~~ in the discretion of the enforcement officer~~[-, either]~~:

- (1) ~~[issue]~~ Issue to the purported violator a summons or citation, printed in the form hereinafter described, warning the purported violator to appear and answer to the charge against the purported violator at a certain place and at a time within seven days after ~~[such]~~ the arrest~~[-];~~ or
- (2) ~~[take]~~ Take the purported violator without unnecessary delay before a district judge.

(b) The summons or citation shall be printed in a form comparable to the form of other summonses and citations used for arresting offenders and shall be designed to ~~[provide for inclusion of]~~ include all necessary information. The form and content of ~~[such]~~ the summons or citation shall be adopted or prescribed by the district courts.

Summonses and citations shall be consecutively numbered, and the carbon copy or copies of each shall bear the same number.

(c) The original of a summons or citation shall be given to the purported violator and the other copy or copies distributed in the manner prescribed by the district courts; provided that the district courts may prescribe alternative methods of distribution for the original and any other copies.

~~[Summonses and citations shall be consecutively numbered and the carbon copy or copies of each shall bear the same number.]~~

(d) Any person who fails to appear at the place and within the time specified in the summons or citation issued to the person by the enforcement officer, upon the person’s arrest for violation of any provision of this part, including any rule ~~[or regulation promulgated]~~ adopted pursuant to this part, shall be guilty of a misdemeanor and, on conviction, shall be fined not more than \$1,000, or be imprisoned not more than six months, or both.



~~[In the event]~~ If any person fails to comply with a summons or citation issued to ~~[sueh] the~~ person, or if any person fails or refuses to deposit bail as required, the enforcement officer shall cause a complaint to be entered against ~~[sueh] the~~ person and secure the issuance of a warrant for the person's arrest.

(c) When a complaint is made to any prosecuting officer of the violation of any provision of this part, including any rule ~~[or regulation promulgated]~~ adopted thereunder, the enforcement officer who issued the summons or citation shall subscribe to it under oath administered by another official of the department of transportation whose ~~[names have]~~ name has been submitted to the prosecuting officer and who ~~[have]~~ has been designated by the director of transportation to administer the ~~[same.]~~ oath."

SECTION 18. Section 266-51, Hawaii Revised Statutes, is amended to read as follows:

**"§266-51 Definitions.** For the purpose of this part, if not inconsistent with the context:

"Remodeling" includes reconstruction, renovation, rehabilitation, improvement, betterment, or extension of a special facility.

~~[(4)]~~ "Special facility" means one or more buildings, structures, or facilities on land owned by the State for maritime and marine operations, including cargo handling and control; storage, repair, maintenance, and servicing of marine and marine-related equipment; processing and canning of fish and fish products; and offices and accommodations for the personnel and employees of persons engaged in maritime and maritime-related operations ~~[which]~~ that are the subject of a special facility lease.

~~[(2)]~~ "Special facility lease" includes a contract, lease, or other agreement, or any combination thereof, the subject matter of which is the special facility.

~~[(3)]~~ "Remodeling" includes reconstruction, renovation, rehabilitation, improvement, betterment, or extension of a special facility."

SECTION 19. Section 266-55, Hawaii Revised Statutes, is amended to read as follows:

**"§266-55 Special facility revenue bonds.** All special facility revenue bonds, including special facility revenue refunding bonds, authorized to be issued shall be issued pursuant to part III of chapter 39, except as follows:

- (1) No ~~[sueh] special facility~~ revenue bonds shall be issued unless at the time of issuance the department shall have entered into a special facility lease with respect to the special facility for which ~~[sueh] the~~ revenue bonds are to be issued[-];
- (2) ~~[Sueh] Special facility~~ revenue bonds shall be issued in the name of the department, and not in the name of the State[-];
- (3) No further authorization of the legislature shall be required for the issuance of the special facility revenue bonds, but the approval of the governor shall be required for ~~[sueh] the~~ issuance[-];
- (4) ~~[Sueh] Special facility~~ revenue bonds shall be payable solely from and secured solely by the revenues derived by the department from the special facility for which they are issued, as defined in section ~~[266-51(1)-]~~ 266-51;
- (5) The final maturity date of ~~[sueh] the special facility~~ revenue bonds shall not be later than either the estimated life of the special facility for which they are issued or the initial term of the special facility lease[-];

- (6) If deemed necessary or advisable by the department, or to permit the obligations of the other person to the special facility lease to be registered under the United States Securities Act of 1933, the department with the approval of the state director of finance may appoint a national or state bank within or without the State to serve as trustee for the holders of the special facility revenue bonds and may enter into a trust indenture or trust agreement with ~~[such]~~ the trustee. The trustee may be authorized by the department to collect, hold, and administer the revenues derived from the special facility for which the special facility revenue bonds are issued and to apply ~~[such]~~ the revenues to the payment of the principal and interest on ~~[such]~~ the special facility revenue bonds. ~~[In the event that]~~ If any ~~[such]~~ trustee shall be appointed, any trust indenture or agreement entered into by the department with the trustee may contain the covenants and provisions authorized by part III of chapter 39 to be inserted in a resolution adopted or certificate issued, as though the words “resolution” or “certificate” as used in that part read “trust indenture or agreement”. ~~[Such]~~ Those covenants and provisions shall not be required to be included in the resolution or certificate authorizing the issuance of the special facility revenue bonds if included in the trust indenture or agreement. Any resolution or certificate, trust indenture, or trust agreement adopted, issued, or entered into by the department pursuant to this part may also contain any provisions required for the qualification thereof under the United States Trust Indenture Act of 1939. The department may pledge and assign to the trustee the special facility lease and the rights of the department including the revenues thereunder[-];
- (7) If the department with the approval of the state director of finance shall have appointed or shall appoint a trustee for the holders of the special facility revenue bonds, then notwithstanding the second sentence of section 39-68, the director of finance may elect not to serve as fiscal agent for the payment of the principal and interest, and for the purchase, registration, transfer, exchange, and redemption, of the special facility revenue bonds, or may elect to limit the functions the director shall perform as ~~[such]~~ fiscal agent. The department, with the approval of the director of finance, may appoint the trustee to serve as ~~[such]~~ fiscal agent[-] and may authorize and empower the trustee to perform ~~[such]~~ any functions with respect to ~~[such]~~ the payment[-] of the principal and interest and the purchase, registration, transfer, exchange, and redemption[-] of the special facility revenue bonds, as the department may deem necessary, advisable, or expedient, including, without limitation, the holding of the special facility revenue bonds and coupons ~~[which]~~ that have been paid, and the supervision and destruction thereof in accordance with sections 40-10 and 40-11. Nothing in this paragraph shall be a limitation upon or be construed as a limitation upon the powers granted in the preceding paragraph to the department with the approval of the director of finance to appoint the trustee, or granted in sections 36-3 and 39-13 and the third sentence of section 39-68 to the director of finance to appoint the trustee or others, as fiscal agents, paying agents, and registrars for the special facility revenue bonds or to authorize and empower ~~[such]~~ fiscal agents, paying agents, and registrars to perform the functions referred to in ~~[such]~~ the preceding paragraph and sections[-] 36-3 and 39-13 and the third sentence of

- section 39-68, it being the intent of this paragraph to confirm that the director of finance as aforesaid may elect not to serve as fiscal agent for the special facility revenue bonds or may elect to limit the functions the director shall perform as [such] fiscal agent, as the director of finance may deem necessary, advisable, or expedient[-];
- (8) The department may sell [such] special facility revenue bonds either at public or private sale[-];
  - (9) If no trustee shall be appointed to collect, hold, and administer the revenues derived from the special facility for which [such] the special facility revenue bonds are issued, [such] the revenues shall be held in a separate account in the treasury of the State, separate and apart from the harbor special fund, to be applied solely to the carrying out of the resolution, certificate, trust indenture, or trust agreement authorizing or securing [such] the special facility revenue bonds[-];
  - (10) If the resolution, certificate, trust indenture, or trust agreement shall provide that no special facility revenue bonds issued thereunder shall be valid or obligatory for any purpose unless certified or authenticated by the trustee for the holders of [such] the special facility revenue bonds, signatures of the officers of the State upon [such] the bonds and the coupons thereof as required by section 39-56 may be evidenced by their facsimile signatures[-];
  - (11) The proceeds of [such] special facility revenue bonds may be used and applied by the department to reimburse the other person to the special facility lease for all preliminary costs and expenses, including architectural and legal costs[-]; and
  - (12) If the special facility lease shall require the other person to operate, maintain, and repair the special facility [which] that is the subject of [such] the lease, at the other person's expense, [such] the requirement shall constitute compliance by the department with section 39-61(a)(2), and none of the revenues derived by the department from [such] the special facility shall be required to be applied to the purposes of section 39-62(2). Sections 39-62(4), 39-62(5), and 39-62(6) shall not be applicable to the revenues derived from a special facility lease.”

SECTION 20. Section 269-54, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

“(d) Whenever it appears to the consumer advocate that:

- (1) [any] Any public utility has violated or failed to comply with any provision of this part or of any state or federal law;
- (2) [any] Any public utility has failed to comply with any rule, regulation, or other requirement of the public utilities commission or of any other state or federal agency;
- (3) [any] Any public utility has failed to comply with any provision of its charter or franchise;
- (4) [changes,] Changes, additions, extensions, or repairs to the plant or service of any public utility are necessary to meet the reasonable convenience or necessity of the public; or
- (5) [the] The rates, fares, classifications, charges, or rules of any public utility are unreasonable or unreasonably discriminatory,

the consumer advocate may institute proceedings for appropriate relief before the public utilities commission. The consumer advocate may appeal any final decision and order in any proceeding to which the consumer advocate is a party in the manner provided by law.”

SECTION 21. Section 271-4, Hawaii Revised Statutes, is amended to read as follows:

**§271-4 Definitions.** As used in this chapter:

“Certificate” means a certificate of public convenience and necessity issued under this chapter to common carriers by motor vehicle.

~~[(4)]~~ “Chapter” means the Motor Carrier Law.

~~[(2)]~~ “Commission” means the public utilities commission.

“Common carrier by motor vehicle” means any person that holds itself out to the general public to engage in the transportation by motor vehicle of passengers or property or any class or classes thereof for compensation.

“Contract carrier by motor vehicle” means any person that engages in transportation by motor vehicle of passengers or property for compensation (other than transportation referred to in the definition of “common carrier by motor vehicle”) under continuing contracts with one person or a limited number of persons for the furnishing of transportation services:

(1) Through the assignment of motor vehicles for a continuing period of time to the exclusive use of each person served; or

(2) Designed to meet the distinct need of each individual customer.

“Enforcement officer” means any person employed and authorized by the commission to investigate any matter on behalf of the commission. The term also means a motor vehicle safety officer employed and assigned, pursuant to section 271-38, by the department of transportation to enforce sections 271-8, 271-12, 271-13, 271-19, and 271-29 through the assessment of civil penalties as provided in section 271-27(h), (i), and (j).

“Highway” means the public roads, highways, streets, and ways in this State.

“Motor carrier” includes both a common carrier by motor vehicle and a contract carrier by motor vehicle.

“Motor vehicle” means any vehicle, machine, tractor, trailer, or semi-trailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof determined by the commission, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails or a trolley bus operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street-railway service.

“Permit” means a permit issued under this chapter to contract carriers by motor vehicle.

~~[(3)]~~ “Person” or “persons” means any individual, firm, copartnership, corporation, company, association, or joint stock association; and includes any trustee, receiver, assignee, or personal representative thereof.

~~[(4)]~~ “Certificate” means a certificate of public convenience and necessity issued under this chapter to common carriers by motor vehicle.

~~[(5)]~~ “Permit” means a permit issued under this chapter to contract carriers by motor vehicle.]

“Private carrier of property by motor vehicle” means any person not included in the terms “common carrier by motor vehicle” or “contract carrier by motor vehicle”, who or that transports by motor vehicle property of which the person is the owner, lessee, or bailee, when the transportation is for the purpose of sale, lease, rent, or bailment or in the furtherance of any commercial enterprise.

“Rates” includes rates, fares, tolls, rentals, and charges of whatever kind and nature unless the context indicates otherwise; provided that for transportation by motor vehicle of passengers, where the provision of transportation is part of a package that may include air fare, meals, attractions, and other ser-

vices, “rates” shall only include the charges for the provision of transportation by motor vehicle.

[(6)] “Transportation of persons” includes every service in connection with or incidental to the safety, comfort, or convenience of persons transported and the receipt, carriage, and delivery of these persons and their baggage.

[(7)] “Transportation of property” includes every service in connection with or incidental to the transportation of property, including in particular its receipt, delivery, elevation, transfer, carriage, ventilation, refrigeration, icing, dunnage, storage in transit, handling, and [its] consolidation for the purposes of forwarding within the State.

- [(8)] “~~Motor vehicle~~” means ~~any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof determined by the commission, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails or a trolley bus operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street railway service.~~
- (9) “Highway” means the public roads, highways, streets, and ways in this State.
- [(10)] “~~Rates~~” includes rates, fares, tolls, rentals, and charges of whatever kind and nature unless the context indicates otherwise; provided that for transportation by motor vehicle of passengers, where the provision of transportation is part of a package that may include air fare, meals, attractions, and other services, “rates” shall only include the charges for the provision of transportation by motor vehicle.
- [(11)] “~~Common carrier by motor vehicle~~” means any person that holds itself out to the general public to engage in the transportation by motor vehicle of passengers or property or any class or classes thereof for compensation.
- [(12)] “~~Contract carrier by motor vehicle~~” means any person that engages in transportation by motor vehicle of passengers or property for compensation (other than transportation referred to in paragraph (11)) under continuing contracts with one person or a limited number of persons either: for the furnishing of transportation services through the assignment of motor vehicles for a continuing period of time to the exclusive use of each person served; or for the furnishing of transportation services designed to meet the distinct need of each individual customer.
- [(13)] “~~Motor carrier~~” includes both a common carrier by motor vehicle and a contract carrier by motor vehicle.
- [(14)] “~~Private carrier of property by motor vehicle~~” means any person not included in the terms “common carrier by motor vehicle” or “contract carrier by motor vehicle”, who or that transports by motor vehicle property of which the person is the owner, lessee, or bailee, when such transportation is for the purpose of sale, lease, rent, or bailment, or in the furtherance of any commercial enterprise.
- [(15)] “Enforcement officer” means any person employed and authorized by the commission to investigate any matter on behalf of the commission. The term also means a motor vehicle safety officer employed and assigned, pursuant to section 271-38, by the department of transportation to enforce sections 271-8, 271-12, 271-13, 271-19, and 271-29 through the assessment of civil penalties as provided in section 271-27(h), (i), and (j).]”

SECTION 22. Section 271G-5, Hawaii Revised Statutes, is amended to read as follows:

**§271G-5 Definitions.** As used in this chapter:

“Certificate” means a certificate of public convenience and necessity issued under this chapter to common carriers by water.

[(1)] “Chapter” means this Water Carrier Law.

[(2)] “Commission” means the public utilities commission.

“Enforcement officer” means any person employed and authorized by the commission to investigate any matter on behalf of the commission.

[(3)] “Person” or “persons” means any individual, firm, copartnership, corporation, company, association, or joint stock association; and includes any trustee, receiver, assignee, or personal representative thereof.

[(4)] “Certificate” means a certificate of public convenience and necessity issued under this chapter to common carriers by water. ]

“Rates” includes rates, fares, tolls, rentals, and charges of whatever kind and nature unless the context indicates otherwise.

“Related companies” means companies or persons that directly, or indirectly through one or more intermediaries, control, or are controlled by, or are under common control with, the water carrier. The term “control”, in reference to a relationship between any person or persons and another person or persons, includes actual as well as legal control, and indirect as well as direct control.

[(5)] “Transportation of persons” includes every service in connection with or incidental to the safety, comfort, or convenience of persons transported and the receipt, carriage, and delivery of these persons and their baggage.

[(6)] “Transportation of property” includes every service in connection with or incidental to the transportation of property, including in particular its receipt, and delivery, carriage, preservation, and all incidental services affecting these activities.

“Vessel” means any watercraft or other artificial contrivance of whatever description that is used, or capable of being used, or intended to be used, as a means of transportation by water.

[(7)] “Water carrier” or “common carrier by water” means any person who holds oneself out to the general public as engaging in the transportation by water of passengers or property for compensation within the State or between points within the State.

[(8)] ~~“Vessel” means any watercraft or other artificial contrivance of whatever description which is used, or capable of being used, or intended to be used, as a means of transportation by water.~~

[(9)] ~~“Rates” includes rates, fares, tolls, rentals, and charges of whatever kind and nature unless the context indicates otherwise.~~

[(10)] ~~“Related companies” means companies or persons that directly, or indirectly through one or more intermediaries, control, or are controlled by, or are under common control with, the water carrier. The term “control”, in reference to a relationship between any person or persons and another person or persons, includes actual as well as legal control, and indirect as well as direct control.~~

[(11)] ~~“Enforcement officer” means any person employed and authorized by the commission to investigate any matter on behalf of the commission.]”~~

SECTION 23. Section 271G-6, Hawaii Revised Statutes, is amended to read as follows:

**§271G-6 Exemptions, generally.** Notwithstanding any other provisions of this chapter, its contents shall not apply to:



- (1) Persons transporting their own property where the transportation is in furtherance of a primary business purpose or enterprise of that person except where the transportation is undertaken by a water carrier to evade the regulatory purposes of this chapter;
- (2) Nonprofit agricultural cooperative associations to the extent that they engage in the transportation of their own property or the property of their members;
- (3) Persons engaged in the transportation over water of passengers or property for compensation, other than transportation referred to in the definition of “water carrier” or “common carrier by water” in section ~~[271G-5(7)] 271G-5~~ under continuing contracts with one person or a limited number of persons ~~[either (A)]~~ for the furnishing of transportation services ~~[through]~~:
  - (A) Through the assignment of vessels for a continuing period of time to the exclusive use of each person served~~[-];~~ or
  - (B) ~~[for the furnishing of transportation services designed]~~ Designed to meet the distinct need of each individual customer;
- (4) Persons transporting their own property or employees where the transportation is in furtherance of a business or enterprise of fishing or taking of fish for profit or gain as a means of livelihood; or
- (5) Persons engaged in the business of transporting persons for sight-seeing and other recreational activities.”

SECTION 24. Section 273-3, Hawaii Revised Statutes, is amended to read as follows:

“**§273-3 Special powers.** For the purposes and subject to the provisions and restrictions of this chapter, the corporation ~~[may]~~, from time to time, may exercise any of the following powers:

- (1) It may enter upon any lands ~~[which]~~ that may adjoin upon the line of any railway ~~[which]~~ that may be authorized by charter to be made, and may bore, dig, cut, trench, embank, and drain, and may remove or lay, take, carry away, and use any earth, gravel, stone, timber, or other things dug or obtained therein or otherwise in the execution of any powers hereafter in this chapter given, and ~~[which]~~ that may be proper for the making, maintaining, altering, repairing, or using of any railway lawfully authorized, or ~~[which]~~ that may obstruct the making, maintaining, altering, repairing, or using of the same;
- (2) It may make, in, upon, across, under, or over any such lands, or any street, roads, ways, railroads, tramways, hills, valleys, rivers, canals, watercourses, or waters, ~~[such]~~ any temporary or permanent inclined planes, tunnels, cuttings, embankments, aqueducts, bridges, roads, ways, passages, conduits, drains, piers, arches, fences, and other work and conveniences as ~~[it]~~ the corporation thinks proper;
- (3) It may alter the course of any rivers not navigable, canals, brooks, streams, or watercourses during ~~[such]~~ any times as is necessary for constructing or maintaining tunnels, bridges, or other works over, under, or affecting the same; and may temporarily or permanently alter the course of any rivers or streams, or raise or sink the level of any rivers or streams, streets, roads, or ways, to carry more conveniently the same over or under or by the side of any railway;
- (4) It may make drains or conduits into, through, or under any lands adjoining the railway for the purpose of conveying water from or to the railway, and upon the railway, or any lands adjoining or near thereto;

- (5) It may make [~~such~~] piers, jetties, stations, sidings, wharves, warehouses, tollhouses, and other houses, yards, engines, machinery, signal posts, and other apparatus, works, and conveniences whatsoever connected with the railway as the corporation may think proper, and may from time to time alter, repair, or discontinue any [~~such~~] apparatus, works, and conveniences, and substitute others in their stead;
- (6) It may fell or remove any timber or other trees being within two hundred feet from either side of the railway [~~which;~~] that, by their liability to fall or otherwise, might obstruct or injure the railway;
- (7) It may also fell or cut down and remove any trees or wood, whether timber or other trees, or scrub or underwood, [~~which;~~] that, by reason of the line making a curve or otherwise, may obstruct or impede a view of any signal post from any portion of the line [~~which shall be~~] within one mile in a right line from any [~~such~~] signal post;
- (8) It may enter upon and use any existing private road, being a road graveled or formed with stones or other hard material, and not being an avenue or approach to any dwelling house;
- (9) It may enter upon and take, purchase, and hold all [~~such~~] lands, tenements, and hereditaments as may be required for the purposes of the railway and works connected therewith; and
- (10) It may do all other things necessary or convenient for making, maintaining, altering, or repairing and using the railway.

[~~But nothing~~] Nothing in this chapter shall be construed to authorize any corporation to enter upon or take any tidewaters, nor in any way to hinder, obstruct, or interfere with navigation in or upon any public navigable waters, nor to erect, build, or maintain any pier, jetty, or wharf in, upon, or over any harbor, bay, or river beyond high watermark.”

SECTION 25. Section 281-42, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) It shall be unlawful for any person holding a manufacturer’s license or a wholesale dealer’s license to induce the purchases of a retail licensee by:

- (1) Acquiring or holding any interest in any license of a retail licensee;
- (2) Acquiring any interest in the real or personal property owned, occupied, or used by a retail licensee in the conduct of its business, unless the holding of [~~such~~] the interest is permitted under the regulations of the liquor commission or a statement thereof has been filed with the commission and has not been disapproved by [~~it;~~] the commission;
- (3) Furnishing, giving, renting, lending, or selling to a retail licensee any equipment, fixtures, signs, supplies, money, services, or other thing of value, subject to the exceptions contained in [~~Subpart~~] subpart D of the “tied house” regulations of the Bureau of Alcohol, Tobacco and Firearms of the United States Treasury Department, 27 Code of Federal Regulations [~~Part~~] part 6 (1988), as [~~the same~~] may [~~change from time to time;~~] be amended;
- (4) Paying or crediting a retail licensee for any advertising, display, or distribution service, whether or not the advertising, display, or distribution service received is commensurate with the amount paid by the retail licensee; provided that this paragraph shall not prohibit representatives of manufacturers and wholesalers from creating and maintaining displays and point of purchase sales materials, or from stocking shelves and cold boxes;



- (5) Guaranteeing any loan or the repayment of any financial obligation of a retail licensee;
- (6) Extending credit to the retail licensee for a period of time in excess of thirty days from the date of invoice;
- (7) Requiring a retail licensee to take and dispose of any quota of liquor; or
- (8) Requiring a retail licensee to purchase one product in order to purchase another product. This includes combination sales if one or more products may be purchased only in combination with other products and not individually~~[-]~~; provided that a manufacturer or wholesale dealer ~~is~~ shall not be prohibited from selling at a special combination price, two or more kinds or brands of products to a retail licensee~~[-]~~ if:
  - (A) ~~the~~ The retail licensee has an option of purchasing either product at the usual price~~[-]~~; and
  - (B) ~~the~~ The retail licensee is not required to purchase any product it does not want.”

SECTION 26. Section 281-104, Hawaii Revised Statutes, is amended to read as follows:

**“§281-104 Investigators, employees, counsel for.** Whenever any investigator or other employee of the liquor commission shall be prosecuted for any crime or sued in any civil cause for acts done in the performance of the investigator’s or employee’s duty as ~~such~~ an investigator or employee, the investigator or employee shall be represented and defended in:

- (1) ~~in any such~~ The criminal proceeding by an attorney to be employed and paid by the commission; and
- (2) ~~in any such~~ The civil cause by the corporation counsel or county attorney~~[-]~~ of the county in which the investigator or employee is serving or, if permitted under the appropriate county charter, by an outside attorney to be employed and paid for by the commission.”

SECTION 27. Section 281-111, Hawaii Revised Statutes, is amended to read as follows:

**“§281-111 Condemnation of property or liquor; disposition.** Any still, plant, or other equipment shown to have been used for the manufacture of liquor in violation of this chapter and any liquor manufactured or sold in violation of this chapter shall be subject to summary seizure as herein provided or to subsequent seizure, and may be condemned and adjudged forfeited to the State, in addition to any penalty separately provided for the violation, the same to be enforced by appropriate legal proceedings in the name of the State. All ~~such~~ property and liquor ~~so~~ condemned and forfeited pursuant to this section may be ordered by the court having jurisdiction ~~(4)~~ to be wholly or partially destroyed~~[-]~~ or ~~(2)~~ to be sold, wholly or partially, for the account of the county wherein the same were seized; provided that the court may order any ~~such~~ of the liquor, if suitable, to be delivered to the department of health for distribution to any public institution for use therein for medicinal purposes. The order of the court with respect to ~~such~~ property or liquor condemned and forfeited pursuant to this section shall be effectively executed by the sheriff or the sheriff’s deputy, or by the chief of police or the chief of police’s deputy, or by any police officer, or by the commission’s administrator, or by any investigator, within ~~such~~ the time as may be fixed in the order but not exceeding sixty days. If any person, whether or not an officer or employee of the State or any county, takes, disposes of, or uses, in any manner or to any extent, any of ~~such~~ the property

or liquor otherwise than as ~~herein~~ provided~~;~~ in this section, the person shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided in section 281-102.”

SECTION 28. Section 286-2, Hawaii Revised Statutes, is amended by amending the definition of “alcohol concentration” to read as follows:

“Alcohol concentration” means the concentration of alcohol in a person’s blood or breath. When expressed as a percentage, ~~it~~ the term means:

- (1) ~~the~~ The number of grams of alcohol per 100 milliliters of blood; or
- (2) ~~the~~ The number of grams of alcohol per 210 liters of breath.”

SECTION 29. Section 286-47.5, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) For the purposes of this section, the following terms shall have the following meanings:

“Individual owners” excludes corporate owners of motor vehicles.

~~[(1)]~~ “Registered owner” includes an applicant for registration of a motor vehicle the processing of whose application has not been completed by the issuance of a certificate of registration and a certificate of ownership.

~~[(2)]~~ “Individual owners” excludes corporate owners of motor vehicles.]”

SECTION 30. Section 286-53, Hawaii Revised Statutes, is amended by amending subsection (i) to read as follows:

“(i) For the purposes of this section:

“New motor vehicle dealer” means a dealer licensed under chapter 437 to engage in the business of selling new motor vehicles or used motor vehicles at wholesale or retail or both.

~~[(1)]~~ “New motor vehicles” means motor vehicles of the current model year, immediate past model year, or the next model year ~~which~~ that have not been sold or registered by the manufacturer or dealer~~;~~.

~~[(2)]~~ “New motor vehicle dealer” means a dealer licensed under chapter 437 to engage in the business of selling at wholesale or retail or both, new motor vehicles or used motor vehicles;]

~~[(3)]~~ “Permanent number plate” means a number plate furnished to a manufacturer or dealer under subsection (c)(1) for a motor vehicle ~~which~~ that is similar to the number plate issued under section 249-7 and ~~which~~ that allows the motor vehicle to be operated on the public highways~~;~~ ~~and~~.

~~[(4)]~~ “Temporary number plate” means the number plate furnished to a new motor vehicle dealer under subsection (c)(2).”

SECTION 31. Section 286-203, Hawaii Revised Statutes, is amended to read as follows:

**“§286-203 Enforcement.** For purposes of the enforcement of this part, the director of transportation shall have ~~such~~ any powers of enforcement as may be necessary to implement this part. The director may delegate the enforcement of this part to county executive officers. For the purpose of the safety, welfare, and health of the general public, and the safe transportation of hazardous materials and waste on any public highway, and the enforcement of this part and of all rules adopted pursuant to this part, the director, persons appointed by the director, and the county executive officers to whom powers of enforcement are delegated~~;~~ may:

- (1) ~~inspect~~ Inspect lands, buildings, freight, and equipment of motor carriers~~;~~;

- (2) ~~[stop]~~ Stop and inspect freight and equipment of motor carriers and the military on any public highway~~;~~; and
- (3) ~~[inspect]~~ Inspect shipping papers and hazardous waste manifests of motor carriers and persons subject to this part.

Every state and county officer charged with enforcement of laws and ordinances shall assist in the enforcement of this part and of all rules adopted pursuant to this part and issue citations for violations as appropriate.”

SECTION 32. Section 286-236, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) No person shall be issued a commercial driver’s license unless that person ~~[meets]~~:

- (1) Meets the qualification standards of title 49 Code of Federal Regulations, part 391, subparts B and E~~;~~~~has~~;
- (2) Has passed a knowledge and driving skills test for driving a commercial motor vehicle that complies with minimum federal standards established by federal regulation enumerated in title 49 Code of Federal Regulations, part 383, subparts G and H~~;~~~~is~~;
- (3) Is domiciled in this State as defined in title 49 Code of Federal Regulations, part 383.5~~;~~; and ~~[has]~~
- (4) Has satisfied all other requirements of the Commercial Motor Vehicle Safety Act of 1986, Public Law 99-570, title XII, in addition to other requirements imposed by state law or federal regulation.

The tests shall be prescribed by the director and administered by the respective county examiner of drivers. The test examiners shall communicate with the applicant only in English during the skills test. As of January 30, 2012, the examiner of drivers shall verify that the medical certification status of a driver who self-certified according to title 49 Code of Federal Regulations section ~~[383.71(a)(1)(ii)(A);]~~ 383.71(b)(1)(i), non-excepted interstate, is certified. If a driver submits a current medical examiner’s certificate, the examiner of drivers shall date-stamp the certificate and post all required information to the commercial driver’s license information system pursuant to title 49 Code of Federal Regulations section ~~[383.73(a)(5);]~~ 383.73(b)(5) and in accordance with title 49 Code of Federal Regulations section ~~[383.73(f);]~~ 383.73(o). A person who is not physically qualified to drive under title 49 Code of Federal Regulations section 391.41(b)(1), (2), or (3) and who is otherwise qualified to drive a motor vehicle may be granted an intrastate waiver by the director. The process for granting intrastate waivers shall be the same as that for interstate waivers in title 49 Code of Federal Regulations section 391.49, except that the intrastate waiver requests shall be submitted to the director; provided that the director shall adopt rules under chapter 91 to establish a screening process, including approval by a licensed physician, for granting an intrastate waiver to persons who are not physically qualified under title 49 Code of Federal Regulations section 391.41(b)(3).”

SECTION 33. Section 286-240, Hawaii Revised Statutes, is amended by amending subsection (k) to read as follows:

“(k) Beginning January 30, 2014, if a driver fails to provide the examiner of drivers with the certification required under title 49 Code of Federal Regulations section ~~[383.71(a)(1)(ii)]~~ 383.71(b)(1) or a current medical examiner’s certificate if the driver self-certifies according to title 49 Code of Federal Regulations section ~~[383.71(a)(1)(ii)(A)]~~ 383.71(b)(1)(i) that the driver is operating in non-excepted interstate commerce as required by title 49 Code of Federal Regulations section 383.71(h), the examiner of drivers shall mark the commer-

cial driver’s license information system driver record as not-certified and initiate a commercial driver’s license downgrade.”

SECTION 34. Section 286-241, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) Beginning January 30, 2014, if a driver fails to provide the examiner of drivers with the certification required by title 49 Code of Federal Regulations section [383.71(a)(1)(ii)] 383.71(b)(1) or a current medical examiner’s certificate if the driver self-certifies according to title 49 Code of Federal Regulations section [383.71(a)(1)(ii)(A)] 383.71(b)(1)(i) that the driver is operating in non-excepted interstate commerce as required by title 49 Code of Federal Regulations section 383.71(h), the examiner of drivers shall mark the commercial driver’s license information system driver record as not-certified and initiate a commercial driver’s license downgrade.”

SECTION 35. Section 287-9, Hawaii Revised Statutes, is amended to read as follows:

“**§287-9 Duration of suspension.** The license and permit suspended as provided in section 287-6 shall remain [sø] suspended and shall not be renewed nor shall any new license or permit be issued to [~~any of such persons~~] the person whose license or permit is suspended until:

- (1) The person whose license or permit is suspended deposits or there is deposited on the person’s behalf the security required under section 287-6; [øf]
- (2) Two years have elapsed following the date of the suspension and evidence satisfactory to the administrator has been filed with the administrator that during [sueh] that period no action for damages arising out of the accident has been commenced; or
- (3) [~~Evidence~~] Pursuant to section 287-8(5), evidence satisfactory to the administrator has been filed with the administrator of a release of the driver from liability, or a final adjudication of nonliability of the driver, or a duly acknowledged written agreement [~~in accordance with section 287-8(5)~~]; provided [~~in the event~~] that if there is any default in the payment of any installment under any duly acknowledged written agreement, then upon notice of the default, the administrator shall [~~forthwith~~] immediately suspend the license of the person defaulting [~~thereunder which~~] on the agreement, and the license shall not be restored [~~unless and~~] until:
  - (A) [~~the~~] The person deposits and thereafter maintains security as required under section 287-6 in [sueh] an amount as the administrator may then determine[;]; or
  - (B) [~~two~~] Two years have elapsed following the date when [sueh] the security was required and during [sueh] that period no action [~~upon the agreement~~] has been instituted for enforcement [~~thereof.~~] of the agreement.”

SECTION 36. Section 287-12, Hawaii Revised Statutes, is amended to read as follows:

“**§287-12 Custody, disposition, and return of security.** Security deposited in compliance with the requirements of this chapter shall be placed by the administrator in the custody of the county treasurer or director of finance and shall be applicable only to the payment of a judgment or judgments rendered against the person or persons on whose behalf the deposit was made, for damages arising out of the accident in question in an action, begun not later than one

year after the date of the accident or within one year after the date of deposit of any security under ~~[[paragraph] (3) of]~~ section ~~[287-9] 287-9(3)~~, and ~~[such] the~~ deposit or any balance thereof shall be returned to the depositor or the depositor's personal representative when ~~[evidence]~~:

- (1) Pursuant to section 287-8(5), evidence satisfactory to the administrator has been filed with the administrator that there has been a release from liability, or a final adjudication of nonliability, or the execution of a duly acknowledged written agreement~~[- in accordance with [paragraph] (4) of section 287-8 has been filed;]~~; or ~~[whenever after]~~
- (2) After the expiration of one year ~~[(1)]~~ from the date of the accident~~[-]~~ or ~~[(2)]~~ from the date of deposit of any security under ~~[[paragraph] (3) of]~~ section ~~[287-9;] 287-9(3)~~, the administrator is given reasonable evidence that there is no pending action and no judgment rendered in the action left unpaid.

The security deposited shall not be subject to any attachment or execution unless the attachment or execution arises out of a suit for damages as ~~[aforesaid-]~~ described in this section.”

SECTION 37. Section 287-40, Hawaii Revised Statutes, is amended to read as follows:

**“§287-40 Duration of proof; when proof may be canceled or returned.**

~~[The] (a) Upon request, the~~ administrator shall ~~[upon request]~~ consent to the immediate cancellation of any bond or certificate of insurance, ~~[or the administrator shall]~~ return to the person entitled thereto any money or bonds deposited pursuant to this chapter as proof of financial responsibility, or ~~[the administrator shall]~~ waive the requirement of filing proof, in any of the following events:

- (1) At any time after three years from the date the proof was required when, during the three-year period preceding the request, the administrator has not received record of a conviction ~~[which] that~~ would require or permit the suspension or revocation of the license or nonresident's operating privilege of the person by or for whom the proof was furnished;
- (2) In the event of the death of the person on whose behalf the proof was filed or the permanent incapacity of the person to operate a motor vehicle; and
- (3) ~~[In the event]~~ If the person who has given proof surrenders the person's license to the administrator~~[-]~~.

~~[Provided, that] (b) Notwithstanding subsection (a),~~ the administrator shall not consent to the cancellation of any bond or the return of any money or bonds ~~[in the event]~~ if any action for damages upon a liability covered by the proof is then pending or any judgment upon any such liability is then unsatisfied, or ~~[in the event]~~ if within one year immediately preceding the request the person who has filed the bond or deposited the money or bonds~~[-]~~ has~~[- within one year immediately preceding the request]~~ been involved as a driver or owner in any motor vehicle accident resulting in injury or damage to the person or property of others. An affidavit of the applicant as to the nonexistence of such facts, or that the applicant has been released from all of the applicant's liability, or has been finally adjudicated not to be liable, for ~~[such] the~~ injury or damage, shall be sufficient evidence thereof in the absence of evidence to the contrary in the records of the administrator.

~~(c) Whenever any person whose proof has been canceled or returned under [paragraph (3) of this section]~~ subsection (a)(3) applies for a license or registration within a period of three years from the date proof was originally

required, ~~[any such]~~ the application shall be refused unless the applicant reestablishes the proof for the remainder of the three-year period.”

SECTION 38. Section 291-11.5, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

“(f) As used in this section:

“Commercial vehicle” means any motor vehicle that is being used for the transportation of persons for hire, compensation, or profit.

“Emergency vehicle”, “mass transit vehicle”, “restrained”, and “seat belt assembly” shall have the same meaning as provided in section 291-11.6.

~~“Commercial vehicle” shall be defined as any motor vehicle that is being used for the transportation of persons for hire, compensation, or profit.]”~~

SECTION 39. Section 291-11.6, Hawaii Revised Statutes, is amended to read as follows:

**§291-11.6 Mandatory use of seat belts, when, penalty.** (a) Except as otherwise provided by law, no person shall operate a motor vehicle upon any public highway unless the person is restrained by a seat belt assembly and all passengers in the front or back seat of the motor vehicle are restrained by a seat belt assembly or are restrained pursuant to section 291-11.5 if they are under eight years of age.

[As used in this section:

~~“Restrained” means that the seat belt assembly is worn as it was designed and intended to be worn.~~

~~“Seat belt assembly” means the seat belt assembly that is required to be in the motor vehicle under any federal motor vehicle safety standard issued pursuant to Public Law 89-563, the National Traffic and Motor Vehicle Safety Act of 1966, as amended, unless original replacement seat belt assemblies are not readily available. If replacement assemblies are not readily available, seat belts of federally approved materials with similar protective characteristics may be used. Such replacement seat belt assemblies shall be permanently marked by the belt manufacturer indicating compliance with all applicable federal standards.]~~

(b) The passengers of the following motor vehicles shall be exempt from the requirements of this section: emergency and mass transit vehicles. Further exemptions from this section may be established by rules adopted by the department of transportation pursuant to chapter 91.

[As used in this section, unless the context otherwise requires:

~~“Emergency vehicle” means an ambulance, a firefighting or rescue vehicle, or a police vehicle while on duty.~~

~~“Mass transit vehicle” means a bus, including a school bus (but excluding a charter or sightseeing service bus) with a gross vehicle weight rating that is over 10,000 pounds, whether publicly or privately owned, which provides service to the general public or provides special service on a regular or continuing basis.]~~

(c) No person shall be guilty of violating this section if:

- (1) The person is in a motor vehicle that is not required to be equipped with a seat belt assembly under any federal motor vehicle safety standard unless the vehicle is in fact equipped with a seat belt assembly;
- (2) The person not restrained by a seat belt assembly is in a vehicle in which the number of persons exceeds the number of seat belt assemblies available in the vehicle or the number of seat belt assemblies originally installed in the vehicle, whichever is greater; provided that all available seat belt assemblies are being used to restrain passengers;



- (3) The person not restrained by a seat belt assembly has a condition that prevents appropriate restraint by the seat belt assembly; provided that the condition is duly certified by a physician, a physician assistant, or an advanced practice registered nurse who shall state the nature of the condition~~[, as well as]~~ and the reason the restraint is inappropriate;
- (4) The person not restrained by a seat belt assembly is operating a taxicab or other motor vehicle used in performing a bona fide metered taxicab service ~~[which]~~ that is regulated under chapter 269 or by county ordinance and is carrying passengers in the vehicle in the course of performing taxicab services; or
- (5) Otherwise exempted by rules adopted by the department of transportation pursuant to chapter 91.
- (d) This section shall not be deemed to change existing laws, rules, or procedures pertaining to a trial of a civil action for damages for personal injuries or death sustained in a motor vehicle accident.
- (e) A person who fails to comply with the requirements of this section ~~[shall]:~~

(1) Shall be subject to [a]:

(A) A fine of \$45 for each violation~~[, a]; and~~

(B) A surcharge of \$10 ~~[which]~~ that shall be deposited into the neurotrauma special fund~~[,]; and [may]~~

(2) May be subject to a surcharge of up to \$10 ~~[which]~~ that shall be deposited into the trauma system special fund.

(f) As used in this section:

“Emergency vehicle” means an ambulance, a firefighting or rescue vehicle, or a police vehicle while on duty.

“Mass transit vehicle” means a bus, including a school bus (but excluding a charter or sightseeing service bus) with a gross vehicle weight rating that is over 10,000 pounds, whether publicly or privately owned, that provides service to the general public or provides special service on a regular or continuing basis.

“Restrained” means that the seat belt assembly is worn as it was designed and intended to be worn.

“Seat belt assembly” means the seat belt assembly that is required to be in the motor vehicle under any federal motor vehicle safety standard issued pursuant to Public Law 89-563, the National Traffic and Motor Vehicle Safety Act of 1966, as amended, unless original replacement seat belt assemblies are not readily available. If replacement assemblies are not readily available, seat belts of federally approved materials with similar protective characteristics may be used. Replacement seat belt assemblies shall be permanently marked by the belt manufacturer indicating compliance with all applicable federal standards.”

SECTION 40. Section 291-33, Hawaii Revised Statutes, is amended to read as follows:

**“§291-33 Projections on face of wheels prohibited.** (a) There shall not be operated or moved upon any public road, street, or highway within the State, any vehicle, motor vehicle, or other power vehicle the face of the wheels of which are fitted or equipped with flanges, ribs, clamps, cleats, lugs, chains, spikes or other projections, other than rubber blocks, destructive to the road surfaces. This provision applies to all rings or flanges upon guiding or steering wheels of such vehicles~~[,]~~ but ~~[it]~~ shall not be ~~[so]~~ construed ~~[as]~~ to prevent ~~[(+)]~~ the use of ~~[ordinary]:~~

(1) Ordinary detachable tire or skid chains~~[,]; or~~

- (2) ~~[the use of studded]~~ Studded snow tires on either the Mauna Kea access road above Hale Pohaku or on any other road within the Mauna Kea Science Reserve leased to the University of Hawaii.

(b) This section shall not apply to traction engines, tractors, or other vehicles of the tracklaying type when the portions of the movable tracks in contact with the roadway surface present plane surfaces of sufficient area to prevent damage thereto.”

SECTION 41. Section 291-35, Hawaii Revised Statutes, is amended to read as follows:

**“§291-35 Gross weight, axle, and wheel loads.** No motor vehicle or other power vehicle or combination of ~~[such]~~ those vehicles equipped wholly with pneumatic tires~~[-, which]~~ shall be operated or moved upon any public road, street, or highway within the State if the vehicle or combination of vehicles has a total gross weight[-] (including vehicle and load[-]), an axle load, or a wheel load in excess of the limits set forth in this section [shall be operated or moved upon any public road, street, or highway within the State]; provided that the maximum gross weight, axle loads, and wheel loads allowed under this section shall be inapplicable when its application would adversely affect the receipt of federal funds for highway purposes; and provided further that no vehicle or combination of vehicles shall be operated on or moved over any bridge or other highway structure if the total gross weight, including vehicle and load, exceeds the posted maximum gross load limitation for the bridge or other highway structure.

- (1) The total gross weight, in pounds, imposed on any public road, street, or highway within the State by any group of two or more consecutive axles, on a vehicle or combination of vehicles shall not exceed the following when the distance between the first and last axles of the group under consideration is:
  - (A) Forty inches or less, the weight imposed shall not exceed twenty-two thousand five hundred pounds~~[-]; and~~
  - (B) More than forty inches but not more than eight feet, the weight imposed shall not exceed thirty-four thousand pounds. This grouping of two consecutive axles shall be known as tandem axle.
- (2) The total gross weight, in pounds, imposed on interstate highways within the State by any group of two or more consecutive axles, on a vehicle or combination of vehicles shall not exceed that resulting from application of the formula:

$$W = 500 (LN/(N-1) + 12N + 36)$$

when the distance between the first and last axles of the group under consideration is over eight feet and where W = maximum weight in pounds carried on any group of two or more axles computed to the nearest ~~[500]~~ five hundred pounds,

L = Distance in feet between the extremes of any group of two or more consecutive axles, to the nearest foot, and

N = Number of axles in group under consideration;

provided that two consecutive sets of tandem axles may carry a gross load of ~~[34,000]~~ thirty-four thousand pounds each providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more and provided also



that the overall gross weight does not exceed ~~[80,000]~~ eighty thousand pounds.

- (3) The total gross weight, in pounds, imposed on any public road, street, or highway, other than interstate highways, within the State by a vehicle or combination of vehicles shall not exceed that determined by the formula:

$$W = 900 (L + 40)$$

when the distance between the first and last axles of the group under consideration is over eight feet and where W = maximum weight in pounds carried on any group of two or more axles computed to the nearest ~~[500]~~ five hundred pounds and

L = Distance in feet between the extremes of any group of two or more consecutive axles, to the nearest foot;

provided also that the overall gross weight does not exceed ~~[88,000]~~ eighty-eight thousand pounds.

- (4) No vehicle or combination of vehicles shall be used or operated on any public road, street, or highway within the State:
- (A) ~~[with]~~ With a load upon any single or tandem axle or combination of axles ~~[which]~~ that exceeds the carrying capacity of the axles specified by the manufacturer~~[-];~~ or
- (B) ~~[with]~~ With a total weight in excess of its designed capacity as indicated by its designed gross vehicle weights or gross combination weights.
- (5) The total gross weight imposed upon the public road, street, or highway by any single axle shall not exceed twenty-two thousand five hundred pounds. For the purpose of this section, axles placed in the same transverse plane and ~~[are]~~ spaced forty inches or less apart~~[-];~~ shall be considered as one axle.
- (6) The total gross weight imposed upon the public road, street, or highway by any one wheel, either single or dual mounting, shall not exceed ~~[eleven thousand two hundred and fifty]~~ 11,250 pounds.
- (7) The director of transportation, in the case of state highways, or the county engineer, in the case of county roads and streets, may place and maintain signs to limit the gross weight of a vehicle or combination of vehicles traveling over a bridge or other highway structure in the interest of public safety when it is determined through engineering investigation and analysis that the theoretical load carrying capacity of the bridge or structure is less than the maximum gross vehicular weight allowed by this chapter. In determining the weight limits and in posting the weight limit signs, the director or the county engineer need not comply with rulemaking provisions of chapter 91; provided that if any person objects to the weight limits, the person may object to the rule as provided in chapter 91.”

SECTION 42. Section 291C-1, Hawaii Revised Statutes, is amended by amending the definition of “substantial bodily injury” to read as follows:

““Substantial bodily injury” means bodily injury ~~[which]~~ that causes:

- (1) ~~[a]~~ A major avulsion, laceration, or penetration of the skin;
- (2) ~~[a]~~ A chemical, electrical, friction, or scalding burn of second degree severity;
- (3) ~~[a]~~ A bone fracture;
- (4) ~~[a]~~ A serious concussion; or

- (5) [a] A tearing, rupture, or corrosive damage to the esophagus, viscera, or other internal organs.”

SECTION 43. Section 291C-103, Hawaii Revised Statutes, is amended to read as follows:

**“§291C-103 Racing on highways.** (a) Except as provided in section 291C-149, no person shall drive any vehicle in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, or for the purpose of making a speed record, and no person shall in any manner participate in any race, competition, contest, test, or exhibition prohibited by this section.

~~[(b) “Drag race” means the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more vehicles over a common selected course, from the same point to the same point, for the purpose of comparing the relative speeds or power of acceleration of the vehicle or vehicles within a certain distance or time limit.~~

~~(c) “Racing” means the use of one or more vehicles in an attempt to outgain, outdistance, or prevent another vehicle from passing, to arrive at a given destination ahead of another vehicle or vehicles, or to test the physical stamina or endurance of drivers over long distance driving routes.~~

~~(d) “Exhibition of speed or acceleration” means the sudden acceleration of a vehicle resulting in the screeching of the vehicle’s tires which is done to intentionally draw the attention of persons present toward the vehicle.~~

~~(e) (b) Any person who violates this section, except [subsection (d),] in the case of an exhibition of speed or acceleration, shall be fined not more than \$500 or imprisoned not more than six months, or both. Any person who violates [subsection (d)] this section by way of an exhibition of speed or acceleration shall be fined not more than \$500 or be sentenced to perform community service, or both.~~

~~[(f)] (c) Any person who violates this section while operating a vehicle at a speed exceeding the posted speed limit by thirty miles per hour or more shall be subject to a fine of not more than \$2,000, a term of imprisonment of not more than one year, or both; provided that the following additional penalties shall also apply:~~

- ~~(1) For an offense that occurs within five years of a prior conviction, a one-year license suspension;~~
- ~~(2) For an offense that occurs within five years of two prior convictions:
  - ~~(A) A three-year license suspension; and~~
  - ~~(B) A vehicle owned by the defendant and used in the commission of the offense which has been used in at least two prior offenses that resulted in convictions may be ordered by the court to be subject to forfeiture under chapter 712A; and~~~~
- ~~(3) For all offenses under this section, a surcharge of up to \$100 may be deposited in the trauma system special fund if the court so orders.~~

~~(d) As used in this section:~~

~~“Drag race” means the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more vehicles over a common selected course, from the same point to the same point, for the purpose of comparing the relative speeds or power of acceleration of the vehicle or vehicles within a certain distance or time limit.~~

“Exhibition of speed or acceleration” means the sudden acceleration of a vehicle resulting in the screeching of the vehicle’s tires that is done to intentionally draw the attention of persons present toward the vehicle.

“Racing” means the use of one or more vehicles in an attempt to outgain, outdistance, or prevent another vehicle from passing, to arrive at a given destination ahead of another vehicle or vehicles, or to test the physical stamina or endurance of drivers over long distance driving routes.”

SECTION 44. Section 291E-61.5, Hawaii Revised Statutes, is amended to read as follows:

**“§291E-61.5 Habitually operating a vehicle under the influence of an intoxicant.** (a) A person commits the offense of habitually operating a vehicle under the influence of an intoxicant if:

- (1) The person is a habitual operator of a vehicle while under the influence of an intoxicant; and
- (2) The person operates or assumes actual physical control of a vehicle:
  - (A) While under the influence of alcohol in an amount sufficient to impair the person’s normal mental faculties or ability to care for the person and guard against casualty;
  - (B) While under the influence of any drug that impairs the person’s ability to operate the vehicle in a careful and prudent manner;
  - (C) With .08 or more grams of alcohol per two hundred ten liters of breath; or
  - (D) With .08 or more grams of alcohol per one hundred milliliters or cubic centimeters of blood.

~~[(b) For the purposes of this section:~~

- ~~(1) “Convicted two or more times for offenses of operating a vehicle under the influence” means that, at the time of the behavior for which the person is charged under this section, the person had two or more times within ten years of the instant offense:
 
  - ~~(A) A judgment on a verdict or a finding of guilty, or a plea of guilty or nolo contendere, for a violation of section 291-4, 291-4.4, or 291-7 as those sections were in effect on December 31, 2001, or section 291E-61 or 707-702.5;~~
  - ~~(B) A judgment on a verdict or a finding of guilty, or a plea of guilty or nolo contendere, for an offense that is comparable to section 291-4, 291-4.4, or 291-7 as those sections were in effect on December 31, 2001, or section 291E-61 or 707-702.5; or~~
  - ~~(C) An adjudication of a minor for a law or probation violation that, if committed by an adult, would constitute a violation of section 291-4, 291-4.4, or 291-7 as those sections were in effect on December 31, 2001, or section 291E-61 or 707-702.5, that, at the time of the instant offense, had not been expunged by pardon, reversed, or set aside. All convictions that have been expunged by pardon, reversed, or set aside before the instant offense shall not be deemed prior convictions for the purposes of proving that the person is a habitual operator of a vehicle while under the influence of an intoxicant.~~~~
- ~~(2) “Convicted one or more times for offenses of habitually operating a vehicle under the influence” means that, at the time of the behavior for which the person is charged under this section, the person had one or more times within ten years of the instant offense:
 
  - ~~(A) A judgment on a verdict or a finding of guilty, or a plea of guilty or nolo contendere, for a violation of this section or~~~~

~~section 291-4.4 as that section was in effect on December 31, 2001;~~

- ~~(B) A judgment on a verdict or a finding of guilty, or a plea of guilty or nolo contendere, for an offense that is comparable to this section or section 291-4.4 as that section was in effect on December 31, 2001; or~~
- ~~(C) An adjudication of a minor for a law or probation violation that, if committed by an adult, would constitute a violation of this section or section 291-4.4 as that section was in effect on December 31, 2001,~~

~~that, at the time of the instant offense, had not been expunged by pardon, reversed, or set aside. All convictions that have been expunged by pardon, reversed, or set aside before the instant offense shall not be deemed prior convictions for the purposes of proving the person's status as a habitual operator of a vehicle while under the influence of an intoxicant.~~

- ~~(3) "Habitual operator of a vehicle while under the influence of an intoxicant" means that the person:~~
  - ~~(A) Was convicted two or more times for offenses of operating a vehicle under the influence; or~~
  - ~~(B) Was convicted one or more times for offenses of habitually operating a vehicle under the influence.]~~

~~[(e)] (b) Habitually operating a vehicle while under the influence of an intoxicant is a class C felony.~~

- ~~[(d)] (c) For a conviction under this section, the sentence shall be either:~~
  - ~~(1) An indeterminate term of imprisonment of five years; or~~
  - ~~(2) A term of probation of five years, with conditions to include:~~
    - ~~(A) Mandatory revocation of license and privilege to operate a vehicle for a period no less than three years but no more than five years;~~
    - ~~(B) No less than ten days imprisonment, of which at least forty-eight hours shall be served consecutively;~~
    - ~~(C) A fine of no less than \$2,000 but no more than \$5,000;~~
    - ~~(D) Referral to a certified substance abuse counselor as provided in [section 291E-61(d);] subsection (d);~~
    - ~~(E) A surcharge of \$25 to be deposited into the neurotrauma special fund; and~~
    - ~~(F) May be charged a surcharge of up to \$50 to be deposited into the trauma system special fund if the court so orders.~~

In addition to the foregoing, any vehicle owned and operated by the person committing the offense shall be subject to forfeiture pursuant to chapter 712A; provided that the department of transportation shall provide storage for vehicles forfeited under this subsection.

~~[(e)] (d) Whenever a court sentences a person under this section, it shall also require that the offender be referred to the driver's education program for an assessment, by a certified substance abuse counselor, of the offender's substance abuse or dependence and the need for appropriate treatment. The counselor shall submit a report with recommendations to the court. The court shall require the offender to obtain appropriate treatment if the counselor's assessment establishes the offender's substance abuse or dependence. All costs for assessment and treatment shall be borne by the offender.~~

~~[(f)] (e) Notwithstanding any other law to the contrary, whenever a court revokes a person's driver's license pursuant to this section, the examiner of drivers shall not grant to the person a new driver's license until expiration of the~~

period of revocation determined by the court. After the period of revocation is complete, the person may apply for and the examiner of drivers may grant to the person a new driver's license.

~~[(g)]~~ (f) Any person sentenced under this section may be ordered to reimburse the county for the cost of any blood or urine tests conducted pursuant to section 291E-11. The court shall order the person to make restitution in a lump sum, or in a series of prorated installments, to the police department or other agency incurring the expense of the blood or urine test.

~~[(h)]~~ (g) As used in this section~~], the term “examiner of drivers” has the same meaning as provided in section 286-2.];~~

“Convicted one or more times for offenses of habitually operating a vehicle under the influence” means that, at the time of the behavior for which the person is charged under this section, the person had one or more times within ten years of the instant offense:

- (1) A judgment on a verdict or a finding of guilty, or a plea of guilty or nolo contendere, for a violation of this section or section 291-4.4 as that section was in effect on December 31, 2001;
- (2) A judgment on a verdict or a finding of guilty, or a plea of guilty or nolo contendere, for an offense that is comparable to this section or section 291-4.4 as that section was in effect on December 31, 2001;  
or
- (3) An adjudication of a minor for a law or probation violation that, if committed by an adult, would constitute a violation of this section or section 291-4.4 as that section was in effect on December 31, 2001,

that, at the time of the instant offense, had not been expunged by pardon, reversed, or set aside. All convictions that have been expunged by pardon, reversed, or set aside before the instant offense shall not be deemed prior convictions for the purposes of proving the person's status as a habitual operator of a vehicle while under the influence of an intoxicant.

“Convicted two or more times for offenses of operating a vehicle under the influence” means that, at the time of the behavior for which the person is charged under this section, the person had two or more times within ten years of the instant offense:

- (1) A judgment on a verdict or a finding of guilty, or a plea of guilty or nolo contendere, for a violation of section 291-4, 291-4.4, or 291-7 as those sections were in effect on December 31, 2001, or section 291E-61 or 707-702.5;
- (2) A judgment on a verdict or a finding of guilty, or a plea of guilty or nolo contendere, for an offense that is comparable to section 291-4, 291-4.4, or 291-7 as those sections were in effect on December 31, 2001, or section 291E-61 or 707-702.5; or
- (3) An adjudication of a minor for a law or probation violation that, if committed by an adult, would constitute a violation of section 291-4, 291-4.4, or 291-7 as those sections were in effect on December 31, 2001, or section 291E-61 or 707-702.5,

that, at the time of the instant offense, had not been expunged by pardon, reversed, or set aside. All convictions that have been expunged by pardon, reversed, or set aside before the instant offense shall not be deemed prior convictions for the purposes of proving that the person is a habitual operator of a vehicle while under the influence of an intoxicant.

“Examiner of drivers” has the same meaning as provided in section 286-2.

“Habitual operator of a vehicle while under the influence of an intoxicant” means that the person was convicted:

- (1) Two or more times for offenses of operating a vehicle under the influence; or
- (2) One or more times for offenses of habitually operating a vehicle under the influence.”

SECTION 45. Section 302A-450, Hawaii Revised Statutes, is amended by amending its title to read as follows:

**“~~§302A-450~~ Public prekindergarten classrooms; annual report to the legislature.”**

SECTION 46. Section 302L-7, Hawaii Revised Statutes, is amended by amending subsection (n) to read as follows:

“(n) To promote the development of a cohesive, comprehensive, and sustainable early learning system, the office shall partner with the schools participating in the program to collaborate with:

- (1) Other early learning providers, including those providing the programs and services specified in section ~~§302L-2(2)(A)~~, to promote alignment between prekindergarten and elementary school programs and to support children and their families in making successful transitions from prekindergarten into kindergarten; and
- (2) Early intervention programs.”

SECTION 47. Section 321-14.5, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (c) to read:

“(c) ~~The rules may provide that accreditation by [the joint commission on accreditation of healthcare organizations]~~ The Joint Commission demonstrates a hospital’s compliance with all licensing inspections required by the State. The rules may exempt a hospital from a licensing inspection on a continuing basis throughout the term of the accreditation under the following conditions:

- (1) The hospital provides the department with a certified copy of the hospital’s official ~~[joint commission on accreditation of healthcare organizations]~~ accreditation report ~~[to the department;]~~ from The Joint Commission;
- (2) The hospital continuously holds full accreditation by ~~[the joint commission on accreditation of healthcare organizations;]~~ The Joint Commission; and
- (3) The hospital holds a current and valid state license.”

2. By amending subsection (e) to read:

“(e) Information contained in reports of survey and official accreditation letters made by ~~[the joint commission on accreditation of healthcare organizations]~~ The Joint Commission used in determining compliance with licensing requirements shall be public information.”

SECTION 48. Section 329-14, Hawaii Revised Statutes, is amended by amending subsection (g) to read as follows:

“(g) Any of the following cannabinoids, their salts, isomers, and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Tetrahydrocannabinols; meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. or synthetic substances, derivatives, and their isomers with similar chemical



- structure and pharmacological activity to those substances contained in the plant, such as the following: Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers; Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers; and Delta 3,4 cis or trans-tetrahydrocannabinol, and its optical isomers (since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions, are covered);
- (2) Naphthoylindoles; meaning any compound containing a 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent;
  - (3) Naphthylmethylindoles; meaning any compound containing a 1H-indol-3-yl-(1-naphthyl) methane structure with substitution at the nitrogen atom of the indole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl) ethyl group whether or not further substituted in the indole ring to any extent and whether or not substituted in the naphthyl ring to any extent;
  - (4) Naphthoylpyrroles; meaning any compound containing a 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl) ethyl group whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the naphthyl ring to any extent;
  - (5) Naphthylmethylindenes; meaning any compound containing a naphthylideneindene structure with substitution at the 3-position of the indene ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl) ethyl group whether or not further substituted in the indene ring to any extent, whether or not substituted in the naphthyl ring to any extent;
  - (6) Phenylacetylindoles; meaning any compound containing a 3-phenylacetylindole structure with substitution at the nitrogen atom of the indole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl) ethyl group whether or not further substituted in the indole ring to any extent, whether or not substituted in the phenyl ring to any extent;
  - (7) Cyclohexylphenols; meaning any compound containing a 2-(3-hydroxycyclohexyl) phenol structure with substitution at the 5-position of the phenolic ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl or 2-(4-morpholinyl) ethyl group whether or not substituted in the cyclohexyl ring to any extent;
  - (8) Benzoylindoles; meaning any compound containing a 3-(benzoyl) indole structure with substitution at the nitrogen atom of the indole ring by a alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl) methyl, or 2-(4-morpholinyl) ethyl group whether or not further substituted in

- the indole ring to any extent and whether or not substituted in the phenyl ring to any extent;
- (9) [2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl) pyrrolo[1,2,3-de]-1, [4-benzoxazin-6-yl]-1-naphthalenylmethanone] 4-benzoxazin-6-yl]-1-naphthalenylmethanone (another trade name is WIN 55,212-2);
  - (10) (6a,10a)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Other trade names are: HU-210/HU-211);
  - (11) Tetramethylcyclopropanoylindoles; meaning any compound containing a 3-tetramethylcyclopropanoylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the tetramethylcyclopropyl ring to any extent;
  - (12) N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: APINACA, AKB48);
  - (13) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: PB-22; QUPIC);
  - (14) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: 5-fluoro-PB-22; 5F-PB-22);
  - (15) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: AB-FUBINACA);
  - (16) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: ADB-PINACA);
  - (17) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers (Other names: AB-CHMINACA);
  - (18) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide, and geometric isomers, salts, and salts of isomers (Other names: AB-PINACA);
  - (19) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone, and geometric isomers, salts, and salts of isomers (Other names: THJ-2201);
  - (20) Methyl 1-(4-fluorobenzyl)-1 H-indazole-3-carbonyl)-L-valinate, and geometric isomers, salts, and salts of isomers (Other names: FUB-AMB);
  - (21) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate, and geometric isomers, salts, and salts of isomers (Other names: 5-fluoro-AMB, 5-fluoro-AMP);
  - (22) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide, and geometric isomers, salts, and salts of isomers (Other names: AKB48 N-(5-fluoropentyl) analog, 5F-AKB48, APINACA 5-fluoropentyl analog, 5F-APINACA);



- (23) N-adamantyl-1-fluoropentylindole-3-Carboxamide, and geometric isomers, salts, and salts of isomers (Other names: STS-135, 5F-APICA; 5-fluoro-APICA);
- (24) Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate, and geometric isomers, salts, and salts of isomers (Other names: NM2201);
- (25) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide, and geometric isomers, salts, and salts of isomers (Other names: MAB-CHMINACA and ADB-CHMINACA);
- (26) Methyl 2-[1-(5-fluoropentyl)-1H-indazole-3-carboxamido]-3,3-dimethylbutanoate (Other names: 5F-ADB, 5-flouro-ADB, and 5F-MDMB-PINACA), its optical, positional, and geometric isomers, salts, and salts of isomers; and
- (27) 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)indazole-3-carboxamide (CUMYL-4CN-BINACA), its optical, positional, and geometric isomers, salts, and salts of isomers; also known as SGT-78, 4-CN-CUMYL-BINACA; CUMYL-CB-PINACA; CUMYL-CYBINACA; 4-cyano CUMYL-BUTINACA.”

SECTION 49. Section 329D-22, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) As used in this section:

“Playground” means any public outdoor facility, including any parking lot appurtenant thereto, that is intended for recreation, with any portion thereof containing three or more separate apparatus intended for the recreation of children, including but not limited to sliding boards, swing sets, and teeterboards.

[“Public housing project or complex” means a housing project directly controlled, owned, developed, or managed by the Hawaii public housing authority pursuant to the federal or state low-rent public housing program.]

“School” means any public or private preschool, kindergarten, elementary, intermediate, middle, secondary, or high school.”

SECTION 50. Section 393-7, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Subject to the provisions of subsections (a) and (b) without limiting the development of medically more desirable combinations and the inclusion of new types of benefits, a prepaid health care plan qualifying under this chapter shall include at least the following benefit types:

(1) Hospital benefits:

(A) In-patient care for a period of at least one hundred twenty days of confinement in each calendar year covering:

- (i) Room accommodations;
- (ii) Regular and special diets;
- (iii) General nursing services;
- (iv) Use of operating room, surgical supplies, anesthesia services, and supplies; and
- (v) Drugs, dressings, oxygen, antibiotics, and blood transfusion services; and

(B) Out-patient care:

- (i) Covering use of out-patient hospital; and
- (ii) Facilities for surgical procedures or medical care of an emergency and urgent nature[-];

(2) Surgical benefits:

- (A) Surgical services performed by a licensed physician, as determined by plans meeting the standards of subsections (a) and (b);
- (B) After-care visits for a reasonable period; and
- (C) Anesthesiologist services[-];
- (3) Medical benefits:
  - (A) Necessary home, office, and hospital visits by a licensed physician;
  - (B) Intensive medical care while hospitalized; and
  - (C) Medical or surgical consultations while confined[-];
- (4) Diagnostic laboratory services, x-ray films, and radio-therapeutic services, necessary for diagnosis or treatment of injuries or diseases[-];
- (5) Maternity benefits, at least if the employee has been covered by the prepaid health care plan for nine consecutive months prior to the delivery[-]; and
- (6) Substance abuse benefits:
  - (A) Alcoholism and drug addiction are illnesses and shall receive benefits as such. In-patient and out-patient benefits for the diagnosis and treatment of substance abuse, including but not limited to alcoholism and drug addiction, shall be specifically stated and shall not be less than the benefits for any other illness, except as provided in this subsection. Medical treatment of substance abuse shall not be limited or reduced by restricting coverage to the mental health or psychiatric benefits of a plan. However, any psychiatric services received as a result of the treatment of substance abuse may be limited to the psychiatric benefits of the plan;
  - (B) Out-patient benefits provided by a physician, psychiatrist, or psychologist, without restriction as to place of service; provided that health plans of the type specified in section 393-12(a) shall retain for the contractor the option of:
    - (i) Providing the benefits in its own facility and utilizing its own staff;
    - (ii) Contracting for the provision of these benefits; or
    - (iii) Authorizing the patient to utilize outside services and defraying or reimbursing the expenses at a rate not to exceed that for provision of services utilizing the health contractor's own facilities and staff;
  - (C) Detoxification and acute care benefits in a hospital or any other public or private treatment facility, or portion thereof, providing services especially for the detoxification of intoxicated persons or drug addicts, which is appropriately licensed, certified, or approved by the department of health in accordance with the standards prescribed by [the] The Joint Commission [on Accreditation of Hospitals]. In-patient benefits for detoxification and acute care shall be limited in the case of alcohol abuse to three admissions per calendar year, not to exceed seven days per admission, and shall be limited in the case of other substance abuse to three admissions per calendar year, not to exceed twenty-one days per admission; and
  - (D) Prepaid health plans shall not be required to make reimbursements for care furnished by government agencies and available

at no cost to a patient, or for which no charge would have been made if there were no health plan coverage.”

SECTION 51. Section 431:2-201.5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The following definitions shall be used when applying title 42 United States Code section 300gg, et seq.:

“Employee” means an employee who works on a full-time basis with a normal workweek of twenty hours or more.

“Group health issuer” means all persons offering health insurance coverage to any group or association, but shall not include those persons offering benefits exempted from title I of the Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, under sections 732(c) and 733(c) of title I of the Employee Retirement Income Security Act of 1974 and sections [2747] 2763 and 2791(c) of the Public Health Service Act.

“Small employer” means, in connection with a group health plan with respect to a calendar year and a plan year, an employer who employed an average of at least one but no more than fifty employees on business days during the preceding calendar year and who employs at least one employee on the first day of the plan year.”

SECTION 52. Section 431:3-401, Hawaii Revised Statutes, is amended by amending the definition of “adjusted risk-based capital report” to read as follows:

““Adjusted risk-based capital report” means a risk-based capital report [which] that has been adjusted by the commissioner in accordance with section [431:3-402(e).] 431:3-402(f).”

SECTION 53. Section 431:6-602, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

“(f) Cash received in a transaction under this section shall be invested in accordance with section 431:6-601[;] and in a manner that recognizes the liquidity needs of the transaction or used by the insurer for its general corporate purposes. For so long as the transaction remains outstanding, the insurer, its agent, or custodian shall maintain acceptable collateral received in a transaction under this section, either physically or through the book entry systems of the Federal Reserve, Depository Trust Company, [~~Participants Trust Company,~~] or other securities depositories approved by the commissioner.”

SECTION 54. Section 431:10A-115.5, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) to read as follows:

“(b) Child health supervision services shall include twelve visits at approximately the following intervals: birth; two months; four months; six months; nine months; twelve months; fifteen months; eighteen months; two years; three years; four years; and five years. Services to be covered at each visit shall include a history, physical examination, developmental assessment, anticipatory guidance, immunizations, and laboratory tests, in keeping with prevailing medical standards. For purposes of this subsection, the term “prevailing medical standards” means the recommendations of the [~~Immunizations] Advisory Committee on Immunization Practices [Advisory Committee]~~ of the United States Department of Health and Human Services and the American Academy of Pediatrics; provided that [~~in the event that~~] if the recommendations of the committee and the academy differ, the department of health shall determine which recommendations shall apply.

(c) Minimum benefits may be limited to one visit payable to one provider for all of the services provided at each visit cited in this section, except that the limitations authorized by this subsection shall not apply to immunizations recommended by the ~~[Immunizations]~~ Advisory Committee on Immunization Practices [Advisory Committee] of the United States Department of Health and Human Services and the American Academy of Pediatrics; provided that ~~[in the event]~~ if that the recommendations of the committee and the academy differ, the department of health shall determine which recommendations shall apply.”

SECTION 55. Section 431:10A-206.5, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) to read as follows:

“(b) Child health supervision services shall include twelve visits at approximately the following intervals: birth; two months; four months; six months; nine months; twelve months; fifteen months; eighteen months; two years; three years; four years; and five years. Services to be covered at each visit shall include a history, physical examination, developmental assessment, anticipatory guidance, immunizations, and laboratory tests, in keeping with prevailing medical standards. For purposes of this subsection, the term “prevailing medical standards” means the recommendations of the ~~[Immunizations]~~ Advisory Committee on Immunization Practices [Advisory Committee] of the United States Department of Health and Human Services and the American Academy of Pediatrics; provided that ~~[in the event that]~~ if the recommendations of the committee and the academy differ, the department of health shall determine which recommendations shall apply.

(c) Minimum benefits may be limited to one visit payable to one provider for all of the services provided at each visit cited in this section, except that the limitations authorized by this subsection shall not apply to immunizations recommended by the ~~[Immunizations]~~ Advisory Committee on Immunization Practices [Advisory Committee] of the United States Department of Health and Human Services and the American Academy of Pediatrics; provided that ~~[in the event that]~~ if the recommendations of the committee and the academy differ, the department of health shall determine which recommendations shall apply.”

SECTION 56. Section 431:10B-108, Hawaii Revised Statutes, is amended by amending subsection (j) to read as follows:

“(j) If a group policy of credit life insurance or credit disability insurance ~~[-(1) Has]~~ has been delivered in this State before July 1, 1969, or ~~[(2) Has]~~ has been or is delivered in another state before or after July 1, 1969, the insurer shall be required to file only the group certificate and notice of proposed insurance delivered or issued for delivery in this State as specified in ~~[subsections (b) and (e) of]~~ section ~~[431:10B-107.]~~ 431:10B-107(b) and (e). The forms shall be approved by the commissioner if:

- ~~[(1)]~~ (1) They conform with the requirements specified in those subsections;
- ~~[(2)]~~ (2) They are accompanied by a certification in a form satisfactory to the commissioner that the substance of the forms are in substantial conformity with the master policy; and
- ~~[(3)]~~ (3) The schedules of premium rates applicable to the insurance evidenced by the certificate or notice are not in excess of the insurer’s schedules of premium rates filed with and approved by the commissioner;

provided that the premium rate in effect on existing group policies may be continued until the first policy anniversary date following July 1, 1969.”

SECTION 57. Section 431M-1, Hawaii Revised Statutes, is amended by amending the definitions of “hospital”, “mental health outpatient facility”, and “nonhospital facility” to read as follows:

““Hospital” means a facility licensed as a hospital by the department of health and accredited by ~~the~~ The Joint Commission ~~[on Accreditation of Health Care Organizations]~~.

“Mental health outpatient facility” means a mental health establishment, clinic, institution, center, or community mental health center~~;~~ that provides for the diagnosis, treatment, care, or rehabilitation of mentally ill persons~~—that~~ and has been accredited by ~~the~~ The Joint Commission ~~[on Accreditation of Healthcare Organizations]~~ or the Commission on Accreditation of Rehabilitation Facilities or certified by the department of health.

“Nonhospital facility” means a facility for the care or treatment of alcohol dependent, drug dependent, or mentally ill persons~~—which~~ that has been accredited by ~~the~~ The Joint Commission ~~[on Accreditation of Health Care Organizations]~~ or the Commission on Accreditation of Rehabilitation Facilities or certified by the department of health and, if residential, has been licensed as a special treatment facility by the department of health.”

SECTION 58. Section 432:1-602.5, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) to read as follows:

“(b) Child health supervision services shall include twelve visits at approximately the following intervals: birth; two months; four months; six months; nine months; twelve months; fifteen months; eighteen months; two years; three years; four years; and five years. Services to be covered at each visit shall include a history, physical examination, developmental assessment, anticipatory guidance, immunizations, and laboratory tests, in keeping with prevailing medical standards. For purposes of this subsection, the term “prevailing medical standards” means the recommendations of the ~~[Immunizations]~~ Advisory Committee on Immunization Practices ~~[Advisory Committee]~~ of the United States Department of Health and Human Services and the American Academy of Pediatrics; provided that ~~[in the event that]~~ if the recommendations of the committee and the academy differ, the department of health shall determine which recommendations shall apply.

(c) Minimum benefits may be limited to one visit payable to one provider for all of the services provided at each visit cited in this section, except that the limitations authorized by this subsection shall not apply to immunizations recommended by the ~~[Immunizations]~~ Advisory Committee on Immunization Practices ~~[Advisory Committee]~~ of the United States Department of Health and Human Services and the American Academy of Pediatrics; provided that ~~[in the event that]~~ if the recommendations of the committee and the academy differ, the department of health shall determine which recommendations shall apply.”

SECTION 59. Section 467B-11.5, Hawaii Revised Statutes, is amended to read as follows:

**“§467B-11.5 Charitable organizations exempted from registration and financial disclosure requirements.** The following charitable organizations shall not be subject to sections 467B-2.1 and 467B-6.5~~;~~ if the organization submits an application for an exemption to the department and the department approves the organization’s application:

- (1) Any duly organized religious corporation, institution, or society that is exempt from filing Form 990 with the Internal Revenue Service pursuant to section 6033(a)(3)(A)(i) and (iii) and (C)(i) of the Internal Revenue Code, as amended;

- (2) Parent-teacher associations;
- (3) Any educational institution that is licensed or accredited by any of the following licensing or accrediting organizations or their successor organizations:
  - (A) Hawaii Association of Independent Schools;
  - (B) Western Association of Schools and Colleges;
  - (C) Middle States Association of Colleges and Schools;
  - (D) New England Association of Schools and Colleges;
  - (E) Higher Learning Commission;
  - (F) Northwest Commission on Colleges and Universities;
  - (G) Southern Association of Colleges and Schools;
  - (H) The National Association for the Education of Young Children; or
  - (I) ~~[AdvanceED;]~~ Cognia;
- (4) Any organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code expressly authorized by, and having an established identity with, an education institution accredited by one of the accrediting agencies as provided in paragraph (3); provided that the organization's solicitation of contributions is primarily directed to the students, alumni, faculty, and trustees of the institutions and their respective families;
- (5) Any nonprofit hospital licensed by the State or any similar provision of the laws of any other state;
- (6) Any corporation established by an act of the United States Congress that is required by federal law to submit to Congress annual reports, fully audited by the United States Department of Defense, of its activities, including itemized accounts of all receipts and expenditures;
- (7) Any agency of this State, another state, or the federal government; and
- (8) Any charitable organization that normally receives less than \$25,000 in contributions annually, if the organization does not employ or compensate a professional solicitor or professional fundraising counsel. For purposes of this paragraph, an organization normally receives less than \$25,000 in contributions annually if, during the immediately preceding three fiscal years, it received, on average, less than \$25,000 in contributions.

The attorney general may require the application for exemption to be filed electronically with the department and may require the use of electronic signatures.”

SECTION 60. Section 514B-146.5, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) The association's power of sale provided in section 514B-146(a) may not be exercised against:

- (1) Any lien that arises solely from fines, penalties, legal fees, or late fees, and the foreclosure of any such lien shall be filed in court pursuant to part IA of chapter 667;
- (2) Any unit owned by a person who is on military deployment outside of the State of Hawaii as a result of active duty military status with any branch of the United States military~~[- The]~~, and the foreclosure of any such lien shall be filed in court pursuant to part IA of chapter 667~~[- this subsection]~~; provided that this paragraph shall not apply if the lien of the association has been outstanding for a period of one year or longer; or



- (3) Any unit while the nonjudicial or power of sale foreclosure has been stayed pursuant to section 667-92(c).”

SECTION 61. Section 587D-1, Hawaii Revised Statutes, is amended by amending the definition of “hospital” to read as follows:

““Hospital” means a facility licensed as a hospital by the department of health and accredited by [the] The Joint Commission [~~on Accreditation of Healthcare Organizations~~].”

SECTION 62. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 63. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 71

S.B. NO. 3158

A Bill for an Act Relating to Motor Vehicles.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that air bag systems are an essential and complicated component of vehicle safety systems. Federal regulations require automobiles to be equipped with several air bags throughout the cabin and prescribe how each air bag must respond in the event of a collision. The air bag system is designed so that each individual air bag works in concert with the other to provide optimal protection for all passengers. This is possible because in the milliseconds after an impact occurs, sensors throughout the vehicle register critical information about the collision, such as the speed of the vehicle, the point of impact, and the size, weight, and position of each passenger. This information is used to determine which air bags to deploy, in what order to deploy them, and the level of force at which to deploy them. The National Highway Traffic Safety Administration estimates that this advanced technology has saved the lives of tens of thousands of Americans over the past two decades.

In order to provide this level of protection, the entire system needs to work as it was designed; therefore, a single counterfeit air bag or air bag component can compromise the entire system. Unfortunately, foreign and domestic counterfeiters are flooding the market with cheap and ineffective knock-offs in an attempt to turn a profit by defrauding unknowing consumers. In many cases, these counterfeits are filled with sawdust, newspaper, or nothing at all. The presence of counterfeit air bags is creating a clear and present public safety risk to consumers.

The legislature further finds that over the past few years, tens of thousands of counterfeit air bags have been confiscated by federal agents in raids across the country. However, federal law enforcement agencies have limited authority to combat this problem because many fake air bags do not violate federal trademark law. As a result, several thousand potentially dangerous counterfeit air bags are able to enter the stream of commerce each year when they are sold over the Internet through legitimate and illegitimate websites, thereby placing Hawaii motorists at risk. There is no existing state law to protect Hawaii consumers from persons who knowingly manufacture, import, sell, or install these dangerous counterfeit air bag products.

The purpose of this Act is to prohibit a person from intentionally or knowingly:

- (1) Manufacturing, importing, installing, reinstalling, distributing, selling, or offering for sale any counterfeit supplemental restraint system component, nonfunctional air bag, or air bag that does not meet federal safety requirements, with the intent that such device replace an air bag in any air-bag-required motor vehicle; and
- (2) Selling, offering for sale, installing, or reinstalling in an air-bag-required motor vehicle any device that causes the air-bag-required motor vehicle's diagnostic systems to fail to warn that an air bag is not installed or the air-bag-required motor vehicle is equipped with a counterfeit supplemental restraint system component or nonfunctional air bag, as applicable.

SECTION 2. Chapter 286, Hawaii Revised Statutes, is amended by adding a new section to part IV to be appropriately designated and to read as follows:

**“§286- Counterfeit air bags.** (a) No person shall intentionally or knowingly manufacture, import, install, reinstall, distribute, sell, or offer for sale any counterfeit supplemental restraint system component, nonfunctional air bag, or air bag that does not meet federal safety requirements as provided in title 49 Code of Federal Regulations section 571.208, with the intent that such device replace an air bag in any air-bag-required motor vehicle.

(b) No person shall intentionally or knowingly sell, offer for sale, install, or reinstall in an air-bag-required motor vehicle any device that causes the air-bag-required motor vehicle's diagnostic systems to fail to warn that:

- (1) An air bag is not installed; or
- (2) The air-bag-required motor vehicle is equipped with:
  - (A) A counterfeit supplemental restraint system component;
  - (B) A nonfunctional air bag; or
  - (C) An air bag that does not meet federal safety requirements as provided in title 49 Code of Federal Regulations section 571.208.

(c) For purposes of this section, an installation or reinstallation shall not be deemed to have occurred until the work is complete.

(d) A violation of this section is a class C felony.

(e) The remedies prescribed in this section are cumulative and in addition to any other remedies provided by law.

(f) As used in this section:

“Air bag” means an air-bag-required motor vehicle inflatable occupant restraint system device that is part of a supplemental restraint system.

“Air-bag-required motor vehicle” means every vehicle that is required under title 49 Code of Federal Regulations section 571.208 to have an air bag installed.

“Counterfeit supplemental restraint system component” means a replacement supplemental restraint system component, including but not limited to an air bag, that displays a mark identical or substantially similar to the genuine mark of an air-bag-required motor vehicle manufacturer or a supplier of parts to the manufacturer of an air-bag-required motor vehicle without authorization from that manufacturer or supplier, respectively.

“Nonfunctional air bag” means a replacement air bag that meets any of the following criteria:

- (1) The air bag was previously deployed or damaged;



- (2) The air bag has an electric fault that is detected by the air-bag-required motor vehicle's air bag diagnostic systems when the installation procedure is completed and the air-bag-required motor vehicle is returned to the customer who requested the work to be performed or when ownership is intended to be transferred;
- (3) The air bag includes a part or object, including but not limited to a supplemental restraint system component, installed in an air-bag-required motor vehicle to mislead the owner or operator of the air-bag-required motor vehicle into believing that a functional air bag has been installed; or
- (4) The air bag is subject to the prohibitions of title 49 United States Code section 30120(j).

“Supplemental restraint system” means a passive inflatable air-bag-required motor vehicle occupant crash protection system designed for use in conjunction with active restraint systems as described in title 49 Code of Federal Regulations section 571.208. A supplemental restraint system includes one or more air bags and all components required to ensure that an air bag works as designed by the air-bag-required motor vehicle manufacturer, including:

- (1) The air bag operates in the event of a crash; and
- (2) The air bag is designed in accordance with federal air-bag-required motor vehicle safety standards for the specific make, model, and year of the air-bag-required motor vehicle in which it is or will be installed.”

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 4. New statutory material is underscored.<sup>1</sup>

SECTION 5. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

**Note**

1. Edited pursuant to HRS §23G-16.5.

**ACT 72**

S.B. NO. 3103

A Bill for an Act Relating to a School Facilities Agency.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 302A, Hawaii Revised Statutes, is amended by adding a new subpart to part VI to be appropriately designated and to read as follows:

“ . School Facilities Agency

**§302A-A Definitions.** As used in this subpart, “agency” means the school facilities agency established by section 302A-B.

**§302A-B School facilities agency; established.** (a) There is established the school facilities agency, which shall be a body corporate and a public instrumentality of the State, for the purpose of implementing this subpart. The agency shall be placed within the department for administrative purposes only.

(b) The governor shall appoint an executive director to enable the agency to perform its duties. The appointment shall be:

- (1) Exempt from chapter 76 and the term limitation in section 26-34;
- (2) Subject to the advice and consent of the senate; and
- (3) For a term of six years.

If a vacancy occurs during a term, the governor shall appoint an executive director for a six-year term that shall begin on the first date of employment of the new executive director.

(c) The executive director shall:

- (1) Serve as the agency's chief executive officer;
- (2) Be responsible for carrying out the purposes of the agency; and
- (3) Serve on a full-time basis.

**§302A-C Powers; generally.** (a) Except as otherwise limited by this chapter, the agency shall be responsible for all public school development, planning, and construction related to capital improvement projects assigned by the legislature, governor, or board of education. The agency shall act as its procurement officer.

(b) Any award of a contract for construction shall be subject to the requirements of section 103D-302; provided that the agency shall give preference to construction bids submitted by a contractor or subcontractor domiciled within the State. Notwithstanding subsection (a), professional services contracts for licensees under chapter 464 shall be procured in accordance with section 103D-304.

(c) Except as otherwise limited by this chapter, the agency may also:

- (1) Have a seal and alter the same at its pleasure;
- (2) Subject to subsection (b), make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions under this subpart;
- (3) Make and alter bylaws for its organization and internal management;
- (4) Adopt rules pursuant to chapter 91 with respect to its projects, operations, properties, and facilities;
- (5) Acquire, reacquire, or contract to acquire or reacquire by grant or purchase real, personal, or mixed property or any interest therein; to own, hold, hold title, clear, improve, and rehabilitate and to sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same;
- (6) Acquire or reacquire by condemnation real, personal, or mixed property or any interest therein for public facilities, including but not limited to streets, sidewalks, parks, schools, and other public improvements;
- (7) By itself, or in partnership with qualified persons, including public-private partnerships, acquire, reacquire, construct, reconstruct, rehabilitate, improve, alter, or provide for the construction, reconstruction, improvement, or alteration of any project; own, hold, hold title, sell, assign, transfer, convey, exchange, lease, or otherwise dispose of or encumber any project, and in the case of the sale of any project, accept a purchase money mortgage in connection therewith; and repurchase or otherwise acquire any project that the

agency has theretofore sold or otherwise conveyed, transferred, or disposed of;

- (8) Arrange or contract for the planning, replanning, opening, grading, or closing of streets, roads, roadways, alleys, or other places, or for the furnishing of facilities or for the acquisition of property or property rights or for the furnishing of property or services in connection with a project;
  - (9) Grant options to purchase any project or to renew any lease entered into by it in connection with any of its projects, on terms and conditions as it deems advisable;
  - (10) Prepare or cause to be prepared plans, specifications, designs, and estimates of costs for the construction, reconstruction, rehabilitation, improvement, or alteration of any project, and from time to time to modify the plans, specifications, designs, or estimates;
  - (11) Provide advisory, consultative, training, and educational services, technical assistance, and advice to any person, partnership, or corporation, either public or private, to carry out the purposes of this subpart, and engage the services of consultants on a contractual basis for rendering professional and technical assistance and advice;
  - (12) Procure insurance against any loss in connection with its property and other assets and operations in amounts and from insurers as it deems desirable;
  - (13) Contract for and accept gifts or grants in any form from any public agency or from any other source, including gifts or grants from private individuals and private entities;
  - (14) Issue bonds for the purpose of financing any project; and
  - (15) Do any and all things necessary to carry out its purposes and exercise the powers given and granted in this subpart.
- (d) Prior to project approval, the agency shall consult with the Hawaii state public library system regarding any construction or renovation projects for school lands that are adjacent to or have Hawaii state public library facilities on them.

**§302A-D School facilities board.** (a) There is established within the department for administrative purposes only a school facilities board.

(b) The school facilities board shall consist of five voting members. The five voting members shall:

- (1) Be appointed by the governor pursuant to section 26-34;
- (2) Have an interest in school facilities; and
- (3) Include one member representing the construction industry.

(c) The school facilities board shall advise the agency on policies relating to public school development, planning, and construction within the jurisdiction of the agency. The board shall be responsible for:

- (1) Advising the agency on preferred strategies to complete construction projects of the agency; and
- (2) Evaluating the executive director on an annual basis.

(d) The school facilities board shall select a chairperson by a majority vote of its voting members. A majority of the voting members serving on the board shall constitute a quorum to conduct business. The concurrence of the majority of the voting members serving on the board shall be necessary to make any action of the board valid.

(e) The school facilities board may form workgroups and subcommittees, including with individuals who are not school facilities board members, to:

- (1) Obtain resource information from construction and education professionals and other individuals as deemed necessary by the school facilities board;
- (2) Make recommendations to the school facilities board; and
- (3) Perform other functions as deemed necessary by the school facilities board to fulfill its duties and responsibilities.

Two or more school facilities board members, but less than a quorum, may discuss matters relating to official school facilities board business in the course of their participation in a workgroup or subcommittee, and these discussions shall be a permitted interaction as provided for in section 92-2.5; provided that all other provisions of chapter 92 shall apply.

(f) The school facilities board may testify before the legislature on any matter related to its duties and responsibilities.

(g) Members of the school facilities board shall serve without compensation but may be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.

(h) No member of the school facilities board shall have any financial interest in any entity that bids on projects authorized by the agency.

(i) No individual shall be appointed as a member of the school facilities board less than one year after the individual, or an entity having a financial interest owned by the individual, has submitted a bid on a project of the agency.

**§302A-E Use of public lands; acquisition of state lands.** (a) If state lands under the control and management of another department are required by the agency for its purposes, the department having the control and management of those required lands, upon request by the agency and with the approval of the governor, may convey or lease those lands to the agency upon terms and conditions as may be agreed to by the parties; provided that any lands for which the department currently holds title that are agreed to be transferred shall be transferred to the agency no later than January 1, 2021.

(b) Notwithstanding the foregoing and section 302A-C(c), no public lands shall be conveyed or leased to the agency as provided in this section if the conveyance or lease would impair any covenant between the State or any county or any department or board thereof and the holders of bonds issued by the State or county, department, or board.

(c) If state lands held by the agency are no longer needed for school facilities purposes, those lands shall be returned to the public trust administered by the department of land and natural resources.

**§302A-F School facilities special fund.** (a) There is established within the state treasury a special fund to be known as the school facilities special fund into which shall be deposited:

- (1) All moneys appropriated by the legislature for any public school development, planning, or construction related to a capital improvement project;
- (2) Revenues pursuant to 302A-1608(a); provided that these moneys shall be deposited into the appropriate subaccount established pursuant to subsection (b);
- (3) Any other moneys received by the department in the form of a grant, gift, endowment, or donation for any public school development, planning, or construction related to a capital improvement project, including funds transferred to the special fund by the agency pursuant to subsection (e);

- (4) All moneys allocated to the special fund by the governor or board for a project;
  - (5) Any other appropriation by the legislature to the special fund; and
  - (6) Income and capital gains earned by the special fund.
- (b) The agency shall establish and appropriately name subaccounts within the school facilities special fund to accept deposits of revenues from school impact fees that are required to be expended within a specific school impact district pursuant to 302A-1608(a) or restricted to another specific purpose pursuant to part V, subpart B of this chapter.
- (c) The school facilities special fund shall be administered by the agency and used to fund any school development, planning, or construction project within the jurisdiction of the agency.
- (d) Subject to chapter 84, but any law to the contrary notwithstanding, the governor may authorize expenditures from the school facilities special fund of any donation, grant, bequest, and devise of money from any private institution, person, firm, or corporation for the purposes of funding the salaries of the executive director and any officers, agents, and employees of the agency. If all or any portion of any salary of the executive director or any officer, agent, or employee of the agency is funded pursuant to this subsection, the agency shall submit a report to the legislature detailing the use of any funds authorized under this subsection no later than twenty days prior to the convening of the next regular session following the expenditure authorization.
- (e) The agency may transfer any other unencumbered or unrestricted moneys received in the form of grants and donations for school development, planning, or construction to the school facilities special fund.
- (f) The agency shall submit to the director of finance a report that shall be prepared in the form prescribed by the director of finance and shall identify the total amount of funds in the school facilities special fund that will carry over to the next fiscal year. The agency shall submit the report to the director of finance within ninety days of the close of each fiscal year and a copy of the information contained in the report to the director of finance shall be included within the agency's report to the legislature pursuant to section 302A-G.
- (g) Within the school facilities special fund there shall be established accounts and subaccounts as may be necessary from time to time in order to ensure compliance with the Internal Revenue Code, as amended.

**§302A-G Annual report.** At least twenty days prior to the convening of each regular session, the agency shall submit to the governor, board of education, and legislature, a complete and detailed report of its activities during the prior fiscal year.”

SECTION 2. Section 37D-2, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) There is hereby established and authorized the financing agreement program of the State. Any agency desiring to acquire or improve projects through the financing agreement program established and authorized by this chapter shall submit a written request to the department providing any information that the department shall require. Notwithstanding any other law to the contrary, and except for the Hawaii health systems corporation and its regional system boards, only with the approval by the attorney general as to form and legality and upon the written request of one or more agencies may the department enter into a financing agreement in accordance with this chapter, and only with the approval by the attorney general as to form and legality, and by the director as to fiscal responsibility, and upon the written request of an agency,

the agency may enter into a financing agreement in accordance with this chapter, [except that the department of education may enter into a financing agreement in accordance with section 36-32 with the concurrence of the director and with the approval of the attorney general as to form and legality;] and that the board of regents of the University of Hawaii may enter into a financing agreement in accordance with this chapter without the approval of the director and of the attorney general as to form and legality if the principal amount of the financing agreement does not exceed \$3,000,000. A financing agreement may be entered into by the department on behalf of one or more agencies, or by an agency, at any time (before or after commencement or completion of any improvements or acquisitions to be financed) and shall be upon terms and conditions the department finds to be advantageous. In each case of a written request by the judiciary to participate in the financing agreement program, the department shall implement the request; provided that the related financing agreement shall be upon terms and conditions the department finds to be advantageous. Any financing agreement entered into by the department without the approval, or by an agency without the approvals required by this section shall be void and of no effect. A single financing agreement entered into by the department may finance a single item or multiple items of property to be used by multiple agencies or may finance a single item or multiple items of property to be used by a single agency. If the financing agreement is by the department, the department shall bill any agency that benefits from property acquired with the proceeds of a financing agreement for the agency's pro rata share of:

- (1) The department's costs of administration of the financing agreement program; and
- (2) The financing costs, including the principal and interest components of the financing agreement and insurance premiums,

on a monthly or other periodic basis, and may deposit payments received in connection with the billings with a trustee as security for the financing agreement. Any agency receiving such a bill shall be authorized and shall pay the amounts billed from available moneys.

If a financing agreement is by an agency, the agency shall deposit on a monthly or other periodic basis with the department, payments from available moneys with respect to the agency's financing costs, including the principal and interest components of the financing agreement and insurance premiums, which payments the department may deposit with a trustee as security for the financing agreement. The department may bill an agency for the department's costs of administering the agency's payments and the agency receiving such a bill shall be authorized to and shall pay the amounts billed from available moneys."

SECTION 3. Section 84-17, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) The following persons shall file annually with the state ethics commission a disclosure of financial interests:

- (1) The governor, the lieutenant governor, the members of the legislature, and delegates to the constitutional convention; provided that delegates to the constitutional convention shall only be required to file initial disclosures;
- (2) The directors and their deputies, the division chiefs, the executive directors and the executive secretaries and their deputies, the purchasing agents and the fiscal officers, regardless of the titles by which the foregoing persons are designated, of every state agency and department;



- (3) The permanent employees of the legislature and its service agencies, other than persons employed in clerical, secretarial, or similar positions;
- (4) The administrative director of the State, and the assistants in the office of the governor and the lieutenant governor, other than persons employed in clerical, secretarial, or similar positions;
- (5) The hearings officers of every state agency and department;
- (6) The president, the vice presidents, assistant vice presidents, the chancellors, and the provosts of the University of Hawaii and its community colleges;
- (7) The superintendent, the deputy superintendent, the assistant superintendents, the complex area superintendents, the state librarian, and the deputy state librarian of the department of education;
- (8) The administrative director and the deputy director of the courts;
- (9) The members of every state board or commission whose original terms of office are for periods exceeding one year and whose functions are not solely advisory;
- (10) Candidates for state elective offices, including candidates for election to the constitutional convention, provided that candidates shall only be required to file initial disclosures;
- (11) The administrator and assistant administrator of the office of Hawaiian affairs; ~~and~~
- (12) The Hawaii unmanned aerial systems test site chief operating officer[-] and
- (13) The members of the school facilities board appointed by the governor.”

SECTION 4. Section 36-32, Hawaii Revised Statutes, is repealed.

SECTION 5. There are established seven full-time equivalent (7.0 FTE) administrative positions, exempt from chapter 76, Hawaii Revised Statutes, for the school facilities agency.

SECTION 6. On the effective date of this Act, any remaining balance in the state educational facilities improvement special fund repealed by section 3<sup>1</sup> of this Act shall be transferred to the school facilities special fund established by section 1 of this Act.

SECTION 7. Sections 302A-1602, 302A-1603, 302A-1604, 302A-1605, 302A-1606, 302A-1607, 302A-1609, 302A-1610, 302A-1611, and 302A-1612, Hawaii Revised Statutes, are amended by substituting the word “agency”, or similar term, wherever the word “department”, “department of education”, or similar term, appears, as the context requires.

SECTION 8. This Act shall not be construed to transfer the department of education office of facilities and operation, including the facilities maintenance branch and auxiliary services branch and any general fund and position appropriations, to the school facilities agency.

SECTION 9. The development, planning, oversight, management, and responsibility of the capital improvement projects authorized by Act 155, Session Laws of Hawaii 2013; Act 115, Session Laws of Hawaii 2015; Act 206, Session Laws of Hawaii 2017; Act 210, Session Laws of Hawaii 2018; and Act

## ACT 73

272, Session Laws of Hawaii 2019, are hereby transferred to the school facilities agency.

SECTION 10. The school facilities agency shall collaborate with the department of education and submit a report to the legislature, no later than twenty days prior to the convening of the regular session of 2021, identifying positions of the department of education that should be transferred to the school facilities agency established by section 1 of this Act, including positions responsible for public school development, planning, and construction related to capital improvement projects, along with proposed legislation to further implement the transfer of positions and related records and equipment to effectuate the purpose of this Act.

SECTION 11. In codifying the new sections added by section 1 of this Act, the revisor of statutes shall substitute appropriate section numbers for the letters used in designating the new sections in this Act.

SECTION 12. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 13. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

### Note

1. Should probably be "section 4".

## ACT 73

S.B. NO. 2386

A Bill for an Act Relating to Waste Management.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 183C-4, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The department shall adopt rules governing the use of land within the boundaries of the conservation district that are consistent with the conservation of necessary forest growth, the conservation and development of land and natural resources adequate for present and future needs, and the conservation and preservation of open space areas for public use and enjoyment[-]; provided that no waste or disposal facility shall be located in a conservation district except in emergency circumstances where it may be necessary to mitigate significant risks to public safety and health; provided further that emergency circumstances shall not exceed three years. No use except a nonconforming use as defined in section 183C-5, shall be made within the conservation district unless the use is in accordance with a zoning rule.

For the purposes of this subsection:

"Emergency" means any actual or imminent natural or human-caused occurrence that results or likely will result in substantial injury or harm to the population or substantial damage to or loss of property.

"Waste or disposal facility" means any transfer station or landfill as defined in section 340A-1, open dump as defined in section 342H-1, solid waste reduction facility or waste reduction facility as defined in section 342G-1, disposal facility, or any other facility for the disposal of solid waste that is required by law to obtain a permit from the department of health. "Waste or disposal facility" excludes individual, state certified, non-industrial redemption centers."



SECTION 2. Section 342H-52, Hawaii Revised Statutes, is amended to read as follows:

~~“[§342H-52] Prohibition.”~~ **Prohibitions; buffer zones.** (a) No person, including ~~[any federal agency,]~~ the State~~[,]~~ or any county, shall construct, operate, modify, expand, or close a municipal solid waste landfill unit, or any component of a municipal solid waste landfill unit, without first obtaining a permit from the director. All permits for municipal solid waste landfill units shall be subject to ~~[such]~~ any terms and conditions ~~[as]~~ that the director determines are necessary to protect human health or the environment.

(b) No person, including the State or any county, shall construct, modify, or expand a waste or disposal facility including a municipal solid waste landfill unit, any component of a municipal solid waste landfill unit, a construction and demolition landfill unit, or any component of a construction and demolition landfill unit without first establishing a buffer zone of no less than one-half mile around the waste or disposal facility. This subsection shall not apply to the continued operation of an existing waste or disposal facility that is properly permitted; provided that continued operation does not require physical expansion, vertical or horizontal, of the facility requiring additional permitting review and a permit modification.

For the purposes of this subsection:

“Buffer zone” means the distance between the edge of waste or waste activity and the nearest residential, school, or hospital property line.

“Waste or disposal facility” excludes individual, state certified, non-industrial redemption centers.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved September 15, 2020.)

## ACT 74

H.B. NO. 2744

A Bill for an Act Relating to Gun Violence Prevention.

*Be It Enacted by the Legislature of the State of Hawaii:*

### PART I

SECTION 1. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

#### **“CHAPTER GUN VIOLENCE AND VIOLENT CRIMES COMMISSION**

§ -1 **Gun violence and violent crimes commission; established.** There is established the gun violence and violent crimes commission that shall be placed within the department of the attorney general for administrative purposes only.

§ -2 **Gun violence and violent crimes commission; membership.** (a) The attorney general or the attorney general’s designee shall coordinate and serve as the chair of the gun violence and violent crimes commission.

(b) The following individuals, or their designees, shall serve as members of the gun violence and violent crimes commission:

- (1) The chief justice of the supreme court of Hawaii;
- (2) The director of health;
- (3) The director of public safety;
- (4) A county prosecuting attorney to be selected by the chair of the commission;
- (5) The public defender;
- (6) The chief of police of each county;
- (7) The administrator of the Hawaii state hospital;
- (8) The dean of the college of social sciences at the University of Hawaii at Manoa;
- (9) The dean of the John A. Burns school of medicine;
- (10) One representative from a group that advocates for stricter gun safety laws; and
- (11) One representative from a firearm advocacy group.

(c) The chair of the gun violence and violent crimes commission may request the participation or input of experts in gun violence and violent crimes; county, state, and federal officials; members of the public; and other persons as necessary.

(d) The members of the gun violence and violent crimes commission shall serve without compensation but may be reimbursed for their actual and necessary expenses, including travel expenses, incurred in carrying out their duties.

**§ -3 Gun violence and violent crimes commission; powers and duties.**

(a) The purpose of the gun violence and violent crimes commission shall be to address gun violence and violent crimes in Hawaii.

(b) The gun violence and violent crimes commission shall provide coordination, facilitation, and planning among state and county agencies, federal agencies, and other partners as appropriate to carry out its purpose.

(c) The gun violence and violent crimes commission shall endeavor to:

- (1) Identify relevant data that may be used to reduce gun violence and violent crimes;
- (2) Identify areas in which relevant data is not available;
- (3) Maximize the sharing between the agencies represented on the commission and other appropriate stakeholders of data relevant to reducing gun violence and violent crimes; and
- (4) Coordinate and conduct research on gun violence and violent crimes.

(d) The gun violence and violent crimes commission may work with and engage stakeholders for the purposes of this chapter.

(e) The gun violence and violent crimes commission shall submit a report of its findings and recommendations, including any proposed legislation, to the legislature no later than forty days prior to the convening of the regular session of 2022 and each regular session thereafter, on policy relating to preventing gun violence and violent crimes.”

PART II

SECTION 2. The legislature finds that a “ghost gun” is a firearm that is assembled without serial numbers or other identification markings. A person may assemble a ghost gun from a prepackaged kit requiring only minimal expertise and, thus, bypass background checks, registration, and other legal require-

ments. The legislature also finds that the State's lack of laws addressing ghost guns allows persons who would normally be prohibited under state law from owning or possessing firearms to do so. The ease with which ghost guns may be obtained defeats the intent of the State's otherwise strict firearm permitting and registration laws. It is these laws that have helped Hawaii to achieve the lowest gun violence death rate in the nation.

Accordingly, the purpose of this part is to:

- (1) Prohibit the manufacture, purchase, or obtaining of firearm parts for the purpose of assembling a firearm having no serial number; and
- (2) Amend certain requirements relating to firearms registration.

SECTION 3. Chapter 134, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

**“§134- Manufacturing, purchasing, or obtaining firearm parts to assemble a firearm having no serial number; penalty.** (a) A person who is not licensed to manufacture a firearm under section 134-31, or who is not a dealer licensed by the United States Department of Justice, shall not, for the purpose of assembling a firearm, purchase, produce with a three-dimensional printer, or otherwise obtain separately, or as part of a kit:

- (1) A firearm receiver that is not imprinted with a serial number registered with a federally licensed manufacturer;
  - (2) A firearm receiver that has not been provided a serial number that may be registered in accordance with section 134-3(c); or
  - (3) Any combination of parts from which a firearm having no serial number may be readily assembled; provided that the parts do not have the capacity to function as a firearm unless assembled.
- (b) Violation of this section is a class C felony.”

SECTION 4. Section 134-1, Hawaii Revised Statutes, is amended by adding two new definitions to be appropriately inserted and to read as follows:

“‘Assembly’ means the fabrication of a firearm or the fitting together of component parts to construct a firearm.

“Firearm receiver” means the part of a firearm that provides housing for the firearm’s internal components, including a hammer, bolt, breechblock, action, or firing mechanism. “Firearm receiver” includes any object or part that is not a firearm frame or receiver in finished form but that is designed or intended to be used for that purpose and may readily be made into a firearm frame or receiver through milling or other means.”

SECTION 5. Section 134-3, Hawaii Revised Statutes, is amended by amending subsections (a) through (d) to read as follows:

“(a) Every resident or other person arriving in the State who brings or by any other manner causes to be brought into the State a firearm of any description, whether usable or unusable, serviceable or unserviceable, modern or antique, shall register the firearm within five days after arrival of the person or of the firearm, whichever arrives later, with the chief of police of the county of the person’s place of business or, if there is no place of business, the person’s residence or, if there is neither a place of business nor residence, the person’s place of sojourn. A nonresident alien may bring firearms not otherwise prohibited by law into the State for a continuous period not to exceed ninety days; provided that the person meets the registration requirement of this section and the person possesses:

- (1) A valid Hawaii hunting license procured under chapter 183D, part II, or a commercial or private shooting preserve permit issued pursuant to section 183D-34;
- (2) A written document indicating the person has been invited to the State to shoot on private land; or
- (3) Written notification from a firing range or target shooting business indicating that the person will actually engage in target shooting.

The nonresident alien shall be limited to a nontransferable registration of not more than ten firearms for the purpose of the above activities.

Every person registering a firearm under this subsection shall be fingerprinted and photographed by the police department of the county of registration; provided that this requirement shall be waived where fingerprints and photographs are already on file with the police department. The police department shall perform an inquiry on the person by using the International Justice and Public Safety Network, including the United States Immigration and Customs Enforcement query, the National Crime Information Center, and the National Instant Criminal Background Check System, pursuant to section 846-2.7 before any determination to register a firearm is made. Any person attempting to register a firearm, a firearm receiver, or the parts used to assemble a firearm, and who is found to be disqualified from ownership, possession, or control of firearms or ammunition under section 134-7, shall surrender or dispose of all firearms and ammunition pursuant to section 134-7.3.

(b) Every person who acquires a firearm pursuant to section 134-2 shall register the firearm in the manner prescribed by this section within five days of acquisition. The registration of all firearms shall be on forms prescribed by the attorney general, which shall be uniform throughout the State, and shall include the following information: name of the manufacturer and importer; model; type of action; caliber or gauge; serial number; and source from which receipt was obtained, including the name and address of the prior registrant. If the firearm has been assembled from separate parts and an unfinished firearm receiver, the entity that registered the firearm receiver shall be recorded in the space provided for the name of the manufacturer and importer, and the phrase "assembled from parts" shall be recorded in the space provided for model. If the firearm has been assembled from parts created using a three-dimensional printer, the entity that registered the firearm receiver shall be recorded in the space provided for the name of the manufacturer and importer, and the phrase "3-D printer" shall be recorded in the space provided for model. If the firearm has no serial number, the [permit] registration number shall be entered in the space provided for the serial number, and the [permit] registration number shall be engraved upon the receiver portion of the firearm before registration. On firearms assembled from parts created using a three-dimensional printer, the serial number shall be engraved on stainless steel and permanently embedded to the firearm receiver during fabrication or construction. All registration data that would identify the individual registering the firearm by name or address shall be confidential and shall not be disclosed to anyone, except as may be required:

- (1) For processing the registration;
- (2) For database management by the Hawaii criminal justice data center;
- (3) By a law enforcement agency for the lawful performance of its duties; or
- (4) By order of a court.

(c) Dealers licensed under section 134-31 or dealers licensed by the United States Department of Justice shall register firearms pursuant to this section on registration forms prescribed by the attorney general and shall not be re-

quired to have the firearms physically inspected by the chief of police at the time of registration. An authorized dealer, as provided in section 134-31, or a dealer licensed by the United States Department of Justice, who brings, assembles, or causes to be brought into the State by any other means, separate parts and an unfinished firearm receiver that when assembled create a firearm, or parts created by a three-dimensional printer that when assembled create a firearm, shall register the unfinished firearm receiver and receive a serial number before the assembly of the firearm or the sale or transfer of unassembled firearm parts or a receiver to a third party in accordance with subsection (b). Any sale or transfer of unfinished firearm receivers by an authorized dealer to a third party shall be conducted as if they were fully assembled firearms with a serial number engraved on the firearm receiver and in accordance with the firearms permitting process in section 134-2. All other firearms and firearm receivers registered under this section shall be physically inspected by the respective county chief of police or the chief's representative at the time of registration.

(d) Registration shall not be required for:

- (1) Any device that is designed to fire loose black powder or that is a firearm manufactured before 1899;
- (2) Any device not designed to fire or made incapable of being readily restored to a firing condition; or
- (3) All unserviceable firearms and destructive devices registered with the Bureau of Alcohol, Tobacco, ~~and~~ Firearms, and Explosives of the United States Department of Justice pursuant to Title 27, Code of Federal Regulations.”

### PART III

SECTION 6. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 7. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of the Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 8. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.<sup>1</sup>

SECTION 9. This Act shall take effect upon its approval.

(Became law on September 15, 2020, without the governor's signature, pursuant to Art. III, §16, State Constitution.)

#### Note

1. Edited pursuant to HRS §23G-16.5.

## ACT 75

H.B. NO. 361

A Bill for an Act Relating to Emoluments.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The offices of the governor and county mayors are five of the most important public offices in the State. It is essential that the holders of those offices:

- (1) Devote their full time, attention, and energy to serving the people of Hawaii to the best of their abilities; and
- (2) Avoid even the appearance of a potential conflict of interest.

Part of this commitment to fulfilling their duties and maintaining public integrity involves not holding other employment or receiving other emoluments while serving as the governor or a county mayor. The legislature finds that this matter is one of statewide concern and interest and is therefore a permissible area of control reserved for the legislature.

SECTION 2. Chapter 78, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§78- County mayors; outside employment and emoluments prohibited.**

(a) Beginning November 1, 2022, as of the sixty-first calendar day after election or appointment to office, it shall be unlawful for each county mayor, while holding that office, to maintain any other employment, maintain a controlling interest in a business, or receive any emolument.

(b) Where a mayor has a controlling interest in a business, in order to comply with this section, the mayor may transfer the interest to a blind trust within sixty-one days of election or appointment.

(c) As used in this section:

“Blind trust” means a trust agreement where neither the trustor nor the beneficiaries have any control or influence over, or knowledge of, the assets in the trust, and which complies with the definition of “qualified blind trust” in the Ethics in Government Act of 1978, 5 U.S.C. App. 4 section 101 et seq., as amended.

“Emolument” means any salary, fee, payment, wage, earning, allowance, stipend, honorarium, or reward; provided that “emolument” does not include the salary or benefits for service as a county mayor or any pension income; retirement income; social security payment; non-controlling ownership of stocks, mutual funds, or real estate; rental income; or other form of passive income.”

SECTION 3. Chapter 84, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§84- Governor; outside employment and emoluments prohibited.** (a)

Beginning November 1, 2022, as of the sixty-first calendar day after election or appointment to office, it shall be unlawful for the governor, while holding that office, to maintain any other employment, maintain a controlling interest in a business, or receive any emolument.

(b) Where a governor has a controlling interest in a business, in order to comply with this section, the governor may transfer the interest to a blind trust within sixty-one days of election or appointment.

(c) As used in this section:

“Blind trust” means a trust agreement where neither the trustor nor the beneficiaries have any control or influence over, or knowledge of, the assets in the trust, and which complies with the definition of “qualified blind trust” in the Ethics in Government Act of 1978, 5 U.S.C. App. 4 section 101 et seq., as amended.

“Emolument” means any salary, fee, payment, wage, earning, allowance, stipend, honorarium, or reward; provided that “emolument” does not include the salary or benefits for service as the governor or any pension income; retirement income; social security payment; non-controlling ownership of stocks, mutual funds, or real estate; rental income; or other form of passive income.”

SECTION 4. Any mayor in office on November 1, 2022, shall comply with section 2 of this Act within sixty-one days.

SECTION 5. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 6. New statutory material is underscored.<sup>1</sup>

SECTION 7. This Act shall take effect on July 1, 2020.

(Became law on September 15, 2020, without the governor's signature, pursuant to Art. III, §16, State Constitution.)

**Note**

1. Edited pursuant to HRS §23G-16.5.

**ACT 76**

S.B. NO. 2486

A Bill for an Act Relating to Education Data.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. (a) The legislature finds that:

- (1) Many factors contribute to poor student performance, including lost instruction time and chronic absence from school;
- (2) A student who has been suspended, even once, is less likely to graduate;
- (3) Discipline that keeps students engaged in the learning process and with the school community is more effective than discipline that interrupts the learning process and separates the learning community;
- (4) Although out-of-school and in-school suspensions are necessary in some situations, the excessive use of suspensions as a discipline measure is harmful to the educational process and to academic achievement;
- (5) Disparity in disciplinary rates does not necessarily indicate discrimination; it can result from an ineffective school climate or from cultural strategies that are not successful in engaging the academic and behavioral efforts of all students;
- (6) Accurate data collection relating to absenteeism, discipline, and learning allows school system personnel and the board of education to determine interventions as necessary to encourage student success;
- (7) By calculating rates of disproportionality among indicators of student performance, including discipline and absenteeism, the department can engage in remedial measures to ensure student success regardless of subgroup; and
- (8) The data collection, analysis, and reporting required by this Act is intended, in part, to preserve protections that may soon be lost if the United States Department of Education acts on its proposal, published on September 19, 2019, in the Federal Register, to cease collecting certain types of data from public schools and public charter schools for the Department's mandatory civil rights data collection.



(b) Based on the foregoing findings, the purpose of this Act is to require the department of education to:

- (1) Establish a standardized process for accurate data collection;
- (2) Collect data on indicators relating to school climate and student achievement, including data that may cease to be collected under the United States Department of Education's proposed rollback of mandatory civil rights data collection;
- (3) Make public, in a way that is understandable to families and advocates, data relating to school climate and student achievement;
- (4) Coordinate with the state public charter school commission regarding the collection, analysis, and dissemination of this data from public charter schools;
- (5) Analyze this data; and
- (6) Annually report this data to the board of education and legislature.

SECTION 2. Chapter 302A, Hawaii Revised Statutes, is amended by adding a new section to subpart B of part IV, to be appropriately designated and to read as follows:

**“§302A- Accurate data reporting.** (a) The department shall establish a standardized data collection process for schools and complex areas to maintain records and report data to the department. The department shall implement a process to:

- (1) Review the accuracy of data reported by schools and complex areas;
- (2) Coordinate with the state public charter school commission regarding the collection, analysis, and dissemination of this data from public charter schools; and
- (3) Analyze and publish the data collected.

(b) The department shall annually review all data that has been collected pursuant to state and federal law and certify the accuracy of the data.”

SECTION 3. Section 302A-1004, Hawaii Revised Statutes, is amended to read as follows:

**“§302A-1004 Educational accountability system; annual reports.** (a) The department shall implement a comprehensive system of educational accountability to motivate and support the improved performance of students and the education system. Data shall be reported as required by this section when the number of students in a particular data subgroup is greater than ten and shall be redacted when the number of students in a particular data subgroup is ten or fewer; provided that the personally identifiable information of each student shall be kept private. This accountability system shall:

- (1) Include student accountability; school or collective accountability; individual professional accountability for teachers, principals, and other employees; and public accounting to parents, community members, businesses, higher education, media, and political leadership;
- (2) Link authority and resources to responsibility;
- (3) Define clear roles for all parties and lines of responsibility and mutual obligation and develop a collaborative process with stakeholders, including representatives of appropriate bargaining units, parents, administration, and students;
- (4) Assess and track measures of academic achievement, safety and well-being, and civic responsibility of individual students at select-grade levels, and annually report trend data from the past three years on these measures [~~ever time annually~~];



- (5) Invoke a full and balanced set of appropriate consequences for observed performance, including rewards and recognition for those schools that meet or exceed their goals, assistance to those that fall short, and sanctions for those that, given adequate assistance and ample time, continue to fail to meet goals;
- (6) Involve an annual statewide assessment program that provides a report card containing trend data from the past three years on school, school complex, and system performance at selected benchmark grade levels with performance indicators in areas relating to student achievement, safety and well-being, and civic responsibility. These performance indicators shall include but not be limited to:
  - (A) Student performance relative to statewide content and performance standards; ~~and~~
  - (B) School attendance and dropout rates; and
  - (C) Student discipline, seclusion, and restraint information, in total and by unduplicated counts, disaggregated by subgroups consisting of race, including by Asian subgroup; ethnicity; national origin; gender; sex; English learner status; low-income status; students whose achievement is below grade level for the school year on literacy benchmark assessments, math benchmark assessments, or end-of-course assessments; and disability status based upon an individualized education program or upon section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), including but not limited to the following:
    - (i) In-school suspensions;
    - (ii) Out-of-school suspensions of one day or less; of two to five days; of six to nine days; of ten to twenty days; and of twenty-one or more days;
    - (iii) Expulsions;
    - (iv) Removals to an alternative education setting by school personnel;
    - (v) School-related arrests;
    - (vi) Referrals to law enforcement authorities;
    - (vii) Withdrawals for other reasons;
    - (viii) Number of parent or guardian-initiated withdrawals under section 302A-1132;
    - (ix) Number of school resource officers, either full-time or part-time, and the number of hours assigned to the school per week; and
    - (x) Other data that the board may approve;
- (7) Require that teachers and administrators engage in the continuous professional growth and development that ensure their currency with respect to disciplinary content, leadership skill, knowledge, or pedagogical skill, as appropriate to their position. This requirement may be established by the department in terms of credit hours earned or their equivalent in professional development activity certified by the department as appropriate in focus and rigor;
- (8) Establish an explicit link between professional evaluation results and individual accountability through professional development of the knowledge, skill, and professional behavior necessary to the position, by requiring that results of the professional evaluation be used by the department to prescribe professional development focus and content, as appropriate;

- (9) Include an annual statewide fiscal accountability program, which includes a published report card that contains trend data on school, school complex, and systemwide plans and results, including:
  - (A) Amounts allocated;
  - (B) Amounts expended;
  - (C) Amounts carried over; and
  - (D) Any significant changes to the budget, with an explanation for the change; and
- (10) Include an evaluation of the effectiveness of complex area superintendents and principals in supporting:
  - (A) Students' academic achievement, safety and well-being, and civic responsibility; and
  - (B) The satisfaction of stakeholders affected by the work of the complex area superintendents and principals, which may be measured by [~~broad-based~~] broad-based surveys; and
  - (C) Fiscal accountability.

(b) The department shall annually post on the department's website [information]:

- (1) Information on the specifics of the implementation of the comprehensive accountability system~~[-, as well as]~~;
- (2) Information on the fiscal requirements and legislative actions necessary to maintain and improve the accountability system~~[-]~~; and
- (3) Data collected pursuant to subsection (a)(6)(C) on student discipline, as follows:
  - (A) The total number of students enrolled in the State by complex, school, and subgroup;
  - (B) The percentage of the school, complex, and State's total enrollment that the subgroup represents;
  - (C) The number of students who appear in more than one subgroup;
  - (D) The disciplinary rate for each discipline measure described in subsection (a)(6)(C), based on the total student enrollment in each school and each complex;
  - (E) The disciplinary rate for each discipline measure described in subsection (a)(6)(C) with respect to each subgroup; and
  - (F) The rate of disciplinary disparity for each discipline measure described in subsection (a)(6)(C), with respect to each subgroup, as compared with the subgroup with the lowest disciplinary rate.

(c) The department shall also annually post on its website a state-, complex-, and school-level report for each school that details the past three years and includes an analysis of any disproportionality among student subgroups using the performance indicators in subsection (a)(6). Each report shall be uniformly formatted and designed by the department so as to provide school-based users and the public with all pertinent information. Report data shall be downloadable in raw form. Report information ~~[that includes but is not limited to the following:]~~ shall include:

- (1) Results of school-by-school assessments of educational outcomes;
- (2) Summaries of each school's standards implementation design;
- (3) Summary descriptions of the demographic makeup of the schools, with indications of the range of these conditions among schools within Hawaii;
- (4) Comparisons of conditions affecting Hawaii's schools with the conditions of schools in other states;

- (5) Other ~~[such]~~ assessments ~~[as may be]~~ deemed appropriate by the board; ~~[and]~~
- (6) Student discipline, seclusion, and restraint information by school, as required by this section; and
- ~~[(6)]~~ (7) Any other reports required by this section.
- (d) The department shall provide electronic access to computer-based financial management, student information, and other information systems to the legislature and the auditor. The department shall submit to the legislature and to the governor, at least twenty days prior to the convening of each regular session, a school-by-school expenditure report that ~~[includes but is not limited to the following:]~~ shall include:
- (1) The financial analysis of expenditures by the department with respect to the following areas:
    - (A) Instruction, including face-to-face teaching, and classroom materials;
    - (B) Instructional support, including pupil, teacher, and program support;
    - (C) Operations, including non-instructional pupil services, facilities, and business services;
    - (D) Other commitments, including contingencies, capital improvement projects, out-of-district obligations, and legal obligations; and
    - (E) Leadership, including school management, program and operations management, and district management; and
  - (2) The measures of accuracy, efficiency, and productivity of the department, districts, and schools in delivering resources to the classroom and the student.
- (e) The superintendent of education is responsible for the development and implementation of an educational accountability system. The system shall include consequences and shall be designed through a collaborative process involving stakeholders that shall include parents, community members, the respective exclusive representatives, as well as others deemed appropriate by the superintendent.

For the purposes of this section, negotiations under chapter 89 shall be between the superintendent or the superintendent's designee and the respective exclusive representative<sup>1</sup> and shall be limited to the impact on personnel arising from the superintendent's decision in implementing the educational accountability system. After the initial agreement is negotiated, provisions on the impact of the accountability on personnel may be reopened only upon mutual agreement of the parties.

(f) The department shall:

- (1) Annually submit a report to the board and to the legislature, as follows:
  - (A) The report shall identify discipline-related strategies, alternatives, and resources available to schools and complexes, and shall include the following:
    - (i) Student discipline, seclusion, and restraint data collected pursuant to subsection (a)(6)(C);
    - (ii) Data collected in accordance with the data elements shown in the United States Department of Education's 2015-2016 civil rights data collection relating to school finance, teacher experience and absenteeism, all early childhood education items, advanced placement testing items, references to gender identity in the defi-

- nition of “harassment on the basis of sex”, number of English language learner students enrolled in English language programs by disability status, participation in credit recovery programs, and any civil rights concerns or complaints from children with disabilities placed by school districts in nonpublic schools; and
- (iii) Information regarding staffing and contact information for school- and complex-level equity specialists; and
- (B) The report may include additional information, as determined by the department, that would assist in better understanding the disciplinary rate or rate of disciplinary disparity of a particular school or complex;
- (2) Track the progress made by schools and complexes over the past three years in reducing the disciplinary rates and rate of disciplinary disparity that are referenced in subsection (b)(3)(D) through (F);
  - (3) Assess the changes in student academic achievement and absenteeism rates over the past three years that correspond to any reduction in disciplinary rates and rates of disciplinary disparity that are referenced in subsection (b)(3)(D) through (F);
  - (4) Track the use of restraints over the past three years; and
  - (5) Report annually to the board, and make public on its website, the following:
    - (A) Changes in the use of discipline over the past three years; and
    - (B) Information on the extent to which schools and complexes are implementing evidence-based strategies, including positive behavior interventions, support systems, or restorative justice.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.<sup>2</sup>

SECTION 5. This Act shall take effect upon its approval.

(Became law on September 15, 2020, without the governor’s signature, pursuant to Art. III, §16, State Constitution.)

**Notes**

- 1. Prior to amendment “.” appeared here.
- 2. Edited pursuant to HRS §23G-16.5.

**COMMITTEE REPORTS ON BILLS ENACTED**



**TABLES SHOWING EFFECT OF ACTS**



**GENERAL INDEX**

# COMMITTEE REPORTS ON BILLS ENACTED

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<sup>1</sup> See also Floor Amendment 10.

<sup>2</sup> See also Floor Amendment 12.

<sup>3</sup> Contains line item vetoes (7/31/20).

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<sup>4</sup> See also Floor Amendment 2.

<sup>5</sup> Contains a line item veto (7/06/20).

## TABLES SHOWING EFFECT OF ACTS

### Thirtieth State Legislature 2020 Regular Session

Key:	Am = Amended		___ = Part or section number
	N = New		to be assigned in
	R = Repealed		HRS Supplement

### A. SECTIONS OF HAWAII REVISED STATUTES (HRS) AFFECTED

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183D-5	Am	50	302A-___	N	76
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225M-2	Am	45	302A-1004	Am	76
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			304A-___	N	70
			312-___	N	46
			312-2.1	Am	46



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		70	14, 15		
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			853-4	Am	19

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