(4) Submittal of the credential holder’s proposed action plan to meet all licensing standards;
(5) Documentation of passing scores for basic skills tests or documented evidence, which the individual maintains, of concerted effort to pass the basic skills test, beyond mere retaking of the test; and
(6) Documentation of passing scores for applicable subject matter content tests unless the subject matter is integrated into the teacher preparation program.

(b) The board shall consider the following in granting any extension:
(1) The diligence with which the credential holder has pursued licensing;
(2) The extenuating circumstances and the extent to which the individual has been subjected to constraints beyond the individual’s control to the timely completion of all licensing requirements;
(3) Evidence of strong teaching performance according to the board’s performance standards; and
(4) Likelihood of successful implementation of the credential holder’s proposed action plan.”

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 Statutory material to be repealed is bracketed.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

SECTION 4. This Act shall take effect upon its approval; provided that on June 30, 2002, this Act shall be repealed and sections 302A-803 and 302A-805, Hawaii Revised Statutes, are reenacted in the form in which they read on the day before the approval of this Act.

(Approved May 22, 2000.)

ACT 107

H.B. NO. 2501

A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, as Amended.

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

SECTION 1. Section 215 of the Hawaiian Homes Commission Act, 1920, as amended, is amended to read as follows:

“§215. Conditions of loans. Except as otherwise provided in section 213(c), each contract of loan with the lessee or any successor or successors to the lessee’s interest in the tract or with any agricultural, mercantile, or aquacultural cooperative association composed entirely of lessees shall be held subject to the following conditions whether or not stipulated in the contract loan:

(1) At any time, the outstanding amount of loans made to any lessee, or successor or successors in interest, for the repair, maintenance, purchase, and erection of a dwelling and related permanent improvements shall not exceed fifty per cent of the maximum single residence loan amount allowed in Hawaii by the United States Department of Housing and Urban Development’s Federal Housing Administration (FHA), for the development and operation of a farm, ranch, or aquaculture operation shall not exceed $50,000, except that when loans are made to an agricultural or aquacultural cooperative association for the purposes stated in section 214(a)(4), the loan limit shall be determined by the
department on the basis of the proposed operations and the available
security of the association, and for the development and operation of a
mercantile establishment shall not exceed the loan limit determined by
the department on the basis of the proposed operations and the avail-
able security of the lessee or of the organization formed and controlled
by lessees; provided that upon the death of a lessee leaving no relative
qualified to be a lessee of Hawaiian home lands, or the cancellation of a
lease by the department, or the surrender of a lease by the lessee, the
department shall make the payment provided for by section 209(a), the
amount of any such payment shall be considered as part or all, as the
case may be, of any such loan to the successor or successors, without
limitation as to the above maximum amounts; provided further that in
case of the death of a lessee, or cancellation of a lease by the depart-
ment, or the surrender of a lease by the lessee, the successor or
successors to the tract shall assume any outstanding loan or loans
thereon, if any, without limitation as to the above maximum amounts
but subject to paragraph (3).

(2) The loans shall be repaid in periodic installments, such installments to
be monthly, quarterly, semiannual, or annual as may be determined by
the department in each case. The term of any loan shall not exceed
thirty years. Payments of any sum in addition to the required install-
ments, or payment of the entire amount of the loan, may be made at any
time within the term of the loan. All unpaid balances of principal shall
bear interest at the rate of [two and one-half per cent a year for loans
made directly from the Hawaiian home loan fund, or at the rate of] two
and one-half per cent or higher as established by [law for other loans,]
rule adopted by the department, payable periodically or upon demand
by the department, as the department may determine. The payment of
any installment due shall be postponed in whole or in part by the
department for such reasons as it deems good and sufficient and until
such later date as it deems advisable. Such postponed payments shall
continue to bear interest on the unpaid principal at the rate established
for the loan.

(3) In the case of the death of a lessee the department shall, in any case,
permit the successor or successors to the tract to assume the contract of
loan subject to paragraph (1). In case of the cancellation of a lease by
the department or the surrender of a lease by the lessee, the department
may, at its option declare all installments upon the loan immediately
due and payable, or permit the successor or successors to the tract to
assume the contract of loan subject to paragraph (1). The department
may, in such cases where the successor or successors to the tract
assume the contract of loan, waive the payment, wholly or in part, of
interest already due and delinquent upon the loan, or postpone the
payment of any installment thereon, wholly or in part, until such later
dates as it deems advisable. Such postponed payments shall, however,
continue to bear interest on the unpaid principal at the rate established
for the loan. Further, the department may, if it deems it advisable and
for the best interests of the lessees, write off and cancel, wholly or in
part, the contract of loan of the deceased lessee, or previous lessee, as
the case may be, where such loans are delinquent and deemed uncollect-
able. Such write off and cancellation shall be made only after an
appraisal of all improvements and growing crops or improvements and
aquaculture stock, as the case may be, on the tract involved, such
appraisal to be made in the manner and as provided for by section
209(a). In every case, the amount of such appraisal, or any part thereof, shall be considered as part or all, as the case may be, of any loan to such successor or successors, subject to paragraph (1).

(4) No part of the moneys loaned shall be devoted to any purpose other than those for which the loan is made.

(5) The borrower or the successor to the borrower's interest shall comply with such other conditions, not in conflict with any provision of this Act, as the department may stipulate in the contract of loan.

(6) The borrower or the successor to the borrower's interest shall comply with the conditions enumerated in section 208, and with section 209 of this Act in respect to the lease of any tract.

(7) Whenever the department shall determine that a borrower is delinquent in the payment of any indebtedness to the department, it may require such borrower to execute an assignment to it, not to exceed, however, the amount of the total indebtedness of such borrower, including the indebtedness to others the payment of which has been assured by the department of all moneys due or to become due to such borrower by reason of any agreement or contract, collective or otherwise, to which the borrower is a party. Failure to execute such an assignment when requested by the department shall be sufficient ground for cancellation of the borrower's lease or interest therein."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval by the governor of the State of Hawaii with the consent of the United States.

(Approved May 22, 2000.)

Note
1. Prior to amendment "one" appeared here.

ACT 108
H.B. NO. 2506

A Bill for an Act Relating to Prospective Adoptive Parents.

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

SECTION 1. Chapter 346, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§346- Prospective adoptive parents; standards and home studies. (a) The department shall develop standards to assure the reputable and responsible character of prospective adoptive parents as defined in this chapter.

(b) The department shall develop procedures for obtaining verifiable information regarding the criminal history of persons who are seeking to become adoptive parents. These procedures shall include but not be limited to criminal history record checks. The Hawaii criminal justice data center may charge a reasonable fee for criminal history record checks performed by the Federal Bureau of Investigation.

(c) Except as otherwise specified, any person who seeks to become an adoptive parent shall meet all standards and requirements as established by the department and shall be required to provide to the department: