

SCRep. 797-82 Consumer Protection and Commerce on S.B. No. 2477-82

The purpose of this bill is to clarify the jurisdiction of the Motor Vehicle Repair Industry Board by amending the definition of the term "repair of motor vehicles" in Chapter 437B, Hawaii Revised Statutes, to include the modification of motor vehicles.

Under present law, the term "repair of motor vehicles" does not specifically include modification to a motor vehicle. Therefore, this type of service may be beyond the jurisdiction of Motor Vehicle Repair Industry Board.

By including the modification of motor vehicles in the definition of "repair of motor vehicles," this bill would provide the Motor Vehicle Repair Industry Board with jurisdiction over motor vehicle services such as converting gasoline engines to LPG (Liquid Propane Gas), and other modifications which are properly within the regulatory function of the Board.

Your Committee has made a technical stype change to the bill.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of S.B. No. 2477-82, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2477-82, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 798-82 Consumer Protection and Commerce on S.B. No. 2615-82

The purpose of this bill is to permit a public utility to file a civil action against anyone who tampers with, or otherwise destroys, property of the utility.

Meter tampering and theft of utility services affects all utility customers as it is the ratepayers who eventually assume the expense incurred. By allowing the target utility to file an action for treble damages against the person illegally securing or tampering with utility services, the costs associated with providing the utility services will be borne by the person illegally benefitting from the services, rather than penalizing those who diligently pay their utility bills.

Your Committee heard testimony stating that this bill is necessary in order to provide statutory authority for the imposition of civil deterrence as prosecutions in this area have been minimal.

Your Committee has amended the bill to delete reference to prima facie evidence.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of S.B. No. 2615-82, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2615-82, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kawakami and Shito.

SCRep. 799-82 Consumer Protection and Commerce on S.B. No. 65

The purposes of this bill are to define land trust ownership more clearly and to require a trustee to disclose the names of present beneficiaries of a trust in response to the service of a complaint and the receipt of notice of violation of an ordinance, rule, resolution, regulation, or statute, relating to the property held in trust.

The Hawaii Land Trust Council submitted testimony indicating the disclosure requirements are in the public interest and preserve the benefits of a land trust to an individual. This bill would also indemnify trustees for any disclosure made pursuant to statutory requirements.

Your Committee has amended the bill to require disclosure of the identity of beneficiaries in the cases where the real property is the subject of a contract with the state or county government and where an application is made to a governmental agency for a permit or license which will offer the land.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of S.B. No. 65, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 65, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 800-82 Consumer Protection and Commerce on S.B. No. 1859

The purpose of this bill is to require an offeror of a take-over bid to compensate a dissenting stockholder in the event of a merger or consolidation caused by the offeror as a result of the take-over bid.

Dissenting stockholders are not provided a right to compensation in mergers resulting from take-over bids under current law. This bill would fix the compensation payable by an offeror to dissenting stockholders at the difference between the maximum amount paid by the offeror for shares in its bid and the fair market value of the dissenting shares at the time of the merger or consolidation. This bill would also provide dissenting stockholders protection for a period of one year after the initial take-over bid.

Your Committee finds that this bill will prevent situations where stockholders feel compelled to sell their shares because a premium take-over bid price per share is offered and fair market value is likely to be depressed in the event of an eventual take-over and merger. Unfair and inequitable take-overs and mergers may be minimized by this bill.

While in agreement with the intent of the bill, your Committee has amended the bill to provide that the time period for compensation be two years.

Your Committee has also made form and style amendments.

Your Committee on Consumer Protection and Commerce is in accord with the intent and purpose of S.B. No. 1859, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1859, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 801-82 Judiciary and Consumer Protection and Commerce on S.B.
No. 2454-82

The purpose of this bill is to prohibit discrimination in real property transactions because of age or parental status.

Presently chapter 515 prohibits discriminatory practices in real estate transactions because of race, sex, color, religion, marital status, ancestry or physical handicap. This bill is intended to protect several other groups who are discriminated against because of age and parental status, particularly the elderly and parents of minor children.

Having heard extensive testimony from numerous organizations and individuals, your Committees find that the reference to "age" could have an adverse effect on housing projects currently established for the benefit of elderly persons. Under this bill these projects would be subject to charges of discrimination for failing to admit persons of all ages, thereby jeopardizing, rather than protecting, much of the elderly population. In addition, "parental status," as it refers to the marital status of parents with children, is encompassed by current law which prohibits discrimination due to "marital status." Retention of parental status would further work an unfair burden upon landlords who would have no way of determining or knowing whether or not a prospective tenant is an actual parent without the physical custody of the child or children.

Upon considering its beneficial and adverse effects, your Committees have amended the bill by deleting references to Sections 515-2, 515-5, 515-6, and 515-7, Hawaii Revised Statutes; by repealing Section 515-3; and by adding a new Section 515-3 which would clarify discriminatory practices generally. Further technical non-substantive amendments have also been made.

Your Committees on Judiciary and Consumer Protection and Commerce are in accord with the intent and purpose of S.B. No. 2454-82, S.D. 1 as amended herein, and recommend

that it pass Second Reading in the form attached hereto as S.B. No. 2454-82, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representative Medeiros.

SCRep. 802-82 Consumer Protection and Commerce and Public Employment and
Government Operations on S.B. No. 2228-82

The purpose of the bill is to change the title of the Public Utilities Division to the Division of Consumer Advocacy, in order to clarify and more properly reflect the functions of the division.

There is a considerable degree of misunderstanding on the part of the public as to the function of the division in relation to the Public Utilities Commission. A redesignation of the division would assist the public in differentiating the roles of these agencies, and more accurately label the role of the present Public Utilities Division as a consumer advocate.

Your Committees have made technical style changes to the bill.

Your Committees on Consumer Protection and Commerce and Public Employment and Government Operations are in accord with the intent and purpose of S.B. No. 2228-82, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2228-82, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representatives Taniguchi and Medeiros.

SCRep. 803-82 Consumer Protection and Commerce and Housing on S.B. No.
2388-82

The purpose of this bill is to revise chapter 514A, the Horizontal Property Regime Act, as it relates to amendment of the declaration; allocation of common expenses and profits when the declaration is silent thereon; certain contents of the bylaws; charges, costs, and fees recoverable for violation of the declaration, bylaws, and other rules or in actions brought on association claims; and liability of grantees for accrued common expenses and assessments.

While in agreement with the general intent of the bill to amend the provisions relating to amendment of the project's declaration, your Committees note that this provision was the subject matter of a separate bill previously approved. Your Committees have therefor amended the bill to delete the amendments proposed except the proposed change to the definition of "apartment."

Your Committees on Consumer Protection and Commerce and Housing are in accord with the intent and purpose of S.B. No. 2388-82, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2388-82, S.D. 1, H.D. 1 and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representatives Ige and Wong.

SCRep. 804-82 Finance on S.B. No. 732

The purpose of this bill is to authorize the issuance of general obligation bonds to finance projects proposed in the supplemental appropriations bills for the executive and judicial branches of government.

The bill includes the declaration of findings required by the clause in 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 effect of the foregoing constitutional requirement is that the legislature must take into account the debt service on all bonds that count against the debt limit, including outstanding bonds, authorized bonds which are yet to be issued, and bonds authorized in the Act, and demonstrate that the constitutional debt limit will not be exceeded at the time the bonds are issued.

The required declaration is set forth in Section 1 of the bill.

Your Committee has updated this bill to reflect current data and amounts.

Your Committee has also amended this bill to correct drafting errors.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 732, S.D. 1 as amended herein and recommends that it pass Second Reading in the form attached hereto as S.B. No. 732, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 805-82 Finance on S.B. No. 2309-82

The purpose of this bill is to clarify that retailing and wholesaling are industrial enterprises for the purpose of the enabling legislation for industrial enterprise special purpose revenue bonds.

Your Committee agrees that the small business community is in need of assistance and that it is appropriate and in the public interest to issue special purpose revenue bonds to assist this important sector of Hawaii's economic community. The bill is accordingly amended to conform to this intent.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2309-82, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2309-82, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 806-82 Finance on S.B. No. 365

The purpose of this bill is to provide supplemental direct loans to qualified nursery operators. This bill authorizes the Department of Agriculture to make loans, up to a \$25,000 loan limit, to nursery operators at an interest rate which is two percent below the Department's prevailing interest rate.

While your Committee recognizes the specific needs of nurserymen, your Committee believes that other agricultural operations may need financial assistance from the State during periods of emergency. Therefore, your Committee has amended this bill in its entirety to insert into section 155-9, Hawaii Revised Statutes, under "(4) Class D: Emergency loans" a new provision (E) which authorizes the Board of Agriculture to provide relief and rehabilitation to qualified farmers during emergency periods as determined by the Board, primarily including the period of difficulty currently being experienced by the State's dairy operators and papaya growers.

Your Committee has also amended this bill to appropriate \$3,500,000 for fiscal year 1981-1982 and \$3,500,000 for fiscal year 1982-1983 for emergency farm loans, and to provide that the Department of Agriculture shall be the expending agency for these funds.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 365, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 365, S.D. 2, H.D. 1.

Signed by all members of the Committee.

SCRep. 807-82 Finance on S.B. No. 2709-82

The purpose of this bill is to encourage the formation and successful operation within the State of development companies as defined by Title V of the Federal Small Business

Investment Act of 1958.

The bill will encourage the formation of development companies by allowing them to incorporate in the State. Development companies will be able to obtain funds from the Federal Financing Bank. These funds will be loaned to small businesses for construction, conversion or expansion of businesses, as well as acquisition of land at an interest rate significantly below conventional rates. It is the purpose of this bill to stimulate the growth and expansion of small businesses.

Your Committee has amended this bill to correct technical errors.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2709-82, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2709-82, S.D. 1, H.D. 1.

Signed by all members of the Committee except Representatives Andrews, Kobayashi, Marumoto and Wong.

SCRep. 808-82 Finance on S.B. No. 2978-82 (Majority)

The purposes of this bill, as received by your Committee, are to establish a Hawaii cancer fund, to be administered by the Hawaii Cancer Commission, for the purposes of receiving and expending funds for the acquisition and dispensing of the anti-viral agent, interferon, and other biological response modifiers, and to appropriate \$950,000 in State general revenues for fiscal year 1982-1983 to be paid into the fund.

After due deliberation, your Committee has amended the bill in the following principal respects:

(1) Section 2 of the bill, as received by your Committee, establishing the Hawaii cancer fund has been amended in its entirety to appropriate a grant-in-aid to the Hawaii Cancer Commission of an unspecified amount for fiscal year 1982-1983 for the purposes of receiving and expending funds for the acquisition and dispensing of the anti-viral agent, interferon, and other biological response modifiers.

(2) A special proviso has also been added in Section 2 to ensure that no funds shall be made available under the Act unless and until three lay members representing the general public have been selected by the Governor, in consultation with the director of health, and have been included as members on the Hawaii Cancer Commission of the Hawaii Medical Association for the purposes of representing the public interest in the expenditure of the funds appropriated. The lay members are to be selected by the Governor within fifteen days following receipt of the Commission's written request.

(3) The expending agency has been changed from the Hawaii Cancer Commission to the Department of Health.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2978-82, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2978-82, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representative Marumoto.
(Representative Andrews did not concur.)

SCRep. 809-82 Finance on S.B. No. 2353-82

Your Committee finds that job sharing, which would allow two half-time positions in place of one full-time position, is an innovation which will increase the available employment options so that people may have the opportunity to be employed on the basis of their financial and other needs, without, perhaps, the necessity of being employed on a full-time basis. The merits of job sharing have been cited in reports by the Legislative Auditor, Board of Education, and the Department of Personnel Services.

Your Committee further finds that the Department of Education pilot project has been effective in achieving the objectives of the job sharing program; therefore, a job sharing pilot project should be established for librarians within the public library system.

Your Committee has amended the bill by making grammatical and technical changes which have no substantive effect.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2353-82, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2353-82, S.D. 1, H.D. 2.

Signed by all members of the Committee except Representatives Albano and Wong.

SCRep. 810-82 Finance on S.B. No. 2904-82

The purpose of this bill is to create a state water commission, and to establish guidelines for the commission to use in the formulation of a state water code.

Your Committee finds that the State, pursuant to Article XI, section 7 of the Constitution of the State of Hawaii, has an obligation to protect, control, and regulate the use of Hawaii's water resources for the benefit of its people by establishing conservation, quality, and use policies; defining beneficial and reasonable uses; protecting water resources and related environments; establishing criteria for water use priorities; safeguarding existing water uses; and establishing procedures for regulating all water uses. The formulation and enactment of a state water code is necessary to implement this constitutional provision. In order to accomplish this constitutional mandate, your Committee finds that a comprehensive review of the numerous issues relating to Hawaii's water resources should be conducted by a specially designated study group.

Your Committee upon further consideration has significantly amended the bill. The bill in its amended form:

- (1) establishes an advisory study commission on water resources, to carefully and comprehensively review the various issues relating to Hawaii's water resources;
- (2) specifies areas to be considered by the advisory study commission during the formulation of the water code;
- (3) requires the advisory study commission to receive such administrative support as it may request from the Legislative Reference Bureau;
- (4) requires the advisory study commission to submit a progress report on its activities prior to the convening of the second regular session following the effective date of this bill;
- (5) requires the advisory study commission to submit a report to the Legislature, no later than 20 days prior to the convening of the third regular session following the effective date of this bill, which contains the commission's findings and recommendations and a proposed water code for consideration and, as appropriate, adoption by the Legislature; and
- (6) appropriates a sum of \$100,000 for the fiscal year 1982-83 for use by the commission in carrying out the purposes of this bill.

Your Committee recommends that \$175,000 be appropriated in 1983-84, and \$150,000 be appropriated in 1984-85 for the purposes of the commission.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2904-82, S.D. 1, H.D. 1 as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2904-82, S.D. 1, H.D. 2.

Signed by all members of the Committee.

SCRep. 811-82 Judiciary on S.B. No. 2350-82

The purpose of this bill, as received by your Committee, is to require any pupil found to be responsible for an act of vandalism, to make restitution in any manner, including monetary restitution, by the pupil or pupil's parents for the full amount of damage caused but not to exceed \$250,000.

Your Committee finds that school vandalism is costly to Hawaii taxpayers and even partial figures indicate costs of almost \$1 million per year for the last four years as a result of vandalism. This situation cannot be tolerated and the pupils responsible for vandalism, or their parents or guardians, rather than taxpayers, should pay for

such costs.

Your Committee has amended this bill in the following manner:

- (1) Limited agreements of restitution to instances where damages do not exceed \$5,000.
- (2) Provided the district superintendent an opportunity to review the principal's findings and the discretion to refer these matters that do not exceed \$5,000 to the attorney general.
- (3) Required that damages that exceed \$5,000 be referred to the attorney general for further action pursuant to section 577-3, Hawaii Revised Statutes.
- (4) Recognized that this section of the law is a mediation mechanism and as such amended the bill such that the pupil may make restitution. In addition, this amendment is necessary in order to prevent creation of any legal duties on the part of the pupil or parent outside of section 577-3.

Your Committee on Judiciary is in accord with the intent and purposes of S.B. No. 2350-82, H.D. 1, as amended herein and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2350-82, H.D. 2.

Signed by all members of the Committee except Representative Kawakami.

SCRep. 812-82 Finance on S.B. No. 2434-82

The purpose of this bill is to establish and examine the agricultural and land use policies of the State, and to develop an agricultural land classification system to be used to identify important agricultural lands pursuant to Article XI, section 3, of the Constitution of the State of Hawaii.

The bill (1) requires the Board of Agriculture to adopt Agricultural Lands of Importance to the State of Hawaii system (ALISH); (2) requires all public agencies to use the ALISH system to identify important agricultural lands of the State and conduct public policy with that identification as a base; (3) requires the Board of Land and Natural Resources to consider ALISH criteria prior to disposition of public lands; and (4) replaces the Land Study Bureau Land Classification System with the ALISH in Chapter 205-4.5, Hawaii Revised Statutes, relating to permissible uses within agricultural districts.

Your Committee has appropriated out of the general fund a sum of \$100,000 to establish and fund the agricultural land study.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2434-82, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2434-82, S.D. 2, H.D. 2.

Signed by all members of the Committee.

SCRep. 813-82 Transportation and Employment Opportunities and Labor Relations on S.B. No. 2145-82 (Majority)

The purpose of this bill is to assure that private employers who encourage their employees to participate in ridesharing arrangements will not be held liable for injuries sustained by ridesharing participants.

In testimonies presented by both the State Department of Transportation and the Oahu Metropolitan Planning Organization, the passage of this bill was deemed essential to promote ridesharing and to clarify the legal vagaries with respect to employer liability, which has been a major impediment to employer sponsored ridesharing programs in the past.

Your Committees have amended the bill to delete the section which states that the workers' compensation laws shall not apply to a person injured while participating in a ridesharing arrangement. It is not the intent of your Committees to expand the concept of the coming and going rule of the workers' compensation law. The bill in its present form generally absolves the employer of any liability and answers the concerns posed by the testimonies.

Your Committees concur with the amendments made in S.D. 1 of the bill by the Senate Committees on Transportation and Human Resources and reflected in Senate Standing Committee Report No. 381-82.

Your Committees are in accord with the intent and purpose of S.B. No. 2145-82, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2145-82, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representatives de Heer, Say and Takitani.
(Representative Anderson did not concur.)

SCRep. 814-82 Judiciary on S.B. No. 2624-82

The purpose of the bill is to clarify the law relating to the grand jury counsel to carry out the intent of section 11 of the Hawaii State Constitution. More specifically, the bill would prohibit any attorney who is currently handling or assisting in a criminal case or has handled or assisted in a criminal case within a three-month period immediately preceding a grand jury session from serving as grand jury counsel. The bill further provides that the grand jury counsel, if not physically present in the building, may be in the vicinity of the building in which the grand jury is meeting or at a site where the grand jury may contact the counsel for appearance before the grand jury within ten minutes. The grand jury counsel may under the bill only respond to questions of law posed by the grand jury. Finally, the bill would add two (2) new sections to the statutes to provide for immediate redress to the court by the prosecutor, where the prosecutor feels that erroneous advice has been given by the grand jury counsel.

Your Committee has amended the bill as follows:

1. provide that the grand jury counsel be in the immediate vicinity and readily available rather than available within ten minutes. This change will clearly spell out that the grand jury counsel need not be in the same building where the grand jury is meeting provided that he is in the immediate vicinity and readily available to the grand jury;
2. provide that the grand jury counsel only receive inquiries on matters of law sought by the grand jury and to provide appropriate answers of law; and
3. provide a procedure for immediate relief where the prosecutor believes that the grand jury counsel has given erroneous information, or otherwise acted improperly, to the judge of the circuit court supervising the activities of the grand jury.

Your Committee believes that the bill as amended will clarify the law regarding the role and purpose of the grand jury counsel.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 2624-82, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2624-82, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Kawakami and Waihee.

SCRep. 815-82 Finance on S.B. No. 2760-82

The purpose of this bill is to authorize the sale of special purpose revenue bonds to assist retail and wholesale businesses under the provisions of chapter 39A, part V, Hawaii Revised Statutes, relating to assistance to industrial enterprises.

Your Committee has determined that small business in this State has suffered heavily in recent years, and finds that it is appropriate and in the public interest that the power to issue special purpose revenue bonds be exercised to provide some relief to this important sector of our community and therefore has amended the bill to so provide.

Your Committee has amended this bill to clarify the intent and to authorize a sale of special purpose revenue bonds in the amount of \$20,000,000.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2760-82, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2760-82, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 816-82 Corrections and Rehabilitation on S.B. No. 2674-82

The purpose of this bill is to require the Director of Social Services to exert every effort to insure that each inmate serving a sentence of imprisonment spends a maximum amount of time in treatment, training, education and work programs.

Your Committee is in agreement that inmate participation in treatment, training, education and work programs is essential to his preparation for successful reintegration into society. Your Committee further agrees that added emphasis on inmate participation in these correctional programs is in the best interest of the criminal justice system.

Your Committee on Corrections and Rehabilitation is in accord with the intent and purpose of S.B. No. 2674-82, S.D. 1 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 817-82 Judiciary on S.B. No. 2377-82 (Majority)

The purpose of this bill is to correct an inadvertent omission of the word "intentionally" in Section 707-734(1)(b) of the Hawaii Penal Code, relating to the offense of sodomy in the second degree.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 2377-82 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.
(Representative Ikeda did not concur.)

SCRep. 818-82 Employment Opportunities and Labor Relations on S.B. No.
2213-82

The purpose of this bill is to conform the Hawaii Employment Security Law to recent changes in federal law. Without these changes the federal government could decertify Hawaii's Employment Security Programs. Such decertification would result in employers losing certain excise tax credits which they now receive. Specifically, this bill amends Chapter 383, Hawaii Revised Statutes, as it relates to extend compensation benefits.

Your Committee on Employment Opportunities and Labor Relations is in accord with the intent and purpose of S.B. No. 2213-82, S.D. 2 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 819-82 Employment Opportunities and Labor Relations on S.B. No.
2530-82

The purpose of this bill is to amend Section 386-78, Hawaii Revised Statutes, to permit the department of labor and industrial relations to initially approve compromises in regard to claims for compensation under the Workers' Compensation Law.

Your Committee has found that under the present law, the department of labor and industrial relations is prohibited from approving any compromise when a worker gives up his right to reopening his case or to future medical benefits. Only the labor and industrial relations appeals board is authorized to approve such compromises and hold numerous formal proceedings before the approval.

This bill will permit the department of labor and industrial relations to initially approve

any compromise when a worker gives up his rights to reopen his case or to future medical benefits providing the appeals board reviews the department's position. The enactment of this bill will simplify and clarify the present law as the department of labor and industrial relations will be able to conduct an investigation before the approval.

Your Committee on Employment Opportunities and Labor Relations is in accord with the intent and purpose of S.B. No. 2530-82 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 820-82 Water, Land Use, Development and Hawaiian Affairs on
S.B. No. 505

The purpose of this bill is to amend Section 171-36(5) of the Hawaii Revised Statutes to allow the Board of Land and Natural Resources to revise the rent, if necessary, of leased State land when the lease is transferred or assigned.

Your Committee finds that, when a lessee of State land wishes to sublease the whole or part of the leased land, he must first obtain permission of the Board of Land and Natural Resources. The board has the right to review and approve the rent to be paid by the sublessee, including the right to raise the rent, if necessary.

However, if a lessee wishes to transfer his lease to someone else, the board does not have authority to raise the rent even though it has the authority to approve the transfer.

This bill would give the board authority to raise the rent based on the assignment and transfer consideration paid by the transferee. The State will then be able to share in the profit made in the transfer of a lease.

Your Committee on Water, Land Use Development and Hawaiian Affairs is in accord with the intent and purpose of S.B. No. 505, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 821-82 Judiciary on S.B. No. 2343-82

The purpose of this bill is to clarify the hazardous waste management responsibilities of the Department of Health by authorizing the Director of Health to regulate and permit facilities that treat, store, and dispose of hazardous waste. This bill also authorizes the Director of Health to impose financial responsibility requirements on facilities that treat, store, and dispose of hazardous wastes.

Your Committee recognizes that Hawaii has no current law regarding hazardous waste management in the State. Because of the potentially dangerous effects of hazardous waste, proper procedures for the treatment, storage, transfer, and disposal of such materials are essential to the health and welfare of the people.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 2343-82, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 822-82 Judiciary on S.B. No. 2913-82

The purpose of this bill is to amend Section 386-98, Hawaii Revised Statutes, by increasing the penalty for making a false or misleading statement or representation under the Workers' Compensation Law.

Your Committee finds that under the present law, the penalty for false representation does not provide adequate deterrent for those who attempt to gain workers' compensation benefits under false representation. Your Committee believes increasing the amount of the fine to \$1,000 will serve as a deterrent to anyone willfully making a false statement or representation for the purpose of obtaining workers' compensation benefits.

Testimony revealed that penalties for false representation under S.B. No. 2913-82, S.D. 1, would apply to insurance carriers and employers as well as claimants. Such penalties would include the individual being convicted of a misdemeanor, and up to one year of imprisonment. Further testimony from the Department of Labor indicated that under section 386-52 and 386-91, Hawaii Revised Statutes, employers are now able to claim adjustments on compensation paid to employees who have subsequently been found to have falsely represented themselves.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 2913-82, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 823-82 Finance on S.B. No. 2517-82

The purpose of this bill is to repeal the fee schedules for the licensing and reregistration of certain occupations with the Department of Health.

Under present law, fees are set by statute in Sections 321-14 and 15, Hawaii Revised Statutes, and require legislative amendment whenever any fee is varied.

This bill will allow the Department of Health to establish by rule reasonable fees for the issuance or renewal of licenses, permits, variances, and various certificates required by law, and to include the costs of related examinations, inspections, investigations, and reviews in the amounts of the fees. The bill also repeals the statutory examination fees and reregistration fees for persons applying for licenses to engage in or persons engaged in certain occupations regulated by the Department of Health.

This bill also repeals the requirement that itinerant vendors of drugs be licensed by the Department of Health. That this requirement is obsolete is supported by the fact that the department has not issued a license to an itinerant vendor in the past seventeen years.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2517-82, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 824-82 Finance on S.B. No. 2524-82

The purpose of this bill is to reduce the cost of administering workers' compensation claims in those cases where the employee suffers a work-related injury which increases an existing disability resulting in a greater permanent partial disability, permanent total disability, or death.

The bill requires the compensation special fund to pay the balance of benefits after the employer has paid 104 weeks of benefits in the following situations: (1) to a permanently partially disabled worker who had a previous disability; (2) to a worker with a previous disability who is considered permanently and totally disabled; (3) to a worker's dependents if the worker had a previous disability and dies from an industrial injury (the employer pays 104 weeks of death benefits).

Your Committee agrees with the concept for the establishment of the previous disability threshold of 32-weeks.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2524-82, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 825-82 Finance on S.B. No. 2224-82 (Majority)

The purpose of this bill is to allow DPED to adopt administrative rules governing industry and product promotion activities. This is an administration measure which would amend section 201-4, Hawaii Revised Statutes.

Section 201-4 authorizes DPED to contract with associations of producers, processors, or distributors of agricultural or industrial products to promote sales of locally produced products. While the law permits DPED to enter into such agreements, it does not expressly authorize DPED to adopt administrative rules to implement the statute.

Your Committee finds also that this bill would provide DPED with such authority in prescribing rules for eligibility, preferences, priorities, and conditions under which industry and product promotion activities may be undertaken. The bill also deletes language from section 201-4 for housekeeping purposes, including language requiring the solicitation of bid proposals because such language is inconsistent with the intent of the bill.

Your Committee recommends to DPED in the development of rules for governing industry and product promotion that the department contract only with associations of producers, processors or distributors who represent the majority of that industry by number or by volume. Further, the rule shall prohibit the department from entering into promotional contracts with individuals.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2224-82, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.
(Representative Levin did not concur.)

SCRep. 826-82 Finance on S.B. No. 2566-82

The purpose of this bill is to amend section 641-13, Hawaii Revised Statutes, to provide the State an additional ground to appeal in criminal cases where the constitutional rights of the defendant will not be violated by the appeal.

Your Committee believes that the State should be allowed the right to appeal only where the ground therefor is spelled out with specificity. Your Committee believes that by adding another ground for the State to appeal a judgment, both the need for an additional ground to appeal and the requirement of specificity for that appeal are met.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2566-82, S.D. 1, H.D. 1 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 827-82 Finance on S.B. No. 2257-82

The purpose of this bill is to require that inheritance tax returns filed with the Department of Taxation be complete returns.

Under the present law the personal representative of an estate is required to file an inheritance tax. However, there is no statutory requirement that the return be complete to the point of determining tax liability or the payment of any tax due at the time of filing the return.

This bill will conform the inheritance tax law to other Hawaii tax laws in requiring that the taxpayer file a complete return and pay all taxes due at the time the return is filed.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2257-82, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 828-82 Finance on S.B. No. 2866-82

The purpose of this bill is to allow the Hawaii Housing Authority to issue \$75 million in taxable revenue bonds to finance the acquisition of the fee title to leasehold properties converted under the Land Reform Act.

The Land Reform Act enacted in 1967 allows the Hawaii Housing Authority (HHA) to condemn residential leasehold property for conversion to fee simple ownership. Lessees wishing to acquire fee simple title to their residential properties are currently experiencing difficulties in obtaining financing who have already converted their properties by entering into agreements of sale with their lessors will be facing the prospect of unavailable financing when their balloon payments become due in a few years. Local lending institutions are not unwilling to make these loans, rather, they simply do not have adequate capital resources available.

This bill would alleviate this financing problem by establishing a Fee Title Acquisition Loan Program structured like the Hula Mae program. The Authority would be empowered to issue taxable securities, the proceeds of which will purchase newly originated fee title acquisition mortgage loans from private lending institutions. The HHA will thus serve as a conduit between local lenders who will originate the loans and the national capital markets which will provide the funds to HHA for the purchase of the new loans. Local lenders will in this manner have access to secondary mortgage market funds not otherwise accessible to them.

Your Committee wishes to emphasize that the Fee Title Acquisition Loan Program will not have any impact on the State's financing abilities nor cost the State of Hawaii any money. All expenses incurred will be paid from program revenues or bond proceeds. In addition, since HHA will be issuing taxable, rather than tax-exempt securities, there will be little effect on the State's ability to raise money from the sale of general obligation or revenue bonds because the investors in the two markets form two distinct groups.

Your Committee believes that the Legislature should reaffirm its commitment to the Land Reform Act by the establishment of a mechanism that would increase resources available to local lenders and thereby assist lessees in financing the acquisition of fee title to their residential properties.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2866-82, S.D. 2 and recommends that it pass Third Reading.

Signed by all members of the Committee except Representatives Albano and Wong.

SCRep. 829-82 Public Assistance and Human Services on H.R. No. 198

The purpose of this resolution is to request the Department of Budget and Finance to study and make recommendations on the proper location and placement of the Progressive Neighborhoods Program.

Your Committee received testimony in favor of the resolution from the Progressive Neighborhoods Program and the Department of Budget and Finance. Pursuant to Section 27 of Act 214, Session Laws of Hawaii 1979, the PNP conducted an evaluation of its ongoing programs and submitted its recommendations to the 1981 Regular Session as to the transfer of those programs to a permanent service agency.

The Department of Budget and Finance requested that the scope of the resolution be broadened to allow the consideration of alternatives such as those recommended by the PNP. Your Committee has therefore amended the title of the resolution to read: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO STUDY AND MAKE RECOMMENDATIONS ON THE PROPER LOCATION AND PLACEMENT OF THE FUNCTIONS OF THE PROGRESSIVE NEIGHBORHOODS PROGRAM".

Your Committee has further amended this resolution on line 5 of the "BE IT RESOLVED" clause by adding "program, and services" after the word "placement". Technical, nonsubstantive changes have also been made.

Your Committee on Public Assistance and Human Services concurs with the intent and purpose of H.R. No. 198, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 198, H.D. 1.

Signed by all members of the Committee.

SCRep. 830-82 Public Assistance and Human Services on H.R. No. 133

The purpose of this resolution is to request the Progressive Neighborhoods Program Task Force to study the socio-economic profile of all distinct communities throughout the State, to prioritize these communities by those most needing assistance and indicating the most significant problems to be alleviated, and to designate additional target areas as the Task Force deems appropriate.

Your Committee has received testimony in favor of this resolution from the Progressive Neighborhoods Program. In this time of decreasing federal support for the problems of hard-pressed neighborhoods, it is important that the State continue to assist community-based organizations in demonstrating innovative cost-effective approaches to self-improvement for residents. The study, as proposed by this resolution, will enable the Progressive Neighborhoods Program to reassess communities' needs and to re-prioritize the problems to be alleviated.

Your Committee on Public Assistance and Human Services concurs with the intent and purpose of H.R. No. 133 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 831-82 Higher Education on H.R. No. 195

The purpose of this resolution is to request the University of Hawaii to study ways to expand educational and job oriented training opportunities for veterans of the Vietnam conflict.

Your Committee has amended the resolution to clarify the means of realizing the purposes of the resolution.

Your Committee on Higher Education is in accord with the intent and purpose of H.R. No. 195, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. 195, H.D. 1.

Signed by all members of the Committee except Representative de Heer.

SCRep. 832-82 Employment Opportunities and Labor Relations on H.R. No. 281

The purpose of this resolution is to request a review by the Legislative Reference Bureau of different methods of preserving the major benefits and provisions of Hawaii's prepaid health care act in view of its preemption under federal law.

Your Committee finds that Hawaii's highly praised prepaid health care act has recently been held by the federal courts to be preempted by the federal Employee Retirement Income Security Act of 1974 (ERISA; 29 U.S.C. 1001 *et seq.*). Such preemption denies the employees in Hawaii the legal mandate for very comprehensive insurance against all non-occupational illness and injury. Your Committee believes therefore that it is imperative to develop a means of restoring these major benefits and provisions of Hawaii's prepaid health care act. Your Committee believes that in order to achieve this end, carefully drafted legislation which would withstand any legal challenges of federal preemption is needed.

Your Committee therefore believes that a study should be conducted which would allow for the exploration of the various alternatives of preserving, to the greatest extent, the major benefits and provisions of Hawaii's prepaid health care act.

Your Committee on Employment Opportunities and Labor Relations concurs with the intent and purpose of H.R. No. 281 and recommends it be referred to the Committee on Legislative Management.

Signed by all members of the Committee except Representatives Albano, de Heer, Nakasato, Ikeda and Marumoto.

SCRep. 833-82 Employment Opportunities and Labor Relations on H.C.R. No. 126

The purpose of this resolution is to request a review by the Legislative Reference Bureau of different methods of preserving the major benefits and provisions of Hawaii's prepaid health care act in view of its preemption under federal law.

Your Committee finds that Hawaii's highly praised prepaid health care act has recently been held by the federal courts to be preempted by the federal Employee Retirement Income Security Act of 1974 (ERISA; 29 U.S.C. 1001 et seq.). Such preemption denies the employees in Hawaii the legal mandate for very comprehensive insurance against all non-occupational illness and injury. Your Committee believes therefore that it is imperative to develop a means of restoring these major benefits and provisions of Hawaii's prepaid health care act. Your Committee believes that in order to achieve this end, carefully drafted legislation which would withstand any legal challenges of federal preemption is needed.

Your Committee therefore believes that a study should be conducted which would allow for the exploration of the various alternatives of preserving, to the greatest extent, the major benefits and provisions of Hawaii's prepaid health care act.

Your Committee on Employment Opportunities and Labor Relations concurs with the intent and purpose of H.C.R. No. 126 and recommends it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Albano, de Heer, Nakasato, Ikeda and Marumoto.

SCRep. 834-82 Employment Opportunities and Labor Relations on H.R. No. 216

Your Committee finds that in 1977 the Legislative Reference Bureau reviewed different methods of financing Hawaii's unemployment insurance program and recommended that the definition of "adequate reserve fund" be amended. Since then the balance in the Unemployment Compensation Fund has risen to more than \$100 million. Your Committee believes that such a large sum of money might perhaps be excessive. In light of rising unemployment, which warrants caution, your Committee feels that a study on the definition of "adequate reserve fund" should first be conducted before any drastic changes in the system are made.

Your Committee also finds that there exists some concern on the fairness of the method which now exists in the unemployment insurance system whereby earlier employers in the base period who may not have been responsible for the claimants subsequent unemployment are charged for the claimants payments. Your Committee therefore feels that this problem should be studied as well.

Your Committee on Employment Opportunities and Labor Relations concurs with the intent and purpose of H.No. 216 and recommends it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Albano, de Heer, Nakasato, Ikeda and Marumoto.

SCRep. 835-82 Employment Opportunities and Labor Relations on H.C.R. No. 103

Your Committee finds that in 1977 the Legislative Reference Bureau reviewed different methods of financing Hawaii's unemployment insurance program and recommended that the definition of "adequate reserve fund" be amended. Since then the balance in the Unemployment Compensation Fund has risen to more than \$100 million. Your Committee believes that such a large sum of money might perhaps be excessive. In light of rising unemployment, which warrants caution, your Committee feels that a study on the definition of "adequate reserve fund" should first be conducted before any drastic changes in the system are made.

Your Committee also finds that there exists some concern on the fairness of the method which now exists in the unemployment insurance system whereby earlier employers in the base period who may not have been responsible for the claimants subsequent unemployment are charged for the claimants payments. Your Committee therefore feels that this problem should be studied as well.

Your Committee on Employment Opportunities and Labor Relations concurs with the intent and purpose of H.C.R. No. 103 and recommends it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Albano, de Heer, Nakasato, Ikeda and Marumoto.

SCRep. 836-82 Youth and Elderly Affairs and Housing on H.R. No. 169

The purpose of this resolution is to request the University of Hawaii and the Hawaii Housing Authority to offer their expertise on the After-Hours Gerontology Program to the managers of other elderly public housing projects in the counties of Kauai, Maui, and Hawaii. This resolution also requests that a joint report on the progress of implementing this resolution be submitted to the next Legislature.

Your Committees find that new gerontology students will not be added to the program which will be phased out as a major program in the School of Public Health due to federal budget cutbacks. This will drastically reduce the School's participation in the After-Hours Program. In spite of the program phaseout, the Authority will continue the program as long as their budget permits.

Your Committees also find that without an adequate pool of qualified and dedicated students along with federal funds, the Authority may not be able to implement or develop a program as successful as the program on Oahu.

Your Committees have amended this resolution by requesting the Authority to determine the need for and feasibility of implementing the program for the Authority's elderly public housing projects on the neighbor islands.

Your Committees have further amended this resolution by requesting the University to offer their expertise to the Authority. In addition, the Authority has been requested to coordinate the preparation of the report with the University.

Your Committees on Youth and Elderly Affairs and Housing concur with the intent and purpose of H.R. No. 169, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 169, H.D. 1.

Signed by all members of the Committees except Representative Wong.

SCRep. 837-82 Youth and Elderly Affairs on H.C.R. No. 104

The purpose of this resolution is to establish either a Joint Interim Committee, if the Senate concurs, or a House Standing Committee to review the Long Term Care for the Elderly Report and prepare a policy statement on long term care for the elderly.

Your Committee finds that the Long Term Care Report has data and information about elderly including the frail/impaired elderly population, the services and programs available for long term care, the problems, concerns and recommendations relating to long term care.

Your Committee agrees the establishment of a policy regarding long term care for the elderly would be helpful for charting directions and priorities in addressing problems and in developing programs and services.

The Department of Social Services and Housing testified in support of H.C.R. No. 104, expressing that while the State supports a wide range of long term care services, the State lacks an explicit policy which provides for the development, organization and delivery of comprehensive long term care for Hawaii's elderly population.

Your Committee has been assured that the Department and Governor-appointed Long Term Care Planning Group will be pleased to assist the interim committee in establishing long term care policies for the elderly.

Your Committee on Youth and Elderly Affairs concurs with the intent and purpose of H.C.R. No. 104 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Wong.

SCRep. 838-82 Tourism and State General Planning on H.C.R. No. 16

The primary purpose of this concurrent resolution is to adopt the State Tourism Plan of October, 1981 (prepared by the Department of Planning and Economic Development and submitted to the Legislature), "as a State Functional Plan for the State of Hawaii in furtherance of Chapter 226, Hawaii Revised Statutes."

Your Committees find that out of concern over the State's future growth and direction, the 1978 State Legislature adopted the Hawaii State Planning Act (Chapter 226, Hawaii Revised Statutes) more popularly referred to as the Hawaii State Plan. Emphasis on legislative participation in the overall government planning process is contained in the Act's broad goals, objectives, policies, and priority directions intended to direct the State's future growth and development, and the submittal of twelve (12) functional plans for specified areas of governmental activity to the Legislature. This requirement is set forth as part of a planning framework in the Act, which also requires conformance of the state budgetary and land use regulatory processes to the Act's goals and objectives.

In accordance with the provisions of Chapter 226, Hawaii Revised Statutes, the Department of Planning and Economic Development prepared the State Tourism Plan of October, 1981, designed to implement the objective for the visitor industry sector of Hawaii's economy, and the plan was submitted to the Eleventh Legislature, Regular Session of 1982.

After duly reviewing the State Tourism Plan of October, 1981, your Committees have modified the substance of the plan, as submitted under Governor's Message No. 2, to reflect legislative concerns and have attached these amendments to the plan as Exhibit B. Your Committees recommend the State Tourism Plan, submitted under Governor's Message No. 2 and attached and referred to in House Concurrent Resolution No. 16 as Exhibit A, as modified by the amendments set forth in the attached Exhibit B, be adopted as a State functional plan.

Subsequent to your Committees' review and modification or amendment of the State Tourism Plan and the preparation of the amended plan as Exhibit A, your Committees have amended the concurrent resolution in the following principal respects:

- (1) Amended the fourth "Whereas" clause to read:

"Whereas, section 226-52(a)(3), Hawaii Revised Statutes, requires the preparation of a functional plan for tourism, and section 226-58, Hawaii Revised Statutes, requires that the plan for tourism be submitted to the State Legislature; and"

- (2) The seventh and eighth "Whereas" clauses, relating to the technical reference document, have been deleted;

- (3) A "Whereas" clause has been added which clarifies that the State Tourism Plan Technical Reference Document is to serve as a resource document, containing background information and data regarding the visitor industry, and is not for adoption by the Legislature. It is the intent of your Committees that the technical reference document is merely a resource document and is not to be used to interpret the intent or meaning of the policies and implementing actions contained in the amended Plan; and

- (4) The "Be It Resolved" clause has been amended to specify that the State Tourism Plan shall be adopted as amended by "Exhibit B", which contains modifications to Exhibit A, the State Tourism Plan as originally submitted.

Your Committees have also made technical amendments and other amendments for purposes of improved clarity and style.

Your Committee on Tourism and your Committee on State General Planning concur with the intent and purpose of H.C.R. No. 16, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 16, H.D. 1.

Signed by all members of the Committees.

SCRep. 839-82 Consumer Protection and Commerce on H.R. No. 253

The purpose of this resolution is to authorize a study of certain programs created under Chapters 486, 486D and 292, Hawaii Revised Statutes, presently under the jurisdiction of the Board and Department of Agriculture, for the purpose of determining whether the programs should be transferred to the Department of Regulatory Agencies.

Your Committee notes that H.B. No. 2558-82 consolidated the three above mentioned chapters into one chapter to be administered under the Board of Agriculture. Your Committee feels, however, that in light of the recommendations of the Commission on Organization of Government that all regulatory and consumer protection oriented programs

be transferred to the Department of Regulatory Agencies, the matter should be reviewed prior to action as suggested by H.B. No. 2558-82.

A correction with respect to the administration of the Division of Weights has been added to the resolution.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.R. No. 253, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 253, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Liu and Medeiros.

SCRep. 840-82 Consumer Protection and Commerce on H.C.R. No. 102

The purpose of this concurrent resolution is to direct the Legislative Auditor to conduct a study of the rationale and effects of the imposition of taxes and fees upon privately owned public utility companies operating within the State.

Your Committee notes that several measures have been adopted and others introduced which affect the tax and fee rate and structure for public utilities. Your Committee has not heard conclusive testimony concerning the effect of changes to taxes and fees charged to utilities with respect to the consumer/taxpayer and therefore agrees with the intent of the concurrent resolution to explore the relation between taxes and fees imposed on utilities and the resulting effect, if any, on ratepayers and taxpayers.

Your Committee has made a technical correction to the concurrent resolution.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 102, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 102, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami, Liu and Medeiros.

SCRep. 841-82 Higher Education on H.C.R. No. 110

The purpose of this concurrent resolution is to request Hawaii's congressional delegation to work towards legislation to extend the ten-year delimit period within which veterans are eligible for educational assistance under the "G.I. Bill".

Your Committee finds that the ten-year limit on eligibility for use of veterans' educational assistance benefits has proven inadequate, especially to veterans of the Vietnam Conflict, a substantial number of whom have experienced severe difficulties in adapting to civilian life, resulting in delays in their decisions to enter college. In many cases those veterans whose sacrifices in serving their country were among the greatest are the ones whose subsequent hardships have been the greatest and who have come late to using their veterans' benefits.

The benefits to these veterans in acquiring the necessary education to bring their lives to fruition is inestimable in achievement of self-esteem and human worth. Additionally, the higher socio-economic contributions to American society of better educated and more productive veterans will return dividends far into the future.

Your Committee on Higher Education concurs with the intent and purpose of H.C.R. No. 110 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 842-82 Higher Education on H.R. No. 283

The purpose of this resolution is to ask the University of Hawaii exactly where they are in the process of complying with the federal government's directives relating to Title IX of the Educational Amendments 1972, 20 U.S.C. 1681.

Your Committee has amended the resolution to clarify the nature of the request to the University of Hawaii, to change the date for the University to make its report, and

to expand the number of recipients of this resolution.

Your Committee on Higher Education is in accord with the intent and purpose of H.R. No. 283, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 283, H.D. 1.

Signed by all members of the Committee.

SCRep. 843-82 Higher Education on H.R. No. 231

The purpose of this resolution is to request Hawaii's congressional delegation to work towards legislation to extend the ten-year delimit period within which veterans are eligible for educational assistance under the "G.I. Bill".

Your Committee finds that the ten-year limit on eligibility for use of veterans' educational assistance benefits has proven inadequate, especially to veterans of the Vietnam Conflict, a substantial number of whom have experienced severe difficulties in adapting to civilian life, resulting in delays in their decisions to enter college. In many cases those veterans whose sacrifices in serving their country were among the greatest are the ones whose subsequent hardships have been the greatest and who have come late to using their veterans' benefits.

The benefits to these veterans in acquiring the necessary education to bring their lives to fruition is inestimable in achievement of self-esteem and human worth. Additionally, the higher socio-economic contributions to American society of better educated and more productive veterans will return dividends far into the future.

Your Committee on Higher Education concurs with the intent and purpose of H.R. No. 231 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 844-82 Agriculture and Water, Land Use, Development and Hawaiian Affairs on H.R. No. 235

The purpose of this resolution is to request the conservation and preservation of unique agricultural lands that have been continuously used for the growing of wetland crops such as watercress in the Pearl Harbor and Waiawa areas.

The Committees believe, as a preliminary step in accomplishing the purpose of this resolution, that the State's Congressional Delegation should be apprised that the Navy's current practice of putting their Pearl Harbor wetlands out to public auction every five years has adversely affected the watercress growers in that they cannot economically compete with persons who plan to utilize the lands for use other than wetland crops, and that the Delegation should meet with the Honorable John F. Lehman, Jr., Secretary of the Navy, to work out a solution so that the wetland areas of concern are not subject to public auction but rather are leased by direct negotiation.

In addition, lands suitable for growing wetland crops such as watercress and presently utilized in such manner should be designated in the State Agricultural Plan as "unique agricultural lands" and be preserved for such purpose.

Your Committees have amended the fourth "BE IT FURTHER RESOLVED" clause to include the Department of Land and Natural Resources along with the Board of Agriculture in making the requested study.

Your Committees have also made minor technical, non-substantive amendments to this resolution.

Your Committees on Agriculture and Water, Land Use, Development and Hawaiian Affairs concur with the intent and purpose of H.R. No. 235, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 235, H.D. 1.

Signed by all members of the Committee.

SCRep. 845-82 Corrections and Rehabilitation on H.R. No. 209

The purpose of this resolution is to direct the Department of Social Services and Housing (DSSH) to establish a vocational training center at the Hawaii Youth Correctional Facility (HYCF).

Your Committee is in agreement that a vocational training center at HYCF is needed to provide the youths with formal vocational training in usable and marketable skills. A formal vocational program, supplemented by a sound academic education, will provide the youths with opportunities to engage in meaningful work while learning skills and work habits which could benefit them when released from the facility.

The Departments of Social Services and Housing and Education testified in support of this resolution. They concur that youngsters at HYCF should be exposed to vocational training programs early in their confinement. They are prepared to work jointly with the League of Women Voters, who also testified in favor of this resolution, in formulating a formal vocational program now.

Your Committee on Corrections and Rehabilitation concurs with the intent and purpose of H.R. 209 and recommends that it be referred to the committee on Finance.

Signed by all members of the Committee.

SCRep. 846-82 Public Assistance and Human Services on H.C.R. No. 131

The purpose of this concurrent resolution is to request the Department of Social Services and Housing to conduct a study of the Utah Department of Social Services' work experience and training program and similar programs of other states which require recipients to accept work assignments with private nonprofit agencies or governmental units as a condition of continued eligibility for public assistance. The study will be conducted for the primary purpose of determining whether a similar program would be beneficial for Hawaii.

For over twenty-five years, Utah has required recipients of the State-funded General Assistance Program to be involved in work experience in order to qualify for their monthly checks. In 1974, the Utah Legislature passed a law which extended that requirement to all persons on welfare. These people are unable to participate in the Work Incentive Program (WIN) because they do not possess the skills that would make them employable. Work assignments are provided by State, local, and county government as well as private nonprofit agencies.

Your Committee on Public Assistance and Human Services concurs with the intent and purpose of H.C.R. No. 131 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 847-82 Public Assistance and Human Services on H.R. No. 291

The purpose of this resolution is to request the Department of Social Services and Housing to conduct a study of the Utah Department of Social Services' work experience and training program and similar programs of other states which require recipients to accept work assignments with private nonprofit agencies or governmental units as a condition of continued eligibility for public assistance. The study will be conducted for the primary purpose of determining whether a similar program would be beneficial for Hawaii.

For over twenty-five years, Utah has required recipients of the State-funded General Assistance Program to be involved in work experience in order to qualify for their monthly checks. In 1974, the Utah Legislature passed a law which extended that requirement to all persons on welfare. These people are unable to participate in the Work Incentive Program (WIN) because they do not possess the skills that would make them employable. Work assignments are provided by State, local, and county government as well as private nonprofit agencies.

Your Committee on Public Assistance and Human Services concurs with the intent and purpose of H.R. No. 291 and recommends that it be referred to the Committee on

Finance.

Signed by all members of the Committee except Representative Aki.

SCRep. 848-82 Higher Education on H.C.R. No. 76

The purpose of this concurrent resolution is to express the legislature's firm support for the continuation of the University of Hawaii's New/Young Farmer Program.

Your Committee finds that the New/Young Farmer Program has been effective and useful in instructing new and experienced farmers in producing, managing and marketing agricultural commodities.

The resultant increased viability of their agricultural enterprises clearly benefits Hawaii in the establishment of successful agri-business and in the provision of wholesome, locally grown foodstuffs for its residents. Such successes are especially welcome in a time of uncertainty over the future of sugar and pineapple.

Your Committee has amended the concurrent resolution by deleting the paragraphs that involve financial commitments by the State of Hawaii.

Your Committee intends that the supportive nature of this concurrent resolution, in conjunction with the affirmative funding action taken already this session by the House of Representatives, will clearly indicate its endorsement of the New/Young Farmer Program.

Your Committee on Higher Education concurs with the intent and purpose of H.C.R. No. 76, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 76, H.D. 1.

Signed by all members of the Committee except Representative de Heer.

SCRep. 849-82 Higher Education on H.R. No. 119

The purpose of this resolution is to express the legislature's firm support for the continuation of the University of Hawaii's New/Young Farmer Program.

Your Committee finds that the New/Young Farmer Program has been effective and useful in instructing new and experienced farmers in producing, managing and marketing agricultural commodities.

The resultant increased viability of their agricultural enterprises clearly benefits Hawaii in the establishment of successful agri-business and in the provision of wholesome, locally grown foodstuffs for its residents. Such successes are especially welcome in a time of uncertainty over the future of sugar and pineapple.

Your Committee has amended the resolution by deleting the paragraphs that involve financial commitments by the State of Hawaii.

Your Committee intends that the supportive nature of this resolution, in conjunction with the affirmative funding action taken already this session by the House of Representatives, will clearly indicate its endorsement of the New/Young Farmer Program.

Your Committee on Higher Education concurs with the intent and purpose of H.R. No. 119, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 119, H.D. 1.

Signed by all members of the Committee except Representative de Heer.

SCRep. 850-82 Culture and the Arts on H.R. No. 123

The purpose of this resolution is to request the cultural troupe, Sadiri Ti San Nicolas, Philippines, to present its authentic historical stage play "Biag Ni Emperatriz Solera" in the State of Hawaii.

Your Committee on Culture and the Arts concurs with the intent and purpose of H.R.

No. 123 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 851-82 Corrections and Rehabilitation on H.R. No. 64

The purpose of this resolution is to direct the Hawaii Intake Service Center to review Chapter 804, Hawaii Revised Statutes, and if deemed desirable prepare legislation for presentation to the Legislature in 1983, which standardizes and modernizes pre-trial release concepts and procedures.

Your Committee received testimony from the Directors of the Department of Social Services and Housing and the State Intake Service Center in support of this measure. They concur with the Governor's Conference on Crime that Hawaii should review its statutes and practices in the field of pre-trial service.

Your Committee is in agreement that Hawaii's pre-trial laws are antiquated and should be updated and standardized. Furthermore, the Intake Service Center is capable and willing to review the current bail laws and prepare a report with recommendations for submission to the 1983 Legislature.

Your Committee on Corrections and Rehabilitation concurs with the intent and purpose of H.R. No. 64 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 852-82 Housing on H.R. No. 233

The purpose of this resolution is to request the Hawaii Housing Authority to report on the results of its cost-buster housing program.

The Tenth State Legislature appropriated funds for the development of experimental and demonstration houses in Act 214, Session Laws of Hawaii 1979. The Legislature intended that the funds be used to develop prototype structures which could be used to set new standards for lower cost housing through the innovative use of conventional and easy to obtain materials, efficient construction methods and well-designed plans. Your Committee finds that the demonstration house that has been constructed on Oahu does not fit the cost-buster concept as it was originally envisioned by the Legislature and your Committee thus desires further information on the status of this program.

Your Committee on Housing concurs with the intent and purpose of H.R. No. 233 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 853-82 Housing on H.R. No. 161

The purpose of this resolution is to urge the counties to develop cost write-down programs to encourage the construction of affordable rental housing.

The City and County Department of Housing and Community Development testified that it is already using cost write-down techniques to facilitate the development of both rental and sales projects. Your Committee believes that all counties should utilize whatever tools are available to reduce the costs of financing, land acquisition, construction and infrastructure in the provision of affordable housing.

Your Committee on Housing concurs with the intent and purpose of H.R. No. 161 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 854-82 Health on H.R. No. 270

The purpose of this resolution is to request that the administrator of the State Health Planning and Development Agency conduct a study and propose a plan for the gradual and complete dissolution of the State Health Planning and Development Agency in the

event that federal funds are reduced or completely cease, and to report its findings and recommendations to the 1983 Legislature.

The State Health Planning and Development Agency was created in 1975 to comply with the federal law governing health planning and resources development. However, the future of federal programs relating to health planning and resources development are uncertain and the level of federal funding has continued to be reduced.

Your Committee has amended this resolution by requesting that the director of the department of health work jointly with the administrator of the State Health Planning and Development Agency in conducting the study and reporting its findings and recommendations to the 1983 Legislature.

Your Committee on Health concurs with the intent and purpose of H.R. No. 270, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 270, H.D. 1.

Signed by all members of the Committee.

SCRep. 855-82 Health on H.R. No. 234

The purpose of this resolution is to request that the department of health study the feasibility of expanding and retargeting mandatory newborn testing to include hypothyroidism, G-6-PD (glucose-6-phosphate dehydrogenase) deficiency, thalassemia, and other blood diseases in addition to the present mandate of testing for PKU (phenylketonuria).

Your Committee believes that the control or prevention of these and other infant diseases will result in tremendous savings in medical and institutional costs in later years to the individuals and families involved and the State.

Your Committee on Health concurs with the intent and purpose of H.R. No. 234 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 856-82 Health on H.C.R. No. 112

The purpose of this concurrent resolution is to request that the department of health study the feasibility of expanding and retargeting mandatory newborn testing to include hypothyroidism, G-6-PD (glucose-6-phosphate dehydrogenase) deficiency, thalassemia, and other blood diseases in addition to the present mandate of testing for PKU (phenylketonuria).

Your Committee believes that the control or prevention of these and other infant diseases will result in tremendous savings in medical and institutional costs in later years to the individuals and families involved and the State.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 112 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 857-82 Health and Education on H.R. No. 159 (Majority)

The purpose of this resolution is to request that the Board of Education study the feasibility of establishing a permanent cardiopulmonary resuscitation program in the State public school system and to submit a report on its findings and recommendations to the 1983 Legislature.

According to the Department of Health, it has been determined that the administration of CPR by bystanders prior to the arrival of the ambulance is absolutely essential in attempting to effect more favorable cardiac arrest outcomes.

Testimony received from the Hawaii Medical Association and the American Academy of Pediatrics, Hawaii Chapter state that CPR is an emergency first-aid procedure easily learned by most of the general public and can prevent death or crippling conditions associated with cardiopulmonary arrest. They believe that the public schools would

be an appropriate place to conduct an on-going CPR program.

As the primary provider of CPR training in Hawaii, the Hawaii Heart Association has committed their full support to the department of education to train a sufficient number of teachers who can, in turn, teach CPR to students.

Your Committees on Health and Education concur with the intent and purpose of H.R. No. 159 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committees.
(Representative Anderson did not concur.)

SCRep. 858-82 Health and Education on H.C.R. No. 86 (Majority)

The purpose of this concurrent resolution is to request that the Board of Education study the feasibility of establishing a permanent cardiopulmonary resuscitation program in the State public school system and to submit a report on its findings and recommendations to the 1983 Legislature.

According to the Department of Health, it has been determined that the administration of CPR by bystanders prior to the arrival of the ambulance is absolutely essential in attempting to effect more favorable cardiac arrest outcomes.

Testimony received from the Hawaii Medical Association and the American Academy of Pediatrics, Hawaii Chapter state that CPR is an emergency first-aid procedure easily learned by most of the general public and can prevent death or crippling conditions associated with cardiopulmonary arrest. They believe that the public schools would be an appropriate place to conduct an on-going CPR program.

As the primary provider of CPR training in Hawaii, the Hawaii Heart Association has committed their full support to the department of education to train a sufficient number of teachers who can, in turn, teach CPR to students.

Your Committees on Health and Education concur with the intent and purpose of H.C.R. No. 86 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committees.
(Representative Anderson did not concur.)

SCRep. 859-82 Health and Transportation on H.R. No. 56

The purpose of this resolution is to request that the Commission on the Handicapped review the various State and County policies and procedures relating to parking for the handicapped, with the objective of recommending a more uniform or standardized statewide policy.

There appears to be different State and County administrative policies and procedures relating to parking for the handicapped which are confusing and impose an unnecessary burden on the handicapped. The handicapped must often submit applications to various agencies in order to qualify for special parking.

Your Committee has amended this resolution by adding the department of accounting and general services to the list of agencies which should receive a certified copy of H.R. 56. Further amendments were made to correct technical drafting errors.

Your Committees on Health and Transportation concur with the intent and purpose of H.R. No. 56, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 56, H.D. 1.

Signed by all members of the Committees.

SCRep. 860-82 Energy, Ecology and Environmental Protection and Water, Land Use, Development and Hawaiian Affairs on H.R. No. 143

The purpose of this resolution is to request that the Department of Planning and Economic Development provide to the House of Representatives a report detailing how the State will ensure that the people of Puna are provided an opportunity to participate meaningfully

in the decision-making process regarding the development of geothermal energy within that district.

Your Committees find that developing a specific strategy, including provisions to obtain appropriate input and recommendations from concerned Puna residents, would be helpful in monitoring and ameliorating the social and environmental impact of geothermal development in that area.

Your Committees on Energy, Ecology and Environmental Protection and Water, Land Use, Development and Hawaiian Affairs concur with the intent and purpose of H.R. No. 143 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees.

SCRep. 861-82 Consumer Protection and Commerce on H.C.R. No. 121

The purpose of this concurrent resolution is to authorize a study of certain programs created under Chapters 486, 486D and 292, Hawaii Revised Statutes, presently under the jurisdiction of the Board and Department of Agriculture, for the purpose of determining whether the programs should be transferred to the Department of Regulatory Agencies.

Your Committee notes that H.B. No. 2558-82 consolidated the three above mentioned chapters into one chapter to be administered under the Board of Agriculture. Your Committee feels, however, that in light of the recommendations of the Commission on Organization of Government that all regulatory and consumer protection oriented programs be transferred to the Department of Regulatory Agencies, the matter should be reviewed prior to action as suggested by H.B. No. 2558-82.

A correction with respect to the administration of the Division of Weights has been added to the concurrent resolution.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of H.C.R. No. 121, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 121, H.D. 1.

Signed by all members of the Committee except Representative Chun.

SCRep. 862-82 Education on H.C.R. No. 129

The purpose of this resolution is to request the Board of Education to evaluate, refine, and update the Superintendent's Procedure 75-42 relating to staffing guidelines for special education classes, to conform such guidelines to better meet the requirements of P.L. 94-142, Chapter 301, Hawaii Revised Statutes, the Department of Education's Rule 49, and any other legal mandates or nationally approved requirements; and to submit a report of its findings and recommendations twenty days prior to the convening of the 1983 Regular Session.

Your Committee finds that present staffing guidelines were drafted prior to the effective date of P.L. 94-142 and the promulgation of corresponding federal regulations. A study of the department's staffing guidelines will address the needs of students and teachers which should result in optimum learning and teaching conditions. Your Committee believes this review will also prove useful in determining whether present regulations are appropriate or whether they require revision.

Your Committee further finds that special education teachers, administrators, support personnel and related advocacy organizations should be consulted in this comprehensive review process. Therefore, your Committee has amended the concurrent resolution by adding a "BE IT FURTHER RESOLVED" paragraph that outlines the need for such consultation.

Your Committee on Education concurs with the intent and purpose of H.C.R. 129, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. 129, H.D. 1.

Signed by all members of the Committee.

SCRep. 863-82 Education on H.R. No. 285

The purpose of this resolution is to request the Board of Education to evaluate, refine, and update the Superintendent's Procedure 75-42 relating to staffing guidelines for special education classes, to conform such guidelines to better meet the requirements of P.L. 94-142, Chapter 301, Hawaii Revised Statutes, the Department of Education's Rule 49, and any other legal mandates or nationally approved requirements; and to submit a report of its findings and recommendations twenty days prior to the convening of the 1983 Regular Session.

Your Committee finds that present staffing guidelines were drafted prior to the effective date of P.L. 94-142 and the promulgation of corresponding federal regulations. A study of the department's staffing guidelines will address the needs of students and teachers which should result in optimum learning and teaching conditions. Your Committee believes this review will also prove useful in determining whether present regulations are appropriate or whether they require revision.

Your Committee further finds that special education teachers, administrators, support personnel and related advocacy organizations should be consulted in this comprehensive review process. Therefore, your Committee has amended the resolution by adding a "BE IT FURTHER RESOLVED" paragraph that outlines the need for such consultation.

Your Committee on Education concurs with the intent and purpose of H.R. 285, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. 285, H.D. 1.

Signed by all members of the Committee.

SCRep. 864-82 Education on H.R. No. 286

The purpose of this resolution is to request that the University of Hawaii and the Department of Education prepare a comprehensive report that includes a study of the project's overall effectiveness and possible alternative sources of funds for Project Ho'okoho, and to submit the findings and recommendations to the Legislature 90 days prior to the convening of the Regular Session of 1983.

Your Committee finds that P.L. 94-142 emphasizes the importance of adequately trained personnel to meet the educational needs of handicapped students both in regular and special education classrooms. Project Ho'okoho is designed to provide an opportunity for personnel to gain additional expertise and training through an easily accessed program.

Your Committee believes that the placement of handicapped students in the least restrictive environment in our schools requires on-going training in competencies related to their education. Your Committee therefore agrees that we must insure that in service training programs are available to all personnel engaged in the education of handicapped children.

Your Committee further finds that considering cutbacks in federal funds and the state's limited financial resources, a comprehensive study of the project's overall effectiveness is necessary in order to evaluate and deliver the merit of continuing the project as well as investigating other possible sources of funds. In addition, your Committee has amended the resolution such that the comprehensive report includes a study of the comparative effectiveness of other available options that provide in service training program for Department of Education teachers, administrators, and support personnel.

Your Committee has also amended the resolution such that the Department of Education submit their report to the Legislature 20 days prior to the convening of the Regular Session of 1983.

Your Committee on Education concurs with the intent and purposes of H.R. No. 286 as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 286, H.D. 1.

Signed by all members of the Committee.

SCRep. 865-82 Judiciary on S.C.R. No. 42 (Majority)

The purpose of this resolution is to urge the United States Congress to enact legislation

establishing a United States Academy of Peace and to ask the President of the United States to give his full support to this Academy of Peace.

Rapid technological advances, particularly in the area of nuclear weaponry, have armed competing nations with a destructive capacity to destroy all of mankind many times over. Institutions such as university-level military academies and the National Academy of Sciences have contributed to the further development of expertise in the area of war strategy. The concept of an Academy of Peace presents an alternative to dealing with the increasing threat of worldwide violence.

The Honorable Spark M. Matsunaga of Hawaii, with 52 bipartisan U.S. Senators, has introduced legislation which would provide for the establishment of a United States Academy of Peace. The proposed Academy would be an independent institution specifically emphasizing three main functions: 1) to train Americans and other persons in the art of conflict resolution and mediation; 2) to undertake research; and 3) to initiate information services promoting peacemaking, thereby increasing public awareness of the problems and possible solutions for world peace.

Your Committee has been informed that conflict resolution through non-violent means requires much specialized knowledge. The Academy will recruit and train Americans and other mediators who can help resolve sensitive international disputes, to prepare persons for the delicate tasks of dealing with international tension and imminent hostilities, and to develop creative statesmanship to promote peaceful interchange of international understanding. By conducting research on an international level, the Academy will further be able to join practical experience with new skills and knowledge in arriving at innovative alternative approaches to the resolution and prevention of international conflicts.

Finally, your Committee believes that the passage of this resolution is vital to support federal legislation to create the Academy of Peace.

Your Committee on Judiciary concurs with the intent and purpose of S.C.R. No. 42, S.D. 1, and recommends its adoption.

Signed by all members of the Committee.
(Representative Liu did not concur.)

SCRep. 866-82 Agriculture on H.R. No. 245 (Majority)

The purpose of this resolution is to relieve the sugar industry along Hawaii's Hilo coast of the financial burden involved in complying with water quality standards set by the Environmental Protection Agency and the Department of Health.

Sugar cane farmers along the Hilo coast of Hawaii used \$17.2 million between 1972 and 1976 to fund pollution abatement projects, adding to production costs which have contributed to the largest losses in history for the Hawaiian sugar industry in 1981. The high costs required to clean mill waste-water have resulted in very minimal environmental benefits to the Hilo coast. The coast is rocky, cliff-lined, has strong ocean currents, and is too dangerous for coastal recreation and is hardly accessible to the public. Thus, the costs involved far outweigh any environmental benefits gained from meeting the present water quality standards.

The sugar industry on the Hilo coast has incurred an annual operating cost of \$1.33 million in reducing discharge of soil into the ocean to 7,500 tons per year. In comparison, rainfall continues to cause muddy water to drain into the ocean, carrying with it upwards of 90,000 tons of soil per year along the same stretch of coastline. Furthermore, the mud and trash pose no health hazard to humans and little, if any, to ocean habitat.

The legislature is currently attempting to aid the sugar industry through its consideration of several measures, all of which create cost or loss of revenue to the State. This resolution, if successful in influencing the Department of Health and the United States Environmental Protection Agency to reduce water quality standards along the Hilo coast, would substantially reduce the costs of the sugar industry at no cost to the State.

Your Committee strongly agrees with testimony received from the Hilo Coast Processing Company in support of this resolution.

Your Committee has generally amended this resolution in accord with the recommendation of the Hilo Coast Processing Company to clarify the purpose as follows:

1) The fourth "WHEREAS" clause of this resolution has been made the opening paragraph of the proposed H.D. 1 and the word "financial" has been inserted after the word "largest".

2) A new paragraph has been added to be the second "WHEREAS" clause of the proposed H.D. 1 to read:

"WHEREAS, continued losses projected for the next four years threaten the continuance of the sugar industry; and"

3) The seventh "WHEREAS" clause of this resolution has been re-worded for clarification purposes.

4) The "BE IT RESOLVED" clause has been amended by inserting the phrase "reducing or" after the word "consider".

Your Committee on Agriculture concurs with the intent and purpose of H.R. No. 245, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 245, H.D. 1.

Signed by all members of the Committee.
(Representative Baker did not concur.)

SCRep. 867-82 Public Assistance and Human Services on H.R. No. 248

The purpose of this resolution as received by your Committee is to request the Department of Health to urge the U.S. Veterans Administration to conduct a study on the feasibility of establishing veterans homes on the islands of Hawaii, Maui, and Kauai.

The Department of Health supported this resolution and testified to the need for conducting a feasibility study for establishing care homes for veterans in the State.

The following changes clarify the intent of establishing care homes for veterans of the United States Armed Services: (1) deleting "STATE" from the title and inserting "U.S." in the title; (2) deleting "state" from the fourth "WHEREAS" clause; and (3) deleting a "a Hawaii state veterans home" and inserting "U.S. veterans homes" in the fifth "WHEREAS" clause.

Your Committee has decided to expand the study to include the entire State. Therefore, this change is reflected in the title by deleting "on the islands of Hawaii, Maui, and Kauai" and inserting "in the State of Hawaii". In addition, the words "in the islands of Hawaii, Maui, and Kauai" have been deleted in the seventh "WHEREAS" clause and replaced with "on each of the islands".

Your Committee has chosen to broaden the feasibility study beyond the intermediate level of nursing and domiciliary care for veterans. Therefore, the words "intermediate care" have been deleted from the seventh "WHEREAS" clause.

Your Committee has amended the "BE IT RESOLVED" clause by deleting "Department of Health is requested to urge the United States Veterans Administration to conduct a study on the feasibility of establishing veterans homes on the islands of Hawaii, Maui, and Kauai". The following has been substituted for the deletion: "Legislative Reference Bureau update its earlier studies relating to the feasibility of establishing long term care facilities for veterans in the State, seeking the assistance of the U.S. Veterans Administration, the Department of Social Services and Housing's Veterans' Affairs Unit, the Department of Health, the Hawaii State Veterans Council, and others as appropriate".

Corresponding to these changes, the Department of Health will no longer be requested to submit a report to the 1983 Legislature on the actions of the U.S. Veterans Administration. Instead, the Legislative Reference Bureau will be requested to submit a report of its findings and recommendations.

Certified copies of this resolution will be sent to the Directors of the Legislative Reference Bureau, U.S. Veterans Administration, Department of Social Services and Housing, Department of Health, the President of the Hawaii State Veterans Council, and Hawaii's Congressional delegation.

Your Committee on Public Assistance and Human Services concurs with the intent and purpose of H.R. No. 248, as amended herein, and recommends its adoption in the

form attached hereto as H.R. No. 248, H.D.1.

Signed by all members of the Committee.

SCRep. 868-82 Health on H.R. No. 232

The purpose of this resolution is to recognize April 1982 as Cancer Control Month.

Your Committee finds that cancer remains a major killer of persons of all ages, striking one out of every four persons in the State. It is important that people throughout the State know cancer's warning signs, develop good health habits, and have periodic physical checkups.

The American Cancer Society and its thousands of volunteers are fighting cancer through research, education, and service and are bringing lifesaving information and hope to the people in the State.

Your Committee on Health concurs with the intent and purpose of H.R. No. 232 and recommends its adoption.

Signed by all members of the Committee except Representative Wong.

SCRep. 869-82 Health on H.C.R. No. 111

The purpose of this concurrent resolution is to recognize April 1982 as Cancer Control Month.

Your Committee finds that cancer remains a major killer of persons of all ages, striking one out of every four persons in the State. It is important that people throughout the State know cancer's warning signs, develop good health habits, and have periodic physical checkups.

The American Cancer Society and its thousands of volunteers are fighting cancer through research, education, and service and are bringing lifesaving information and hope to the people in the State.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 111 and recommends its adoption.

Signed by all members of the Committee except Representative Wong.

SCRep. 870-82 Finance on S.B. No. 2180-82

The purpose of this bill is to require applicants for and recipients of medical assistance to assign any benefits resulting from a third party liability to the Department of Social Services and Housing. The Department is required to apply the rights or amounts assigned to the cost of medical care incurred by the applicants or recipients.

Applicants for and recipients of medical assistance are not required to make assignments of benefits from third party liability to the Department. The Department makes requests for assignments, but some recipients of medical assistance refuse to make the assignments.

Requiring applicants for and recipients of medical assistance to assign benefits from third party liability to the Department has the potential of reducing the State's expenditure for medical assistance. In most cases, benefits are awarded when the persons suffer physical injury. Under current law, recipients of medical assistance who suffer injury from third party omissions or acts, who are awarded benefits because of the liability of the third party, and who have not assigned the benefits to the Department are not required to use the award for payment of medical care. Under this bill, the benefits are required to be applied to the cost of medical care, which cost may otherwise have to be borne by the Department.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2180-82, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 871-82 Finance on S.B. No. 2869-82

The purpose of this bill is to clarify for state and federal tax purposes only, that parents and guardians are not required to pay for private school education and post-high school education to the extent that their minor child has property or other financial resources which may be applied to tuition and related costs of such education. The bill is not intended to limit in any way, the power of the Family Court to compel the parties in a divorce or separation to provide for the education of a minor or an adult child.

Income earned by a trust and used for a beneficiary's educational expenses will be taxed as income to the trustor-parent to the extent that the trustor-parent is legally obligated to provide such education to that beneficiary. The Internal Revenue Service has determined that the question of whether a parent has a legal obligation of support to provide private school or post-high school education is a matter of state law. The resolution of this question by this bill will mean that the income earned by or attributable to the child would be taxed to the child and not to the parents.

The establishment of trusts or gifts of income-assets devoted exclusively to a child's education are traditional methods to provide more funds to meet the rising costs of education. The impact on state revenues would be negligible since only a limited number of these trusts are set up and the income therefrom will still be taxed to the child.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2869-82, S.D. 2 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 872-82 Finance on S.B. No. 2160-82

The purpose of this bill is to allow any state agency to contract with bonded collection agencies for the collection of delinquent accounts.

Presently there are a large number of unpaid debts outstanding to the State of Hawaii. These include, among other things, taxes, lease rents, and license fees. The ability to collect on these debts could constitute a major contribution to state revenues. This bill would allow the director or chairperson of each state agency to retain a qualified collection agency bonded under HRS chapter 443A to collect delinquent moneys.

The Department of Taxation urges enactment of this bill.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2160-82, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 873-82 Finance on S.B. No. 2919-82

The purpose of this bill is to allow system wide financing of special purpose revenue bonds issued to assist health care facilities.

The present language casts doubt on the ability of a Hawaii health care facility to participate in system wide financing. If allowed, system wide financing provides enhanced security for the bonds and would therefore result in lower interest rates on such bonds.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2919-82, S.D. 1 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 874-82 Finance on S.B. No. 2643-82

The purpose of this bill is to amend section 87-22.5, Hawaii Revised Statutes, to change the term "employees" to "employee-beneficiaries", and to restore the deleted portion whereby the surplus from the health fund would remain with the dental plan.

Your Committee is in agreement with the intent of the bill in inserting "employee-

beneficiaries" for "employees" which testimony supports as an oversight. The intent of the Health Fund Law, Chapter 87, Hawaii Revised Statutes, was to have the term "employee-beneficiaries" so as to protect the children under the age of 19 of deceased retired employees and those of employees who are killed in the performance of duty.

Act 61, Session Laws of Hawaii, which recently became Section 87-22.5, Hawaii Revised Statutes, permits the Health Fund to transfer the Children's Dental Plan subsidy to a participating employee organization that has a children's dental plan. Your Committee agrees that the surplus funds from the Health Fund should remain with the Dental Plan to be used to purchase benefits.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2643-82, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 875-82 Finance on S.B. No. 2600-82

The purpose of this bill is to amend section 89-4, Hawaii Revised Statutes, by clarifying the implementation process of Act 180 which relates to the deduction of regular dues and service fees for collective bargaining in public employment.

The present system requires the employer to deduct from the payroll of every member employee of an exclusive bargaining representative the amount of regular dues required of its members after receiving a written statement from an exclusive bargaining representative specifying the amount of regular dues required of its members and to remit the amount to the exclusive bargaining representative only upon written authorization of the member employee.

The bill would eliminate the requirement of a written authorization of all members and nonmembers, and the original intent was to make it mandatory to obtain written authorization only from new employees covered by collective bargaining units, and would eliminate a tremendous amount of paperwork and administrative costs that would have to be borne by the employee organizations. The bill would also provide for the termination of payroll deductions of both members and non-members when the employee organization is no longer the exclusive representative.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2600-82, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 876-82 Finance on S.B. No. 2297-82

The purpose of this bill is to provide a second law clerk for each judge of the intermediate appellate court.

The intermediate appellate court, which began operation on April 28, 1980, has made a significant impact upon the appellate case backlog, reducing the number of pending cases from 828 at the end of fiscal year 1979-80 to 698 by the end of fiscal year 1980-81. Presently, each judge issues a written opinion approximately every three and a half working days. A second law clerk for each judge will appreciably increase the output and the productivity of the court.

The addition of a law clerk is an alternative previously recommended by the National Center for State Courts in response to the ever-growing backlog of appeals prior to the establishment of the intermediate court of appeals. The addition of more judges was recommended only after increasing caseloads absorbed the productivity gains provided by the additional law clerks.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2297-82, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 877-82 Finance on S.B. No. 2198-82

The purpose of this bill is to appropriate moneys for the court-ordered payment

of retroactive salary increases and adjusted fringe benefits for certain public officers and employees who are excluded from collective bargaining.

The Circuit Court, in *PEMAH, et al, v. State of Hawaii, et al*, (Civil No. 65791), found that Section 89C-2, Hawaii Revised Statutes, which limits the salaries of certain public officers and employees who are excluded from collective bargaining to ninety-five per cent of the salaries of their departments' first assistants or deputy directors or the president of the University of Hawaii, as the case maybe, to be unconstitutional. The court's judgment also awarded back pay and required commensurate adjustments of fringe benefits for the excluded officers and employees for the period beginning May 26, 1979 to June 30, 1981.

The Attorney General's Office has indicated that the court's ruling did not include provisions for the payment of interest on the retroactive settlement, therefore none is required.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2198-82 and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 878-82 Finance on S.B. No. 2173-82

The purpose of this bill is to exclude deferred compensation from the computation of state income taxes.

At present, only federal income taxes are excluded in computing deferred compensation. This bill proposes to provide that compensation which is deferred pursuant to a plan established under this chapter shall not be included in the computation of federal or state income taxes withheld on behalf of any participating employee.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2173-82, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 879-82 Finance on S.B. No. 2607-82

The purpose of this bill is to amend chapters 77, 78, and 89C, Hawaii Revised Statutes, by deleting the limitations on the salaries of excluded and other public officers and employees.

Presently the statutes provide for salary limitations of excluded employees from exceeding 95 per cent of the salaries of the first deputies or first assistants. These limitations were found to be unconstitutional and inconsistent with the doctrine of the merit principles. Repeal of these limitations will conform with the court ruling in *PEMAH v. Ariyoshi, et al.*, Civil No. 66791, First Circuit Court, State of Hawaii.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2607-82, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 880-82 Finance on S.B. No. 2756-82 (Majority)

The purpose of this bill is to provide that Admission Day holiday shall be celebrated on Tuesday, August 21, 1984 instead of the regularly designated third Friday of August. This holiday shall apply to the year 1984, only, in celebration of the 25th Anniversary of Hawaii's statehood.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2756-82, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.
(Representative Marumoto did not concur.)

SCRep. 881-82 Water, Land Use, Development and Hawaiian Affairs on H.C.R.
No. 98

The purpose of this resolution is to request the governor of the State of Hawaii with cooperation of the appropriate state departments and in concert with the appropriate federal departments to conduct a feasibility study to determine the optimum location and configuration of a World Peace Center in Hawaii.

Your Committee received favorable testimony from various groups and individuals who are hopeful that the establishment of such a center in Hawaii would result in increased economic prosperity for the people of Hawaii, as well as be a place where international ideas on methods of preserving peace and brotherhood could be exchanged.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 98 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Morioka,
Hirono and Monahan.

SCRep. 882-82 Judiciary on H.R. No. 249

The purpose of this resolution is to request that the Legislative Auditor conduct a detailed study to: 1) determine and identify the problems inherent in, and caused by, the dual system of recordation of real property documents and transactions now employed by the Bureau of Conveyances and 2) determine whether any alternative procedures are available and feasible for implementation.

Under current statutes, the Assistant Registrar of the Land Court is responsible for the recordation of information relating to real property subject to the jurisdiction of the Land Court; this recordation is maintained in a Land Court Certificate of Title. The Registrar of Conveyances is responsible for the recordation of land title information contained in all other deeds and documents received by the Bureau of Conveyances; this recordation is maintained in various different volumes, indexes, and offices. Your Committee believes that a study is needed to determine whether information affecting land title can be recorded in a more centralized and accessible manner.

Your Committee has amended the resolution to reflect the updated status of H.B. No. 2866-82, H.D. 1, as H.B. No. 2866-82, H.D. 1, S.D. 1. This pending legislation would permit funds now contained in the Real Estate Education Fund to be used for the study requested by this resolution. Other technical, non-substantive amendments have also been made.

Your Committee on Judiciary is in accord with the intent and purpose of H.R. No. 249, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 249, H.D. 1.

Signed by all members of the Committee.

SCRep. 883-82 Judiciary on H.C.R. No. 116

The purpose of this concurrent resolution is to request that the Legislative Auditor conduct a detailed study to: 1) determine and identify the problems inherent in, and caused by, the dual system of recordation of real property documents and transactions now employed by the Bureau of Conveyances and 2) determine whether any alternative procedures are available and feasible for implementation.

Under current statutes, the Assistant Registrar of the Land Court is responsible for the recordation of information relating to real property subject to the jurisdiction of the Land Court; this recordation is maintained in a Land Court Certificate of Title. The Registrar of Conveyances is responsible for the recordation of land title information contained in all other deeds and documents received by the Bureau of Conveyances; this recordation is maintained in various different volumes, indexes, and offices. Your Committee believes that a study is needed to determine whether information affecting land title can be recorded in a more centralized and accessible manner.

Your Committee has amended the concurrent resolution to reflect the updated status of H.B. No. 2866-82, H.D. 1, as H.B. No. 2866-82, H.D. 1, S.D. 1. This pending

legislation would permit funds now contained in the Real Estate Education Fund to be used for the study requested by this concurrent resolution. Other technical, non-substantive amendments have also been made.

Your Committee on Judiciary is in accord with the intent and purpose of H.C.R. No. 116, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 116, H.D. 1.

Signed by all members of the Committee.

SCRep. 884-82 Water, Land Use, Development and Hawaiian Affairs and Agriculture on H.R. No. 71

The purpose of this resolution is to request the Board of Land and Natural Resources, in cooperation with the Department of Agriculture, to develop short- and long-range plans for water resources for the Kamuela area, and to plan for the construction of a reservoir to satisfy the immediate and future irrigation needs of the agricultural industry in the Kamuela area.

Your Committees received testimony in favor of the resolution from the Departments of Land and Natural Resources and Agriculture, and from the Hawaii Farm Bureau Federation. During periods of drought, farmers in the Kamuela area have lost thousands of pounds of produce due to the shortage of water. A plan to alleviate the problem would save crops that would otherwise be lost in dry periods.

Your Committees on Water, Land Use Development and Hawaiian Affairs and on Agriculture concur with the intent and purpose of H.R. No. 71 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees except Representative Morioka.

SCRep. 885-82 Water, Land Use, Development and Hawaiian Affairs on H.R. No. 194

The purpose of this resolution is to request the Department of Land and Natural Resources to conduct a study of alternative plans for the acquisition of the Lanihau Iki/Kuka'ilimoku property abutting the state park at Old Kona Airport to include the property in the park.

Your Committee received testimony favorable to the resolution from residents of the area who are concerned that residential development of the property may interfere with recreational activities in the park. James Greenwell, president of Lanihau Corporation, owners of the property, indicated that he would discuss exchange possibilities with State officials.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 194 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Matsuura, Morioka, Takamine and Monahan.

SCRep. 886-82 Water, Land Use, Development and Hawaiian Affairs on H.R. No. 63

The purpose of this resolution is to encourage the Department of Land and Natural Resources to inquire into the desirability of promulgating a new administrative rule establishing a shoreline fisheries management area on part or parts of Maui to promote the availability of fertile fishing areas on the island of Maui.

Your Committee received favorable testimony on the resolution from the Department of Land and Natural Resources. Maui residents are concerned about the potential decline of fishing reserves and the resultant decline of public fishing. The establishment of a shoreline fisheries management area on Maui similar to the Waikiki-Diamond Head Shoreline Fisheries Management Area on Oahu would aid in assessing the need of such areas to preserve and foster the existing fishing reserves on the island of Maui.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with

the intent and purpose of H.R. 63 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Morioka.

SCRep. 887-82 Water, Land Use, Development and Hawaiian Affairs on H.R. No. 59

The purpose of this resolution is to request the Department of Land and Natural Resources to conduct a study on the acquisition of the Kamalumu site near Kailua-Kona, Hawaii, for a state park.

Your Committee received favorable testimony from the Office of the Lieutenant Governor and from the Friends of Kamo Point, who are concerned that development of the site would result in a loss of dignity in a location that throughout Hawaii's history had been a place of religious and cultural activities.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 59 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Matsuura, Morioka, Takamine and Monahan.

SCRep. 888-82 Energy, Ecology and Environmental Protection on H.R. No. 171

The purpose of this resolution is to request the Director of the Department of Health to establish a special committee to investigate the possible recycling and re-use of wastewater through alternative and innovative treatment systems applicable to Hawaii's needs and environment. The objective of the committee is to develop systems which will be effective, use less water and re-use the water which it does use.

Presently, the federal Clean Water Act of 1977 provides for supplemental construction grant funds for state approved wastewater treatment system projects. Since federal funds are available for the development and construction of innovative and alternative wastewater systems and since water is one of Hawaii's primary and finite resources, methods to save or re-use this water should be investigated, and if possible, implemented. The special committee will be responsible for investigating wastewater systems which are appropriate for Hawaii and will qualify for available federal funds.

The committee is to include representatives of the state Departments of Health, Agriculture, Land and Natural Resources, Planning and Economic Development, the Water Resources Research Center at the University of Hawaii, the Oceanic Institute and, if possible, representatives from the counties and private industry.

Your Committee has amended the fourth "BE IT RESOLVED" paragraph to include hydroponics, the growing of crops without soil, as another wastewater re-use area to be included for consideration by the special committee.

Your Committee on Energy, Ecology and Environmental Protection concurs with the intent and purpose of H.R. No. 171, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 171, H.D. 1.

Signed by all members of the Committee.

SCRep. 889-82 Youth and Elderly Affairs on H.R. No. 290

The purpose of this resolution is to study the feasibility of establishing a statewide child care resource and referral system and child care training component program for providers and families.

Your Committee received numerous testimony in support of this resolution. The establishment of a statewide system would be helpful in providing consumers and providers of child care with quality programs and coordinated training services.

Your Committee finds it would be important that the University of Hawaii along with the Community College system provide assistance in the assessment and development of plans for the child care training component.

Your Committee also requests that the Department of Education provide the necessary assistance in completing this study.

Your Committee on Youth and Elderly Affairs concurs with the intent and purpose of H.R. 290 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 890-82 Public Employment and Government Operations on H.R. No. 222

The purpose of this resolution is to request the Personnel Directors of the State and Counties and the Administrative Director of the Courts to carry out a comprehensive review of selected chapters of Title 7, Hawaii Revised Statutes, relating to Public Officers and Employees.

The resolution contends that many of the statutory provisions on wages, hours, benefits and terms and conditions of employment found in Chapters 76, 77, 78, 79, and 80 are no longer applicable to employees included in collective bargaining. This is because the provisions contained in the collective bargaining agreements as authorized by Chapter 89 are in conflict with statutory provisions established in these Chapters and that contract language prevails over conflicting statutory provisions. The same conditions prevail with regard to Chapter 89C which addresses the wages, hours, benefits and terms and conditions of employment for excluded employees.

Your Committee heard testimony from the State Personnel Director, the City and County and the HGEA, all of which were in support of this comprehensive review.

Your Committee on Public Employment and Government Operations concurs with the intent and purpose of H.R. No. 222 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 891-82 Public Employment and Government Operations on H.R. No. 221

The purpose of this resolution is to direct the Trustees of the Employees' Retirement System of the State of Hawaii to regularly disseminate all reports relating to the retirement funds of the system to the Legislature, to public employee unions, and to any public employee who is a member of the retirement system who may request them.

The Trustees of the Retirement System publishes annual reports on the system's financial status, or on the investment returns and the disposition of such returns to the funds and to the general fund of the State. Your Committee finds that the dissemination on a regular basis of these reports to the Legislature and to public employee unions is sometimes lacking. Providing detailed information relating to the status, operations, and financial input and output of the system to all members may not be feasible. Members, however, are able to examine all reports pertaining to their retirement system upon their request.

Therefore, your Committee has amended the "BE IT RESOLVED" paragraph in the resolution to read: "BE IT RESOLVED by the House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, that the Board of Trustees or the Employees' Retirement System of the State of Hawaii is directed to disseminate, on a regular and continuing basis, all reports containing statistical data concerning the retirement fund to the Legislature and public employee unions".

Your Committee on Public Employment and Government Operations concurs with the intent and purpose of H.R. No. 221 as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 221, H.D. 1.

Signed by all members of the Committee.

SCRep. 892-82 Public Employment and Government Operations on H.R. No. 166

The purpose of this resolution is to request a review of procedures, policies, standards, and appeal rights to the adoption of compensation plans for blue-collar and white-collar classes covered under Sections 77-5 and 77-13, Hawaii Revised Statutes.

Several statutory changes affecting compensation have occurred subsequent to the enactment of Section 77-4 (Act 188, Session Laws of Hawaii 1961) governing the adoption of the compensation plans. Testimonies given by the Department of Personnel Services, State of Hawaii, and the Department of Civic Service, City and County of Honolulu support a review to re-evaluate, update, and recommend technical changes to those portions of the compensation law as deemed appropriate.

Your Committee on Public Employment and Government Operations concurs with the intent and purpose of H.R. No. 166 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 893-82 Public Employment and Government Operations on H.C.R. No. 108

The purpose of this concurrent resolution is to approve the report of the biennial review of the Compensation Plans of the State, Judiciary and Counties by the Conference of Personnel Directors and the Public Employees Compensation Appeals Board, including the costs of any adjustments effective July 1, 1982, in accordance with Sections 77-4 and 77-5, Hawaii Revised Statutes.

The review of the Compensation Plans has been conducted since 1961, first on an annual basis and now on a biennial basis. The current review examines the pricing relationships of all classes in the State, Judiciary and several counties.

Upon adoption of this concurrent resolution and the appropriation of funds, the pay adjustments, as adopted by the Public Employees Compensation Appeals Board, will be implemented by the State and counties effective July 1, 1982.

Your Committee on Public Employment and Government Operations concurs with the intent and purpose of H.C.R. No. 108 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 894-82 Public Employment and Government Operations on H.C.R. No. 107

The purpose of this concurrent resolution, as received by your Committee, is to direct the Conference of Personnel Directors and the Public Employees Compensation Appeals Board to immediately conduct a joint review comparing the compensation plans for the secretarial classes in public sector employment in Hawaii (State civil service, including the Judiciary branch; the State Department of Education; and the City and County of Honolulu) with a view toward achieving parity in the compensation plans and to recommend to the Legislature affirmative actions to correct any inequities within the secretarial classes in such public sector employment.

After duly considering the various testimonies received on this resolution and reviewing the pertinent parts of the Public Employees Compensation Appeals Board's "Report of Findings on Adjustments to the Compensation Plan 1981" (report dated January 8, 1982 and issued pursuant to the public sector compensation law, Chapter 77, Hawaii Revised Statutes), your Committee has amended the resolution so that the amended purpose, as reflected in the redrafted "Be it resolved" clause, is as follows: to direct the Conference of Personnel Directors "to review and update the 'Instructions for the Interpretation of the Series and Class Specifications for the Secretary Series and Private Secretary Series,' dated March 17, 1975, to fit the 1980 classification specifications or standards for secretaries--as recommended on page 7 of the PECAB's 'Report of Findings on Adjustments to the Compensation Plan 1981'--with the objective of remedying any inequities which may have resulted from the consolidation of five secretary classes into four classes and the resulting 'automatic' downgrading of about 100 Secretary IIIs to Secretary IIs".

As background to the above-indicated amended purpose and "Be it resolved" clause, your Committee notes, as indicated in part on pages 6-7 of the above-cited PECAB report and as stated in two new "Whereas" clauses added to the resolution:

(1) The Conference of Personnel Directors promulgated in 1980 a new standard or class specifications for secretaries which consolidated five classes of secretaries, Secretary I to V, into four classes of secretaries, resulting in the "automatic" downgrading

of approximately 100 Secretary III positions to Secretary II status .

(2) The Public Employees Compensation Appeals Board (PECAB), in its "Report of Findings on Adjustments to the Compensation Plan 1981," indicates that although the Board denied an appeal by or involving the four new classes of secretaries to resolve claimed inequities between these series of classes and those of School Administrative Services Assistants, the Board recommended that "it believes that the 'Instructions for the Interpretation of the Series and Class Specifications for the Secretary Series and Private Secretary Series,' dated March 17, 1975, should be updated to fit the 1980 classification specifications".

Because the primary purpose and thrust of the resolution have been amended, your Committee has also found it necessary to amend the resolution in the following additional respects:

(1) The title of the resolution has been amended to read: "DIRECTING THE CONFERENCE OF PERSONNEL DIRECTORS TO REVIEW AND UPDATE THE 'INSTRUCTIONS FOR THE INTERPRETATION OF THE SERIES AND CLASS SPECIFICATIONS FOR THE SECRETARY SERIES AND PRIVATE SECRETARY SERIES.'"

(2) The first "Whereas" clause in the original resolution has been deleted.

(3) The first two "Be it further resolved" clauses in the original resolution have been deleted and replaced with a new "Be it further resolved" clause which directs the Conference of Personnel Directors to submit its findings and recommendations to the Legislature and the Public Employees Compensation Appeals Board twenty days prior to the convening of the Regular Session of 1983.

(4) The last "Be it further resolved" clause, relating to the transmittal of certified copies, has been appropriately amended.

Your Committee on Public Employment and Government Operations concurs with the intent and purpose of H.C.R. No. 107, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 107, H.D. 1.

Signed by all members of the Committee.

SCRep. 895-82 Public Employment and Government Operations on H.R. No. 223

The purpose of this resolution, as received by your Committee, is to direct the Conference of Personnel Directors and the Public Employees Compensation Appeals Board to immediately conduct a joint review comparing the compensation plans for the secretarial classes in public sector employment in Hawaii (State civil service, including the Judiciary branch; the State Department of Education; and the City and County of Honolulu) with a view toward achieving parity in the compensation plans and to recommend to the Legislature affirmative actions to correct any inequities within the secretarial classes in such public sector employment.

After duly considering the various testimonies received on this resolution and reviewing the pertinent parts of the Public Employees Compensation Appeals Board's "Report of Findings on Adjustments to the Compensation Plan 1981" (report dated January 8, 1982 and issued pursuant to the public sector compensation law, Chapter 77, Hawaii Revised Statutes), your Committee has amended the resolution so that the amended purpose, as reflected in the redrafted "Be it resolved" clause, is as follows: to direct the Conference of Personnel Directors "to review and update the 'Instructions for the Interpretation of the Series and Class Specifications for the Secretary Series and Private Secretary Series,' dated March 17, 1975, to fit the 1980 classification specifications or standards for secretaries--as recommended on page 7 of the PECAB's 'Report of Findings on Adjustments to the Compensation Plan 1981'--with the objective of remedying any inequities which may have resulted from the consolidation of five secretary classes into four classes and the resulting 'automatic' downgrading of about 100 Secretary IIIs to Secretary IIs".

As background to the above-indicated amended purpose and "Be it resolved" clause, your Committee notes, as indicated in part on pages 6-7 of the above-cited PECAB report and as stated in two new "Whereas" clauses added to the resolution:

(1) The Conference of Personnel Directors promulgated in 1980 a new standard

or class specifications for secretaries which consolidated five classes of secretaries, Secretary I to V, into four classes of secretaries, resulting in the "automatic" downgrading of approximately 100 Secretary III positions to Secretary II status.

(2) The Public Employees Compensation Appeals Board (PECAB), in its "Report of Findings on Adjustments to the Compensation Plan 1981," indicates that although the Board denied an appeal by or involving the four new classes of secretaries to resolve claimed inequities between these series of classes and those of School Administrative Services Assistants, the Board recommended that "it believes that the 'Instructions for the Interpretation of the Series and Class Specifications for the Secretary Series and Private Secretary Series,' dated March 17, 1975, should be updated to fit the 1980 classification specifications".

Because the primary purpose and thrust of the resolution have been amended, your Committee has also found it necessary to amend the resolution in the following additional respects:

(1) The title of the resolution has been amended to read: "DIRECTING THE CONFERENCE OF PERSONNEL DIRECTORS TO REVIEW AND UPDATE THE 'INSTRUCTIONS FOR THE INTERPRETATION OF THE SERIES AND CLASS SPECIFICATIONS FOR THE SECRETARY SERIES AND PRIVATE SECRETARY SERIES.'" "

(2) The first "Whereas" clause in the original resolution has been deleted.

(3) The first two "Be it further resolved" clauses in the original resolution have been deleted and replaced with a new "Be it further resolved" clause which directs the Conference of Personnel Directors to submit its findings and recommendations to the Legislature and the Public Employees Compensation Appeals Board twenty days prior to the convening of the Regular Session of 1983.

(4) The last "Be it further resolved" clause, relating to the transmittal of certified copies, has been appropriately amended.

Your Committee on Public Employment and Government Operations concurs with the intent and purpose of H.R. No. 223, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 223, H.D. 1.

Signed by all members of the Committee.

SCRep. 896-82 Employment Opportunities and Labor Relations on H.R. No. 208

The purpose of this resolution is to have the Department of Labor and Industrial Relations conduct a comprehensive study on the problem of equality of pay for work of comparable value. This resolution also requests the Department of Labor and Industrial Relations to make recommendations to assure equal pay for work of comparable value.

Your Committee feels that as the resolution now reads, the scope of this requested study is too broad. Your Committee has therefore amended this resolution by requesting the Industrial Relations Center of the University of Hawaii to undertake a preliminary review of the issue of ensuring in Hawaii equal pay for work of comparable value. Your Committee has also amended this resolution by outlining specifically the parameter of this study.

Your Committee on Employment Opportunities and Labor Relations concurs with the intent and purpose of H.R. No. 208 as amended herein, and recommends it be referred to the Committee on Finance in the form attached hereto as H.R. No. 208, H.D. 1.

Signed by all members of the Committee.

SCRep. 897-82 Transportation on H.R. No. 62

The purpose of this resolution is to request the Department of Transportation to conduct a study to determine the needs and costs of improving the highway in the Ka'u area including measures to mitigate flooding and destruction of the highway.

Recent occurrences have mandated the need for action to correct the deficiencies in the highway to correct and prevent dangerous conditions, further exacerbated by

the recent storms.

The study should be completed in time for submittal to the 1983 Legislature, however if time constraints do not allow a completed study to be submitted, a progress report should be submitted, instead.

Your Committee on Transportation concurs with the intent and purpose of H.R. No. 62 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Medeiros.

SCRep. 898-82 Transportation on H.R. No. 165

The purpose of this resolution is to request a study, accessing the effects of the proposed federal cutbacks upon the state highways, harbors, and airports system, as well as to take the necessary steps in formulating a plan of action to prepare for the resulting deficits.

Though federal programs have yet to be finalized, uncertainty with respect to the renewal of the present Federal-aid highway programs expiring September 30, 1982 and federal administration proposals to require local waterway authorities to assume the full cost of harbor improvements, maintenance and construction, and to make the top forty airports in the United States ineligible for federal funds, seriously threaten the operations and well being of the State transportation system.

In light of the precarious nature of federal funding and the major impact federal proposals will have upon the State of Hawaii, close monitoring of the Reagan administration's "New Federalism" plan and its effects are needed not only to insure effective administration of the State transportation system but also to assure the State be prepared for the final outcome.

In a concerted effort, the Director of Transportation, the Director of Finance, the Federal Program Coordinator, and the Hawaii Congressional delegation should thus, monitor the proposed federal programs and submit a report of action, to be taken pursuant to this Resolution, to the Legislature at least twenty (20) days prior to the convening of the 1983 Regular Session.

Your Committee on Transportation concurs with the intent and purpose of H.R. No. 165 and recommends that it be referred the Committee on Finance.

Signed by all members of the Committee except Representative Medeiros.

SCRep. 899-82 Transportation on H.C.R. No. 91

The purpose of this concurrent resolution is to request a study, accessing the effects of the proposed federal cutbacks upon the state highways, harbors, and airports system, as well as to take the necessary steps in formulating a plan of action to prepare for the resulting deficits.

Though federal programs have yet to be finalized, uncertainty with respect to the renewal of the present Federal-aid highway programs expiring September 30, 1982 and federal administration proposals to require local waterway authorities to assume the full cost of harbor improvements, maintenance and construction, and to make the top forty airports in the United States ineligible for federal funds, seriously threaten the operations and well being of the State transportation system.

In light of the precarious nature of federal funding and the major impact federal proposals will have upon the State of Hawaii, close monitoring of the Reagan administration's "New Federalism" plan and its effects are needed not only to insure effective administration of the State transportation system but also to assure the State be prepared for the final outcome.

In a concerted effort, the Director of Transportation, the Director of Finance, the Federal Program Coordinator, and the Hawaii Congressional delegation should thus, monitor the proposed federal programs and submit a report of action, to be taken pursuant to this Concurrent Resolution, to the Legislature at least twenty (20) days prior to the convening of the 1983 Regular Session.

Your Committee on Transportation concurs with the intent and purpose of H.C.R. No. 91 and recommends that it be referred the Committee on Finance.

Signed by all members of the Committee except Representative Medeiros.

SCRep. 900-82 Transportation on H.C.R. No. 137 (Majority)

The purpose of this resolution is to request a management audit and review of the Department of Transportation's Airports Division to ensure efficiency and improve operation of the State airport system.

Your Committee believes that certain problems exist within the operations of the airports system which may have drastic effects on the self-sufficient operation of the State airport programs. These problems include the increasingly large debt service ratio, the reliance on large concession revenues from Duty Free Shoppers and the uncertainties over ceded lands involving the Office of Hawaiian Affairs. Your Committee believes that a management audit and review would provide appropriate recommendations for present management and amendments to the law for the purpose of improving the operations of the airport system.

Your Committee on Transportation concurs with the intent and purpose of H.C.R. No. 137 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Medeiros.
(Representatives Kiyabu and Say did not concur.)

SCRep. 901-82 Transportation on H.R. No. 300 (Majority)

The purpose of this resolution is to request a management audit and review of the Department of Transportation's Airports Division to ensure efficiency and improve operation of the State airport system.

Your Committee believes that certain problems exist within the operations of the airports system which may have drastic effects on the self-sufficient operation of the State airport programs. These problems include the increasingly large debt service ratio, the reliance on large concession revenues from Duty Free Shoppers and the uncertainties over ceded lands involving the Office of Hawaiian Affairs. Your Committee believes that a management audit and review would provide appropriate recommendations for present management and amendments to the law for the purpose of improving the operations of the airport system.

Your Committee on Transportation concurs with the intent and purpose of H.R. No. 300 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Medeiros.
(Representatives Kiyabu and Say did not concur.)

SCRep. 902-82 Transportation on H.R. No. 141

The purpose of this Resolution is to study the possibility of implementing an insurance or bonding procedure applicable to domestic air carriers serving Hawaii.

Recently, public concern has risen due to "overbooking" and "stranding" of airline passengers as a result of the inability of airlines to provide flights as scheduled. This unfavorable publicity may adversely affect tourist traffic to the islands and in turn affect the economy of the State. To address the problem, a special bond is proposed for domestic air carriers to provide funds to house and feed passengers stranded over 18 hours.

Your Committee heard testimony from the Department of Transportation in support of this resolution and recommending amendment to include all airlines. Your Committee had adopted the recommendation to include all airlines as follows:

"WHEREAS, the air carriers involved are domestic air carriers engaged in interstate or foreign operations which service Hawaii, and are both signatories and non-signatories to the existing airport-airline lease; and"

Your Committee has also made a corresponding change to the title of this resolution to read:

"HOUSE RESOLUTION CONCERNING THE POSTING OF A SPECIAL BOND BY SIGNATORY AND NON-SIGNATORY DOMESTIC AIR CARRIERS SERVING HAWAII"

Your Committee has also made technical amendments to conform with the above substantive amendments adopted.

Your Committee on Transportation concurs with the intent and purpose of H.R. No. 141 as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 141, H.D. 1.

Signed by all members of the Committee except Representative Medeiros.

SCRep. 903-82 Housing on H.R. No. 252

The purpose of this resolution is to respectfully request the United States Congress to amend Federal tax laws to provide for the establishment of individual housing accounts.

Your Committee has heard much testimony on the inability of many of Hawaii's households to purchase their own homes because of the high monthly mortgage payments and high down-payments required to do so. Your Committee has been considering legislation during the 1981 and 1982 legislative sessions that would provide state tax exemptions to prospective first-time home buyers for contributions to an individual housing account created to save toward a downpayment on a home. Such legislation is already established in Minnesota state law. Your Committee recognizes, however, that Federal tax exemptions are necessary in order for potential homebuyers to truly benefit from any incentives that the State might provide and therefore strongly urges the U.S. Congress to seriously consider positive action on the concept of individual housing accounts. Your Committee is pleased to note that the President's Commission on Housing will be making this same recommendation in its final report which will be released in late April.

Your Committee on Housing concurs with the intent and purpose of H.R. No. 252 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 904-82 Housing on H.C.R. No. 120

The purpose of this concurrent resolution is to respectfully request the United States Congress to amend Federal tax laws to provide for the establishment of individual housing accounts.

Your Committee has heard much testimony on the inability of many of Hawaii's households to purchase their own homes because of the high monthly mortgage payments and high down-payments required to do so. Your Committee has been considering legislation during the 1981 and 1982 legislative sessions that would provide state tax exemptions to prospective first-time home buyers for contributions to an individual housing account created to save toward a downpayment on a home. Such legislation is already established in Minnesota state law. Your Committee recognizes, however, that Federal tax exemptions are necessary in order for potential homebuyers to truly benefit from any incentives that the State might provide and therefore strongly urges the U.S. Congress to seriously consider positive action on the concept of individual housing accounts. Your Committee is pleased to note that the President's Commission on Housing will be making this same recommendation in its final report which will be released in late April.

Your Committee on Housing concurs with the intent and purpose of H.C.R. No. 120 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 905-82 Water, Land Use, Development and Hawaiian Affairs on H.C.R.
No. 123

The purpose of this resolution is to authorize the Department of Land and Natural Resources to develop a portion of Sand Island, adjacent to Sand Island State Park, for

industrial, commercial and such other compatible uses permitted by law, by agreement with private developers.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 123 and recommends its adoption.

Signed by all members of the Committee except Representatives Baker, Matsuura, Morioka, Takamine and Monahan.

SCRep. 906-82 Water, Land Use, Development and Hawaiian Affairs on H.C.R. No. 119

The purpose of this resolution is to authorize the Department of Land and Natural Resources to design, develop, operate and maintain camping and cabin rental facilities in various state parks through the use of concession agreements.

Public funding for such facilities is limited, according to testimony presented by the Department of Land and Natural Resources. Concession agreements with private developers may be the only source of funds for the operation of camping and cabin facilities.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 119 and recommends its adoption.

Signed by all members of the Committee except Representatives Matsuura, Morioka, Takamine and Monahan.

SCRep. 907-82 Energy, Ecology and Environmental Protection and Health on H.R. No. 108

The purpose of this resolution is to request that the government of the United States report on its efforts to consider alternatives to the storage or disposal of spent nuclear fuel, nuclear waste, or nuclear by-products in the Pacific Basin.

Your Committees find that there is widespread public concern in the State regarding the storage or disposal of radioactive nuclear materials in the Pacific area. Reflecting this concern, the House of Representatives in 1980 adopted H.R. No. 40 which requested that the United States government consider alternatives to the storage or disposal of nuclear materials in the Pacific area. Your Committees believe that it would be appropriate to determine what, if any, alternatives have been considered.

Your Committees have amended this resolution by changing the last "BE IT RESOLVED" clause to read as follows:

"BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the President of the United States; the Secretary General of the United Nations; the United States Congress; the Japanese Diet; the United States Department of Defense, Energy, and State; the Secretary of the Navy; and the Governor of the State of Hawaii."

Your Committees on Energy, Ecology and Environmental Protection and Health concur with the intent and purpose of H.R. No. 108, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 108, H.D. 1.

Signed by all members of the Committees.

SCRep. 908-82 Energy, Ecology and Environmental Protection and Health on H.C.R. No. 53

The purpose of this concurrent resolution is to request that the government of the United States report on its efforts to consider alternatives to the storage or disposal of spent nuclear fuel, nuclear waste, or nuclear by-products in the Pacific Basin.

Your Committees find that there is widespread public concern in the State regarding the storage or disposal of radioactive nuclear materials in the Pacific area. Reflecting this concern, the House of Representatives in 1980 adopted H.R. No. 40 which requested that the United States government consider alternatives to the storage or disposal of nuclear materials in the Pacific area. Your Committees believe that it would be appropriate to determine what, if any, alternatives have been considered.

Your Committees have amended this concurrent resolution by changing the last "BE IT RESOLVED" clause to read as follows:

"BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be forwarded to the President of the United States; the Secretary General of the United Nations; the United States Congress; the Japanese Diet; the United States Departments of Defense, Energy, and State; the Secretary of the Navy; and the Governor of the State of Hawaii."

Your Committees on Energy, Ecology and Environmental Protection and Health concur with the intent and purpose of H.C.R. No. 53, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 53, H.D. 1.

Signed by all members of the Committees .

SCRep. 909-82 Education on H. R. No. 132

The purpose of this resolution is to request the Board of Education, under the principle of equal pay for equal work, consider alternative suggestions to ensure corrective and full differential payments for 12-month educational officers and that the Board submit a report on its progress to the Legislature prior to the closing of the 1982 legislative session.

Your Committee finds that pay for 10-month and 12-month educational officers are not equitable. Your Committee believes that we must take corrective steps to insure equal pay for equal work.

Your Committee further finds that 12-month educational officers have suffered distinct disadvantages and negative effects as a result of the present inequity. Your Committee believes that the Board of Education should review alternative actions to resolve the problems and to report to the Legislature its findings and recommendations.

H.R. No. 132 has been amended as follows:

- (1) Amended the resolution such that the Board report its findings and recommendations to the Legislature 20 days prior to the convening of the Regular Session of 1983.
- (2) Provided that the Superintendent of Education be transmitted a certified copy of this resolution.

Your Committee has also made technical nonsubstantive amendments to this resolution.

Your Committee on Education concurs with the intent and purpose of H.R. No. 132, as amended, herein, and recommends its adoption in the form attached hereto as H.R. No. 132, H.D. 1.

Signed by all members of the Committee .

SCRep. 910-82 Education on H. C. R. No. 78

The purpose of this concurrent resolution is to request the Board of Education, under the principle of equal pay for equal work, consider alternative suggestions to ensure corrective and full differential payments for 12-month educational officers and that the Board submit a report on its progress to the Legislature prior to the closing of the 1982 legislative session.

Your Committee finds that pay for 10-month and 12-month educational officers are not equitable. Your Committee believes that we must take corrective steps to insure equal pay for equal work.

Your Committee further finds that 12-month educational officers have suffered distinct disadvantages and negative effects as a result of the present inequity. Your Committee believes that the Board of Education should review alternative actions to resolve the problems and to report to the Legislature its findings and recommendations.

H.R. No. 132 has been amended as follows:

- (1) Amended the resolution such that the Board report its findings and recommendations to the Legislature 20 days prior to the convening of the Regular Session of 1983.
- (2) Provided that the Superintendent of Education be transmitted a certified copy of this resolution.

Your Committee has also made technical nonsubstantive amendments to this concurrent resolution.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 78, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 78, H.D. 1.

Signed by all members of the Committee.

SCRep. 911-82 Education on H.R. No. 323

The purpose of this resolution is to request that the Governor proclaim November 14-20, 1982 as Community Education Week.

Your Committee recognizes the services that have been provided by the adult community education program to immigrants, refugees, high school dropouts, in-school youths, the unemployed, senior citizens, veterans, military personnel and dependents, and the general public interested in leisure-time pursuits. The community education program has provided the means whereby adults can become more employable, productive, and responsible citizens through the acquisition of basic skills. Thus, the adult community education program has contributed towards a more educated and literate citizenry in Hawaii.

Your Committee on Education concurs with the intent and purpose of H.R. No. 323 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 912-82 Education on H.R. No. 319

The purpose of this resolution is that the House of Representatives declare the week of May 8 through May 15, 1982 Hawaii Gifted and Talented Children's Week.

Your Committee believes that the residents of Hawaii should be informed of the needs and potentials of gifted and talented children, and the educational programs designed for these children. Your Committee finds that one way of informing the public about these gifted and talented children is to declare a week in recognition of such children, which includes presentations on the potential of these children and the specialized education presently being offered.

Your Committee on Education concurs with the intent and purpose of H.R. No. 319 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 913-82 Education on H.C.R. No. 142

The purpose of this concurrent resolution is that the House of Representatives declare the week of May 8 through May 15, 1982 Hawaii Gifted and Talented Children's Week.

Your Committee believes that the residents of Hawaii should be informed of the needs and potentials of gifted and talented children, and the educational programs designed for these children. Your Committee finds that one way of informing the public about these gifted and talented children is to declare a week in recognition of such children, which includes presentations on the potential of these children and the specialized education presently being offered.

Your Committee on Education concurs with the intent and purpose of H.C.R. No. 142 and recommends its adoption.

Signed by all members of the Committee except Representative Say.

SCRep. 914-82 Energy, Ecology and Environmental Protection on H.R. No. 247

The purpose of this resolution is to express the Legislature's concern of the existence of radiological pollutants in Hawaii by requesting the Department of Health to continue its present efforts of actively monitoring these pollutants in the environment. It has been the responsibility of the Department of Health to protect the air and water quality of Hawaii and its continued efforts in this area is most important to the well-being of its citizens.

The Department of Health has recently been involved in the testing of the air and waters around Pearl Harbor. As a result of this testing, the Department found that there was radiological contamination in the area from nuclear reactors in submarines and other nuclear vessels. It is this kind of testing that should be continued so that safety and precautionary measures can be undertaken to protect the environment.

The Advisory Committee on Radiological Safety was established to investigate and make recommendations on radiological safety issues concerning Hawaii. In order to accomplish this task the committee relies on data generated by the Department's monitoring of pollutants. Therefore, your Committee finds that the continued efforts of both the Department of Health and the Advisory Committee are valuable in the evaluation of risks which may impact on the health and safety of human and marine life in the state.

Your Committee has amended this resolution by adding a new "BE IT FURTHER RESOLVED" paragraph stressing the importance of the Director of Health working closely with the Advisory Committee for their mutual benefit.

Your Committee on Energy, Ecology and Environmental Protection concurs with the intent and purpose of H.R. No. 247, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 247, H.D. 1.

Signed by all members of the Committee.

SCRep. 915-82 Water, Land Use, Development and Hawaiian Affairs and Agriculture on H.R. No. 160 (Majority)

The purpose of this resolution is to request the Board of Agriculture to adopt the ALISH system as a rule under the Administrative Procedure Act, for the purpose of conferring "formal standing" on the ALISH system. The State and its political subdivisions would then be requested to use the ALISH system for the purpose of executing public policy mandated by Article XI, Section 3 of the Constitution.

Your Committees find that the State Constitution requires the conservation and protection of agricultural lands but this public policy statement is most difficult to fulfill because an agricultural land classification system, upon which governmental actions can be based, has not been formally adopted under the Administrative Procedures Act. This resolution asks the Board of Agriculture to adopt the ALISH system for this purpose because it is sound, acceptable and flexible. In addition, the State Agriculture Plan of 1981 recommends ALISH as the preferred land classification system.

Your Committees have amended the first "resolved" section by inserting, after the word "Agriculture" in the third line, a phrase "pursuant to constitutional mandate to conserve and protect agricultural lands". This insertion would emphasize the legal base for the State's actions.

Your Committees on Water, Land Use Development and Hawaiian Affairs and on Agriculture concur with the intent and purpose of H.R. No. 160, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 160, H.D. 1.

Signed by all members of the Committees.
(Representative Kawakami did not concur.)

SCRep. 916-82 Water, Land Use, Development and Hawaiian Affairs and Agriculture on H.R. No. 121

The purpose of this resolution is to request the Department of Land and Natural Resources to conduct a study on the feasibility of the purchase or leasing, on a long-term basis, large parcels of private land by the State which can then be subleased in smaller parcels

to farmers of low and moderate income in diversified agricultural enterprises.

Existing law (Section 171-112, Hawaii Revised Statutes) provides that acquisition of private lands for agricultural parks is a public purpose. The State has diligently pursued the acquisition of certain private lands for agricultural parks, but has found the negotiation process to be difficult and time-consuming, leading to delays in the agricultural park program. Particularly when large parcels of private land are to be subleased in smaller parcels, as this resolution suggests, development of the land for productive use in legally subdivided lots would entail many of the same costs as are experienced in developing State lands into agricultural parks.

The above problems notwithstanding, your Committees are very conscious of the need to make more lands available for diversified agricultural use at reasonable prices and for reasonably long terms, particularly for young farmers.

Your Committees have amended the resolution by adding a new "resolved" section urging an appropriation of \$50,000 to the Department of Land and Natural Resources. This is to provide funds for the in-depth examination (appraisals, engineering, etc.) of the many tracts of land necessary to fulfill the terms of this resolution.

Your Committees on Water, Land Use Development and Hawaiian Affairs and on Agriculture concur with the intent and purpose of H.R. No. 121, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 121, H.D. 1.

Signed by all members of the Committees.

SCRep. 917-82 Water, Land Use, Development and Hawaiian Affairs and
Employment Opportunities and Labor Relations on H.R. No. 211

The purpose of this resolution is to request the Department of Planning and Economic Development to conduct a feasibility study of the Augmented Pacific Fleet Support Program and to provide for an appropriation for the study.

All testimonies on the resolution were favorable. An important part of the Augmented Pacific Fleet Support Program involves the construction of a floating drydock that would increase the capability of the private ship repair industry. Expansion of the industry could provide jobs and income to Hawaii's residents.

Your Committees on Water, Land Use Development and Hawaiian Affairs and Employment Opportunities and Labor Relations concur with the intent and purpose of H.R. No. 211 and recommend that it be referred to the Committee on Finance.

Signed by all members of the Committees.

SCRep. 918-82 Water, Land Use, Development and Hawaiian Affairs on H.R. No. 172

The purpose of this resolution is to request the Department of Land and Natural Resources to conduct a comprehensive investigation of methods to increase the State's ability to protect Hawaii's historical and archaeological sites.

Your Committee received favorable testimony from the Department of Land and Natural Resources and from the Office of Hawaiian Affairs. Both are concerned that archaeological sites are presently being destroyed because there is insufficient study before construction begins on a particular site. Other groups and individuals expressed similar concerns in their testimony before your Committee.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 172 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 919-82 Water, Land Use, Development and Hawaiian Affairs on H.R. No. 284

The purpose of this resolution is to request that the Department of Land and Natural Resources to proceed with preliminary discussions to acquire land for park purposes at Big Beach in Makena, Maui.

Your Committee finds the resolution has much merit and that the Department is in support of the resolutions and its purposes as the acquisition of Big Beach would greatly expand the usable areas contained in the Puu Olai Park that is presently owned by the State. The Big Beach area is contiguous with, and to the south of the Puu Olai lands and would provide both an excellent addition to the park and access to a fine sandy beach and swimming area.

The Department is in favor of proceeding with preliminary discussions with landowners with intent to acquire by purchase and/or land exchange, any combination thereof, or by any other available alternatives, land for park purposes at Big Beach in Makena, Maui.

Your Committee has amended the resolution by inserting a new "resolved" section to require that the Department of Land and Natural Resources conduct preliminary discussions with the surrounding communities and the County of Maui regarding the sharing of maintenance responsibilities with the state in the event the lands are acquired for park purposes. This amendment is made in view of the possibility that the department may not be able to properly maintain the area for financial reasons.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 284, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 284, H.D. 1.

Signed by all members of the Committee.

SCRep. 920-82 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 130

The purpose of this resolution is to request that the Department of Land and Natural Resources to proceed with preliminary discussions to acquire land for park purposes at Big Beach in Makena, Maui.

Your Committee finds the resolution has much merit and that the Department is in support of the resolutions and its purposes as the acquisition of Big Beach would greatly expand the usable areas contained in the Puu Olai Park that is presently owned by the State. The Big Beach area is contiguous with, and to the south of the Puu Olai lands and would provide both an excellent addition to the park and access to a fine sandy beach and swimming area.

The Department is in favor of proceeding with preliminary discussions with landowners with intent to acquire by purchase and/or land exchange, any combination thereof, or by any other available alternatives, land for park purposes at Big Beach in Makena, Maui.

Your Committee has amended the resolution by inserting a new "resolved" section to require that the Department of Land and Natural Resources conduct preliminary discussions with the surrounding communities and the County of Maui regarding the sharing of maintenance responsibilities with the state in the event the lands are acquired for park purposes. This amendment is made in view of the possibility that the department may not be able to properly maintain the area for financial reasons.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 130, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 130, H.D. 1.

Signed by all members of the Committee.

SCRep. 921-82 Education on H.R. No. 16

The purpose of this resolution is to request the Department of Education to establish a pre-school program for students. The resolution also requests that the class size be reduced to less than 20 students per class and the travel time reduced to less than 45 minutes.

Your Committee finds the Department's position is to focus on helping care-givers by providing them with in-service training and offering parenting education rather than

providing a pre-school program for children under age 5.

Your Committee has amended this resolution by requesting the Department of Education to review past policies and studies and provide an update on the current cost and benefit factors for establishing a pre-school program for children under age 5.

Your Committee has further amended this resolution by requesting the Department to report its progress to the Legislature 20 days prior to the convening of the Regular Session of 1983.

Your Committee on Education concurs with the intent and purpose of H.R. No. 16, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 16, H.D. 1.

Signed by all members of the Committee except Representatives
D. Hagino and Takitani.

SCRep. 922-82 Public Employment and Government Operations and Education
on H.R. No. 325

The purpose of this resolution is to request a review by the Board of Education of the compensation schedules of coaches in our public schools.

Your Committees find that athletics is an important part of the educational process and that participation and interest has increased dramatically over the past few years. This growth has created a concomitant increase in the responsibilities and workload for coaches. Your Committees also find that the coaches salaries have not kept pace with the growth in responsibility; the compensation schedule has not been revised since 1968.

Your Committees, upon hearing testimonies from the Board of Education, the HSTA and the HSTA-Hawaii Athletic Association, have made the following amendments to H.R. No. 325:

- (1) Deleted any reference on requirement for recommendations in the title and Be It Resolved sections to reflect the Board of Education's concerns regarding the collective bargaining process.
- (2) Request that the Board of Education's review include the historical background, status and appropriateness of the present compensation schedule.
- (3) Request that the Board of Education's review include a comparison of the Department of Education's present compensation schedule with the compensation schedules found in other jurisdictions.

Your Committees on Public Employment and Government Operations and Education are in accord with the intent and purpose of H.R. No. 325, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 325, H.D. 1.

Signed by all members of the Committees.

SCRep. 923-82 Public Employment and Government Operations and Education
on H.C.R. No. 144

The purpose of this concurrent resolution is to request a review by the Board of Education of the compensation schedules of coaches in our public schools.

Your Committees find that athletics is an important part of the educational process and that participation and interest has increased dramatically over the past few years. This growth has created a concomitant increase in the responsibilities and workload for coaches. Your Committees also find that the coaches salaries have not kept pace with the growth in responsibility; the compensation schedule has not been revised since 1968.

Your Committees, upon hearing testimonies from the Board of Education, the HSTA and the HSTA-Hawaii Athletic Association, have made the following amendments to H.C.R.

No. 144:

- (1) Deleted any reference on requirement for recommendations in the title and Be It Resolved sections to reflect the Board of Education's concerns regarding the collective bargaining process.
- (2) Request that the Board of Education's review include the historical background, status and appropriateness of the present compensation schedule.
- (3) Request that the Board of Education's review include a comparison of the Department of Education's present compensation schedule with the compensation schedules found in other jurisdictions.

Your Committees on Public Employment and Government Operations and Education are in accord with the intent and purpose of H.C.R. No. 144, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 144, H.D. 1.

Signed by all members of the Committees.

SCRep. 924-82 Tourism on H.R. No. 142

The purpose of this resolution is to request the Department of Planning and Economic Development to conduct a study to determine the feasibility in formulating an index of productivity and other ways and means for measuring successes of the Hawaii Visitor Bureau's regional offices in meeting their objectives, including the promotion of increased tourist travel to Hawaii.

Your Committee received testimony from both DPED and HVB amenable to the intent of the resolution. They cited the difficulty in quantifying variables that measure marketing efforts and productivity of HVB's regional offices, but were willing to work together in developing means to measure the effectiveness of HVB's regional offices.

Your Committee on Tourism concurs with the intent and purpose of H.R. No. 142 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives de Heer and Marumoto.

SCRep. 925-82 Ocean and Marine Resources and Transportation on H.R. No. 57

The purpose of this resolution is to request the Department of Transportation to provide information on the adequacy of its overall planning to identify and meet the current and future shoreside needs of Hawaii's commercial fishing industry, including, but not limited to, an examination of docks, launching ramps, fuel, ice, and repair facilities. An explanation and clarification of the Department's policies and procedures with respect to the assignment of dock space, parking, and the leasing of land for support facilities should also be included as part of the information.

Your Committees agree with testimony indicating that the existing fisheries infrastructure does not adequately support present fishing fleet requirements, let alone provide for future expansion. Your Committees view the shortage of adequate dock space and infrastructure for commercial fishing vessels as the major constraint inhibiting the growth of the fishing industry. According to information received by your Committees, the Hawaiian Tuna Packers is already experiencing shortages of fish for its cannery operations which may result in the closing of the cannery and the loss of jobs for approximately 400 employees.

However, your Committees recognize that the problem of improving currently inadequate shoreside support facilities is difficult to resolve because the harbor planning process for dock construction is long and tedious, including tasks such as the acquisition of funding and the approval of various required permits. Notwithstanding the complex harbor planning process, and in light of rising and steady complaints from resident and transient fishing vessel owners, your Committees caution the Department of Transportation that there exists a serious lack of communication regarding the Department's rules and procedures relating to the allocation of shoreside facilities controlled by the Department. In particular, your Committees wish to express their deepest concern regarding the

fairness of the Department's administration of the rules with respect to the assignment of berthing space and other related issues. Your Committees believe that in order to resolve concerns relating to the administration and allocation of shoreside facilities, a comprehensive in-depth report should be conducted to address the persistent berthing and citation complaints brought to your Committees' attention. Your Committees also believe that the Department should revise its procedures to responsively and compassionately address legitimate berthing complaints by resident and transient fishing vessel owners.

Your Committees have received testimony from the Department of Transportation describing its efforts of meeting present and future needs of the commercial fishing vessels. The Department has initiated its information-gathering efforts by receiving input from the Kewalo Basin Management Advisory group, the Western Fishboat Owners Association, and various representatives of the commercial fishing industry with the intention of clarifying concerns and cooperatively improving the fisheries infrastructure.

Your Committees have also received favorable testimony from the Department of Land and Natural Resources which stated that the information requested by this resolution would be beneficial to its on-going implementation of fisheries development projects identified in the Hawaii Fisheries Development Plan.

Your Committees, upon consideration, have amended the resolution as follows:

- a) Deleting the second "Be It Further Resolved" clause and adding a new "Be It Further Resolved" clause which requests the State Department of Transportation to discuss its proposals with commercial fishing industry representatives.
- b) Adding a new "Be It Further Resolved" clause requesting the Department of Transportation to submit the completed Kewalo Task Force Plan and any supplementary plan relative to the development of the commercial fisheries infrastructure, 30 days prior to the convening of the Regular Session of 1983.
- c) Adding a new "Be It Further Resolved" clause requesting the Department of Transportation to immediately provide the Department of Land and Natural Resources, the Department of Planning and Economic Development, the Western Fishboat Owners Association, and other agencies with the Kewalo Task Force Plan so they may better prepare their 1983-1984 budget and related plans accordingly.

Your Committees on Ocean and Marine Resources and Transportation concur with the intent and purpose of H.R. No. 57, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 57, H.D. 1.

Signed by all members of the Committees.

SCRep. 926-82 Ocean and Marine Resources and Transportation on H.C.R. No. 24

The purpose of this concurrent resolution is to request the Department of Transportation to provide information on the adequacy of its overall planning to identify and meet the current and future shoreside needs of Hawaii's commercial fishing industry, including, but not limited to, an examination of docks, launching ramps, fuel, ice, and repair facilities. An explanation and clarification of the Department's policies and procedures with respect to the assignment of dock space, parking, and the leasing of land for support facilities should also be included as part of the information.

Your Committees agree with testimony indicating that the existing fisheries infrastructure does not adequately support present fishing fleet requirements, let alone provide for future expansion. Your Committees view the shortage of adequate dock space and infrastructure for commercial fishing vessels as the major constraint inhibiting the growth of the fishing industry. According to information received by your Committees, the Hawaiian Tuna Packers is already experiencing shortages of fish for its cannery operations which may result in the closing of the cannery and the loss of jobs for approximately 400 employees.

However, your Committees recognize that the problem of improving currently inadequate shoreside support facilities is difficult to resolve because the harbor planning process for dock construction is long and tedious, including tasks such as the acquisition of

funding and the approval of various required permits. Notwithstanding the complex harbor planning process, and in light of rising and steady complaints from resident and transient fishing vessel owners, your Committees caution the Department of Transportation that there exists a serious lack of communication regarding the Department's rules and procedures relating to the allocation of shoreside facilities controlled by the Department. In particular, your Committees wish to express their deepest concern regarding the fairness of the Department's administration of the rules with respect to the assignment of berthing space and other related issues. Your Committees believe that in order to resolve concerns relating to the administration and allocation of shoreside facilities, a comprehensive in-depth report should be conducted to address the persistent berthing and citation complaints brought to your Committees' attention. Your Committees also believe that the Department should revise its procedures to responsively and compassionately address legitimate berthing complaints by resident and transient fishing vessel owners.

Your Committees have received testimony from the Department of Transportation describing its efforts of meeting present and future needs of the commercial fishing vessels. The Department has initiated its information-gathering efforts by receiving input from the Kewalo Basin Management Advisory group, the Western Fishboat Owners Association, and various representatives of the commercial fishing industry with the intention of clarifying concerns and cooperatively improving the fisheries infrastructure.

Your Committees have also received favorable testimony from the Department of Land and Natural Resources which stated that the information requested by this concurrent resolution would be beneficial to its on-going implementation of fisheries development projects identified in the Hawaii Fisheries Development plan.

Your Committees, upon consideration, have amended the concurrent resolution as follows:

- a) Deleting the second "Be It Further Resolved" clause and adding a new "Be It Further Resolved" clause which requests the State Department of Transportation to discuss its proposals with commercial fishing industry representatives.
- b) Adding a new "Be It Further Resolved" clause requesting the Department of Transportation to submit the completed Kewalo Task Force Plan and any supplementary plan relative to the development of the commercial fisheries infrastructure, 30 days prior to the convening of the Regular Session of 1983.
- c) Adding a new "Be It Further Resolved" clause requesting the Department of Transportation to immediately provide the Department of Land and Natural Resources, the Department of Planning and Economic Development, the Western Fishboat Owners Association, and other agencies with the Kewalo Task Force Plan so they may better prepare their 1983-1984 budget and related plans accordingly.

Your Committees on Ocean and Marine Resources and Transportation concur with the intent and purpose of H.C.R. No. 24, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 24, H.D. 1.

Signed by all members of the Committees.

SCRep. 927-82 Higher Education on H.R. No. 311

The purpose of this resolution is to request the Board of Regents of the University of Hawaii to prepare a proposal to strengthen the skills and competency of all prospective teachers in the University's degree programs in education in dealing more effectively with students with behavioral and attitudinal problems so that the teachers will be better able to maintain a positive learning environment in their classrooms.

Your Committee finds that the capability of classroom teachers to create an atmosphere conducive to learning is essential to the successful educating of all our children and, therefore, is of critical importance to the sustenance and vitality of society. The improvement of teachers' skills in this regard is to be encouraged and should be implemented to the fullest extent.

Your Committee on Higher Education concurs with the intent and purpose of H.R.

No. 311 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative D. Hagino.

SCRep. 928-82 Finance on S.B. No. 2970-82

The purpose of this bill is to amend section 304-4, Hawaii Revised Statutes, to strengthen the residency requirements for tuition classification at the University of Hawaii by adding an additional residency criterion that students not be financial dependents of nonresident parents or guardians.

Specifically, the proposed residency criterion would require that in order to qualify for the resident tuition fee, minor and adult students may not have been claimed as dependents for tax purposes by parents or guardians who are nonresidents for the year preceding registration. The intent of this added criterion is to ensure that students not be allowed to switch midstream from nonresident to resident status when they have entered the State primarily for educational purposes and their primary financial support is still being derived from their nonresident parents or guardians.

The current definition of bona fide resident makes it possible for many nonresident students who still derive their primary support from parents who pay taxes in other states to earn residency status after only one year in Hawaii.

The University of Hawaii has indicated that campus registrars process approximately 575 to 600 changes each year in tuition status from nonresident to resident. Based upon this approximate number of tuition status changes, the loss in tuition revenue due to these changes is about \$428,000 to \$447,000 per year. While it is not possible to determine exactly how many of these changes would still be valid under the new criterion, if only half of the students presently qualifying for a switch to resident status would not qualify under the new criterion, the State would retain about one-quarter of a million dollars per year in revenue currently foregone. This is for just the first year following reclassification. If these same students continue their undergraduate education for several more years, and then proceed on to graduate or professional school, the amount of foregone revenue is even greater.

Other mainland states not only charge much higher non-resident tuition and resident tuition rates than Hawaii, but are also much more restrictive in the requirements which must be met to obtain residency. For example, a recent WICHE study on "Tuition and Fees in Public Higher Education in the West," December, 1981, indicates that one of the criteria which must be met in the State of California is that the student must demonstrate that he has been self-supporting for at least three years. Since this particular criterion presents many difficulties of enforcement and is currently the subject of legal challenge, this bill provides alternative criteria which may be constitutionally acceptable and capable of effective enforcement.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2970-82, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 929-82 Finance on S.B. No. 2890-82

The purpose of this bill is to add a new section to the Collective Bargaining in Public Employment Law, Chapter 89, and the Hawaii Employment Relation Act Law, Chapter 377, Hawaii Revised Statutes. Both Chapters 89 and 377, Hawaii Revised Statutes, are amended to address religious exemption from support of employee organizations and from labor organization membership, respectively.

This bill provides that employees who are members of and adheres to established teachings of a bona fide religion or sect historically holding conscientious objections to joining or financially supporting employee organizations or labor organizations shall not be required to do so. An employee who qualifies for a religious exemption under this section may be required to pay sums equal to the dues and initiation fees, to a nonreligious, nonlabor organization charitable fund. Also, qualified employees of this section who request and receive the use of the grievance arbitration procedure may be charged for reasonable cost of using the procedure.

Your Committee on Finance is in accord with the intent and purpose of S.B. No.

2890-82, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 930-82 Finance on S.B. No. 2261-82 (Majority)

The purpose of this bill is to restrict the Department of Transportation from entering into more than one contract for the sale and delivery of in-bond merchandise at Honolulu International Airport.

Presently, the Department may not enter into more than two contracts for the sale and delivery of in-bond merchandise at Honolulu International Airport until June 30, 1982.

The visitor industry together with related commerce accounts for a significant portion of the State's revenues each year. Virtually all visitors to the islands arrive and depart by air and therefore the maintenance of a functional, well-planned and well-maintained airport is vital to the interests of the State.

A substantial amount of revenue for the operation of the airport comes from the sale of in-bond or duty-free merchandise to foreign visitors. The opportunity to purchase duty-free merchandise is in itself an attraction for many overseas tourists.

On January 1, 1981, the Department of Transportation entered into a seven and one-half year contract with the present duty-free operator and into a similar seven and one-half year contract with a second competing operation. Less than nine months later, the second duty-free operation defaulted its contract because of its inability to meet its financial guarantees to the Department.

This bill permits the Department of Transportation to enter into no more than the one contract for duty-free operations at Honolulu International Airport and requires the Department to prevent other persons from delivering in-bond merchandise to the airport, except as cargo, to protect the State while not interfering with or burdening foreign commerce.

This bill also deletes the repealing provision of Act 243, Session Laws of Hawaii 1981, thus making the one-contractor plan permanent.

Your Committee finds that in light of the nature of the business and actual experience, the two-operation concept has not proven to be a realistic option, and therefore agrees with the intent of the bill.

Your Committee recognizes that it is granting an economic advantage to the duty-free operation at the Honolulu International Airport. However, your Committee makes it clear that its intent in doing so is to protect the State's interests in revenues, tourism, and the orderly administration and operation of the Honolulu International Airport. In all present and future dealings with the duty-free operations, it is your Committee's understanding that the State will receive the maximum consideration for this protection conferred. Additionally, your Committee has relied on testimony received from the Attorney General's Office that the position taken by this bill is legally defensible under antitrust law.

Your Committee notes that the department is asked to develop and implement guidelines which "shall include guidelines relating to the department's review of the reasonableness of [contractors'] contractor's price schedules. . . ." To explain the meaning of this requirement, several persons who testified on the bill referred to the comments of the Deputy Attorney General which incorporated, by reference, her opinion dated December 29, 1981. The Deputy Attorney General's memorandum, at pages 18 to 20, notes that the State reviews the prices charged for duty-free goods but does not determine the price to be charged.

Properly understood, the mandate is not that prices be reviewed, but instead that guidelines be established "relating to the department's review of the reasonableness of [contractors'] contractor's price schedules. . . ." It is conceivable that, after consultation with the Department of the Attorney General, the Department of Transportation will adopt guidelines which specifically prohibit or limit the review of prices or any action by the State to influence prices. This might be done on the advice of the Attorney General, to obviate, for example, any conflict with the Commerce Clause.

In summary, it is important to note that the mandate is to "actively supervise" and to "implement guidelines" in certain specified areas. In most instances the guidelines

will provide specifics of the "active supervision" requirement, but they should also be used to circumscribe certain conduct which is inappropriate. There is no legislative mandate to review prices if such review is not appropriate.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2261-82, S.D. 2, and recommends that it pass Third Reading.

Signed by all members of the Committee.
(Representative Levin did not concur.)

SCRep. 931-82 Housing on H.R. No. 246

The purpose of this resolution is to request the Legislative Reference Bureau to conduct a study into current commercial lease practices.

Your Committee heard much testimony from representatives of businesses in the airport industrial area on recent instances of lease rents being increased upon renegotiation far beyond affordable levels. Many small businesses have been unable to afford these increases and have thus been forced out of business. Your Committee recognizes that this problem is not confined to the airport industrial area; it may soon become a statewide problem.

Your Committee has amended this resolution to provide that:

- 1) the Legislative Reference Bureau is requested to collect comparative data on lease rents and lease practices for industrial, office and retail commercial space in various areas of the state and to report this information to the interim subcommittee created in this resolution;
- 2) an interim subcommittee of the House of Representatives be created to explore equitable means of addressing the problem of escalating lease rents and that the subcommittee invite the participation of various businesses and landowning interests named in the resolution;
- 3) unsubstantiated claims in the resolution be deleted or modified;
- 4) the Land Use Research Foundation be included among the organizations invited to participate in the interim meeting(s); and that
- 5) the title of the Resolution be amended to reflect its new purpose.

Your Committee on Housing concurs with the intent and purpose of H.R. No. 246, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 246, H.D. 1.

Signed by all members of the Committee.

SCRep. 932-82 Higher Education on H.R. No. 384

The purpose of this resolution is to direct the Legislative Reference Bureau, with the cooperation of the Office of the Attorney General, to study and report back findings to the Legislature twenty days prior to the 1983 Regular Session as to what constitutional and legal changes are necessary to provide public financial support to private institutions of higher learning.

A serious consequence of the massive current cuts in Federal aid to education programs, especially in assistance to college students, may result in students no longer being able to afford to choose between the public and private education delivery systems. Subsequently, enrollment reductions at private colleges will threaten the viability of those institutions while increasing the burden on taxpayers in supporting those students who must then study at the University of Hawaii.

Your Committee finds it prudent that the Legislature explore how public financial support might be extended to the State's private colleges and universities and their students. Your Committee strongly supports the availability of diverse educational opportunities as provided by these institutions because it helps students become active, productive citizens and fosters independent thought in society.

Your Committee on Higher Education concurs with the intent and purpose of H.R. No. 384 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives D. Hagino, Matsuura, Takamine, Takitani, Toguchi and Tungpalan.

SCRep. 933-82 Tourism and State General Planning on S.C.R. No. 10 (Majority)

The primary purpose of this concurrent resolution, as received by your Committees, is to adopt the State Tourism Plan of October, 1981 as a State functional plan for the State of Hawaii in furtherance of Chapter 226, Hawaii Revised Statutes.

Your Committees find that out of concern over the State's future growth and direction, the 1978 State Legislature adopted the Hawaii State Planning Act (Chapter 226, Hawaii Revised Statutes), also referred to as the Hawaii State Plan. Emphasis on legislative participation in the overall government planning process is contained in the Act's broad goals, objectives, policies, and priority directions intended to direct the State's future growth and development, and the submittal of twelve (12) functional plans for specified areas of governmental activity to the Legislature.

In accordance with the provisions of Chapter 226, Hawaii Revised Statutes, the Department of Planning and Economic Development prepared the State Tourism Plan of October, 1981, designed to set forth guidelines for the delivery of services and the allocation of resources by State agencies with regard to the visitor industry, and the plan was submitted to the Eleventh Legislature, Regular Session of 1982.

After duly reviewing the State Tourism Plan of October, 1981, as amended by the Senate, your Committees have modified the substance of the plan and have attached these amendments to the plan as Exhibit B. Your Committees recommend that the State Tourism Plan, as transmitted by the Governor to the Legislature and attached hereto as Exhibit A, and as modified by the amendments set forth in Ramseyer format in the attached Exhibit B, be adopted as the State Tourism Functional Plan.

Subsequent to your Committees' review and amendment of the State Tourism Plan (Exhibit A as amended by Exhibit B), your Committees have amended the concurrent resolution in the following principal respects:

(1) The title of the resolution has been amended from "Relating to the State Tourism Plan" to "Relating to the State Tourism Functional Plan" in order to avoid any confusion between the functional plan for tourism being adopted pursuant to Chapter 226, Hawaii Revised Statutes, and any other plan or plans relating to tourism. Other references to the tourism plan throughout the resolution have been amended accordingly.

(2) References to the technical reference document have been deleted, and a new "Whereas" clause added to clarify that the State Tourism Functional Plan Technical Reference Document is to serve as a resource document, containing background information and data relevant to the tourism functional plan. It is the intent of your Committees that the technical reference document is merely an informational resource document and is not to be used to interpret the intent or meaning of the policies and implementing actions contained in the amended Plan.

(3) References to the Attorney General's opinion of March 31, 1982 have been deleted because the gist of said Attorney General opinion, that functional plans are to be utilized as guidelines with respect to certain county planning processes or functions, has in essence been incorporated into the following redrafted "Whereas" clause:

"WHEREAS, State functional plans shall be approved by the Legislature by concurrent resolution pursuant to Chapter 226, Hawaii Revised Statutes, and do not mandate county and private sector actions, serving instead as guidelines to coordinate the various sectors of government and private industry toward achieving the statewide objectives of the Hawaii State Planning Act and, when adopted by concurrent resolution, will be expressions of legislative policy but are not to be interpreted as law or statutory mandate; now, therefore,".

(4) The "Be It Resolved" clause has been amended to read:

"BE IT RESOLVED by the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, the House of Representatives concurring, that the State Tourism Plan, as set forth in Exhibit A and amended as set forth in Exhibit B,

said exhibits being attached hereto and made parts hereof, be adopted as the State Tourism Functional Plan for the State of Hawaii pursuant to Chapter 226, Hawaii Revised Statutes; and"

(5) References to S.B. No. 2720-82 in the concurrent resolution, as received, have been deleted. Your Committees believe that the enactment of any amendments to Chapter 226, Hawaii Revised Statutes, would be premature until the complete planning process set forth in Chapter 226, Hawaii Revised Statutes, which process includes the adoption of the functional plans, has been implemented, and sufficient experience has been acquired under the Hawaii State Planning Act and the functional plans required by the Act.

(6) Three new "Be It Further Resolved" clauses, reading as follows, have been added:

"BE IT FURTHER RESOLVED that the Department of Planning and Economic Development coordinate and monitor efforts to implement the State Tourism Functional Plan and submit to the State Plan Policy Council, at least sixty (60) days prior to the start of any regular session of the Legislature, a complete and detailed report on progress being made toward implementation of the State Tourism Functional Plan; and

BE IT FURTHER RESOLVED that the Department of Planning and Economic Development conduct a comprehensive review and revision of the State Tourism Functional Plan within a two-year period subsequent to any amendments to Part I of the Hawaii State Plan to be consistent with the Hawaii State Plan; and

BE IT FURTHER RESOLVED that the Department of Planning and Economic Development update the implementation component of the State Tourism Functional Plan at two-year intervals to be consistent with Part III of the Hawaii State Plan and to coincide with preparation of the State biennial budget; and".

Your Committees added these three "Be It Further Resolved" clauses in order to ensure that the implementation of the functional plan is adequately monitored, and that the functional plan is appropriately amended to be consistent with the existing or amended provisions of the Hawaii State Plan.

Your Committees have also made various technical amendments and other amendments for purposes of improved clarity and style.

Your Committee on Tourism and your Committee on State General Planning concur with the intent and purpose of S.C.R. No. 10, S.D. 2, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 10, S.D. 2, H.D. 1.

Signed by all members of the Committees except Representatives
D. Hagino and Taniguchi.
(Representatives Dods and Anderson did not concur.)

SCRep. 934 Housing and State General Planning on S.C.R. No. 12 (Majority)

The primary purpose of this concurrent resolution, as received by your Committees, is to adopt the State Housing Plan of October, 1981 as a State functional plan for the State of Hawaii in furtherance of Chapter 226, Hawaii Revised Statutes.

Your Committees find that out of concern over the State's future growth and direction, the 1978 State Legislature adopted the Hawaii State Planning Act (Chapter 226, Hawaii Revised Statutes), also referred to as the Hawaii State Plan. Emphasis on legislative participation in the overall government planning process is contained in the Act's broad goals, objectives, policies, and priority directions intended to direct the State's future growth and development, and the submittal of twelve (12) functional plans for specified areas of governmental activity to the Legislature.

In accordance with the provisions of Chapter 226, Hawaii Revised Statutes, the Hawaii Housing Authority prepared the State Housing Plan of October, 1981, designed to set forth guidelines for the delivery of services and the allocation of resources by State agencies with regard to housing, and the plan was submitted to the Eleventh Legislature, Regular Session of 1982.

After duly reviewing the State House Plan of October, 1981, as amended by the Senate, your Committees have modified the substance of the plan and have attached these amendments to the plan as Exhibit B. Your Committees recommend that the State Housing Plan,

as transmitted by the Governor to the Legislature and attached hereto as Exhibit A, and as modified by the amendments set forth in Ramseyer format in the attached Exhibit B, be adopted as the State Housing Functional Plan.

Subsequent to your Committees' review and amendment of the State Housing Plan (Exhibit A as amended by Exhibit B), your Committees have amended the concurrent resolution in the following principal respects:

(1) The title of the resolution has been amended from "Relating to the State Housing Plan" to "Relating to the State Housing Functional Plan" in order to avoid any confusion between the functional plan for housing being adopted pursuant to Chapter 226, Hawaii Revised Statutes, and any other plan or plans relating to housing. Other references to the housing plan throughout the resolution have been amended accordingly.

(2) References to the technical reference document have been deleted, and a new "Whereas" clause added to clarify that the State Housing Functional Plan Technical Reference Document is to serve as a resource document, containing background information and data relevant to the housing functional plan. It is the intent of your Committees that the technical reference document is merely an informational resource document and is not to be used to interpret the intent or meaning of the policies and implementing actions contained in the amended Plan.

(3) References to the Attorney General's opinion of March 31, 1982 have been deleted because the gist of said Attorney General opinion, that functional plans are to be utilized as guidelines with respect to certain county planning processes or functions, has in essence been incorporated into the following redrafted "Whereas" clause:

"WHEREAS, State functional plans shall be approved by the Legislature by concurrent resolution pursuant to Chapter 226, Hawaii Revised Statutes, and do not mandate county and private sector actions, serving instead as guidelines to coordinate the various sectors of government and private industry toward achieving the statewide objectives of the Hawaii State Planning Act and, when adopted by concurrent resolution, will be expressions of legislative policy but are not to be interpreted as law or statutory mandate; now, therefore,".

(4) The "Be It Resolved" clause has been amended to read:

"BE IT RESOLVED by the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, the House of Representatives concurring, that the State Housing Plan, as set forth in Exhibit A and amended as set forth in Exhibit B, said exhibits being attached hereto and made parts hereof, be adopted as the State Housing Functional Plan for the State of Hawaii pursuant to Chapter 226, Hawaii Revised Statutes; and"

(5) References to S.B. No. 2720-82 in the concurrent resolution, as received, have been deleted. Your Committees believe that the enactment of any amendments to Chapter 226, Hawaii Revised Statutes, would be premature until the complete planning process set forth in Chapter 226, Hawaii Revised Statutes, which process includes the adoption of the functional plans, has been implemented, and sufficient experience has been acquired under the Hawaii State Planning Act and the functional plans required by the Act.

(6) Three new "Be It Further Resolved" clauses, reading as follows, have been added:

"BE IT FURTHER RESOLVED that the Hawaii Housing Authority coordinate and monitor efforts to implement the State Housing Functional Plan and submit to the State Plan Policy Council, at least sixty (60) days prior to the start of any regular session of the Legislature, a complete and detailed report on progress being made toward implementation of the State Housing Functional Plan; and

BE IT FURTHER RESOLVED that the Hawaii Housing Authority conduct a comprehensive review and revision of the State Housing Functional Plan within a two-year period subsequent to any amendments to Part I of the Hawaii State Plan to be consistent with the Hawaii State Plan; and

BE IT FURTHER RESOLVED that the Hawaii Housing Authority update the implementation component of the State Housing Functional Plan at two-year intervals to be consistent with Part III of the Hawaii State Plan and to coincide with preparation of the State biennial budget; and".

Your Committees added these three "Be It Further Resolved" clauses in order

to ensure that the implementation of the functional plan is adequately monitored, and that the functional plan is appropriately amended to be consistent with the existing or amended provisions of the Hawaii State Plan.

Your Committees have also made various technical amendments and other amendments for purposes of improved clarity and style.

Your Committee on Housing and your Committee on State General Planning concur with the intent and purpose of S.C.R. No. 12, S.D. 2, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 12, S.D. 2, H.D. 1.

Signed by all members of the Committee.
(Representatives Anderson, Lacy and Liu did not concur.)

SCRep. 935-82 Health on S.C.R. No. 5 (Majority)

The primary purpose of this concurrent resolution, as received by your Committees, is to adopt the State Health Plan of September, 1981 as a State functional plan for the State of Hawaii in furtherance of Chapter 226, Hawaii Revised Statutes.

Your Committees find that out of concern over the State's future growth and direction, the 1978 State Legislature adopted the Hawaii State Planning Act (Chapter 226, Hawaii Revised Statutes), also referred to as the Hawaii State Plan. Emphasis on legislative participation in the overall government planning process is contained in the Act's broad goals, objectives, policies, and priority directions intended to direct the State's future growth and development, and the submittal of twelve (12) functional plans for specified areas of governmental activity to the Legislature.

In accordance with the provisions of Chapter 226, Hawaii Revised Statutes, the Department of Health prepared the State Health Plan of September, 1981, designed to set forth guidelines for the delivery of services and the allocation of resources by State agencies with regard to health, and the plan was submitted to the Eleventh Legislature, Regular Session of 1982.

After duly reviewing the State Health Plan of September, 1981, as amended by the Senate, your Committees have modified the substance of the plan and have attached these amendments to the plan as Exhibit B. Your Committees recommend that the State Health Plan, as transmitted by the Governor to the Legislature and attached hereto as Exhibit A, and as modified by the amendments set forth in Ramseyer format in the attached Exhibit B, be adopted as the State Health Functional Plan.

Subsequent to your Committees' review and amendment of the State Health Plan (Exhibit A as amended by Exhibit B), your Committees have amended the concurrent resolution in the following principal respects:

(1) The title of the resolution has been amended from "Relating to the State Health Plan" to "Relating to the State Health Functional Plan" in order to avoid any confusion between the functional plan for health being adopted pursuant to Chapter 226, Hawaii Revised Statutes, and any other plan or plans relating to health. Other references to the health plan throughout the resolution have been amended accordingly.

(2) References to the technical reference document have been deleted, and a new "Whereas" clause added to clarify that the State Health Functional Plan Technical Reference Document is to serve as a resource document, containing background information and data relevant to the health functional plan. It is the intent of your Committees that the technical reference document is merely an informational resource document and is not to be used to interpret the intent or meaning of the policies and implementing actions contained in the amended Plan.

(3) References to the Attorney General's opinion of March 31, 1982 have been deleted because the gist of said Attorney General opinion, that functional plans are to be utilized as guidelines with respect to certain county planning processes or functions, has in essence been incorporated into the following redrafted "Whereas" clause:

"WHEREAS, State functional plans shall be approved by the Legislature by concurrent resolution pursuant to Chapter 226, Hawaii Revised Statutes, and do not mandate county and private sector actions, serving instead as guidelines to coordinate the various sectors of government and private industry toward achieving the statewide objectives of the Hawaii State Planning Act and, when adopted by concurrent resolution,

will be expressions of legislative policy but are not to be interpreted as law or statutory mandate; now, therefore,".

(4) The "Be It Resolved" clause has been amended to read:

"BE IT RESOLVED by the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, the House of Representatives concurring, that the State Health Plan, as set forth in Exhibit A and amended as set forth in Exhibit B, said exhibits being attached hereto and made parts hereof, be adopted as the State Health Functional Plan for the State of Hawaii pursuant to Chapter 226, Hawaii Revised Statutes; and"

(5) References to S.B. No. 2720-82 in the concurrent resolution, as received, have been deleted. Your Committees believe that the enactment of any amendments to Chapter 226, Hawaii Revised Statutes, would be premature until the complete planning process set forth in Chapter 226, Hawaii Revised Statutes, which process includes the adoption of the functional plans, has been implemented, and sufficient experience has been acquired under the Hawaii State Planning Act and the functional plans required by the Act.

(6) Three new "Be It Further Resolved" clauses, reading as follows, have been added:

"BE IT FURTHER RESOLVED that the Department of Health coordinate and monitor efforts to implement the State Health Functional Plan and submit to the State Plan Policy Council, at least sixty (60) days prior to the start of any regular session of the Legislature, a complete and detailed report on progress being made toward implementation of the State Health Functional Plan; and

BE IT FURTHER RESOLVED that the Department of Health conduct a comprehensive review and revision of the State Health Functional Plan within a two-year period subsequent to any amendments to Part I of the Hawaii State Plan to be consistent with the Hawaii State Plan; and

BE IT FURTHER RESOLVED that the Department of Health update the implementation component of the State Health Functional Plan at two-year intervals to be consistent with Part III of the Hawaii State Plan and to coincide with preparation of the State biennial budget; and".

Your Committees added these three "Be It Further Resolved" clauses in order to ensure that the implementation of the functional plan is adequately monitored, and that the functional plan is appropriately amended to be consistent with the existing or amended provisions of the Hawaii State Plan.

Your Committees have also made various technical amendments and other amendments for purposes of improved clarity and style.

Your Committee on Health and your Committee on State General Planning concur with the intent and purpose of S.C.R. No. 5, S.D. 2, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 5, S.D. 2, H.D. 1.

Signed by all members of the Committees.
(Representatives Anderson, Lacy and Liu did not concur.)

SCRep. 936-82 Higher Education and State General Planning on S.C.R. No. 14
(Majority)

The primary purpose of this concurrent resolution, as received by your Committees, is to adopt the State Higher Education Plan of October, 1981 as a State functional plan for the State of Hawaii in furtherance of Chapter 226, Hawaii Revised Statutes.

Your Committees find that out of concern over the State's future growth and direction, the 1978 State Legislature adopted the Hawaii State Planning Act (Chapter 226, Hawaii Revised Statutes), also referred to as the Hawaii State Plan. Emphasis on legislative participation in the overall government planning process is contained in the Act's broad goals, objectives, policies, and priority directions intended to direct the State's future growth and development, and the submittal of twelve (12) functional plans for specified areas of governmental activity to the Legislature.

In accordance with the provisions of Chapter 226, Hawaii Revised Statutes, the University of Hawaii prepared the State Higher Education Plan of October, 1981, designed to set forth guidelines for the delivery of services and the allocation of resources by State agencies with regard to higher education, and the plan was submitted to the Eleventh Legislature, Regular Session of 1982.

After duly reviewing the State Higher Education Plan of October, 1981, as amended by the Senate, your Committees have modified the substance of the plan and have attached these amendments to the plan as Exhibit B. Your Committees recommend that the State Higher Education Plan, as transmitted by the Governor to the Legislature and attached hereto as Exhibit A, and as modified by the amendments set forth in Ramseyer format in the attached Exhibit B, be adopted as the State Higher Education Functional Plan.

Subsequent to your Committees' review and amendment of the State Higher Education Plan (Exhibit A as amended by Exhibit B), your Committees have amended the concurrent resolution in the following principal respects:

(1) The title of the resolution has been amended from "Relating to the State Higher Education Plan" to "Relating to the State Higher Education Functional Plan" in order to avoid any confusion between the functional plan for higher education being adopted pursuant to Chapter 226, Hawaii Revised Statutes, and any other plan or plans relating to higher education. Other references to the higher education plan throughout the resolution have been amended accordingly.

(2) References to the technical reference document have been deleted, and a new "Whereas" clause added to clarify that the State Higher Education Functional Plan Technical Reference Document is to serve as a resource document, containing background information and data relevant to the higher education functional plan. It is the intent of your Committees that the technical reference document is merely an informational resource document and is not to be used to interpret the intent or meaning of the policies and implementing actions contained in the amended Plan.

(3) References to the Attorney General's opinion of March 31, 1982 have been deleted because the gist of said Attorney General opinion, that functional plans are to be utilized as guidelines with respect to certain county planning processes or functions, has in essence been incorporated into the following redrafted "Whereas" clause:

"WHEREAS, State functional plans shall be approved by the Legislature by concurrent resolution pursuant to Chapter 226, Hawaii Revised Statutes, and do not mandate county and private sector actions, serving instead as guidelines to coordinate the various sectors of government and private industry toward achieving the statewide objectives of the Hawaii State Planning Act and, when adopted by concurrent resolution, will be expressions of legislative policy but are not to be interpreted as law or statutory mandate; now, therefore,".

(4) The "Be It Resolved" clause has been amended to read:

"BE IT RESOLVED by the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, the House of Representatives concurring, that the State Higher Education Plan, as set forth in Exhibit A and amended as set forth in Exhibit B, said exhibits being attached hereto and made parts hereof, be adopted as the State Higher Education Functional Plan for the State of Hawaii pursuant to Chapter 226, Hawaii Revised Statutes; and"

(5) References to S.B. No. 2720-82 in the concurrent resolution, as received, have been deleted. Your Committees believe that the enactment of any amendments to Chapter 226, Hawaii Revised Statutes, would be premature until the complete planning process set forth in Chapter 226, Hawaii Revised Statutes, which process includes the adoption of the functional plans, has been implemented, and sufficient experience has been acquired under the Hawaii State Planning Act and the functional plans required by the Act.

(6) Three new "Be It Further Resolved" clauses, reading as follows, have been added:

"BE IT FURTHER RESOLVED that the University of Hawaii coordinate and monitor efforts to implement the State Higher Education Functional Plan and submit to the State Plan Policy Council, at least sixty (60) days prior to the start of any regular session of the Legislature, a complete and detailed report on progress being made toward implementation of the State Higher Education Plan; and

"Whereas" clause added to clarify that the State Water Resources Development Functional Plan Technical Reference Document is to serve as a resource document, containing background information and data relevant to the water resources development functional plan. It is the intent of your Committees that the technical reference document is merely an informational resource document and is not to be used to interpret the intent or meaning of the policies and implementing actions contained in the amended Plan.

(3) References to the Attorney General's opinion of March 31, 1982 have been deleted because the gist of said Attorney General opinion, that functional plans are to be utilized as guidelines with respect to certain county planning processes or functions, has in essence been incorporated into the following redrafted "Whereas" clause:

"WHEREAS, State functional plans shall be approved by the Legislature by concurrent resolution pursuant to Chapter 226, Hawaii Revised Statutes, and do not mandate county and private sector actions, serving instead as guidelines to coordinate the various sectors of government and private industry toward achieving the statewide objectives of the Hawaii State Planning Act and, when adopted by concurrent resolution, will be expressions of legislative policy but are not to be interpreted as law or statutory mandate; now, therefore, "

(4) The "Be It Resolved" clause has been amended to read:

"BE IT RESOLVED by the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, the House of Representatives concurring, that the State Water Resources Development Plan, as set forth in Exhibit A and amended as set forth in Exhibit B, said exhibits being attached hereto and made parts hereof, be adopted as the State Water Resources Development Functional Plan for the State of Hawaii pursuant to Chapter 226, Hawaii Revised Statutes; and"

(5) References to S.B. No. 2720-82 in the concurrent resolution, as received, have been deleted. Your Committees believe that the enactment of any amendments to Chapter 226, Hawaii Revised Statutes, would be premature until the complete planning process set forth in Chapter 226, Hawaii Revised Statutes, which process includes the adoption of the functional plans, has been implemented, and sufficient experience has been acquired under the Hawaii State Planning Act and the functional plans required by the Act.

(6) Three new "Be It Further Resolved" clauses, reading as follows, have been added:

"BE IT FURTHER RESOLVED that the Department of Land and Natural Resources coordinate and monitor efforts to implement the State Water Resources Development Functional Plan and submit to the State Plan Policy Council, at least sixty (60) days prior to the start of any regular session of the Legislature, a complete and detailed report on progress being made toward implementation of the State Water Resources Development Functional Plan; and

BE IT FURTHER RESOLVED that the Department of Land and Natural Resources conduct a comprehensive review and revision of the State Water Resources Development Functional Plan within a two-year period subsequent to any amendments to Part I of the Hawaii State Plan to be consistent with the Hawaii State Plan; and

BE IT FURTHER RESOLVED that the Department of Land and Natural Resources update the implementation component of the State Water Resources Development Functional Plan at two-year intervals to be consistent with Part III of the Hawaii State Plan and to coincide with preparation of the State biennial budget; and"

Your Committees added these three "Be It Further Resolved" clauses in order to ensure that the implementation of the functional plan is adequately monitored, and that the functional plan is appropriately amended to be consistent with the existing or amended provisions of the Hawaii State Plan.

Your Committees have also made various technical amendments and other amendments for purposes of improved clarity and style.

Your Committee on Water, Land Use, Development and Hawaiian Affairs and your Committee on State General Planning concur with the intent and purpose of S.C.R. No. 6, S.D. 1, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 6, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representative Morioka.
(Representatives Anderson and Monahan did not concur.)

SCRep. 938-82 Water, Land Use, Development and Hawaiian Affairs and State
General Planning on S.C.R. No. 7 (Majority)

The primary purpose of this concurrent resolution, as received by your Committees, is to adopt the State Recreation Plan of October, 1981 as a State functional plan for the State of Hawaii in furtherance of Chapter 226, Hawaii Revised Statutes.

Your Committees find that out of concern over the State's future growth and direction, the 1978 State Legislature adopted the Hawaii State Planning Act (Chapter 226, Hawaii Revised Statutes), also referred to as the Hawaii State Plan. Emphasis on legislative participation in the overall government planning process is contained in the Act's broad goals, objectives, policies, and priority directions intended to direct the State's future growth and development, and the submittal of twelve (12) functional plans for specified areas of governmental activity to the Legislature.

In accordance with the provisions of Chapter 226, Hawaii Revised Statutes, the Department of Land and Natural Resources prepared the State Recreation Plan of October, 1981, designed to set forth guidelines for the delivery of services and the allocation of resources by State agencies with regard to Recreation or leisure, and the plan was submitted to the Eleventh Legislature, Regular Session of 1982.

After duly reviewing the State Recreation Plan of October, 1981, as amended by the Senate, your Committees have modified the substance of the plan and have attached these amendments to the plan as Exhibit B. Your Committees recommend that the State Recreation Plan, as transmitted by the Governor to the Legislature and attached hereto as Exhibit A, and as modified by the amendments set forth in Ramseyer format in the attached Exhibit B, be adopted as the State Recreation Functional Plan.

Subsequent to your Committees' review and amendment of the State Recreation Plan (Exhibit A as amended by Exhibit B), your Committees have amended the concurrent resolution in the following principal respects:

(1) The title of the resolution has been amended from "Relating to the State Recreation Plan" to "Relating to the State Recreation Functional Plan" in order to avoid any confusion between the functional plan for recreation being adopted pursuant to Chapter 226, Hawaii Revised Statutes, and any other plan or plans relating to recreation. Other references to the recreation plan throughout the resolution have been amended accordingly.

(2) References to the technical reference document have been deleted, and a new "Whereas" clause added to clarify that the State Recreation Functional Plan Technical Reference Document is to serve as a resource document, containing background information and data relevant to the recreation functional plan. It is the intent of your Committees that the technical reference document is merely an informational resource document and is not to be used to interpret the intent or meaning of the policies and implementing actions contained in the amended Plan.

(3) References to the Attorney General's opinion of March 31, 1982 have been deleted because the gist of said Attorney General opinion, that functional plans are to be utilized as guidelines with respect to certain county planning processes or functions, has in essence been incorporated into the following redrafted "Whereas" clause:

"WHEREAS, State functional plans shall be approved by the Legislature by concurrent resolution pursuant to Chapter 226, Hawaii Revised Statutes, and do not mandate county and private sector actions, serving instead as guidelines to coordinate the various sectors of government and private industry toward achieving the statewide objectives of the Hawaii State Planning Act and, when adopted by concurrent resolution, will be expressions of legislative policy but are not to be interpreted as law or statutory mandate; now, therefore,".

(4) The "Be It Resolved" clause has been amended to read:

"BE IT RESOLVED by the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, the House of Representatives concurring, that the State Recreation Plan, as set forth in Exhibit A and amended as set forth in Exhibit B, said exhibits being attached hereto and made parts hereof, be adopted as the State Recreation Functional Plan for the State of Hawaii pursuant to Chapter 226, Hawaii Revised Statutes; and"

(5) References to S.B. No. 2720-82 in the concurrent resolution, as received, have been deleted. Your Committees believe that the enactment of any amendments to Chapter 226, Hawaii Revised Statutes, would be premature until the complete planning process set forth in Chapter 226, Hawaii Revised Statutes, which process includes the adoption of the functional plans, has been implemented, and sufficient experience has been acquired under the Hawaii State Planning Act and the functional plans required by the Act.

(6) Three new "Be It Further Resolved" clauses, reading as follows, have been added:

"BE IT FURTHER RESOLVED that the Department of Land and Natural Resources coordinate and monitor efforts to implement the State Recreation Functional Plan and submit to the State Plan Policy Council, at least sixty (60) days prior to the start of any regular session of the Legislature, a complete and detailed report on progress being made toward implementation of the State Recreation Functional Plan; and

BE IT FURTHER RESOLVED that the Department of Land and Natural Resources conduct a comprehensive review and revision of the State Recreation Functional Plan within a two-year period subsequent to any amendments to Part I of the Hawaii State Plan to be consistent with the Hawaii State Plan; and

BE IT FURTHER RESOLVED that the Department of Land and Natural Resources update the implementation component of the State Recreation Functional Plan at two-year intervals to be consistent with Part III of the Hawaii State Plan and to coincide with preparation of the State biennial budget; and".

Your Committees added these three "Be It Further Resolved" clauses in order to ensure that the implementation of the functional plan is adequately monitored, and that the functional plan is appropriately amended to be consistent with the existing or amended provisions of the Hawaii State Plan.

Your Committees have also made various technical amendments and other amendments for purposes of improved clarity and style.

Your Committee on Water, Land Use, Development, and Hawaiian Affairs and your Committee on State General Planning concur with the intent and purpose of S.C.R. No. 7, S.D. 2, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 7, S.D. 2, H.D. 1.

Signed by all members of the Committees except Representative Morioka.
(Representatives Anderson and Monahan did not concur.)

SCRep. 939-82 Water, Land Use, Development and Hawaiian Affairs and State
General Planning on S.C.R. No. 8 (Majority)

The primary purpose of this concurrent resolution, as received by your Committees, is to adopt the State Conservation Lands Plan of October, 1981 as a State functional plan for the State of Hawaii in furtherance of Chapter 226, Hawaii Revised Statutes.

Your Committees find that out of concern over the State's future growth and direction, the 1978 State Legislature adopted the Hawaii State Planning Act (Chapter 226, Hawaii Revised Statutes), also referred to as the Hawaii State Plan. Emphasis on legislative participation in the overall government planning process is contained in the Act's broad goals, objectives, policies, and priority directions intended to direct the State's future growth and development, and the submittal of twelve (12) functional plans for specified areas of governmental activity to the Legislature.

In accordance with the provisions of Chapter 226, Hawaii Revised Statutes, the Department of Land and Natural Resources prepared the State Conservation Lands Plan of October, 1981, designed to further define the Hawaii State Plan and recommend a rational basis for the management of conservation lands and resources in the State, and the plan was submitted to the Eleventh Legislature, Regular Session of 1982.

After duly reviewing the State Conservation Lands Plan of October, 1981, as amended by the Senate, your Committees have modified the substance of the plan and have attached these amendments to the plan as Exhibit B. Your Committees recommend that the State Conservation Lands Plan, as transmitted by the Governor to the Legislature and attached hereto as Exhibit A, and as modified by the amendments set forth in Ramseyer format

in the attached Exhibit B, be adopted as the State Conservation Lands Functional Plan.

Subsequent to your Committees' review and amendment of the State Conservation Lands Plan (Exhibit A as amended by Exhibit B), your Committees have amended the concurrent resolution in the following principal respects:

(1) The title of the resolution has been amended from "Relating to the State Conservation Lands Plan" to "Relating to the State Conservation Lands Functional Plan" in order to avoid any confusion between the functional plan for conservation lands being adopted pursuant to Chapter 226, Hawaii Revised Statutes, and any other plan or plans relating to conservation lands. Other references to the conservation lands plan throughout the resolution have been amended accordingly.

(2) References to the technical reference document have been deleted, and a new "Whereas" clause added to clarify that the State Conservation Lands Functional Plan Technical Reference Document is to serve as a resource document, containing background information and data relevant to the conservation lands functional plan. It is the intent of your Committees that the technical reference document is merely an informational resource document and is not to be used to interpret the intent or meaning of the policies and implementing actions contained in the amended Plan.

(3) References to the Attorney General's opinion of March 31, 1982 have been deleted because the gist of said Attorney General opinion, that functional plans are to be utilized as guidelines with respect to certain county planning processes or functions, has in essence been incorporated into the following redrafted "Whereas" clause:

"WHEREAS, State functional plans shall be approved by the Legislature by concurrent resolution pursuant to Chapter 226, Hawaii Revised Statutes, and do not mandate county and private sector actions, serving instead as guidelines to coordinate the various sectors of government and private industry toward achieving the statewide objectives of the Hawaii State Planning Act and, when adopted by concurrent resolution, will be expressions of legislative policy but are not to be interpreted as law or statutory mandate; now, therefore,".

(4) The "Be It Resolved" clause has been amended to read:

"BE IT RESOLVED by the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, the House of Representatives concurring, that the State Conservation Lands Plan, as set forth in Exhibit A and amended as set forth in Exhibit B, said exhibits being attached hereto and made parts hereof, be adopted as the State Conservation Lands Functional Plan for the State of Hawaii pursuant to Chapter 226, Hawaii Revised Statutes; and"

(5) References to S.B. No. 2720-82 in the concurrent resolution, as received, have been deleted. Your Committees believe that the enactment of any amendments to Chapter 226, Hawaii Revised Statutes, would be premature until the complete planning process set forth in Chapter 226, Hawaii Revised Statutes, which process includes the adoption of the functional plans, has been implemented, and sufficient experience has been acquired under the Hawaii State Planning Act and the functional plans required by the Act.

(6) Three new "Be It Further Resolved" clauses, reading as follows, have been added:

"BE IT FURTHER RESOLVED that the Department of Land and Natural Resources coordinate and monitor efforts to implement the State Conservation Lands Functional Plan and submit to the State Plan Policy Council, at least sixty (60) days prior to the start of any regular session of the Legislature, a complete and detailed report on progress being made toward implementation of the State Conservation Lands Functional Plan; and

BE IT FURTHER RESOLVED that the Department of Land and Natural Resources conduct a comprehensive review and revision of the State Conservation Lands Functional Plan within a two-year period subsequent to any amendments to Part I of the Hawaii State Plan to be consistent with the Hawaii State Plan; and

BE IT FURTHER RESOLVED that the Department of Land and Natural Resources update the implementation component of the State Conservation Lands Functional Plan at two-year intervals to be consistent with Part III of the Hawaii State Plan and to coincide with preparation of the State biennial budget; and".

Your Committees added these three "Be It Further Resolved" clauses in order to ensure that the implementation of the functional plan is adequately monitored, and that the functional plan is appropriately amended to be consistent with the existing or amended provisions of the Hawaii State Plan.

Your Committees have also made various technical amendments and other amendments for purposes of improved clarity and style.

Your Committee on Water, Land Use, Development and Hawaiian Affairs and your Committee on State General Planning concur with the intent and purpose of S.C.R. No. 8, S.D. 2, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 8, S.D. 2, H.D. 1.

Signed by all members of the Committees except Representative Morioka.
(Representatives Anderson and Monahan did not concur.)

SCRep. 940-82 Water, Land Use, Development and Hawaiian Affairs; Culture
and the Arts; and State General Planning on S.C.R. No. 9
(Majority)

The primary purpose of this concurrent resolution, as received by your Committees, is to adopt the State Historic Preservation Plan of October, 1981 as a State functional plan for the State of Hawaii in furtherance of Chapter 226, Hawaii Revised Statutes.

Your Committees find that out of concern over the State's future growth and direction, the 1978 State Legislature adopted the Hawaii State Planning Act (Chapter 226, Hawaii Revised Statutes), also referred to as the Hawaii State Plan. Emphasis on legislative participation in the overall government planning process is contained in the Act's broad goals, objectives, policies, and priority directions intended to direct the State's future growth and development, and the submittal of twelve (12) functional plans for specified areas of governmental activity to the Legislature.

In accordance with the provisions of Chapter 226, Hawaii Revised Statutes, the Department of Land and Natural Resources prepared the State Historic Preservation Plan of October, 1981, designed to set forth guidelines for the delivery of services and the allocation of resources by State agencies with regard to historic preservation, and the plan was submitted to the Eleventh Legislature, Regular Session of 1982.

After duly reviewing the State Historic Preservation Plan of October, 1981, as amended by the Senate, your Committees have modified the substance of the plan and have attached these amendments to the plan as Exhibit B. Your Committees recommend that the State Historic Preservation Plan, as transmitted by the Governor to the Legislature and attached hereto as Exhibit A, and as modified by the amendments set forth in Ramseyer format in the attached Exhibit B, be adopted as the State Historic Preservation Functional Plan.

Subsequent to your Committees' review and amendment of the State Historic Preservation Plan (Exhibit A as amended by Exhibit B), your Committees have amended the concurrent resolution in the following principal respects:

(1) The title of the resolution has been amended from "Relating to the State Historic Preservation Plan" to "Relating to the State Historic Preservation Functional Plan" in order to avoid any confusion between the functional plan for historic preservation being adopted pursuant to Chapter 226, Hawaii Revised Statutes, and any other plan or plans relating to historic preservation. Other references to the historic preservation plan throughout the resolution have been amended accordingly.

(2) References to the technical reference document have been deleted, and a new "Whereas" clause added to clarify that the State Historic Preservation Functional Plan Technical Reference Document is to serve as a resource document, containing background information and data relevant to the historic preservation functional plan. It is the intent of your Committees that the technical reference document is merely an informational resource document and is not to be used to interpret the intent or meaning of the policies and implementing actions contained in the amended Plan.

(3) References to the Attorney General's opinion of March 31, 1982 have been deleted because the gist of said Attorney General opinion, that functional plans are to be utilized as guidelines with respect to certain county planning processes or functions, has in essence been incorporated into the following redrafted "Whereas" clause:

"WHEREAS, State functional plans shall be approved by the Legislature by concurrent resolution pursuant to Chapter 226, Hawaii Revised Statutes, and do not mandate county and private sector actions, serving instead as guidelines to coordinate the various sectors of government and private industry toward achieving the statewide objectives of the Hawaii State Planning Act and, when adopted by concurrent resolution, will be expressions of legislative policy but are not to be interpreted as law or statutory mandate; now, therefore, "

(4) The "Be It Resolved" clause has been amended to read:

"BE IT RESOLVED by the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, the House of Representatives concurring, that the State Historic Preservation Plan, as set forth in Exhibit A and amended as set forth in Exhibit B, said exhibits being attached hereto and made parts hereof, be adopted as the State Historic Preservation Functional Plan for the State of Hawaii pursuant to Chapter 226, Hawaii Revised Statutes; and"

(5) References to S.B. No. 2720-82 in the concurrent resolution, as received, have been deleted. Your Committees believe that the enactment of any amendments to Chapter 226, Hawaii Revised Statutes, would be premature until the complete planning process set forth in Chapter 226, Hawaii Revised Statutes, which process includes the adoption of the functional plans, has been implemented, and sufficient experience has been acquired under the Hawaii State Planning Act and the functional plans required by the Act.

(6) Three new "Be It Further Resolved" clauses, reading as follows, have been added:

"BE IT FURTHER RESOLVED that the Department of Land and Natural Resources coordinate and monitor efforts to implement the State Historic Preservation Functional Plan and submit to the State Plan Policy Council, at least sixty (60) days prior to the start of any regular session of the Legislature, a complete and detailed report on progress being made toward implementation of the State Historic Preservation Functional Plan; and

BE IT FURTHER RESOLVED that the Department of Land and Natural Resources conduct a comprehensive review and revision of the State Historic Preservation Functional Plan within a two-year period subsequent to any amendments to Part I of the Hawaii State Plan to be consistent with the Hawaii State Plan; and

BE IT FURTHER RESOLVED that the Department of Land and Natural Resources update the implementation component of the State Historic Preservation Functional Plan at two-year intervals to be consistent with Part III of the Hawaii State Plan and to coincide with preparation of the State biennial budget; and"

Your Committees added these three "Be It Further Resolved" clauses in order to ensure that the implementation of the functional plan is adequately monitored, and that the functional plan is appropriately amended to be consistent with the existing or amended provisions of the Hawaii State Plan.

Your Committees have also made various technical amendments and other amendments for purposes of improved clarity and style.

Your Committee on Water, Land Use, Development, and Hawaiian Affairs, your Committee on Culture and the Arts, and your Committee on State General Planning concur with the intent and purpose of S.C.R. No. 9, S.D. 2, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 9, S.D. 2, H.D. 1.

Signed by all members of the Committees except Representative Morioka.
(Representatives Anderson and Monahan did not concur.)

SCRep. 941-82 Education and State General Planning on S.C.R. No. 4 (Majority)

The primary purpose of this concurrent resolution, as received by your Committees, is to adopt the State Education Plan of October, 1981 as a State functional plan for the State of Hawaii in furtherance of Chapter 226, Hawaii Revised Statutes.

Your Committees find that out of concern over the State's future growth and direction, the 1978 State Legislature adopted the Hawaii State Planning Act (Chapter 226, Hawaii Revised Statutes), also referred to as the Hawaii State Plan. Emphasis on legislative participation in the overall government planning process is contained in the Act's broad

goals, objectives, policies, and priority directions intended to direct the State's future growth and development, and the submittal of twelve (12) functional plans for specified areas of governmental activity to the Legislature.

In accordance with the provisions of Chapter 226, Hawaii Revised Statutes, the Department of prepared the State Education Plan of October, 1981, designed to set forth guidelines for the delivery of services and the allocation of resources by State agencies with regard to education, and the plan was submitted to the Eleventh Legislature, Regular Session of 1982.

After duly reviewing the State Education Plan of October, 1981, as amended by the Senate, your Committees have modified the substance of the plan and have attached these amendments to the plan as Exhibit B. Your Committees recommend that the State Education Plan, as transmitted by the Governor to the Legislature and attached hereto as Exhibit A, and as modified by the amendments set forth in Ramseyer format in the attached Exhibit B, be adopted as the State Education Functional Plan.

Subsequent to your Committees' review and amendment of the State Education Plan (Exhibit A as amended by Exhibit B), your Committees have amended the concurrent resolution in the following principal respects:

(1) The title of the resolution has been amended from "Relating to the State Education Plan" to "Relating to the State Education Functional Plan" in order to avoid any confusion between the functional plan for education being adopted pursuant to Chapter 226, Hawaii Revised Statutes, and any other plan or plans relating to education. Other references to the education plan throughout the resolution have been amended accordingly.

(2) References to the technical reference document have been deleted, and a new "Whereas" clause added to clarify that the State Education Functional Plan Technical Reference Document is to serve as a resource document, containing background information and data relevant to the education functional plan. It is the intent of your Committees that the technical reference document is merely an informational resource document and is not to be used to interpret the intent or meaning of the policies and implementing actions contained in the amended Plan.

(3) References to the Attorney General's opinion of March 31, 1982 have been deleted because the gist of said Attorney General opinion, that functional plans are to be utilized as guidelines with respect to certain county planning processes or functions, has in essence been incorporated into the following redrafted "Whereas" clause:

"WHEREAS, State functional plans shall be approved by the Legislature by concurrent resolution pursuant to Chapter 226, Hawaii Revised Statutes, and do not mandate county and private sector actions, serving instead as guidelines to coordinate the various sectors of government and private industry toward achieving the statewide objectives of the Hawaii State Planning Act and, when adopted by concurrent resolution, will be expressions of legislative policy but are not to be interpreted as law or statutory mandate; now, therefore,".

(4) The "Be It Resolved" clause has been amended to read:

"BE IT RESOLVED by the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, the House of Representatives concurring, that the State Education Plan, as set forth in Exhibit A and amended as set forth in Exhibit B, said exhibits being attached hereto and made parts hereof, be adopted as the State Education Functional Plan for the State of Hawaii pursuant to Chapter 226, Hawaii Revised Statutes; and"

(5) References to S.B. No. 2720-82 in the concurrent resolution, as received, have been deleted. Your Committees believe that the enactment of any amendments to Chapter 226, Hawaii Revised Statutes, would be premature until the complete planning process set forth in Chapter 226, Hawaii Revised Statutes, which process includes the adoption of the functional plans, has been implemented, and sufficient experience has been acquired under the Hawaii State Planning Act and the functional plans required by the Act.

(6) Three new "Be It Further Resolved" clauses, reading as follows, have been added:

"BE IT FURTHER RESOLVED that the Department of Education coordinate and monitor efforts to implement the State Education Functional Plan and submit to the State Plan Policy Council, at least sixty (60) days prior to the start of any regular session

of the Legislature, a complete and detailed report on progress being made toward implementation of the State Education Functional Plan; and

BE IT FURTHER RESOLVED that the Department of Education conduct a comprehensive review and revision of the State Education Functional Plan within a two-year period subsequent to any amendments to Part I of the Hawaii State Plan to be consistent with the Hawaii State Plan; and

BE IT FURTHER RESOLVED that the Department of Education update the implementation component of the State Education Functional Plan at two-year intervals to be consistent with Part III of the Hawaii State Plan and to coincide with preparation of the State biennial budget; and".

Your Committees added these three "Be It Further Resolved" clauses in order to ensure that the implementation of the functional plan is adequately monitored, and that the functional plan is appropriately amended to be consistent with the existing or amended provisions of the Hawaii State Plan.

Your Committees have also made various technical amendments and other amendments for purposes of improved clarity and style.

Your Committee on Education and your Committee on State General Planning concur with the intent and purpose of S.C.R. No. 4, S.D. 2, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 4, S.D. 2, H.D. 1.

Signed by all members of the Committees except Representatives Kiyabu, Nakasato, Waihee and Monahan.
(Representative Anderson did not concur.)

SCRep. 942-82 Energy, Ecology and Environmental Protection and State General Planning on S.C.R. No. 11 (Majority)

The primary purpose of this concurrent resolution, as received by your Committees, is to adopt the State Energy Plan of October, 1981 as a State functional plan for the State of Hawaii in furtherance of Chapter 226, Hawaii Revised Statutes.

Your Committees find that out of concern over the State's future growth and direction, the 1978 State Legislature adopted the Hawaii State Planning Act (Chapter 226, Hawaii Revised Statutes), also referred to as the Hawaii State Plan. Emphasis on legislative participation in the overall government planning process is contained in the Act's broad goals, objectives, policies, and priority directions intended to direct the State's future growth and development, and the submittal of twelve (12) functional plans for specified areas of governmental activity to the Legislature.

In accordance with the provisions of Chapter 226, Hawaii Revised Statutes, the Department of Planning and Economic Development prepared the State Energy Plan of October, 1981, designed to set forth guidelines for the delivery of services and the allocation of resources by State agencies with regard to energy, and the plan was submitted to the Eleventh Legislature, Regular Session of 1982.

After duly reviewing the State Energy Plan of October, 1981, as amended by the Senate, your Committees have modified the substance of the plan and have attached these amendments to the plan as Exhibit B. Your Committees recommend that the State Energy Plan, as transmitted by the Governor to the Legislature and attached hereto as Exhibit A, and as modified by the amendments set forth in Ramseyer format in the attached Exhibit B, be adopted as the State Energy Functional Plan.

Subsequent to your Committees' review and amendment of the State Energy Plan (Exhibit A as amended by Exhibit B), your Committees have amended the concurrent resolution in the following principal respects:

(1) The title of the resolution has been amended from "Relating to the State Energy Plan" to "Relating to the State Energy Functional Plan" in order to avoid any confusion between the functional plan for energy being adopted pursuant to Chapter 226, Hawaii Revised Statutes, and any other plan or plans relating to energy. Other references to the energy plan throughout the resolution have been amended accordingly.

(2) References to the technical reference document have been deleted, and a new "Whereas" clause added to clarify that the State Energy Functional Plan Technical Reference

Document is to serve as a resource document, containing background information and data relevant to the energy functional plan. It is the intent of your Committees that the technical reference document is merely an informational resource document and is not to be used to interpret the intent or meaning of the policies and implementing actions contained in the amended Plan.

(3) References to the Attorney General's opinion of March 31, 1982 have been deleted because the gist of said Attorney General opinion, that functional plans are to be utilized as guidelines with respect to certain county planning processes or functions, has in essence been incorporated into the following redrafted "Whereas" clause:

"WHEREAS, State functional plans shall be approved by the Legislature by concurrent resolution pursuant to Chapter 226, Hawaii Revised Statutes, and do not mandate county and private sector actions, serving instead as guidelines to coordinate the various sectors of government and private industry toward achieving the statewide objectives of the Hawaii State Planning Act and, when adopted by concurrent resolution, will be expressions of legislative policy but are not to be interpreted as law or statutory mandate; now, therefore,".

(4) The "Be It Resolved" clause has been amended to read:

"BE IT RESOLVED by the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, the House of Representatives concurring, that the State Energy Plan, as set forth in Exhibit A and amended as set forth in Exhibit B, said exhibits being attached hereto and made parts hereof, be adopted as the State Energy Functional Plan for the State of Hawaii pursuant to Chapter 226, Hawaii Revised Statutes; and"

(5) References to S.B. No. 2720-82 in the concurrent resolution, as received, have been deleted. Your Committees believe that the enactment of any amendments to Chapter 226, Hawaii Revised Statutes, would be premature until the complete planning process set forth in Chapter 226, Hawaii Revised Statutes, which process includes the adoption of the functional plans, has been implemented, and sufficient experience has been acquired under the Hawaii State Planning Act and the functional plans required by the Act.

(6) Three new "Be It Further Resolved" clauses, reading as follows, have been added:

"BE IT FURTHER RESOLVED that the Department of Planning and Economic Development coordinate and monitor efforts to implement the State Energy Functional Plan and submit to the State Plan Policy Council, at least sixty (60) days prior to the start of any regular session of the Legislature, a complete and detailed report on progress being made toward implementation of the State Energy Functional Plan; and

BE IT FURTHER RESOLVED that the Department of Planning and Economic Development conduct a comprehensive review and revision of the State Energy Functional Plan within a two-year period subsequent to any amendments to Part I of the Hawaii State Plan to be consistent with the Hawaii State Plan; and

BE IT FURTHER RESOLVED that the Department of Planning and Economic Development update the implementation component of the State Energy Functional Plan at two-year intervals to be consistent with Part III of the Hawaii State Plan and to coincide with preparation of the State biennial budget; and".

Your Committees added these three "Be It Further Resolved" clauses in order to ensure that the implementation of the functional plan is adequately monitored, and that the functional plan is appropriately amended to be consistent with the existing or amended provisions of the Hawaii State Plan.

Your Committees have also made various technical amendments and other amendments for purposes of improved clarity and style.

Your Committee on Energy, Ecology, and Environmental Protection and your Committee on State General Planning concur with the intent and purpose of S.C.R. No. 11, S.D. 1, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 11, S.D. 1, H.D. 1.

Signed by all members of the Committees except Representatives Fukunaga, Hashimoto, Kiyabu, Morioka, Waihee and Monahan.
(Representative Anderson did not concur.)

SCRep. 943-82 Agriculture and State General Planning on S.C.R. No. 3
(Majority)

The primary purpose of this concurrent resolution, as received by your Committees, is to adopt the State Agriculture Plan of September, 1981 as a State functional plan for the State of Hawaii in furtherance of Chapter 226, Hawaii Revised Statutes.

Your Committees find that out of concern over the State's future growth and direction, the 1978 State Legislature adopted the Hawaii State Planning Act (Chapter 226, Hawaii Revised Statutes), also referred to as the Hawaii State Plan. Emphasis on legislative participation in the overall government planning process is contained in the Act's broad goals, objectives, policies, and priority directions intended to direct the State's future growth and development, and the submittal of twelve (12) functional plans for specified areas of governmental activity to the Legislature.

In accordance with the provisions of Chapter 226, Hawaii Revised Statutes, the Department of Agriculture prepared the State Agriculture Plan of September, 1981, designed to set forth guidelines for the delivery of services and the allocation of resources by State agencies with regard to agriculture, and the plan was submitted to the Eleventh Legislature, Regular Session of 1982.

After duly reviewing the State Agriculture Plan of September, 1981, as amended by the Senate, your Committees have modified the substance of the plan and have attached these amendments to the plan as Exhibit B. Your Committees recommend that the State Agriculture Plan, as transmitted by the Governor to the Legislature and attached hereto as Exhibit A, and as modified by the amendments set forth in Ramseyer format in the attached Exhibit B, be adopted as the State Agriculture Functional Plan.

Subsequent to your Committees' review and amendment of the State Agriculture Plan (Exhibit A as amended by Exhibit B), your Committees have amended the concurrent resolution in the following principal respects:

(1) The title of the resolution has been amended from "Relating to the State Agriculture Plan" to "Relating to the State Agriculture Functional Plan" in order to avoid any confusion between the functional plan for agriculture being adopted pursuant to Chapter 226, Hawaii Revised Statutes, and any other plan or plans relating to agriculture. Other references to the agriculture plan throughout the resolution have been amended accordingly.

(2) References to the technical reference document have been deleted, and a new "Whereas" clause added to clarify that the State Agriculture Functional Plan Technical Reference Document is to serve as a resource document, containing background information and data relevant to the agriculture functional plan. It is the intent of your Committees that the technical reference document is merely an informational resource document and is not to be used to interpret the intent or meaning of the policies and implementing actions contained in the amended Plan.

(3) References to the Attorney General's opinion of March 31, 1982 have been deleted because the gist of said Attorney General opinion, that functional plans are to be utilized as guidelines with respect to certain county planning processes or functions, has in essence been incorporated into the following redrafted "Whereas" clause:

"WHEREAS, State functional plans shall be approved by the Legislature by concurrent resolution pursuant to Chapter 226, Hawaii Revised Statutes, and do not mandate county and private sector actions, serving instead as guidelines to coordinate the various sectors of government and private industry toward achieving the statewide objectives of the Hawaii State Planning Act and, when adopted by concurrent resolution, will be expressions of legislative policy but are not to be interpreted as law or statutory mandate; now, therefore,".

(4) The "Be It Resolved" clause has been amended to read:

"BE IT RESOLVED by the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, the House of Representatives concurring, that the State Agriculture Plan, as set forth in Exhibit A and amended as set forth in Exhibit B, said exhibits being attached hereto and made parts hereof, be adopted as the State Agriculture Functional Plan for the State of Hawaii pursuant to Chapter 226, Hawaii Revised Statutes; and"

(5) References to S.B. No. 2720-82 in the concurrent resolution, as received, have been deleted. Your Committees believe that the enactment of any amendments to Chapter

226, Hawaii Revised Statutes, would be premature until the complete planning process set forth in Chapter 226, Hawaii Revised Statutes, which process includes the adoption of the functional plans, has been implemented, and sufficient experience has been acquired under the Hawaii State Planning Act and the functional plans required by the Act.

(6) Three new "Be It Further Resolved" clauses, reading as follows, have been added:

"BE IT FURTHER RESOLVED that the Department of Agriculture coordinate and monitor efforts to implement the State Agriculture Functional Plan and submit to the State Plan Policy Council, at least sixty (60) days prior to the start of any regular session of the Legislature, a complete and detailed report on progress being made toward implementation of the State Agriculture Functional Plan; and

BE IT FURTHER RESOLVED that the Department of Agriculture conduct a comprehensive review and revision of the State Agriculture Functional Plan within a two-year period subsequent to any amendments to Part I of the Hawaii State Plan to be consistent with the Hawaii State Plan; and

BE IT FURTHER RESOLVED that the Department of Agriculture update the implementation component of the State Agriculture Functional Plan at two-year intervals to be consistent with Part III of the Hawaii State Plan and to coincide with preparation of the State biennial budget; and".

Your Committees added these three "Be It Further Resolved" clauses in order to ensure that the implementation of the functional plan is adequately monitored, and that the functional plan is appropriately amended to be consistent with the existing or amended provisions of the Hawaii State Plan.

Your Committees have also made various technical amendments and other amendments for purposes of improved clarity and style.

Your Committee on Agriculture and your Committee on State General Planning concur with the intent and purpose of S.C.R. No. 3, S.D. 2, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 3, S.D. 2, H.D. 1.

Signed by all members of the Committees except Representatives Fukunaga, Hashimoto, Kiyabu, Morioka, Nakasato, Okamura, Waihee and Monahan.
(Representative Anderson did not concur.)

SCRep. 944-82 Transportation and Health on H.R. No. 140

The purpose of this Resolution is to request the Legislative Reference Bureau to conduct a study, determining transportation needs of the handicapped, assessing the extent to which these needs are being met and proposing a system of transportation services which will meet these needs, minimize costs and eliminate duplicate efforts.

At the present time, responsibility for transportation services to the handicapped are fragmented and handicapped services to the outer islands are sorely deficient. In order to fully assess the effectiveness of handicap transportation policies, State and City policies should be reviewed. Your Committees have, thus, amended this resolution to include the counties of Kauai, Hawaii, and Maui, as well as the City and County of Honolulu in the study.

Your Committees received supporting testimony from the Department of Transportation, Department of Accounting and General Services, the City and County of Honolulu, State Planning Council of Developmental Disabilities, and Commission on the Handicapped indicating the need for this study to propagate a more effective handicap transportation plan.

Your Committees on Transportation and Health concur with the intent and purpose of H.R. No. 140, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 140, H.D. 1.

Signed by all members of the Committees except Representative Liu.

SCRep. 945-82 Corrections and Rehabilitation on H.R. No. 350

The purpose of this resolution is to request the Legislative Reference Bureau to conduct a feasibility study on the establishment of a separate department for correctional and public safety programs.

Your Committee is in agreement that there exists fragmented operations and a lack of coordinated policies and procedures in the criminal justice system. Furthermore, this absence of one underlying philosophy or policy governing corrections reduces the efficiency and effectiveness of the agencies.

Your Committee had received previous testimony from the Department of Social Services and Housing (DSSH), the Intake Service Center (ISC) and the Judiciary that the concept of creating a separate department for correctional programs has merit, but that an in-depth assessment of the changes should precede the creation of any new department within the state government. The DSSH, ISC and Judiciary fully support the intent of this resolution.

Your Committee on Corrections and Rehabilitation concurs with the intent and purpose of H.R. 350 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Liu.

SCRep. 946-82 Public Assistance and Human Services on H.R. No. 373

The purpose of this resolution is to request the Department of Social Services and Housing to develop a plan to implement every cost-saving provision of the 1981 Omnibus Reconciliation Act and explain each instance in which implementation is not recommended. Such a plan should include recommendations for cost-effective programs and administrative personnel and procedures to carry out the plan.

Testimony presented by the Department of Social Services and Housing is in agreement with the purpose of the resolution. Such an undertaking will assist the Department in initiating many cost-saving measures thereby substantially reducing the State's Medicaid expenditures, as well as address management issues in implementing the 1981 Omnibus Reconciliation Act. This Act gives the states unprecedented flexibility in the administration of the program, in addition to incentives for demonstrating cost-effectiveness in program administration. However in order to implement this resolution, DSSH will require the additional expertise of a consultant knowledgeable in the most recent federal guidelines pertaining to Medicaid.

The Health Care Financing Administration (HCFA) also testified in favor of this resolution and stressed the need for an independent Medicaid consultant as it is not appropriate for HCFA as a federal agency to become significantly involved in direct State program administration.

Provisions for reimbursement of such consultation are provided for under federal rules governing the regular financing of the Medicaid program. Accordingly, an appropriation of \$30,000 is being requested of the State Legislature, of which 75%, or \$22,500, will be reimbursed by the federal government. The State's net share will be 25%, or \$7,500.

The Department of Social Services and Housing is the single State agency under Medicaid designated to receive federal financial participation. Therefore, your Committee recommends that \$30,000 be inserted into the legislative budget as a proviso for the purpose of hiring a Medicaid consultant of which \$22,500 (75%) will be reimbursed by the federal government. The State's net share will be \$7,500, and DSSH will be listed as the expending agency.

Your Committee on Public Assistance and Human Services concurs with the intent and purpose of H.R. No. 373 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 947-82 Agriculture on H.R. No. 338

The purpose of this resolution is to request research on the use of gamma-radiation as an effective and efficient alternative to ethylene dibromide for quarantine treatment

of Hawaii's agricultural produce.

While Hawaii-grown produce, such as papaya, require fumigation with ethylene dibromide for quarantine control, the Environmental Protection Agency has proposed to ban ethylene dibromide as of July 1, 1983 because it could create a potential risk in public health.

Concerning the use of gamma-radiation, the United States Food and Drug Administration has declared that all foods irradiated at or below 100 kilorad will be safe for human consumption, while the proposed dose level required for the treatment of Hawaii's produce will be in the range of 25 to 50 kilorad.

Your Committee on Agriculture concurs with the intent and purpose of H.R. No. 338 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Blair and Monahan.

SCRep. 948-82 Agriculture on H.R. No. 156

The purpose of this resolution is to request a study on the problems of the sugar industry in Hawaii in order to determine appropriate courses of action that must be taken by government and the private sector to save the sugar industry in Hawaii.

If the sugar industry is allowed to continue on a declining path, Hawaii's economy will be adversely affected by the inevitable increase in unemployment of many workers with poor job mobility, increases in government expenditures for unemployment and welfare, and a loss of a significant amount of export income and tax revenues. The study requested by this resolution would identify the problems of the sugar industry in Hawaii and the courses of action necessary to remedy these problems which are threatening the sugar industry and the economy of Hawaii.

This resolution presently requests the Governor's Agriculture Coordinating Committee to conduct the study. Your Committee has amended this resolution to request the Speaker of the House of Representatives to appoint appropriate House committees and members for the purpose of conducting the study.

Your Committee has further amended this resolution by requesting the Governor's Agriculture Coordinating Committee, along with the other agencies listed, to cooperate with the appointed House committees and members in the conduct of the study.

Your Committee has also made technical, non-substantive amendments to this resolution.

Your Committee on Agriculture concurs with the intent and purpose of H.R. No. 156, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 156, H.D. 1.

Signed by all members of the Committee except Representatives Blair, Morioka and Monahan.

SCRep. 949-82 Agriculture and Transportation on H.R. No. 316

The purpose of this resolution is to request the Governor's Agriculture Coordinating Committee to conduct a study to explore the feasibility of implementing alternative State actions to relieve the problems of transporting diversified agricultural products in Hawaii.

Your Committees find that inadequate transportation and marketing are the major problems facing farmers in diversified agriculture in Hawaii. Transportation and marketing go hand in hand since a reliable market cannot be developed without reliable transportation to consistently deliver the products. The effects of these problems are felt especially by farmers on the neighbor islands where most of the agricultural products must be shipped to Honolulu.

The eighth "WHEREAS" clause of this resolution states that the cost of transporting products between Hilo and Honolulu accounts for over one-half of the total transportation cost between Hilo and the western mainland states. Your Committees have amended this resolution to state that the cost between Hilo and Honolulu accounts for approximately one-half of the total transportation costs.

Your Committees have also amended this resolution by adding a new paragraph after the "BE IT RESOLVED" clause to read as follows:

"BE IT FURTHER RESOLVED that the Department of Agriculture, Department of Transportation, University of Hawaii College of Tropical Agriculture and Human Resources, Hawaii Farm Bureau Federation, and Hawaii's private air and surface transportation companies cooperate with and assist the Governor's Agriculture Coordinating Committee in conducting the study; and"

Your Committees on Agriculture and Transportation concur with the intent and purpose of H.R. No. 316, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 316, H.D. 1.

Signed by all members of the Committee except Representatives Blair, Morioka, Nakasato and Monahan.

SCRep. 950-82 Water, Land Use, Development and Hawaiian Affairs on
H.R. No. 347

The purpose of this resolution is to ask the Department of Land and Natural Resources to implement Phase I of the recreation site exchange plan between the City and County of Honolulu and the State. Also, part of the resolution is the exchange of related personnel, equipment and other resources between the two jurisdictions.

Your Committee finds that Phase I of the exchange plan involves recreation sites identified in the preamble of the resolution and that the plan makes much sense. It will clarify jurisdictional relationships between the City and County of Honolulu, and the State.

Your Committee has amended the resolution by deleting the phrase "the Senate concurring," on line 2 and 3 of page 2—a technical and non-substantive change.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 347, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 347, H.D. 1.

Signed by all members of the Committee.

SCRep. 951-82 Water, Land Use, Development and Hawaiian Affairs on H.C.R.
No. 154

The purpose of this resolution is to ask the Department of Land and Natural Resources to implement Phase I of the recreation site exchange plan between the City and County of Honolulu and the State. Also, part of the resolution is the exchange of related personnel, equipment and other resources between the two jurisdictions.

Your Committee finds that Phase I of the exchange plan involves recreation sites identified in the preamble of the resolution and that the plan makes much sense. It will clarify jurisdictional relationships between the City and County of Honolulu and the State.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 154 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 952-82 Health on H.R. No. 375

The purpose of this resolution is to request that the Department of Health, the Hawaii Medical Association, hospitals, and other health care institutions in the State examine the means of encouraging the use of living wills, based on their experience in treating and meeting the needs of terminally ill patients.

According to testimony received from the Hawaii Council of Churches, although legislation proposing living wills have been introduced in the State Legislature for the past six years, no progress has been made on the subject.

There are valid differences of opinion on this subject, even among those who favor the concept of living wills and there is a need to examine the subject carefully.

Your Committee has amended this resolution by providing for other interested organizations to submit their recommendations to the Department of Health.

Your Committee on Health concurs with the intent and purpose of H.R. No. 375 as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 375, H.D. 1.

Signed by all members of the Committee except Representative Liu.

SCRep. 953-82 Health on H.R. No. 376

The purpose of this resolution is to request that the Department of Health conduct a conference during calendar year 1982 to examine ways to strengthen cooperative efforts to reduce the numbers of unplanned, unintended, and unwanted pregnancies, and to submit a copy of the conference proceedings twenty days prior to the convening of the 1983 Legislature.

Almost one-fourth of all reported pregnancies in Hawaii, as well as nationwide, end in abortion which might have been prevented if unwanted pregnancy could be avoided. The rate of pregnancies remains relatively high among certain groups, such as younger teenagers for whom the consequences of early pregnancy are the most serious.

Your Committee believes that although Hawaii's diverse cultural environment makes the problem of preventing unwanted pregnancies more complex, it also provides a wide and potentially instructive variety of approaches and solutions to this problem.

Your Committee has amended this resolution by requesting the Department of Health, in conjunction with various appropriate agencies, to explore positive ways of reducing the need for abortions without a high-cost, large-scale conference. Rather, because of fiscal constraints and the availability of many local resources, your Committee recommended that the exploration be done in the form of a meeting or series of meetings. As such, the title has been changed accordingly by putting the Department of Health in charge of submitting their findings and recommendations to the Governor and the 1983 Legislature.

Your Committee on Health concurs with the intent and purpose of H.R. No. 376 as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 376, H.D. 1.

Signed by all members of the Committee except Representative Liu.

SCRep. 954-82 Health on H.C.R. No. 168

The purpose of this concurrent resolution is to request that the Department of Health and a special advisory committee review and analyze the ambulance technician shortage in the State and to jointly submit a progress report twenty days prior to the convening of the 1983 Legislature.

Currently, there is a shortage of emergency medical technicians (EMT) and mobile intensive care technician (MICT) paramedics in Hawaii especially in regard to the statewide emergency ambulance services. There is a need to review the shortage of EMT and MICT personnel to resolve both the immediate and long-range problems of training, recruiting, and retaining ambulance technician personnel, and to ensure the highest level of emergency medical services possible.

Your Committee has amended this concurrent resolution by changing the chairperson of the special advisory committee from the Director of Health to the Dean of the University of Hawaii School of Nursing and by making the appropriate change in the title.

Item (2) on page 2 was amended by changing the School of Medicine to the School of Nursing.

This concurrent resolution was further amended by changing the make up of the special advisory committee by deleting the University of Hawaii John A. Burns School of Medicine, the State Board of Medical Examiners, the Department of Personnel Services, International Life Support (EMT Training Program), the U.S. Naval Regional Medical

Center (EMT Training Program), the Hawaii County Fire Department, and the City and County of Honolulu's Department of Health. The following agencies were added: the City and County of Honolulu, the Counties of Hawaii, Maui, and Kauai, the United Public Workers, and the Department of Labor Career Kokua Program.

Your Committee has further amended this concurrent resolution by adding that "the special advisory committee act expeditiously and submit any implementing recommendations to meet the concerns addressed in this resolution to the appropriate body as soon as possible" and making the advisory committee rather than the Department of Health, responsible for submitting their findings and recommendations to the governor and the 1983 Legislature.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 168, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 168, H.D. 1.

Signed by all members of the Committee except Representative Liu.

SCRep. 955-82 Health on H.R. No. 379

The purpose of this resolution is to request that the Department of Health and a special advisory committee review and analyze the ambulance technician shortage in the State and to jointly submit a progress report twenty days prior to the convening of the 1983 Legislature.

Currently, there is a shortage of emergency medical technicians (EMT) and mobile intensive care technician (MICT) paramedics in Hawaii especially in regard to the statewide emergency ambulance services. There is a need to review the shortage of EMT and MICT personnel to resolve both the immediate and long-range problems of training, recruiting, and retaining ambulance technician personnel, and to ensure the highest level of emergency medical services possible.

Your Committee has amended this resolution by changing the chairperson of the special advisory committee from the Director of Health to the Dean of the University of Hawaii School of Nursing and by making the appropriate change in the title.

Item (2) on page 2 was amended by changing the School of Medicine to the School of Nursing.

This resolution was further amended by changing the make up of the special advisory committee by deleting the University of Hawaii John A. Burns School of Medicine, the State Board of Medical Examiners, the Department of Personnel Services, International Life Support (EMT Training Program), the U.S. Naval Regional Medical Center (EMT Training Program), the Hawaii County Fire Department, and the City and County of Honolulu's Department of Health. The following agencies were added: the City and County of Honolulu, the Counties of Hawaii, Maui, and Kauai, the United Public Workers, and the Department of Labor Career Kokua Program.

Your Committee has further amended this resolution by adding that "the special advisory committee act expeditiously and submit any implementing recommendations to meet the concerns addressed in this resolution to the appropriate body as soon as possible" and making the advisory committee, rather than the Department of Health, responsible for submitting their findings and recommendations to the Governor and the 1983 Legislature.

Your Committee on Health concurs with the intent and purpose of H.R. No. 379, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 379, H.D. 1.

Signed by all members of the Committee except Representative Liu.

SCRep. 956-82 Health on H.C.R. No. 140

The purpose of this concurrent resolution is to ask the Legislative Auditor to study and make recommendations on the Department of Health's utilization of psychiatrists to provide clinical mental health services to the community. It requires the review of fiscal, service quality and continuity, logistical, legal, and client welfare issues. Various options for utilizing psychiatrists in services delivery are to be considered. The Legislative Auditor is to provide his findings and recommendations to the Legislature

20 days prior to the convening of the regular session of 1983.

The Department of Health provided testimony in support of this concurrent resolution and would be required to cooperate with the Legislative Auditor in this study.

Your Committee has amended this concurrent resolution by requesting that the Legislative Auditor also review the Department of Health's practices in employing psychologists, for its community based mental health programs. The title and content of this concurrent resolution has been amended appropriately to reflect this addition.

Your Committee believes that it is timely and appropriate to review this area of rather substantial state fiscal expenditure. Since the Legislature originally appropriated funds to hire these psychiatrists and psychologists, the availability of a private based mental health service delivery system has grown markedly. Whereas several years ago, there existed a paucity of service alternatives for those in our community with mental health problems, the state now has several hundred individual and agency mental health providers.

Furthermore, third-party insurance mental health benefits are now more readily available to greater than 90 per cent of our state's population. This enables our citizens in need to secure limited services from private psychiatrists and psychologists.

Another issue has been that the salary scales for psychiatrists and psychologists are substantially below the national norms and even more inadequate compared to private practice incomes. For these reasons, many psychiatrists and psychologists carry on part-time private practices outside of their state employment and the turn-over of these professionals who leave to go into private practices is great.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 140, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 140, H.D. 1.

Signed by all members of the Committee except Representative Liu.

SCRep. 957-82 Health on H.R. No. 314

The purpose of this resolution is to ask the Legislative Auditor to study and make recommendations on the Department of Health's utilization of psychiatrists to provide clinical mental health services to the community. It requires the review of fiscal, service quality and continuity, logistical, legal, and client welfare issues. Various options for utilizing psychiatrists in services delivery are to be considered. The Legislative Auditor is to provide his findings and recommendations to the Legislature 20 days prior to the convening of the regular session of 1983.

The Department of Health provided testimony in support of this resolution and would be required to cooperate with the Legislative Auditor in this study.

Your Committee has amended this resolution by requesting that the Legislative Auditor also review the Department of Health's practices in employing psychologists, for its community based mental health programs. The title and content of this resolution has been amended appropriately to reflect this addition.

Your Committee believes that it is timely and appropriate to review this area of rather substantial state fiscal expenditure. Since the Legislature originally appropriated funds to hire these psychiatrists and psychologists, the availability of a private based mental health service delivery system has grown markedly. Whereas several years ago, there existed a paucity of service alternatives for those in our community with mental health problems, the state now has several hundred individual and agency mental health providers.

Furthermore, third-party insurance mental health benefits are now more readily available to greater than 90 per cent of our state's population. This enables our citizens in need to secure limited services from private psychiatrists and psychologists.

Another issue has been that the salary scales for psychiatrists and psychologists are substantially below the national norms and even more inadequate compared to private practice incomes. For these reasons, many psychiatrists and psychologists carry on part-time private practices outside of their state employment and the turn-over of these professionals who leave to go into private practices is great.

Your Committee on Health concurs with the intent and purpose of H.R. No. 314, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 314, H.D. 1.

Signed by all members of the Committee except Representative Liu.

SCRep. 958-82 Health on H.C.R. No. 167

The purpose of this concurrent resolution is to request that the department of health and a special advisory committee review Hawaii's substance abuse and mental health service system and to jointly submit a progress report to the 1983 Legislature and a final report to the 1984 Legislature.

Several major federal statutes which have provided essential guidance and funding support for substance abuse and mental health programs to the States, such as the Mental Health Systems Act, have recently been rescinded, leaving Hawaii's programs with only state statutory mandates which do not adequately provide for the wide spectrum of necessary substance abuse and mental health programs, training, and research.

There is a need to review the State's substance abuse and mental health services system to determine the adequacy of the existing array of programs and services and to determine the need for amending State statutes to ensure the provision of comprehensive and effective substance abuse and mental health services in Hawaii.

Your Committee has amended this concurrent resolution by setting a deadline of July 1, 1982 for the appointment of the special advisory committee by the Governor and deleting the requirement of appointing two representatives from each of the agencies listed.

Your Committee is in agreement with most of the testimonies received recommending that the committee be chaired by someone other than the Director of the Department of Health. As such, the Dean of the University of Hawaii School of Nursing or his designee has been assigned as the chairperson.

As reflected in most of the testimonies received, considerable work has already been done, by a collaborative effort between the State's Mental Health Division, the mental health and substance abuse coalitions, health profession associations and others throughout the State to review the present system. The special advisory committee has therefore been requested to submit their findings and recommendations and any applicable and appropriate proposed legislation at least twenty days prior to the 1983 Regular Session, rather than the 1984 Regular Session.

This concurrent resolution was further amended by deleting the provision to disband the advisory committee and by deleting all references made to the Legislative Reference Bureau.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 167 as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 167, H.D. 1.

Signed by all members of the Committee except Representative Liu.

SCRep. 959-82 Health on H.R. No. 378

The purpose of this resolution is to request that the department of health and a special advisory committee review Hawaii's substance abuse and mental health service system and to jointly submit a progress report to the 1983 Legislature and a final report to the 1984 Legislature.

Several major federal statutes which have provided essential guidance and funding support for substance abuse and mental health programs to the States, such as the Mental Health Systems Act, have recently been rescinded, leaving Hawaii's programs with only state statutory mandates which do not adequately provide for the wide spectrum of necessary substance abuse and mental health programs, training, and research.

There is a need to review the State's substance abuse and mental health services system to determine the adequacy of the existing array of programs and services and to determine the need for amending State statutes to ensure the provision of comprehensive

and effective substance abuse and mental health services in Hawaii.

Your Committee has amended this resolution by setting a deadline of July 1, 1982 for the appointment of the special advisory committee by the Governor and deleting the requirement of appointing two representatives from each of the agencies listed.

Your Committee is in agreement with most of the testimonies received recommending that the committee be chaired by someone other than the Director of the Department of Health. As such, the Dean of the University of Hawaii School of Nursing or his designee has been assigned as the chairperson.

As reflected in most of the testimonies received, considerable work has already been done, by a collaborative effort between the State's Mental Health Division, the mental health and substance abuse coalitions, health profession associations and others throughout the State to review the present system. The special advisory committee has therefore been requested to submit their findings and recommendations and any applicable and appropriate proposed legislation at least twenty days prior to the 1983 Regular Session, rather than the 1984 Regular Session.

This resolution was further amended by deleting the provision to disband the advisory committee and by deleting all references made to the Legislative Reference Bureau.

Your Committee on Health concurs with the intent and purpose of H.R. No. 378 as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 378, H.D. 1.

Signed by all members of the Committee except Representative Liu.

SCRep. 960-82 Health on H.C.R. No. 166

The purpose of this concurrent resolution is to request that the University of Hawaii School of Nursing and a special advisory committee review and analyze the nursing shortage and to jointly submit their findings and recommendations to the Governor and the 1983 Legislature.

There is currently a shortage of registered nurses and licensed practical nurses in Hawaii and the widening gap between the demand for nurses in certain hospital/long term care facility settings and the supply of nurses trained and willing to work in those settings is a source of serious concern for health care providers and the communities they serve.

Your Committee has amended this concurrent resolution by deleting items (1) and (2) on page 2, under areas of concern which the study should include.

This concurrent resolution was further amended by changing the make-up of the special advisory committee by deleting the University of Hawaii School of Nursing as the Dean of the School will be chairing the committee, and the University of Hawaii Community College System and by replacing them with the Hawaii Government Association and the United Public Workers.

This concurrent resolution was also amended to include a request that the special advisory committee refrain from duplicating past studies and review the existing studies related to these issues.

Your Committee on Health concurs with the intent and purpose of H.C.R. No. 166 as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 166, H.D. 1.

Signed by all members of the Committee except Representative Liu.

SCRep. 961-82 Health on H.R. No. 377

The purpose of this resolution is to request that the University of Hawaii School of Nursing and a special advisory committee review and analyze the nursing shortage and to jointly submit their findings and recommendations to the Governor and the 1983 Legislature.

There is currently a shortage of registered nurses and licensed practical nurses

in Hawaii and the widening gap between the demand for nurses in certain hospital/long term care facility settings and the supply of nurses trained and willing to work in those settings is a source of serious concern for health care providers and the communities they serve.

Your Committee has amended this resolution by deleting items (1) and (2) on page 2, under areas of concern which the study should include.

This resolution was further amended by changing the make-up of the special advisory committee by deleting the University of Hawaii School of Nursing as the Dean of the School will be chairing the committee, and the University of Hawaii Community College System and by replacing them with the Hawaii Government Association and the United Public Workers.

This resolution was also amended to include a request that the special advisory committee refrain from duplicating past studies and review the existing studies related to these issues.

Your Committee on Health concurs with the intent and purpose of H.R. No. 377 as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 377, H.D. 1.

Signed by all members of the Committee except Representative Liu.

SCRep. 962-82 Judiciary on S.B. No. 2271-82

The purpose of this bill is to provide that the defense of physical or mental disease, disorder, or defect excluding responsibility is an affirmative defense.

Under present law, once the defendant raises the issue of insanity, the State has to prove beyond a reasonable doubt that the defendant was not insane at the time of the commission of the offense.

The bill adopts the position of the United States Supreme Court in Leland v. Oregon which held that making the defense of insanity an affirmative defense is not unconstitutional and does not violate the Due Process Clause of the Fourteenth Amendment. Also, courts have widely held that insanity is not an element of any offense. Thus, shifting the burden of proving insanity upon the defendant does not relieve the State of its burden of proving the elements of the offense.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 2271-82 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by all members of the Committee.

SCRep. 963-82 Employment Opportunities and Labor Relations on H.R. No. 10

The purpose of this resolution is to request the House Committee on Employment Opportunities and Labor Relations to review the problem of sexual harassment in Hawaii.

Testimonies presented to the committee indicated that sexual harassment in employment does occur but unfortunately many incidents go unreported because such cases tend to be embarrassing and difficult to prove. Although the Department of Labor and Industrial Relations investigate these cases, they cannot properly determine the magnitude and severity of the problem in the state's public or private sector.

In light of the testimonies presented your Committee on Employment Opportunities and Labor Relations has amended H.R. No. 10 to direct the Office of Affirmative Action of the Office of the Governor, State of Hawaii, to review the problem of sexual harassment in the public sector employment in Hawaii with the cooperation of the four county governments in Hawaii, the judiciary branch of State Government, and all departments or agencies in the executive branch of State Government.

Your Committee on Employment Opportunities and Labor Relations concurs with the intent and purpose of H.R. No. 10, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 10, H.D. 1.

Signed by all members of the Committee.

SCRep. 964-82 Public Employment and Government Operations on H.R. No. 185

The purpose of this resolution is to direct the Department of Planning and Economic Development to conduct a study regarding the impacts and implications of making the island of Molokai a separate county.

The questions of increased political autonomy for the island of Molokai and the settling of jurisdictional questions for the Kalawao District have been recurring issues in Maui county for many years. At present, the 145 residents of Kalawao District (Kalaupapa) are essentially wards of the Department of Health and are precluded from voting at the county level. For the 5,905 residents of Molokai District, governmental representation is centered almost entirely on the island of Maui or on Oahu, making it difficult for them to participate in their own governance.

A major point made by all who testified before your Committee addressed the lack of basic statistical data about the social and economic conditions currently prevailing on Molokai. In the 1981 edition of The State of Hawaii Data Book, there are 147 statistical categories which include Maui county; only 68 of those categories are aggregated to include Molokai's contribution to those statistics. Missing are such important categories as public finance, land use and ownership, visitor arrivals and characteristics, personal and family income, motor vehicles, construction activities and retail and wholesale trade. Without an adequate statistical data base, current decision-making processes are handicapped and the issue of separate county status can never be fully addressed. It is an intention of this resolution to encourage the improvement of that data base.

It was the feeling of your Committee that although there are some obvious economic and representational problems to be faced if Molokai were ever to attain a separate county status, the prediction of these should not preclude an attempt to study the issues and implications that might arise from such a decision.

Your Committee amended the resolution to include a request that the results of this be transmitted to the Legislature twenty days before the beginning of the 1983 session.

Your Committee on Public Employment and Government Operations concurs with the intent and purpose of H.R. No. 185 as amended herein and recommends its adoption in the form attached hereto as H.R. No. 185, H.D. 1.

Signed by all members of the Committee.

SCRep. 965-82 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 115

The purpose of this resolution is to request the Department of the Navy and RIMPAC to stop using the island of Kaho'olawe as a bombing target.

Your Committee has changed the title of the resolution to better reflect the purpose. Accordingly, it has been amended to read: "Requesting that the Department of the Navy and RIMPAC Terminate the Use of Kaho'olawe as a Bombing Target."

Your Committee recognizes that in 1978 an agreement was signed by officials of the State of Hawaii and of the Department of the Navy listing objectives to be implemented by mutual cooperation regarding the use of Kaho'olawe. According to testimony from the Department of Land and Natural Resources, the agreement did not include the use of Kaho'olawe as a bombing target for non-U.S. military forces.

Your Committee feels that the use of Kaho'olawe as a shelling target by foreign nations in joint military exercises such as RIMPAC only serves to aggravate what is already a sensitive issue. Because RIMPAC '82 exercises have begun, your Committee has amended the resolution to request that the shelling of Kaho'olawe be terminated after the 1982 RIMPAC exercises, and that no other invitations to other nations to participate in the shelling of Kaho'olawe be issued in the future.

Your Committee recognizes the State's commitment to its people to eventually bring Kaho'olawe under the jurisdiction of the State. It is the intent of this resolution to bring to the forefront the concerns and position of the State and the various individuals and organizations who are trying to preserve the cultural, historic and archaeological significance of Kaho'olawe. Your Committee hopes that serious consideration will be given this resolution by the Department of the Navy.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with

the intent and purpose of H.C.R. No. 115 as amended herein and recommends its adoption in the form attached hereto as H.C.R. No. 115, H.D. 1.

Signed by all members of the Committee except Representatives Blair and Matsuura.

SCRep. 966-82 Water, Land Use, Development and Hawaiian Affairs on
H.R. No. 189

The purpose of this resolution is to request the Department of the Navy and RIMPAC to stop using the island of Kaho'olawe as a bombing target.

Your Committee has changed the title of the resolution to better reflect the purpose. Accordingly, it has been amended to read: "Requesting that the Department of the Navy and RIMPAC Terminate the Use of Kaho'olawe as a Bombing Target."

Your Committee recognizes that in 1978 an agreement was signed by officials of the State of Hawaii and of the Department of the Navy listing objectives to be implemented by mutual cooperation regarding the use of Kaho'olawe. According to testimony from the Department of Land and Natural Resources, the agreement did not include the use of Kaho'olawe as a Bombing target for non-U.S. military forces.

Your Committee feels that the use of Kaho'olawe as a shelling target by foreign nations in joint military exercises such as RIMPAC only serves to aggravate what is already a sensitive issue. Because RIMPAC '82 exercises have begun, your Committee has amended the resolutions to request that the shelling of Kaho'olawe be terminated after the 1982 RIMPAC exercises, and that no other invitations to other nations to participate in the shelling of Kaho'olawe be issued in the future.

Your Committee recognizes the State's commitment to its people to eventually bring Kaho'olawe under the jurisdiction of the State. It is the intent of these resolutions to bring to the forefront the concerns and position of the State and the various individuals and organizations who are trying to preserve the cultural, historic and archaeological significance of Kaho'olawe. Your Committee hopes that serious consideration will be given these resolutions by the Department of the Navy.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 189 as amended herein and recommends its adoption in the form attached hereto as H.R. No. 189, H.D. 1.

Signed by all members of the Committee except Representatives Blair and Matsuura.

SCRep. 967-82 Finance on H.R. No. 195

The purpose of this resolution is to request the University of Hawaii to study ways to expand educational and job oriented training opportunities for veterans of the Vietnam conflict.

Your Committee has amended the resolution to correct technical drafting errors.

Your Committee on Finance is in accord with the intent and purpose of H.R. No. 195, H.D. 1 as amended herein, and recommends its adoption in the form attached hereto as H.R. 195, H.D. 2.

Signed by all members of the Committee.

SCRep. 968-82 Finance on H.R. No. 223

The purpose of this resolution is to direct the Conference of Personnel Directors to review and update the "Instructions for the Interpretation of the Series and Class Specifications for the Secretary Series and Private Secretary Series" to fit the 1980 classification specifications or standards for secretaries with the objective of remedying any inequities which may have resulted from the consolidation of five secretary classes into four classes and the resulting "automatic" downgrading of about 100 Secretary IIIs to Secretary IIs.

The Conference of Personnel Directors is to submit its findings and recommendations

to the Legislature and the Public Employees Compensation Appeals Board twenty days prior to the convening of the Regular Session of 1983.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 223, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 969-82 Finance on H.R. No. 222

The purpose of this resolution is to request the Personnel Directors of the State and Counties and the Administrative Director of the Courts to carry out a comprehensive review of selected chapters of Title 7, Hawaii Revised Statutes, relating to Public Officers and Employees.

Your Committee agrees that many of the statutory provisions on wages, hours, benefits and terms and conditions of employment found in Chapters 76, 77, 78, 79, and 80, Hawaii Revised Statutes, are no longer applicable to employees included in collective bargaining. This is because the provisions contained in the collective bargaining agreements as authorized by Chapter 89 are in conflict with statutory provisions established in these Chapters and that contract language prevails over conflicting statutory provisions. The same conditions prevail with regard to Chapter 89C which addresses the wages, hours, benefits and terms and conditions of employment for excluded employees.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 222 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 970-82 Finance on H.R. No. 180

The purpose of this resolution is to urge the Senate and the House of Representatives of the United States Congress to (1) increase the annual contribution limit for the spousal individual retirement account from \$2,250 to \$4,000 and to reinstate the fifty per cent restriction on the annual contributions for the working and nonworking spouse, or (2) establish a separate spousal individual retirement account for the nonworking spouses with a \$2,000 annual contribution limit.

Your Committee supports this resolution which seeks to give adequate retirement allowance for the nonworking spouse.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 180 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 971-82 Finance on H.R. No. 56

The purpose of this resolution is to request that the Commission on the Handicapped review the various State and County policies and procedures relating to parking for the handicapped, with the objective of recommending a more uniform or standardized statewide policy.

There appears to be different State and County administrative policies and procedures relating to parking for the handicapped which are confusing and impose an unnecessary burden on the handicapped. The handicapped must often submit applications to various agencies in order to qualify for special parking.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 56, H.D. 1 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 972-82 Finance on H.R. No. 234

The purpose of this resolution is to request that the department of health study the

feasibility of expanding and retargeting mandatory newborn testing to include hypothyroidism, G-6-PD (glucose-6-phosphate dehydrogenase) deficiency, thalassemia, and other blood diseases in addition to the present mandate of testing for PKU (phenylketonuria).

Your Committee is in agreement that the control or prevention of these and other infant diseases can result in tremendous savings in medical and institutional costs in later years to the individuals and families involved and the State.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 234 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 973-82 Finance on H.R. No. 235

The purpose of this resolution is to request the conservation and preservation of unique agricultural lands that have been continuously used for the growing of wetland crops such as watercress in the Pearl Harbor and Waiawa areas.

The Committee believes, as a preliminary step in accomplishing the purpose of this resolution, that the State's Congressional Delegation should be apprised that the Navy's current practice of putting their Pearl Harbor wetlands out to public auction every five years has adversely affected the watercress growers in that they cannot economically compete with persons who plan to utilize the lands for use other than wetland crops, and that the Delegation should meet with the Honorable John F. Lehman, Jr., Secretary of the Navy, to work out a solution so that the wetland areas of concern are not subject to public auction but rather are leased by direct negotiation.

In addition, lands suitable for growing wetland crops such as watercress and presently utilized in such manner should be designated in the State Agricultural Plan as "unique agricultural lands" and be preserved for such purpose.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 235, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 974-82 Finance on H.R. No. 303

The purpose of this resolution is to request the department of taxation to study the feasibility and tax revenue implications of amending Hawaii's income tax law to allow single heads of households with dependents to claim the same standard tax deductions as married couples with dependents filing joint income tax returns.

The resolution requests the department to submit a report of its findings and recommendations to the 1983 legislature.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 303 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 975-82 Finance on H.C.R. No. 173

The purpose of this concurrent resolution is to request that the Waikiki War Memorial Park and Natatorium be properly improved and maintained as open park space and to further request that no commercial use or activity be permitted in the memorial park.

Your Committee agrees that the preservation of the Natatorium in its present form would serve no valid public purpose. Your Committee further agrees that it is in the best public interest that the bulk of the Natatorium structure be demolished and your Committee does not concur with the recommendation of the department of land and natural resources for a recreation-commercial enterprise in the park area.

Your Committee finds that the memorial park purpose can be served without the natatorium structure. Your Committee agrees that the present condition of the Natatorium constitutes a hazard to the health, safety, and welfare of the general public, and has become a

public nuisance, a blight and eyesore in the State's major visitor destination area, and a mark of unintended disrespect to those for whom it was built as a memorial.

Your Committee on Finance concurs with the intent and purpose of H.C.R. 173 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 976-82 Finance on H.C.R. No. 102

The purpose of this concurrent resolution is to direct the Legislative Auditor to conduct a study of the rationale and effects of the imposition of taxes and fees upon privately-owned public utility companies operating within the State.

Your Committee finds that several measures have been adopted which affect the tax and fee rate and structure for public utilities. The effect of those changes to taxes and fees charged to utilities with respect to the consumer/taxpayer is not known. Therefore, there is a need to explore the relation between taxes and fees imposed on utilities and the resulting effect, if any, on ratepayers and taxpayers.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 102, H.D. 1, and recommends its adoption.

Signed by all members of the Committee.

SCRep. 977-82 Finance on H.C.R. No. 108

The purpose of this concurrent resolution is to approve the report of the biennial review of the Compensation Plans of the State, Judiciary and Counties by the Conference of Personnel Directors and the Public Employees Compensation Appeals Board, including the costs of any adjustments effective July 1, 1982, in accordance with Sections 77-4 and 77-5, Hawaii Revised Statutes.

The review of the Compensation Plans has been conducted since 1961, first on an annual basis and now on a biennial basis. The current review examines the pricing relationships of all classes in the State, Judiciary and several counties.

Upon adoption of this concurrent resolution and the appropriation of funds, the pay adjustments, as adopted by the Public Employees Compensation Appeals Board, will be implemented by the State and counties effective July 1, 1982.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 108 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 978-82 Finance on H.C.R. No. 104

The purpose of this resolution is to establish either a Joint Interim Committee, if the Senate concurs, or a House Standing Committee to review the Long Term Care for the Elderly Report and prepare a policy statement on long term care for the elderly.

Your Committee finds that the Long Term Care Report has data and information about elderly including the frail/impaired elderly population, the services and programs available for long term care, the problems, concerns and recommendations relating to long term care.

Your Committee agrees the establishment of a policy regarding long term care for the elderly would be helpful for charting directions and priorities in addressing problems and in developing programs and services.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 104 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 979-82 Water, Land Use, Development and Hawaiian Affairs on
H.R. No. 321

The purpose of this resolution is to request the Department of Land and Natural Resources to devise a more effective means of bringing certain dispositions of land, or interests therein, to the attention of the legislature and to report on its findings to the 1983 session.

Section 171-51, HRS, authorizes the Board of Land and Natural Resources to (1) quitclaim public lands in exchange for deeds of private lands by way of compromise or equitable settlement of rights of claimants without public auction and (2) to quitclaim any and all interests of the State in private land for the purpose of perfecting title to such private land in private individuals who have defective titles. These dispositions are subject to disapproval by the legislature by a two-thirds vote of either the Senate or the House of Representatives or by a majority vote of both in any regular or special session next following the date of the disposition.

Under Section 171-29, HRS, the department is required to submit a written report annually to the legislature, within ten (10) days of the convening of each regular session, of all land dispositions made during the previous year, including those subject to disapproval by the legislature.

Your Committee finds that the practice of lumping the dispositions made under Section 171-51, HRS, together with the many other dispositions which are not subject to legislative disapproval makes it difficult for the legislature to be aware of and single out such dispositions. Since no action by the legislature is tantamount to approval, it is possible for such a disposition to go un-noticed and thus be approved without receiving proper legislative scrutiny. A more effective means of "flagging out" or bringing dispositions authorized by Section 171-51, HRS, to the attention of the legislature is needed and this is what the resolution requests the department to devise.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 321 and recommends its adoption.

Signed by all members of the Committee except Representative Blair.

SCRep. 980-82 Finance on H.C.R. No. 145

The purpose of this concurrent resolution is to request the formation of a Block Grant Task Force to advise the Governor and the legislature concerning block grant planning and allocation of funds. The resolution calls for the Task Force to make recommendations in the following specific areas:

- (a) guidelines and criteria to be used in determining allocation of block grant funds,
- (b) a process of decision-making for block grant planning and allocation which defines and coordinates the roles and responsibilities of the legislature, the executive departments, the voluntary human service sector, and the general public

Testimony indicates support for the intent of the resolution by both State agencies and voluntary human service sector representatives.

Your Committee has amended the resolution by removing legislative representation on the Block Grant Task Force, and designating the Department of Health as the convening agency and the Director of Health, or a designated representative, as Chairperson. The resolution was further amended to state that the Block Grant Task Force shall report its recommendations to the legislature and to the executive departments and agencies responsible for the development of block grant plans, prior to the start of the federal fiscal year.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 145, as amended herein, and recommends that it be referred to the Committee on Legislative Management in the form attached hereto as H.C.R. No. 145, H.D. 1.

Signed by all members of the Committee.

SCRep. 981-82 Finance on H.C.R. No. 110

The purpose of this concurrent resolution is to request Hawaii's congressional delegation to work towards legislation to extend the ten-year delimit period within which veterans are eligible for educational assistance under the "G.I. Bill".

Your Committee finds that the ten-year limit on eligibility for use of veterans' educational assistance benefits has proven inadequate, especially to veterans of the Vietnam Conflict, a substantial number of whom have experienced severe difficulties in adapting to civilian life, resulting in delays in their decisions to enter college. In many cases those veterans whose sacrifices in serving their country were among the greatest are the ones whose subsequent hardships have been the greatest and who have come late to using their veterans' benefits.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 110 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 982-82 Finance on H.R. No. 36

The purpose of this resolution is to request the Director of the State Department of Health to investigate and determine whether there is a need for a burn treatment center in the State of Hawaii.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 36, H.D. 1 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 983-82 Finance on H.R. No. 159

The purpose of this resolution is to request that the Board of Education study the feasibility of establishing a permanent cardiopulmonary resuscitation program in the State public school system and to submit a report on its findings and recommendations to the 1983 Legislature.

According to the Department of Health, it has been determined that the administration of CPR by bystanders prior to the arrival of the ambulance is absolutely essential in attempting to effect more favorable cardiac arrest outcomes.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 159 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 984-82 Finance on H.R. No. 284

The purpose of this resolution is to request that the Department of Land and Natural Resources proceed with preliminary discussions to acquire land for park purposes at Big Beach in Makena, Maui.

Your Committee agrees that the acquisition of Big Beach would greatly expand the usable areas contained in the Puu Olai Park that is presently owned by the State. The Big Beach area is contiguous with, and to the south of the Puu Olai lands and would provide both an excellent addition to the park and access to a fine sandy beach and swimming area.

The Department is in favor of proceeding with preliminary discussions with landowners with intent to acquire land by purchase and/or exchange, or by any other available alternatives for park purposes at Big Beach in Makena, Maui.

Your Committee has amended this resolution to make technical non-substantive corrections.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 284, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as

H.R. No. 284, H.D. 2.

Signed by all members of the Committee.

SCRep. 985-82 Finance on H.R. No. 286

The purpose of this resolution is to request that the University of Hawaii and the Department of Education prepare a comprehensive report that includes a study of the overall effectiveness and possible alternative sources of funds for Project Ho'okoko, and to submit the findings and recommendations to the Legislature 20 days prior to the convening of the Regular Session of 1983.

Your Committee agrees that the State must insure that in-service training programs are available to all personnel engaged in the education of handicapped children. The placement of handicapped students in the least restrictive environment in our schools requires on-going training in competencies related to their education.

Your Committee finds that considering cutbacks in federal funds and the state's limited financial resources, a comprehensive study of the project's overall effectiveness is necessary in order to evaluate and deliver the merit of continuing the project as well as investigating other possible sources of funds. The comprehensive report should include a study of the comparative effectiveness of other available options that provide in-service training program for Department of Education teachers, administrators, and support personnel.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 286, H.D. 1 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 986-82 Finance on H.R. No. 285

The purpose of this resolution is to request the Board of Education to evaluate, refine, and update the Superintendent's Procedure 75-42 relating to staffing guidelines for special education classes, to conform such guidelines to better meet the requirements of P.L. 94-142, Chapter 301, Hawaii Revised Statutes, the Department of Education's Rule 49, and any other legal mandates or nationally approved requirements; and to submit a report of its findings and recommendations twenty days prior to the convening of the 1983 Regular Session.

Your Committee finds that present staffing guidelines were drafted prior to the effective date of P.L. 94-142 and the promulgation of corresponding federal regulations. A study of the department's staffing guidelines will address the needs of students and teachers which should result in optimum learning and teaching conditions. Your Committee believes this review will also prove useful in determining whether present regulations are appropriate or whether they require revision.

Your Committee on Finance concurs with the intent and purpose of H.R. 285, H.D. 1 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 987-82 Finance on H.R. No. 169

The purpose of this resolution is to request the University of Hawaii and the Hawaii Housing Authority to offer their expertise on the After-Hours Gerontology Program to the managers of other elderly public housing projects in the counties of Kauai, Maui, and Hawaii and to submit a joint report on the progress of implementing this resolution to be submitted to the next Legislature. This resolution also requests that the Authority, with the help of the University determine the need for and feasibility of implementing the program for the Authority's elderly public housing projects on the neighbor islands and to submit a report on its findings.

Your Committee finds that the University of Hawaii After-Hours Student-Intern Gerontology Programs at the various public housing projects on Oahu have been exemplary in meeting elderly residents' needs for protection and other personal services. Your Committee believes that similar projects on the neighbor islands would enjoy the same success.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 169, H.D. 1 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 988-82 Finance on H.R. No. 63

The purpose of this resolution is to encourage the Department of Land and Natural Resources to inquire into the desirability of adopting a new administrative rule establishing a shoreline fisheries management area on part or parts of Maui to promote the availability of fertile fishing areas on the island of Maui.

Your Committee finds that Maui residents are concerned about the potential decline of fishing reserves and the resultant decline of public fishing. The establishment of a shoreline fisheries management area on Maui similar to the Waikiki-Diamond Head Shoreline Fisheries Management Area on Oahu would aid in assessing the need of such areas to preserve and foster the existing fishing reserves on the island of Maui.

Your Committee on Finance concurs with the intent and purpose of H.R. 63 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 989-82 Finance on H.R. No. 71

The purpose of this resolution is to request the Board of Land and Natural Resources, in cooperation with the Department of Agriculture, to develop short- and long-range plans for water resources for the Kamuela area, and to plan for the construction of a reservoir to satisfy the immediate and future irrigation needs of the agricultural industry in the Kamuela area.

During periods of drought, farmers in the Kamuela area have lost thousands of pounds of produce due to the shortage of water. A plan to alleviate the problem would save crops that would otherwise be lost in dry periods.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 71 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 990-82 Judiciary on H.R. No. 127

The purpose of this resolution is to request that the Administrative Director of the Courts conduct a study of the one-day, one-trial jury system, and recommend appropriate legislation and appropriation measures necessary to implement the system in the State of Hawaii.

A recent national study has revealed that the three most objectionable aspects of jury service amongst jurors were long periods spent waiting in the jury assembly room, not being selected as a sworn juror in at least one trial, and long terms of jury service. One possible solution to this problem is the adoption of a one-day, one-trial jury system.

Under this system, when a prospective juror is called on a specific day and he is selected, he shall serve for the duration of the trial; if, however, he is not selected to serve that day, due to a challenge during voir dire or for any other reason, he is dismissed for the year. The person who is selected to serve will serve as a juror for the one trial, regardless of how long the trial takes, and is then also dismissed for the rest of the year.

Your Committee agrees with the premise set forth in the resolution pointing out that the integrity of the jury system is threatened when jury duty becomes so onerous a burden that eligible jurors attempt every possible means to avoid involvement in the judicial process. The right to a trial by jury is historically grounded in the fundamental principles underlying our Federal and State Constitutions.

Your Committee believes that efforts should be made to preserve the jury system in the most efficient and effective manner possible, and favors a study of the one-day, one-

trial system as a possible means to substantially improve current procedures.

The system has been implemented in about fifty court systems throughout the nation; a study conducted in Wayne County, Michigan indicated that significant improvements in juror utilization, cost savings, and citizen participation have occurred under the one-day, one-trial jury system.

Testimony in support of this resolution was received from the Judiciary of the State that the National Center for State Courts has been asked to collect data and assist in studying the possible application of the one-day, one-trial concept in Hawaii's Courts.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 127 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 991-82 Employment Opportunities and Labor Relations on S.C.R. No. 57

The purpose of this concurrent resolution is to review different alternatives of preserving, to the greatest extent possible, the major provisions of the Hawaii Prepaid Health Care Act (Chapter 393, Hawaii Revised Statutes), which has been preempted by the federal Employee Retirement Income Security Act (ERISA - Public Law 93-406).

Since January 1, 1975, the Hawaii Prepaid Health Care Act mandated employers to provide affordable comprehensive medical care to their employees because of the spiraling cost of comprehensive medical care. However, on October 5, 1981, the U.S. Supreme Court ruled that ERISA preempted the Hawaii Act.

This study will provide the means to develop methods or alternatives to withstand and overcome the legal challenge of federal preemption and yet provide adequate comprehensive medical benefits at reasonable cost.

Your Committee on Employment Opportunities and Labor Relations concurs with the intent and purpose of S.C.R. No. 57 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 992-82 Youth and Elderly Affairs on H.R. No. 370

The purpose of this resolution is to request the Executive Office on Aging to examine the recommendations contained in Hawaii's report to the White House Conference on Aging for potential legislation and the cost of expanding or establishing services to the aging. The resolution also requests the Department of Labor to examine the feasibility of establishing a section within the Department to specialize in job finding and job placement of older persons.

The Executive Office on Aging testified in support of H.R. No. 370, expressing that community forums and surveys are presently being conducted to arrive at state priorities. When the state priorities are determined, these will be translated into proposals and action steps which may be considered for implementation by the Legislature.

The Department of Labor testified that they are already engaged in a program which utilizes older persons who are actively working with elderly job applicants and employers to develop suitable jobs. The Department expressed that the problem is not one of assessing the feasibility; it is rather the problem of funding to continue the program.

Your Committee has therefore amended this resolution by deleting the references to employment accordingly.

Your Committee on Youth and Elderly Affairs concurs with the intent and purpose of H.R. No. 370, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 370, H.D. 1.

Signed by all members of the Committee except Representative Kunimura.

SCRep. 993-82 Youth and Elderly Affairs and Public Assistance and Human Services on H.R. No. 349

The purpose of this resolution is to request that the Department of Social Services and Housing report on the progress made in implementing the recommendations contained in the 1980 evaluation of the Department's Child Protective Service program, and future expectations and plans regarding that evaluation. It is also requested that the appropriate subject matter committees of the House of Representatives review the status and progress of the Department of Social Services and Housing Child Protective Service program with regard to the recommendations contained in the comprehensive evaluation funded and completed in 1980.

The Department testified and provided information on their progress to date in the various areas specified in the resolution.

Your Committees find that the resolution reflects erroneous statements regarding no progress taking place, and have therefore amended this resolution accordingly.

Your Committees on Youth and Elderly Affairs and Public Assistance and Human Services concur with the intent and purpose of H.R. No. 349, as amended herein, and recommend that it be referred to the Committee on Legislative Management in the form attached hereto as H.R. No. 349, H.D. 1.

Signed by all members of the Committees except Representative Kunimura.

SCRep. 994-82 Youth and Elderly Affairs and Public Assistance and Human Services on H.R. No. 298

The purpose of this resolution is to request the Executive Office on Aging, with the assistance of the Department of Social Services and Housing, to conduct a study on the feasibility of modifying the State's medical assistance program to allow elderly persons who meet the medical assistance income standard but who do not meet the present resource standard because they own their homes, to be eligible to receive such medical assistance.

The study is to encompass the following possible areas for modifying the eligibility standard:

- (1) disregarding the value of the home which the elderly person or family owns and in which the elderly person or family actually resides;
- (2) placing a first priority lien on the home of the elderly person or family;
- (3) liquidating the home upon the death of the elderly person or all members of the family; and
- (4) retaining the amount of the proceeds up to the amount of medical assistance benefits received by the elderly person or family and transmitting the remainder, if any, to beneficiaries.

The study also calls for an estimate of the population which may become eligible for medical assistance under the proposed modification, potential costs to the State, and any legal problems which may arise.

The Executive Office on Aging and the Department of Social Services and Housing are to submit their findings and recommendations to the Legislature prior to the convening of the Regular Session of 1983.

Your Committees find that at the present time, an applicant for medical assistance from the State is required to meet certain standards, one of which establishes a maximum income amount and another which sets a maximum dollar value on the resources which the person may have, in order to be eligible for such assistance. The imposition of these standards has created a hardship on those elderly individuals who meet the income standard, but not the resource standard because they own their homes, by forcing them to either forego medical assistance benefits or dispose of their homes in order to be eligible. Your Committees find this situation to be inequitable and believe that it could best be rectified by examining various means of modifying the State's medical assistance program, as called for in this study.

Your Committees heard testimony from the Executive Office on Aging and the Department of Social Services and Housing in support of the intent of this resolution. The Department further testified that it has been unable to implement section 346-29.5, Hawaii Revised Statutes, which provides for the imposition of liens on the real property of public assistance recipients, due to a conflicting federal law which prohibits such liens with respect to Medicaid recipients. Additionally, the Department recommended that the study include an examination of the feasibility of increasing the allowable equity value on real property from the State's present medical assistance policy of \$40,000, in view of the appreciating value of real property in Hawaii and the Department's contemplation of the need to reassess the current policy.

After careful consideration of the testimony received, your Committees have amended this resolution to request that the study include, as a basis for modifying the medical assistance eligibility standard, an examination of the feasibility of either increasing the allowable equity value on real property from the present level of \$40,000 or of disregarding such value, whichever alternative is more practicable.

Your Committees on Youth and Elderly Affairs and Public Assistance and Human Services concur with the intent and purpose of H.R. No. 298, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.R. No. 298, H.D. 1.

Signed by all members of the Committees except Representative Kunimura.

SCRep. 995-82 Youth and Elderly Affairs and Public Assistance and Human
Services on H.C.R. No. 136

The purpose of this concurrent resolution is to request the Executive Office on Aging, with the assistance of the Department of Social Services and Housing, to conduct a study on the feasibility of modifying the State's medical assistance program to allow elderly persons who meet the medical assistance income standard but who do not meet the present resource standard because they own their homes, to be eligible to receive such medical assistance.

The study is to encompass the following possible areas for modifying the eligibility standard:

- (1) disregarding the value of the home which the elderly person or family owns and in which the elderly person or family actually resides;
- (2) placing a first priority lien on the home of the elderly person or family;
- (3) liquidating the home upon the death of the elderly person or all members of the family; and
- (4) retaining the amount of the proceeds up to the amount of medical assistance benefits received by the elderly person or family and transmitting the remainder, if any, to beneficiaries.

The study also calls for an estimate of the population which may become eligible for medical assistance under the proposed modification, potential costs to the State, and any legal problems which may arise.

The Executive Office on Aging and the Department of Social Services and Housing are to submit their findings and recommendations to the Legislature prior to the convening of the Regular Session of 1983.

Your Committees find that at the present time, an applicant for medical assistance from the State is required to meet certain standards, one of which establishes a maximum income amount and another which sets a maximum dollar value on the resources which the person may have, in order to be eligible for such assistance. The imposition of these standards has created a hardship on those elderly individuals who meet the income standard, but not the resource standard because they own their homes, by forcing them to either forego medical assistance benefits or dispose of their homes in order to be eligible. Your Committees find this situation to be inequitable and believe that it could best be rectified by examining various means of modifying the State's medical assistance program, as called for in this study.

Your Committees heard testimony from the Executive Office on Aging and the Department

of Social Services and Housing in support of the intent of this concurrent resolution. The Department further testified that it has been unable to implement section 346-29.5, Hawaii Revised Statutes, which provides for the imposition of liens on the real property of public assistance recipients, due to a conflicting federal law which prohibits such liens with respect to Medicaid recipients. Additionally, the Department recommended that the study include an examination of the feasibility of increasing the allowable equity value on real property from the State's present medical assistance policy of \$40,000, in view of the appreciating value of real property in Hawaii and the Department's contemplation of the need to reassess the current policy.

After careful consideration the testimony received, your Committees have amended this concurrent resolution to request that the study include, as a basis for modifying the medical assistance eligibility standard, an examination of the feasibility of either increasing the allowable equity value on real property from the present level of \$40,000 or of disregarding such value, whichever alternative is more practicable.

Your Committees on Youth and Elderly Affairs and Public Assistance and Human Services concur with the intent and purpose of H.C.R. No. 136, as amended herein, and recommend that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 136, H.D. 1.

Signed by all members of the Committees except Representative Kunimura.

SCRep. 996-82 Finance on H.C.R. No. 130

The purpose of this resolution is to request that the Department of Land and Natural Resources to proceed with preliminary discussions to acquire land for park purposes at Big Beach in Makena, Maui.

Your Committee agrees that the acquisition of Big Beach would greatly expand the usable areas contained in the Puu Olai Park that is presently owned by the State. The Big Beach area is contiguous with, and to the south of the Puu Olai lands and would provide both an excellent addition to the park and access to a fine sandy beach and swimming area.

The Department is in favor of proceeding with preliminary discussions with landowners with intent to acquire land by purchase and/or exchange, or any other available alternatives, for park purposes at Big Beach in Makena, Maui.

Your Committee has amended this resolution to make technical non-substantive corrections.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 130, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 130, H.D. 2.

Signed by all members of the Committee.

SCRep. 997-82 Water, Land Use, Development and Hawaiian Affairs on
H.C.R. No. 164

The purpose of House Concurrent Resolution No. 164 is to request that the Department of Planning and Economic Development identify areas in the State that would benefit from participation in the Federal Enterprise Zone Program and study the requirements for a successful program, using such staff and funds as may be available. The resolution asks that Hawaii's Congressional delegation support legislation for the Federal program provided that areas of the State will be eligible for participation. The resolution also requests that the Counties and affected communities be consulted in the process.

Your Committee finds that enterprise zones offer the promise of being more effective than many of the Federal government's traditional tools for economic development-- grants, loans, and loan guarantees. The proposed Federal enterprise zones offer tax and regulatory relief designed to improve the after-tax rate of return on business activities in distressed communities, thus encouraging investment and risk-taking by entrepreneurs and job creation in these previously neglected areas. While the Federal legislation is yet to be passed, the National Administration is supportive of the concept and has transmitted its proposals to the Congress.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 164 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 998-82 Finance on S.B. No. 2903-82

The purpose of this bill is to repeal the subsection of the conveyance tax law which makes it unlawful for any state officer or employee to reveal information contained in a certificate of conveyance.

Your Committee finds that the removal of the confidentiality requirement would allow the real property tax assessors to disclose all relevant data used to assess property. The disclosure would serve to substantiate assessments since the taxpayers would have access to the data used by the assessors. Further, your Committee finds that the information contained in certificates of conveyance, such as the names of sellers and buyers, location and description of property, and the sale price, is available from other sources such as real property tax records and title records contained in the Bureau of Conveyances. Accordingly, your Committee believes the confidentiality requirement has no useful purpose.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2903-82, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 999-82 Finance on H.C.R. No. 103

Your Committee finds that in 1977 the Legislative Reference Bureau reviewed different methods of financing Hawaii's unemployment insurance program and recommended that the definition of "adequate reserve fund" be amended. Since then the balance in the Unemployment Compensation Fund has risen to more than \$100 million. Your Committee believes that such a large sum of money might perhaps be excessive. In light of rising unemployment, which warrants caution, your Committee feels that a study on the definition of "adequate reserve fund" should first be conducted before any drastic changes in the system are made.

Your Committee also finds that there exists some concern on the fairness of the method which now exists in the unemployment insurance system whereby earlier employers in the base period who may not have been responsible for the claimants payments. Your Committee therefore feels that this problem should be studied as well.

Your Committee has made technical, non-substantive amendments to this resolution.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 103, as amended herein, and recommends its adoption in this form attached hereto as H.C.R. No. 103, H.D. 1.

Signed by all members of the Committee.

SCRep. 1000-82 Finance on H.R. No. 208

The purpose of this resolution is to have the Industrial Relations Center of the University of Hawaii undertake a preliminary review of the issue of ensuring in Hawaii equal pay for work of comparable value. This resolution outlines specifically the parameter of the study.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 208, H.D. 1 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1001-82 Finance on H.R. No. 16

The purpose of this resolution is to request the Department of Education to establish a pre-school program for students. The resolution also requests that the class size be reduced to less than 20 students per class and the travel time reduced to less than

45 minutes.

Your Committee finds the Department's position is to focus on helping care-givers by providing them with in-service training and offering parenting education rather than providing a pre-school program for children under age 5.

This resolution requests the Department of Education to review past policies and studies and provide an update on the current cost and benefit factors for establishing a pre-school program for children under age 5.

This resolution also requests the Department to report its progress to the Legislature 20 days prior to the convening of the Regular Session of 1983.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 16, H.D. 1 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1002-82 Water, Land Use, Development and Hawaiian Affairs and Ocean
and Marine Resources on H.C.R. No. 94

The purpose of this resolution is to request the Hawaii Congressional delegation and the United States delegation to the International Marine Law Conference to attempt to extend Hawaii's jurisdiction to control its archipelagic waters and a 200-mile economic zone.

Your Committees received testimony from a representative of the University of Hawaii Sea Grant Program indicating that the original request for jurisdiction over archipelagic waters over a 200-mile economic zone was too limiting. Accordingly, the purpose of the resolution has been changed to request the Hawaii Congressional delegation to promote legislation to establish a Congressional commission to study Hawaii's maritime boundaries. To better reflect the amended purpose of the resolution, the title has been amended to read, "REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO PROMOTE LEGISLATION TO ESTABLISH A CONGRESSIONAL COMMISSION TO STUDY HAWAII'S MARITIME BOUNDARIES."

Your Committees have further amended the resolution to delete all reference to the United Nations Law of the Sea Conference and to the 200-mile economic zone. Establishing maritime boundaries is a domestic issue. Your Committees find that it is in the public interest to grant the State of Hawaii jurisdiction and control over the waters and all maritime resources within the Hawaiian archipelago.

Your Committees on Water, Land Use, Development and Hawaiian Affairs and Ocean and Marine Resources concur with the intent and purpose of H.C.R. No. 94, as amended herein, and recommend its adoption in the form attached hereto as H.C.R. No. 94, H.D. 1.

Signed by all members of the Committees except Representatives
Blair and Kawakami.

SCRep. 1003-82 Judiciary on H.C.R. No. 165

The purpose of this concurrent resolution is to request that the United States Senate advise and consent to the treaties of friendship with certain Pacific Islands currently pending ratification in the Senate.

During the last twenty years, various island regions of the Pacific have changed their political status as protectorates of Great Britain, Australia, and New Zealand to that of independent, self-governing states. Four treaties were signed in 1979 and 1980 establishing friendly relations with the new sovereignties, providing for the settlement of the status of twenty-five islands to which the United States has claims, providing for consultations amongst treaty signatories regarding third party requests for use of the islands for military purposes, establishing maritime boundaries for American Samoa, and facilitating access to fishing grounds for vessels serving the canneries in American Samoa. The four treaties which are pending ratification by the U.S. Senate are:

- (1) A Treaty of Friendship with the Republic of Kiribati;

- (2) A Treaty of Friendship with Tuvalu;
- (3) A Treaty of Friendship with the Cook Islands on Friendship and Delimitation of the Maritime Boundary between the United States of America and the Cook Islands; and
- (4) A Treaty with New Zealand on the Delimitation of the Maritime Boundary between the United States of America and Tokelau.

Your Committee finds that these treaties are vital to the establishment of a constructive United States Pacific policy by recognizing the legitimate rights of the indigenous Pacific Islanders to manage their own affairs, fostering friendly relations and a peaceful environment in the South and Central Pacific, assisting our own territories to achieve economic viability, denying indiscriminate access to adverse foreign military influence, and facilitating future access to ocean resources.

Your Committee on Judiciary concurs with the intent and purpose of H.C.R. No. 165 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1004-82 Employment Opportunities and Labor Relations on H.C.R. No. 138 (Maj.)

The purpose of this concurrent resolution is to request the Legislative Reference Bureau to study the feasibility of creating a State Workers' Compensation Fund.

A study is currently being conducted by the National Association of Insurance Commissioners (NAIC) on an open rating approach to all fields of insurance including Workers' Compensation. However, the scope of the study does not include the feasibility of a State Workers' Compensation Fund which has been proposed to operate in conjunction with an open rating system. Therefore, your Committee believes that a study specifically on a State Workers' Compensation Fund is necessary. The results of this study could then be evaluated alongside the results of the present study being conducted by the NAIC.

Your Committee on Employment Opportunities and Labor Relations concurs with the intent and purpose of H.C.R. No. 138, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Andrews.
(Representative Dods did not concur.)

SCRep. 1005-82 Employment Opportunities and Labor Relations on H.R.
No. 301 (Majority)

The purpose of this resolution is to request the Legislative Reference Bureau to study the feasibility of creating a State Workers' Compensation Fund.

A study is currently being conducted by the National Association of Insurance Commissioners (NAIC) on an open rating approach to all fields of insurance including Workers' Compensation. However, the scope of the study does not include the feasibility of a State Workers' Compensation Fund which has been proposed to operate in conjunction with an open rating system. Therefore, your Committee believes that a study specifically on a State Workers' Compensation Fund is necessary. The results of this study could then be evaluated alongside the results of the present study being conducted by the NAIC.

Your Committee on Employment Opportunities and Labor Relations concurs with the intent and purpose of H.R. No. 301, and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Andrews.
(Representative Dods did not concur.)

SCRep. 1006-82 Energy, Ecology and Environmental Protection on H.C.R. No. 133

The purpose of this concurrent resolution is to request that funds be made available from the Governor or the President of the University of Hawaii for the continued operation

of the Pesticide Hazard Assessment Project (PHAP) and for the regular publication by PHAP of its findings of the pesticide content of foods. In addition, the concurrent resolution requests the Department of Health and Agriculture to utilize the professional services of PHAP on a regular basis to aid in their joint responsibilities of monitoring and controlling the use of pesticides.

Your Committee finds that a number of recent incidents of suspected pesticide contamination have shown the compelling need for an impartial, reliable, respected and independently certified pesticide testing and research laboratory in Hawaii. PHAP, at the University of Hawaii, is one such laboratory having the benefits of being able to draw readily on the experience of many years of pesticide usage research and other available professional skills at the university.

Due to reduction in federal funds from the U.S. Environmental Protection Agency, the primary source of funding for PHAP, the amount needed to fund the cost of maintaining the PHAP core staff and to continue the operation and maintenance of the PHAP laboratory is approximately \$130,000. This funding will allow PHAP to remain a viable operation in the state and provide for a continuing basis of operation until future sources of funding can be secured.

The concurrent resolution has been amended by deleting the paragraph identifying PHAP as the best such facility in the state.

Your Committee on Energy, Ecology and Environmental Protection concurs with the intent and purpose of H.C.R. No. 133, as amended herein, and recommends that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 133, H.D. 1.

Signed by all members of the Committee except Representatives Morioka and Narvaes.

SCRep. 1007-82 Energy, Ecology and Environmental Protection on H.R. No. 210

The purpose of this resolution is to request that the Board of Education prepare a report identifying all school facilities which require soundproofing in order to comply with the Department of Health's noise regulations.

Your Committee finds that noise from within certain school facilities sometimes exceeds allowable noise levels established by the Department of Health. Your Committee believes that school facilities, to the greatest extent possible, should comply with existing noise regulations to help maintain a healthy environment for students, faculty, and neighboring residents alike.

Your Committee believes that this can be achieved by identifying school facilities that do produce noise above allowable levels so that measures, including sound proofing, can be taken to reduce the unacceptable noise levels.

Your Committee on Energy, Ecology and Environmental Protection concurs with the intent and purpose of H.R. No. 210 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee.

SCRep. 1008-82 Employment Opportunities and Labor Relations on H.R. No. 363

The purpose of this resolution is to review the efforts and progress made in the implementation of a vocational rehabilitation unit. This vocational rehabilitation unit was established by Act 224, Session Laws of Hawaii, 1980. Such a review should include the success or effectiveness of the rehabilitation unit, and should determine whether there has been any abuse by private vocational rehabilitation firms since the passage of Act 224.

Your Committee received testimony alleging that abuses may be occurring in at least four specific areas by private vocational rehabilitation agencies. These areas are 1) exorbitant fees charged by private vocational rehabilitation agencies, 2) the use of confidential vocational rehabilitation reports for legal proceedings, 3) invasion of privacy of clients by private vocational rehabilitation agencies, and 4) low levels of minimal professional standards for vocational rehabilitation. Your Committee has therefore

amended this resolution by requesting the Department of Labor and Industrial Relations to investigate these alleged abuses via public hearings if necessary.

Your Committee on Employment Opportunities and Labor Relations concurs with the intent and purpose of H.R. No. 363, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 363, H.D. 1.

Signed by all members of the Committee except Representative Andrews.

SCRep. 1009-82 Energy, Ecology and Environmental Protection on H.R. No. 226

The purpose of this resolution is to call upon President Reagan and the Congress of the United States to act immediately to reduce tension between the United States and the Soviet Union and to ask the Soviet Union to join in a temporary suspension of nuclear arms production while seeking a permanent, international nuclear weapons ban.

Your Committee believes that any tactical use of nuclear weapons, even on a "limited" scale, would result in death, injury and destruction on a scale unprecedented in human history. The acceleration of military spending proposed by the present administration arouses fear and anxiety among many Americans and people throughout the world who realize that a nuclear war would end civilization as we know it.

Your Committee believes the time has come to vigorously stress the importance of reducing the tension between our nation and the Soviet Union while developing a permanent, peaceful solution to the nuclear weapons threat now present.

Your Committee on Energy, Ecology and Environmental Protection concurs with the intent and purpose of H.R. No. 226 and recommends its adoption.

Signed by all members of the Committee except Representatives Morioka and Narvaes.

SCRep. 1010-82 Energy, Ecology and Environmental Protection on H.R. No. 295
(Majority)

The purpose of this resolution is to request the Director of the Department of Health to establish and maintain state air quality standards which are more stringent than the present federal secondary (or primary if no secondary level exists) air quality standards.

Your Committee feels that the premium quality of Hawaii's air is one of our states greatest assets and should be protected accordingly. State air quality standards should be developed reasonably and equitably but should not be left to the limits presently allowed under the federal system alone. Your Committee also finds that a strong system for the Prevention of Significant Deterioration of Hawaii's air should be developed in consultation with the Air Quality Advisory Committee.

Your Committee on Energy, Ecology and Environmental Protection concurs with the intent and purpose of H.R. No. 295 and recommends that it be adopted.

Signed by all members of the Committee except Representatives Morioka and Narvaes.
(Representative Monahan did not concur.)

SCRep. 1011-82 Energy, Ecology and Environmental Protection on H.R. No. 181

The purpose of this resolution is to get a report from the U.S. Army on its efforts to develop a Fire Hazard Management Plan for the Pohakuloa Training Area on the Big Island. The information sought in this report will be evidence of a commitment from the Army to protect the area.

The U.S. Army is the manager and coordinator for field training exercises at the Pohakuloa Training Area (PTA) and is responsible for fire prevention and control. The importance and need for military training within our State is recognized. However, this training should be conducted with the least destruction possible to Hawaii's environment.

The Pohakuloa area is known to be the critical habitat of the Palila bird and a biologically

sensitive area for at least three plants on the endangered species list. Fire in this area would critically endanger the survival of the Palila and these three plants. Because of the high altitude and rugged environment, life in the Pohakuloa area hangs in a very delicate balance with nature. Fire in this area could be devastating.

The area is particularly subject to dry spells and lack of water through much of the year. Water management is very important, therefore, this resolution has been amended to include a request for a report on all the water resources available and how the Army plans to use these resources. Also included in the amendment is a request for a report on the efforts the Army is taking to insure the protection of the endangered species in the area.

Your Committee on Energy, Ecology and Environmental Protection concurs with the intent and purpose of H.R. No. 181, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 181, H.D. 1.

Signed by all members of the Committee except Representatives Morioka and Narvaes.

SCRep. 1012-82 Finance on H.R. No. 194

The purpose of this resolution is to request the Department of Land and Natural Resources to conduct a study of alternative plans for the acquisition of the Lanihau Iki/Kuka'ilimoku property abutting the state park at Old Kona Airport to include the property in the park.

Your Committee received testimony favorable to the resolution from residents of the area who are concerned that residential development of the property may interfere with recreational activities in the park. James Greenwell, president of Lanihau Corporation, owners of the property, indicated that he would discuss exchange possibilities with State officials.

Your Committee has made technical, non-substantive amendments to this resolution.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 194, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 194, H.D. 1.

Signed by all members of the Committee.

SCRep. 1013-82 Finance on H.R. No. 142

The purpose of this resolution is to request the Department of Planning and Economic Development to conduct a study to determine the feasibility in formulating an index of productivity and other ways and means for measuring successes of the Hawaii Visitor Bureau's regional offices in meeting their objectives, including the promotion of increased tourist travel to Hawaii.

Your Committee was informed that both DPED and HVB are amenable to the intent of the resolution. Your Committee is aware that there will be difficulty in quantifying variables that measure marketing efforts and productivity of HVB's regional offices, but DPED and HVB are willing to work together in developing means to measure the effectiveness of HVB's regional offices.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 142 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1014-82 Finance on H.R. No. 172

The purpose of this resolution is to request the Department of Land and Natural Resources to conduct a comprehensive investigation of methods to increase the State's ability to protect Hawaii's historical and archaeological sites.

Your Committee is concerned that archaeological sites are presently being destroyed because there is insufficient study before construction begins on a particular site.

Your Committee on Finance concurs with the intent and purpose of HR. No. 172 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1015-82 Finance on H.R. No. 209

The purpose of this resolution is to direct the Department of Social Services and Housing (DSSH) to establish a vocational training center at the Hawaii Youth Correctional Facility (HYCF).

Your Committee finds that a vocational training center at HYCF is needed to provide the youths with formal vocational training in usable and marketable skills. A formal vocational program, supplemented by a sound academic education, will provide the youths with opportunities to engage in meaningful work while learning skills and work habits which could benefit them when released from the facility.

Your Committee agrees that youngsters at HYCF should be exposed to vocational training programs early in their confinement.

Your Committee on Finance concurs with the intent and purpose of H.R. 209 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1016-82 Finance on H.R. No. 325

The purpose of this resolution is to request a review by the Board of Education of the compensation schedules of coaches in our public schools.

Athletics is an important part of the educational process and that participation and interest has increased dramatically over the past few years. This growth has created a concomitant increase in the responsibilities and workload for coaches. Your Committee finds that the coaches' salaries have not kept pace with the growth in responsibility; the compensation schedule has not been revised since 1968.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 325, H.D. 1 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1017-82 Water, Land Use, Development and Hawaiian Affairs on
H.R. No. 196

The purpose of this resolution is to request the Department of Land and Natural Resources to explore the possibility of negotiating a long-term lease, with an option to purchase, with Consolidated Oil & Gas, the Colorado-based parent company of the Princeville Development Company of Kauai, covering an approximately 700 acre parcel of land in Hanalei Valley owned by the company.

The stated reason for obtaining the lease is to protect rare and endangered plant and animal species and habitats native to Hawaii and to promote and encourage the development of aquaculture.

Your Committee finds that resolution has much merit and that the Department of Land and Natural Resources has had contact with the owners of the lands in question and that prospects of acquisition by lease is good.

Your Committee has amended the first "resolved" section by adding "agriculture" as a permitted use of land to be acquired.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 196, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 196, H.D. 1.

Signed by all members of the Committee.

SCRep. 1018-82 Transportation on H.R. No. 186

The purpose of this resolution is to request the Department of Transportation to conduct a study of and to take the appropriate steps necessary to improve and correct the hazardous conditions at the Waiaka Bridge and Junction in the Kohala area of the County of Hawaii. Present conditions continue to cause a dangerous hazard to both pedestrians and drivers and is such that it warrants consideration and remedy.

The resolution would require a report of the Department of Transportation's findings and a timetable of action to be submitted within 20 days prior to the adjournment of the 1982 Regular Legislative Session. However, in view of the time constraints, your Committee has amended this resolution, changing the effective date to require the Department of Transportation's findings and plan of action to be submitted for consideration to the Legislature 20 days prior to the 1983 legislative session.

Your Committee on Transportation concurs with the intent and purpose of H.R. No. 186, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 186, H.D. 1.

Signed by all members of the Committee except Representative Medeiros.

SCRep. 1019-82 Judiciary on H.R. No. 294

The purpose of this resolution is to urge the United States Congress and President Reagan to evaluate all reasonable alternative approaches to the U.S. Caribbean Aid Package before approving or otherwise implementing the program.

The President of the United States, on March 17, 1982, delivered a message to the Congress transmitting a proposal for legislation to promote economic revitalization and to facilitate expansion of economic opportunity in the Caribbean Basin. Attached to that message was proposed legislation cited as, "The Caribbean Basin Economic Recovery Act." The subject of the President's message to the Congress has been termed the Caribbean Basin Initiative (CBI). As stated in this resolution, the "centerpiece" of the proposed program is free trade for Caribbean products exported to the U.S. for twelve years, a period expected to be long enough to encourage foreign investors to take part.

Your Committee is painfully aware that among the fifty states, Hawaii is most vulnerable to the effects of the CBI because agriculture is such a vital part of the State economy and because the climatic conditions in Hawaii are so similar to the countries in the Caribbean Basin.

The President's proposal include an increase in the quantity of duty-free sugar imports which will threaten Hawaii's already endangered sugar industry. Testimony from the Hawaii Sugar Planter's Association (HSPA) indicated that the sugar industry in Hawaii suffered losses of at least \$83.5 million in 1981 and faces the prospect of equally high losses in 1982.

Foreign sugar products from the Caribbean Basin will benefit from the President's proposal but will simultaneously increase the stiff competition market which now threatens Hawaii's industry. The proposal will also adversely counteract some of the benefits of the Agriculture and Food Act of 1981, which was intended to provide a minimal floor on sugar prices in the United States as a protective measure against the effect of depositing surplus sugar from sugar exporting nations into the world market.

Other agricultural and horticultural businesses in Hawaii, such as pineapple, macadamia nut, papaya, and ornamental flowers will also be severely damaged by the President's program since the Caribbean environment is potentially capable of competing in these areas.

Your Committee also recognizes that Hawaii's economy will be further threatened by the President's proposal to assist the tourist industry in the Caribbean Basin. Accordingly, your Committee believes that the passage of this resolution is vitally important to the State of Hawaii.

Your Committee has amended the resolution by replacing "Caribbean Aid Package" with "Caribbean Basin Economic Recovery Act" throughout the resolution in order to more accurately identify the proposed Presidential program. Similarly, the term "Sugar Act" has been replaced with "Agriculture and Food Act." Further technical amendments

have been made.

Your Committee on Judiciary is in accord with the intent and purpose of H.R. No. 294, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 294, H.D. 1.

Signed by all members of the Committee.

SCRep. 1020-82 Education on S.C.R. No. 29

The purpose of this concurrent resolution is to request the Board of Education to review and make recommendations to correct possible pay differential inequities between 10-and-12-month educational officers and that the Board submit a report on its progress in this area to the legislature 20 days prior to the convening of the 1983 Regular Session.

Your Committee finds that pay for 10-month and 12-month educational officers are not equitable. Your Committee believes that we must take corrective steps to insure equal pay for equal work.

Your Committee further finds that 12-month educational officers have suffered distinct disadvantages and negative effects as a result of the present inequity. Your Committee believes that the Board of Education should review alternative actions to resolve the problems and to report to the Legislature its findings and recommendations.

Your Committee on Education concurs with the intent and purpose of S.C.R. No. 29, S.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representatives de Heer and Monahan.

SCRep. 1021-82 Ocean and Marine Resources on H.C.R. No. 153

The purpose of House Concurrent Resolution No. 153 is to clearly express the State of Hawaii's support for extending the term and providing for the release of funds appropriated by Public Law 92-444, the Central, Western and South Pacific Fisheries Development Act.

The Pacific Tuna Development Foundation (PTDF) is a private, non-profit corporation formed in 1974 to develop the tuna and other latent fish resources in the Central, Western and South Pacific Ocean areas through programs of research, exploration, development, marketing and training. PTDF is a uniquely cooperative effort involving United States-related Pacific Islands, the U. S. Government and the American fishing industry.

Your Committee notes that although the State of Hawaii has experienced extensive economic growth since Statehood, the local fishing industry has not kept pace with such growth. Ironically, as the market for seafood products continues to increase in Hawaii, it is the foreign fishing fleets who are harvesting our substantial off-shore fisheries resources and not Hawaii owned or operated fishing vessels. The State administration and legislature, because of this concern, have joined the Federal Government in recognizing fisheries development as a high priority. Your Committee finds that the recently acquired knowledge of the off-shore fisheries potential, and the identification of new albacore grounds in the North Central Pacific have contributed to the opening of several small scale fish processing plants in Honolulu. This movement is only the beginning of a much more comprehensive effort which will be required to take full advantage of the fishing potential throughout the Pacific Basin through cooperative efforts of the private sector, State and Federal Governments.

Your Committee finds that Public Law 92-444 formed the legal basis for establishing the Pacific Tuna Development Foundation. Your Committee further finds that this organization has engaged in valuable and successful exploratory work in developing U. S. fisheries resources in the U. S. Pacific Basin, including Hawaii, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, the Federated States of Micronesia and the Marshall Islands.

Your Committee further finds that U. S. organizations in Hawaii and on the West Coast, such as the Western Fishboat Owners Association, have benefited greatly from the Pacific Tuna Development Foundation. Your Committee also finds that the Pacific Tuna Development Foundation is currently being funded by the Saltonstall-Kennedy

funds which may not be available beyond FY 1982, and therefore, it is imperative that Public Law 92-444, the Central, Western and South Pacific Fisheries Development Act be extended through FY 1985 with the authorization to expend \$5 million per year under the Act.

Your Committee has amended the concurrent resolution by making various non-substantive grammatical changes.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.C.R. No. 153, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 153, H.D. 1.

Signed by all members of the Committee.

SCRep. 1022-82 Ocean and Marine Resources on H.R. No. 348

The purpose of House Resolution No. 348 is to clearly express the State of Hawaii's support for extending the term and providing for the release of funds appropriated by Public Law 92-444, the Central, Western and South Pacific Fisheries Development Act.

The Pacific Tuna Development Foundation (PTDF) is a private, non-profit corporation formed in 1974 to develop the tuna and other latent fish resources in the Central, Western and South Pacific Ocean areas through programs of research, exploration, development, marketing and training. PTDF is a uniquely cooperative effort involving United States-related Pacific Islands, the U. S. Government and the American fishing industry.

Your Committee notes that although the State of Hawaii has experienced extensive economic growth since Statehood, the local fishing industry has not kept pace with such growth. Ironically, as the market for seafood products continues to increase in Hawaii, it is the foreign fishing fleets who are harvesting our substantial off-shore fisheries resources and not Hawaii owned or operated fishing vessels. The State administration and legislature, because of this concern, have joined the Federal Government in recognizing fisheries development as a high priority. Your Committee finds that the recently acquired knowledge of the off-shore fisheries potential, and the identification of new albacore grounds in the North Central Pacific have contributed to the opening of several small scale fish processing plants in Honolulu. This movement is only the beginning of a much more comprehensive effort which will be required to take full advantage of the fishing potential throughout the Pacific Basin through cooperative efforts of the private sector, State and Federal Governments.

Your Committee finds that Public Law 92-444 formed the legal basis for establishing the Pacific Tuna Development Foundation. Your Committee further finds that this organization has engaged in valuable and successful exploratory work in developing U. S. fisheries resources in the U. S. Pacific Basin, including Hawaii, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, the Federated States of Micronesia and the Marshall Islands.

Your Committee further finds that U. S. organizations in Hawaii and on the West Coast, such as the Western Fishboat Owners Association, have benefited greatly from the Pacific Tuna Development Foundation. Your Committee also finds that the Pacific Tuna Development Foundation is currently being funded by the Saltonstall-Kennedy funds which may not be available beyond FY 1982, and therefore, it is imperative that Public Law 92-444, the Central, Western and South Pacific Fisheries Development Act be extended through FY 1985 with the authorization to expend \$5 million per year under the Act.

Your Committee has amended the resolution by deleting the phrase "the Senate concurring, in the "Be It Resolved" clause and by making various non-substantive grammatical changes.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 348, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 348, H.D. 1.

Signed by all members of the Committee.

SCRep. 1023-82 Ocean and Marine Resources on H.R. No. 337

The purpose of this resolution is to encourage the Department of Land and Natural Resources to investigate the feasibility of culturing desirable species of marine resources for stocking shoreline fisheries management areas and other waters of the State, to improve fishing opportunities for fishers.

Your Committee has received testimony from the Department of Land and Natural Resources (DLNR) which supports this resolution and which describes DLNR efforts to enhance, conserve, and manage Hawaii's near shore marine resources. These efforts include the formulation of measures to maintain marine resource availability, the establishment of Marine Life Conservation Districts, the development of artificial reefs, and the development of an experimental Shoreline Fisheries Management Area in the Waikiki-Diamond Head area of Oahu. The Department also testified that it plans to continue stocking desirable marine species, such as mullet, milkfish, clams, oysters and limu "ogo", and will attempt to expand its stocking capability as facilities and resources used for the Hawaiian prawn industry become available for the propagation of these other desirable species.

Your Committee has amended this resolution in the following respects:

(1) adding crustaceans, white crab, and Samoan crab to the listing of desirable species of aquatic life contained in the seventh "Whereas" clause;

(2) inserting an eighth "Whereas" clause which reads "Whereas, the stocking of reef fishes and other aquatic life in the waters of the State including shoreline fisheries management areas may enhance fishing opportunities, and further complement shoreline fisheries management areas by increasing fish population at a rate which, in addition to providing other benefits, may afford Hawaii fishers with the opportunity for quality fishing; now, therefore",

(3) modifying the "Be It Resolved" clause to clarify that DLNR is requested, rather than encourage, to investigate the feasibility of culturing desirable species of marine resources, and specifically including "shoreline fisheries management areas" as areas for stocking such marine resources; and

(4) inserting a "Be It Resolved" clause to transmit a certified copy of this resolution to the Chairman of the Board of Land and Natural Resources.

Your Committee on Ocean and Marine Resources concurs with the intent and purpose of H.R. No. 337, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 337, H.D. 1.

Signed by all members of the Committee.

SCRep. 1024-82 Energy, Ecology and Environmental Protection on H.R. No. 365

The purpose of this resolution is to request that the Congress of the United States amend the federal Clean Water Act by eliminating the application of NPDES permits to discharges from reservoirs.

Your Committee finds that as a result of a Federal District Court ruling in Washington, D.C., the rigorous procedural and regulatory requirements of obtaining approval for a NPDES permit currently applied to sewerage waste would now be applied to discharges from reservoirs.

Your Committee further finds that the involved process of obtaining NPDES permits for discharges from reservoirs and the installation of treatment works for the identified 119 dams in Hawaii to meet the stringent effluent requirements of a NPDES permit would cause unnecessary hardships for the operators of dams in Hawaii.

Your Committee on Energy, Ecology and Environmental Protection concurs with the intent and purpose of H.R. No. 365 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1025-82 Energy, Ecology and Environmental Protection on H.R. No. 227

The purpose of this resolution is to request that the Department of Public Works of the City and County of Honolulu report on the department's future plans regarding solid waste management.

Your Committee finds that Oahu will soon face a critical problem regarding the disposal of the hundreds of tons of solid waste generated daily by our citizens. The scarcity of available land on Oahu coupled with the fact that the Kailua, Kawaihoa, and Waianae landfills will reach their capacity within the next three years, dictate that planning and appropriate action be undertaken immediately to ensure the continued proper disposal of our solid waste.

Your Committee on Energy, Ecology and Environmental Protection concurs with the intent and purpose of H.R. No. 227 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1026-82 Judiciary on H.R. No. 374

The purpose of this resolution is to request that the United States Senate advise and consent to the treaties of friendship with certain Pacific Islands currently pending ratification in the Senate.

During the last twenty years, various island regions of the Pacific have changed their political status as protectorates of Great Britain, Australia, and New Zealand to that of independent, self-governing states. Four treaties were signed in 1979 and 1980 establishing friendly relations with the new sovereignties, providing for the settlement of the status of twenty-five islands to which the United States has claims, providing for consultations amongst treaty signatories regarding third party requests for use of the islands for military purposes, establishing maritime boundaries for American Samoa, and facilitating access to fishing grounds for vessels serving the canneries in American Samoa. The four treaties which are pending ratification by the U.S. Senate are:

- (1) A Treaty of Friendship with the Republic of Kiribati;
- (2) A Treaty of Friendship with Tuvalu;
- (3) A Treaty with the Cook Islands on Friendship and Delimitation of the Maritime Boundary between the United States of America and the Cook Islands; and
- (4) A Treaty with New Zealand on the Delimitation of the Maritime Boundary between the United States of America and Tokelau.

Your Committee finds that these treaties are vital to the establishment of a constructive United States Pacific policy by recognizing the legitimate rights of the indigenous Pacific Islanders to manage their own affairs, fostering friendly relations and a peaceful environment in the South and Central Pacific, assisting our own territories to achieve economic viability, denying indiscriminate access to adverse foreign military influence, and facilitating future access to ocean resources.

Your Committee on Judiciary concurs with the intent and purpose of H.R. No. 374, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 374, H.D. 1.

Signed by all members of the Committee.

SCRep. 1027-82 Finance on H.C.R. No. 98

The purpose of this resolution is to request the governor of the State of Hawaii with cooperation of the appropriate state departments and in concert with the appropriate federal departments to conduct a feasibility study to determine the optimum location and configuration of a World Peace Center in Hawaii.

The establishment of such a center in Hawaii may result in increased economic prosperity for the people of Hawaii, as well as be a place where international ideas on methods

of preserving peace and brotherhood could be exchanged.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 98 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1028-82 Agriculture on H.R. No. 358

The purpose of this resolution is to request the Department of Agriculture to conduct a study of problems arising out of the use of paraquat outside the agricultural industry.

The prevalent use of the herbicide paraquat by the agricultural industry is necessary to kill weeds. However, potentially dangerous effects may occur with the improper or accidental use of paraquat by the wrong parties or without proper supervision. The study requested by this resolution will address such problems.

The Chairman of the Board of Agriculture has testified before your Committee in support of this resolution.

Your Committee on Agriculture concurs with the intent and purpose of H.R. No. 358 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Blair, Fukunaga, Hashimoto, Monahan and Narvaes.

SCRep. 1029-82 Health and Agriculture on H.R. No. 279

The primary purpose of this resolution, as received by your Committees, is to request that the Department of Health and the Department of Agriculture jointly and comprehensively study the problem of heptachlor in Hawaii's milk supply.

Your Committees note that the University of Hawaii's College of Tropical Agriculture and Human Resources, under the leadership of Dean Noel P. Kefford, has been working very closely with the Departments of Health and Agriculture on the heptachlor problem and, therefore, should be officially included in further activities. Your Committees feel that the Governor's Agriculture Coordinating Committee (GACC) and Oahu's dairy and pineapple industries should also be included, with the GACC acting as the lead agency.

After duly considering the various testimonies received on this resolution, your Committees have amended the purpose of the resolution to request the GACC, with the assistance of the Department of Health, the Department of Agriculture, and the College of Tropical Agriculture and Human Resources, to prepare and implement a plan to remedy and prevent the heptachlor contamination of dairy products. Oahu's dairy and pineapple industries, and other pertinent firms, agencies, and entities are also requested to cooperate and assist in preparing and implementing the plan. Your Committees have also provided for the appointment of a House interim subcommittee to monitor and review the problem of heptachlor contamination and the preparation and implementation of the requested plan.

Because the primary purpose and thrust of the resolution have been amended, your Committees have also amended the title of the resolution to read: "REQUESTING THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE TO PREPARE AND IMPLEMENT A PLAN TO REMEDY AND PREVENT HEPTACHLOR CONTAMINATION IN DAIRY PRODUCTS." Your Committees have also amended the organization and language of the resolution fundamentally to clarify the intent of its provisions.

Your Committee on Health and your Committee on Agriculture concur with the intent and purpose of H.R. No. 279, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 279, H.D. 1.

Signed by all members of the Committees except Representative Monahan.

SCRep. 1030-82 Youth and Elderly Affairs on S.C.R. No. 39

The purpose of this concurrent resolution is to request employers to develop policies

to hire, retain, and promote older workers.

Your Committee finds that the population of older persons is increasing at a rapid rate and they are included as one of the hardest groups to secure employment. Fixed incomes, along with inflation and the high cost-of-living, has made working an economic necessity among the older population.

This concurrent resolution seeks to make every effort possible to encourage the support and assistance of employers to promote older workers.

Your Committee on Youth and Elderly Affairs concurs with the intent and purpose of S.C.R. No. 39 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Lacy.

SCRep. 1031-82 Water, Land Use, Development and Hawaiian Affairs and
Agriculture on H.R. No. 18

The purpose of this resolution is to conduct a study of possible alternative actions with respect to the operations of Puna Sugar Company.

The planned closing of the Puna Sugar Company and the resultant multiplier effect will devastate the economy of the Puna community with corresponding impact on the entire Big Island if sugar operations are not continued somehow or replacement crops or industries, which generate income and employment comparable to sugar operations, are not found.

Your Committees have made a technical, non-substantive amendment to the first "BE IT RESOLVED" clause of this resolution by deleting the colon after the word "feasible" and replacing it with a semi-colon.

The second "BE IT FURTHER RESOLVED" clause of this resolution lists several possible alternatives for Puna. Your Committees feel that the scheduled closing of Puna Sugar Company has already progressed to a point such that some of these alternatives may no longer be feasible. Thus, your Committees have also amended this resolution by deleting the second "BE IT FURTHER RESOLVED" clause. This amendment will allow the appointed House committees and members to use their own discretion and knowledge in determining what possible alternatives to study.

Your Committees have received testimony supporting this resolution from the Chairman of the Board of Agriculture, the Director of the Department of Labor and Industrial Relations, Amfac, Inc., and the ILWU Local 142.

Your Committees on Water, Land Use, Development, and Hawaiian Affairs and Agriculture concur with the intent and purpose of H.R. No. 18, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 18, H.D. 1.

Signed by all members of the Committees except Representatives Blair,
Fukunaga, Hashimoto, Monahan and Narvaes.

SCRep. 1032-82 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 345

The purpose of this resolution is to authorize the establishment of a small business advisory committee and to request the Governor to appoint its members.

Your Committee finds that small businesses in the State represent a very significant and important part of our economy. Our economic strength is greatly determined by how well our small businesses succeed and expand.

The establishment of a small business advisory committee can be of assistance to the State in researching the concerns, interests, issues and objectives of the small business community. The committee can be a source of governmental assistance for immediate and long term needs of our small business sector.

Your Committee has amended the first "BE IT FURTHER RESOLVED" clause by requesting, instead of instructing, the Governor to appoint committee members and to inform the President of the Senate and the Speaker of the House of Representatives of his appoint-

ments. Other non-substantive changes have also been made.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 345, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 345, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami and Monahan.

SCRep. 1033-82 Water, Land Use, Development and Hawaiian Affairs on H.C.R. No. 151

The purpose of this concurrent resolution is to authorize the establishment of a small business advisory committee and to request the Governor to appoint its members.

Your Committee finds that small businesses in the State represent a very significant and important part of our economy. Our economic strength is greatly determined by how well our small business succeed and expand.

The establishment of a small business advisory committee can be of assistance to the State in researching the concerns, interests, issues and objectives of the small business community. The committee can be a source of governmental assistance for immediate and long term needs of our small business sector.

Your Committee has amended the first "BE IT FURTHER RESOLVED" clause by requesting, instead of instructing, the Governor to appoint committee members and to inform the President of the Senate and the Speaker of the House of Representatives of his appointments. Other non-substantive changes have also been made.

Your Committee on Water, Land Use Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 151, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 151, H.D. 1.

Signed by all members of the Committee except Representatives Kawakami and Monahan.

SCRep. 1034-82 Finance on H.R. No. 127

The purpose of this resolution is to request that the Administrative Director of the Courts conduct a study of the one-day, one-trial jury system, and recommend appropriate legislation and appropriation measures necessary to implement the system in the State of Hawaii.

Your Committee finds that the three most objectionable aspects of jury service amongst jurors were long periods spent waiting in the jury assembly room, not being selected as a sworn juror in at least one trial, and long terms of jury service. One possible solution to this problem is the adoption of a one-day, one-trial jury system.

Under this system, when a prospective juror is called on a specific day and he is selected, he shall serve for the duration of the trial; if, however, he is not selected to serve that day, due to a challenge during voir dire or for any other reason, he is dismissed for the year. The person who is selected to serve will serve as a juror for the one trial, regardless of how long the trial takes, and is then also dismissed for the rest of the year.

Your Committee agrees with the premise set forth in the resolution pointing out that the integrity of the jury system is threatened when jury duty becomes so onerous a burden that eligible jurors attempt every possible means to avoid involvement in the judicial process. The right to a trial by jury is historically grounded in the fundamental principles underlying our Federal and State Constitutions. Your Committee believes that efforts should be made to preserve the jury system in the most efficient and effective manner possible, and favors a study of the one-day, one-trial system as a possible means to substantially improve current procedures.

The system has been implemented in about fifty court systems throughout the nation; a study conducted in Wayne County, Michigan indicated that significant improvements in juror utilization, cost savings, and citizen participation have occurred under the one-day, one-trial jury system.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 127 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1035-82 Finance on S.C.R. No. 57

The purpose of this concurrent resolution is to review different alternatives of preserving, to the greatest extent possible, the major provisions of the Hawaii Prepaid Health Care Act (Chapter 393, Hawaii Revised Statutes), which has been preempted by the federal Employee Retirement Income Security Act (ERISA - Public Law 93-406).

Since January 1, 1975, the Hawaii Prepaid Health Care Act mandated employers to provide affordable comprehensive medical care to their employees because of the spiraling cost of comprehensive medical care. However, on October 5, 1981 the U.S. Supreme Court ruled that ERISA preempted the Hawaii Act.

This study will provide the means to develop methods or alternatives to withstand and overcome the legal challenge of federal preemption and yet provide adequate comprehensive medical benefits at reasonable cost.

Your Committee on Finance concurs with the intent and purpose of S.C.R. No. 57 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1036-82 Finance on H.R. No. 210

The purpose of this resolution is to request that the Board of Education prepare a report identifying all school facilities which require sound proofing in order to comply with the Department of Health's noise regulations.

Your Committee finds that noise from within certain school facilities sometimes exceeds allowable noise levels established by the Department of Health. Your Committee believes that school facilities, to the greatest extent possible, should comply with existing noise regulations to help maintain a healthy environment for students, faculty, and neighboring residents alike.

Your Committee believes that this can be achieved by identifying school facilities that do produce noise above allowable levels so that measures, including sound proofing, can be taken to reduce the unacceptable noise levels.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 210 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1037-82 Finance on H.R. No. 143

The purpose of this resolution is to request that the Department of Planning and Economic Development provide to the House of Representatives a report detailing how the State will ensure that the people of Puna are provided an opportunity to participate meaningfully in the decision-making process regarding the development of geothermal energy within that district.

Developing a specific strategy, including provisions to obtain appropriate input and recommendations from concerned Puna residents, would be helpful in monitoring and ameliorating the social and environmental impact of geothermal development in that area.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 143 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1038-82 Finance on H.R. No. 60

The purpose of this resolution is to request the Hawaii VISTA Grant Program with the assistance of the Advisory Commission on Manpower and Full Employment to study the feasibility of a state volunteer program, similar to the national VISTA program. Such a program would meet community needs and also provide productive and rewarding volunteer assignments and related training for individuals willing to volunteer their services for one or more years in the State in exchange for basic subsistence allowance.

The study should include an examination and analysis of federal laws, regulations and policies that relate to the VISTA program, chapter 90 HRS (State Policy Concerning Utilization of Volunteer Services). The study should also make recommendations for appropriate legislation which would enable the establishment of such a State Volunteer Program. Finally, the study should examine specific issues as the skills that volunteers should have, who will receive the volunteer services, administration of such a program, extent of benefits volunteers may receive and other matters that the study deems relevant.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 60 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1039-82 Finance on H.R. No. 14

The purpose of this resolution is to request the Department of Health to amend present regulations or adopt new regulations to include the monitoring of discharges generated by geothermal activities.

Your Committee recognizes a need to develop and commercialize such alternate energy resources as geothermal energy. At the same time, however, your Committee also recognizes the responsibility of the State to maintain a safe and healthy environment for its citizens.

Because potentially hazardous contaminants may be generated by the geothermal activities in the Puna area of the island of Hawaii, your Committee believes that it would be in the best interest of the State to initiate procedures to monitor these geothermal-generated discharges.

This resolution requests the Department of Health to establish procedures to monitor geothermal projects for potentially hazardous substances including, but not limited to: all sulphur compounds, radon and radon daughters, mercury, arsenic, all silica compounds, and other metal vapors.

The department's monitoring program is to include:

- (a) Monitoring of emissions from all emission points associated with the geothermal facility.
- (b) A baseline study to determine existing background concentrations of primary pollutants known or anticipated from geothermal projects.
- (c) Establishment of preliminary standards for emission levels for geothermal projects (possibly adopting California standards) including standards for long-term exposure to geothermal emissions.
- (d) A mechanism for sampling of water catchment systems in the vicinity of the well, both up wind and down wind.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 14, H.D. 1 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1040-82 Culture and the Arts on H.R. No. 362

The purpose of this resolution is to request the Department of Land and Natural Resources and the Department of Transportation to convene a meeting of representatives of the

State's Hawaiian canoe racing associations to encourage the formulation of uniform guidelines and standards for racing equipment and uniform rules for competition.

In the past your Committee finds that canoe racing clubs have organized under separate associations each with its own governing rules, guidelines, and equipment standard. Your Committee finds that these associations could more effectively promote the sport of canoe racing through a cooperative effort based on a uniform set of equipment guidelines and standards, and uniform rules governing competition.

Your Committee has amended this resolution by including the Office of Hawaiian Affairs as a participating agency with the Department of Transportation and the Department of Land and Natural Resources in the convening the requested meeting of canoe racing associations.

Your Committee has further amended this resolution by making other technical, non-substantive amendments to the bill for the purpose of style and clarity.

Your Committee on Culture and the Arts concurs with the intent and purpose of H.R. No. 362, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.R. No. 362, H.D. 1.

Signed by all members of the Committee.

SCRep. 1041-82 Public Assistance and Human Services on S.C.R. No. 56

The purpose of this concurrent resolution is to request the Department of Social Services and Housing to develop and plan a "nursing home without walls" demonstration project in order to show the viability of a coordinated home care services delivery system for two hundred Medicaid eligible individuals.

Your Committee finds that there is a need for the development of community-based alternatives to institutionalization. Many health care providers and consumers throughout the State recognize that our present provision of home care services is inadequate in meeting the growing needs of individuals who risk institutionalization due to illness, incapacity, or the absence of a caretaker/relative. Many families are highly stressed because of the lack of support services available to them for the care of their elderly or disabled relative. Your Committee, therefore, favors the development and planning of a home care services project.

Your Committee on Public Assistance and Human Services concurs with the intent and purpose of S.C.R. No. 56 and recommends that it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Nakamura.

SCRep. 1042-82 Housing and Public Employment and Government Operations
on H.R. No. 144

The purpose of this resolution is to urge the Board of Trustees of the Employees Retirement System (ERS) to make more funds available for home mortgage loans.

Your Committees find that interest rates today are at record highs. High-interest earning investments are creating a large outflow of capital from the state, thus making less funds available to local financial institutions for making home mortgage loans. Your Committees believe that the Employees Retirement System may provide local home buyers with the opportunity of home purchase through greater investment of its assets locally. However, your Committees recognize the fiduciary responsibilities of the trustees of the ERS, and wish to explore available means of assuring fiduciary responsibility at the same time greater home mortgage funds are provided.

Your Committees have made technical, clarifying amendments to this resolution.

Your Committees on Housing and Public Employment and Government Operations concur with the intent and purpose of H.R. No. 144, as amended herein, and recommend that it be adopted in the form attached hereto as H.R. No. 144, H.D. 1.

Signed by all members of the Committees.

SCRep. 1043-82 Water, Land Use, Development and Hawaiian Affairs on H.C.R.
No. 158

The purpose of this concurrent resolution is to enhance trade and business interaction between Canada and Hawaii by encouraging and accelerating such interaction, by asking the Governor to proclaim a "Canada-Hawaii Week". A report by the Department of Planning and Economic Development as to the feasibility of establishing a "Canada-Hawaii Trade Association" is also requested.

Your Committee finds that Canada is a significant contributor to our visitor industry and general economy and that proclamations of Hawaii-Canada Weeks have been made in the past, which were held usually in conjunction with a special event and visitation to Hawaii of a high-level Canadian dignitary.

Your Committee has amended the concurrent resolution by adding the Canadian Consulate General, San Francisco and the Premier of each Canadian province to the list of persons to receive copies of this concurrent resolution.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.C.R. No. 158, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 158, H.D. 1.

Signed by all members of the Committee except Representative Monahan.

SCRep. 1044-82 Water, Land Use, Development and Hawaiian Affairs on H.R.
No. 360

The purpose of this resolution is to enhance trade and business interaction between Canada and Hawaii by encouraging and accelerating such interaction, by asking the Governor to proclaim a "Canada-Hawaii Week". A report by the Department of Planning and Economic Development as to the feasibility of establishing a "Canada-Hawaii Trade Association" is also requested.

Your Committee finds that Canada is a significant contributor to our visitor industry and general economy and that proclamations of Hawaii-Canada Weeks have been made in the past, which were held usually in conjunction with a special event and visitation to Hawaii of a high-level Canadian dignitary.

Your Committee has amended the resolution by adding the Canadian Consulate General, San Francisco and the Premier of each Canadian province to the list of persons to receive copies of this resolution.

Your Committee on Water, Land Use, Development and Hawaiian Affairs concurs with the intent and purpose of H.R. No. 360, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 360, H.D. 1.

Signed by all members of the Committee except Representative Monahan.

SCRep. 1045-82 Finance on S.B. No. 2909-82

The purpose of this bill is to provide partial funding for Phase II-A of the Hawaii Deep Water Cable Program. This bill includes a \$550,000 appropriation to accomplish the purposes of this bill and to supplement prior appropriations.

There are extensive geothermal resources on the island of Hawaii. In order to derive the greatest benefit from the electricity generated from such resources, an undersea transmission cable between Hawaii and Oahu is imperative. The development of such a cable will further ensure achievement of the State goal of energy self-sufficiency.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2909-82, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1046-82 Finance on S.B. No. 2201-82

The purpose of this bill is to eliminate the ceiling of \$6,000 currently imposed on

the Department of Hawaiian Home Lands for the employment of agricultural and aquacultural experts. This provision in the law is obsolete and serves no useful purpose.

Your Committee on Finance is in accord with the intent and purpose of S.B. No. 2201-82, S.D. 1, and recommends that it pass Third Reading.

Signed by all members of the Committee.

SCRep. 1047-82 Finance on H.R. No. 358

The purpose of this resolution is to request the Department of Agriculture to conduct a study of problems arising out of the use of paraquat outside the agricultural industry.

The prevalent use of the herbicide paraquat by the agricultural industry is necessary to kill weeds. However, potentially dangerous effects may occur with the improper or accidental use of paraquat by the wrong parties or without proper supervision. The study requested by this resolution will address such problems.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 358 and recommends its adoption.

Signed by all members of the Committee.

SCRep. 1048-82 Finance on H.C.R. No. 137

The purpose of this resolution is to request a management audit and review of the Department of Transportation's Airports Division to ensure efficiency and improve operation of the State airport system.

Your Committee believes that certain problems exist within the operations of the airports system which may have drastic effects on the self-sufficient operation of the State airport programs. These problems include the increasingly large debt service ratio, the reliance on large concession revenues from Duty Free Shoppers and the uncertainties over ceded lands involving the Office of Hawaiian Affairs. Your Committee believes that a management audit and review would provide appropriate recommendations for present management and amendments to the law for the purpose of improving the operations of the airport system.

Your Committee on Finance concurs with the intent and purpose of H.C.R. No. 137 and recommends its adoption.

Signed by all members of the Committee except Representatives Fukunaga, G. Hagino, Levin, Okamura and Marumoto.

SCRep. 1049-82 Water, Land Use, Development and Hawaiian Affairs and
Agriculture on H.R. No. 297

The purpose of this Resolution is to request the Department of Land and Natural Resources to (1) assess the real property identified as TMK: 4-2-06-:01, 4-2-08-:01 and 4-2-09-:1, as to its suitability for agricultural production and the feasibility of establishing an agricultural park; (2) assess the real property, identified as TMK: 4-2-10:01 and 4-2-10:04, as to its water resource potential, and (3) study possible alternative plans for the acquisition of such lands for an agricultural park and watershed reserve.

Your Committees, upon further consideration, have amended the Resolution by (1) deleting all references to specific tax map key numbers, and (2) making technical amendments. Your Committees find that tax map key numbers should not be specified because such numbers will restrict the Department of Land and Natural Resources in carrying out the purposes of this Resolution.

Your Committees on Water, Land Use, Development, and Hawaiian Affairs and Agriculture concur with the intent and purpose of H.R. No. 297, as amended herein, and recommend its adoption in the form attached hereto as H.R. No. 297, H.D. 1.

Signed by all members of the Committees.

SCRep. 1050-82 Consumer Protection and Commerce on S.C.R. No. 74

The purposes of this concurrent resolution are to request the Department of Regulatory Agencies and the Real Estate Commission to update their report entitled, "An Examination of the Administration of Real Estate Regulatory Functions in Hawaii", and to explore the feasibility of establishing a separate real estate division within the department.

The report, which was prepared in response to Senate Resolution No. 166, S.D. 1, adopted by the Senate of the 1980 Regular Session, recommended that a separate real estate division be established. However, because of administrative problems the Commission in 1981 supported retaining the present organizational set-up.

Your Committee believes that because of the economic importance of real estate in the State, an agency in the State must have the ability to govern the industry properly with adequate funding and manpower, and therefore believes that an updating is necessary.

This concurrent resolution would provide for the review of the commission's workload and responsibilities with the goal of making recommendations in manpower and organizational structure including the feasibility of establishing a real estate division within the Department of Regulatory Agencies.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of S.C.R. No. 74 and recommends it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Honda.

SCRep. 1051-82 Consumer Protection and Commerce on S.C.R. No. 71

The purpose of this Concurrent Resolution is to formally request that a certain ad hoc committee which was formed by the Public Utilities Committee of the Senate during this session continue with their study and research of necessary amendments to Chapter 269, Hawaii Revised Statutes.

Your Committee finds that the members of this ad hoc committee desire to continue their meetings during the interim in order to present their findings and recommendations to the Twelfth Legislature.

Your Committee finds that the ad hoc committee has set its objectives for amending Chapter 269, and that said committee should be given an opportunity to continue meeting in order to develop the appropriate amendments.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of S.C.R. No. 71, S.D. 1, and recommends it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Honda.

SCRep. 1052-82 Consumer Protection and Commerce on S.C.R. No. 60

The purpose of this concurrent resolution is to request the insurance commissioner, in conjunction with representatives of the automobile insurance industry, to study alternatives to modify the Hawaii no-fault law with respect to optional additional coverages.

Currently, insurers are required to offer each insured person optional additional coverage beyond the minimum required and while the quality of a risk may change over time, insurers are not allowed to cancel or make adjustments in the level of coverage.

Your Committee is aware that the insurance industry maintains they should have the right to decide whom to offer optional coverage and to make adjustments, while the Department of Regulatory Agencies feels this would be contrary to the intent and policy of the "take all comers" requirement and open competitive rating provisions of no-fault law.

The study proposed by this concurrent resolution is to reconcile the opposing views of the insurance industry and the Department of Regulatory Agencies and to consider alternatives which protect consumers and provide insurers with reasonable flexibility in offering optional coverage.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of S.C.R. No. 60, S.D. 1 and recommends it be referred to the Committee on Finance.

Signed by all members of the Committee except Representatives Honda and Shito.

SCRep. 1053-82 Consumer Protection and Commerce on S.C.R. No. 90

The purpose of this concurrent resolution is to request the Department of Regulatory Agencies (DRA) to assist the Chamber of Commerce of Hawaii in studying the feasibility and effects of enacting legislation in the State based on the Model Business Corporation Act, the Model Nonprofit Corporation Act, and the general corporation law of Delaware.

These model acts were studied by the Legislature for the past three years and have also been studied by the Chamber of Commerce during the last legislative interim.

Your Committee finds, however, that further study of the model acts in addition to the general corporation law of Delaware is warranted.

The concurrent resolution would also request an analysis of sections affected in the Hawaii Revised Statutes.

Your Committee on Consumer Protection and Commerce concurs with the intent and purpose of S.C.R. No. 90 and recommends it be referred to the Committee on Finance.

Signed by all members of the Committee except Representative Honda.

SCRep. 1054-82 Transportation and State General Planning on S.C.R. No. 13
(Majority)

The primary purpose of this concurrent resolution, as received by your Committees, is to adopt the State Transportation Plan of October, 1981 as a State functional plan for the State of Hawaii in furtherance of Chapter 226, Hawaii Revised Statutes.

Your Committees find that out of concern over the State's future growth and direction, the 1978 State Legislature adopted the Hawaii State Planning Act (Chapter 226, Hawaii Revised Statutes), also referred to as the Hawaii State Plan. Emphasis on legislative participation in the overall government planning process is contained in the Act's broad goals, objectives, policies, and priority directions intended to direct the State's future growth and development, and the submittal of twelve (12) functional plans for specified areas of governmental activity to the Legislature.

In accordance with the provisions of Chapter 226, Hawaii Revised Statutes, the Department of Transportation prepared the State Transportation Plan of October, 1981, designed to set forth guidelines for the delivery of services and the allocation of resources by State agencies with regard to transportation, and the plan was submitted to the Eleventh Legislature, Regular Session of 1982.

After duly reviewing the State Transportation Plan of October, 1981, as amended by the Senate, your Committees have modified the substance of the plan and have attached these amendments to the plan as Exhibit B. Your Committees recommend that the State Transportation Plan, as transmitted by the Governor to the Legislature and attached hereto as Exhibit A, and as modified by the amendments set forth in Ramseyer format in the attached Exhibit B, be adopted as the State Transportation Functional Plan.

Subsequent to your Committees' review and amendment of the State Transportation Plan (Exhibit A as amended by Exhibit B), your Committees have amended the concurrent resolution in the following principal respects:

(1) The title of the resolution has been amended from "Relating to the State Transportation Plan" to "Relating to the State Transportation Functional Plan" in order to avoid any confusion between the functional plan for transportation being adopted pursuant to Chapter 226, Hawaii Revised Statutes, and any other plan or plans relating to transportation. Other references to the transportation plan throughout the resolution have been amended accordingly.

(2) References to the technical reference document have been deleted, and a new

"Whereas" clause added to clarify that the State Transportation Functional Plan Technical Reference Document is to serve as a resource document, containing background information and data relevant to the transportation functional plan. It is the intent of your Committees that the technical reference document is merely an informational resource document and is not to be used to interpret the intent or meaning of the policies and implementing actions contained in the amended Plan.

(3) References to the Attorney General's opinion of March 31, 1982 have been deleted because the gist of said Attorney General opinion, that functional plans are to be utilized as guidelines with respect to certain county planning processes or functions, has in essence been incorporated into the following redrafted "Whereas" clause:

"WHEREAS, State functional plans shall be approved by the Legislature by concurrent resolution pursuant to Chapter 226, Hawaii Revised Statutes, and do not mandate county and private sector actions, serving instead as guidelines to coordinate the various sectors of government and private industry toward achieving the statewide objectives of the Hawaii State Planning Act and, when adopted by concurrent resolution, will be expressions of legislative policy but are not to be interpreted as law or statutory mandate; now, therefore,".

(4) The "Be It Resolved" clause has been amended to read:

"BE IT RESOLVED by the Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, the House of Representatives concurring, that the State Transportation Plan, as set forth in Exhibit A and amended as set forth in Exhibit B, said exhibits being attached hereto and made parts hereof, be adopted as the State Transportation Functional Plan for the State of Hawaii pursuant to Chapter 226, Hawaii Revised Statutes; and"

(5) References to S.B. No. 2720-82 in the concurrent resolution, as received, have been deleted. Your Committees believe that the enactment of any amendments to Chapter 226, Hawaii Revised Statutes, would be premature until the complete planning process set forth in Chapter 226, Hawaii Revised Statutes, which process includes the adoption of the functional plans, has been implemented, and sufficient experience has been acquired under the Hawaii State Planning Act and the functional plans required by the Act.

(6) Three new "Be It Further Resolved" clauses, reading as follows, have been added:

"BE IT FURTHER RESOLVED that the Department of Transportation coordinate and monitor efforts to implement the State Transportation Functional Plan and submit to the State Plan Policy Council, at least sixty (60) days prior to the start of any regular session of the Legislature, a complete and detailed report on progress being made toward implementation of the State Transportation Functional Plan; and

BE IT FURTHER RESOLVED that the Department of Transportation conduct a comprehensive review and revision of the State Transportation Functional Plan within a two-year period subsequent to any amendments to Part I of the Hawaii State Plan to be consistent with the Hawaii State Plan; and

BE IT FURTHER RESOLVED that the Department of Transportation update the implementation component of the State Transportation Functional Plan at two-year intervals to be consistent with Part III of the Hawaii State Plan and to coincide with preparation of the State biennial budget; and".

Your Committees added these three "Be It Further Resolved" clauses in order to ensure that the implementation of the functional plan is adequately monitored, and that the functional plan is appropriately amended to be consistent with the existing or amended provisions of the Hawaii State Plan.

Your Committees have also made various technical amendments and other amendments for purposes of improved clarity and style.

Your Committee on Transportation and your Committee on State General Planning concur with the intent and purpose of S.C.R. No. 13, S.D. 2, as amended herein, and recommend its adoption in the form attached hereto as S.C.R. No. 13, S.D. 2, H.D. 1.

Signed by all members of the Committees except Representative Waihee.
(Representatives de Heer, Taniguchi and Anderson did not concur.)

SCRep. 1055-82 Finance on H.R. No. 311

The purpose of this resolution is to request the Board of Regents of the University of Hawaii to prepare a proposal to strengthen the skills and competency of all prospective teachers in the University's degree programs in education in dealing more effectively with students with behavioral and attitudinal problems so that the teachers will be better able to maintain a positive learning environment in their classrooms.

Your Committee agrees that the capability of classroom teachers to create an atmosphere conducive to learning is essential to the successful educating of all our children and, therefore, is of critical importance to the sustenance and vitality of society. The improvement of teachers' skills in this regard is to be encouraged and should be implemented to the fullest extent.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 311 and recommends its adoption.

Signed by all members of the Committee except Representatives Nakasato, Narvaes and Wong.

SCRep. 1056-82 Finance on H.R. No. 298

The purpose of this resolution is to request the Executive Office on Aging, with the assistance of the Department of Social Services and Housing, to conduct a study on the feasibility of modifying the State's medical assistance program to allow elderly persons who meet the medical assistance income standard but who do not meet the present resource standard because they own their homes, to be eligible to receive such medical assistance.

The study is to encompass the following possible areas for modifying the eligibility standard:

- (1) disregarding the value of the home which the elderly person or family owns and in which the elderly person or family actually resides, or increase the allowable equity value on real property from the State's current medical assistance policy of \$40,000, whichever is more practicable.
- (2) placing a first priority lien on the home of the elderly person or family;
- (3) liquidating the home upon the death of the elderly person or all members of the family; and
- (4) retaining the amount of the proceeds up to the amount of medical assistance benefits received by the elderly person or family and transmitting the remainder, if any, to beneficiaries.

The study also calls for an estimate of the population which may become eligible for medical assistance under the proposed modification, potential costs to the State, and any legal problems which may arise.

The Executive Office on Aging and the Department of Social Services and Housing are to submit their findings and recommendations to the Legislature prior to the convening of the Regular Session of 1983.

Your Committee finds that at the present time, an applicant for medical assistance from the State is required to meet certain standards, one of which establishes a maximum income amount and another which sets a maximum dollar value on the resources which the person may have, in order to be eligible for such assistance. The imposition of these standards has created a hardship on those elderly individuals who meet the income standard, but not the resource standard because they own their homes, by forcing them to either forego medical assistance benefits or dispose of their homes in order to be eligible. Your Committee finds this situation to be inequitable and believes that it could best be rectified by examining various means of modifying the State's medical assistance program, as called for in this study.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 298, H.D. 1 and recommends its adoption.

Signed by all members of the Committee except Representatives Nakasato, Narvaes and Wong.

SCRep. 1057-82 Finance on H.R. No. 290

The purpose of this resolution is to study the feasibility of establishing a statewide child care resource and referral system and child care training component program for providers and families.

Your Committee agrees that the establishment of a statewide system would be helpful in providing consumers and providers of child care with quality programs and coordinated training services.

Your Committee finds it would be important that the University of Hawaii along with the Community College system provide assistance in the assessment and development of plans for the child care training component.

Your Committee also requests that the Department of Education provide the necessary assistance in completing this study.

Your Committee on Finance concurs with the intent and purpose of H.R. 290 and recommends its adoption.

Signed by all members of the Committee except Representatives Nakasato, Narvaes and Wong.

SCRep. 1058-82 Finance on H.R. No. 59

The purpose of this resolution is to request the Department of Land and Natural Resources to conduct a study on the acquisition of the Kamalumu site near Kailua-Kona, Hawaii, for a state park.

Your Committee supports the general concern that development of the site would result in a loss of dignity in a location that throughout Hawaii's history had been a place of religious and cultural activities.

Your Committee on Finance concurs with the intent and purpose of H.R. No. 59 and recommends its adoption.

Signed by all members of the Committee except Representatives Nakasato, Narvaes and Wong.

SCRep. 1059-82 Finance on S.C.R. No. 39

The purpose of this concurrent resolution is to request employers to develop policies to hire, retain, and promote older workers.

Your Committee finds that the population of older persons is increasing at a rapid rate and they are included as one of the hardest groups to secure employment. Fixed incomes, along with inflation and the high cost-of-living, has made working an economic necessity among the older population.

This concurrent resolution seeks to make every effort possible to encourage the support and assistance of employers to promote older workers.

Your Committee on Finance concurs with the intent and purpose of S.C.R. No. 39 and recommends its adoption.

Signed by all members of the Committee except Representatives Nakasato, Narvaes and Wong.